

Northwest Atlantic Fisheries Organization



**Report of the STACTIC Intersessional Meeting**

6-8 May 2015  
Tallinn, Estonia

NAFO  
Dartmouth, Nova Scotia, Canada  
2015

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## **Report of the STACTIC Intersessional Meeting**

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### **1. Opening by the Chair, Gene Martin (USA)**

The Chair opened the meeting at 10:05am on Wednesday, May 6th, 2015 at the Park Inn by Radisson in Tallinn, Estonia. The Chair welcomed representatives from the following Contracting Parties (CPs): Canada, Denmark (in respect of Faroe Islands and Greenland), the European Union, Iceland, Japan, Norway, Russian Federation, and the United States of America (Annex 1). The Chair introduced the new NAFO Secretariat staff member, Jana Aker to STACTIC.

### **2. Appointment of Rapporteur**

Jana Aker (NAFO Secretariat) was appointed Rapporteur.

### **3. Adoption of Agenda**

The following amendments were made to the Agenda under Agenda Item 15 – Other Matters:

- a) Presentation by Canada on examples of data and reporting anomalies
- b) Canada proposed to discuss an editorial correction to the text of Article 9, Shrimp in Division 3L
- c) The NAFO Secretariat added the discussion point on the request for guidance made by the FC WG on Bycatches and discards to STACTIC
- d) The NAFO Secretariat added a discussion point related to a FC request to STACTIC concerning the application and feasibility of the IMO numbering scheme.

<b>The Agenda was adopted, as amended (Annex 2).</b>
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### **4. Compilation of fisheries reports for compliance review (2004-2014), including review of Apparent Infringements.**

The Secretariat presented an overview of the fisheries in the NAFO Regulatory Area (NRA) in 2014 as well as the fishing trends, catches of regulated and selected unregulated species, and details of the Apparent Infringements (AI) issued (Annex 3). Complementing the presentation was the circulation of three draft compilation tables; an Overview of Fishing Trips, Catches in the NRA, and Details of Apparent Infringements. The purpose of circulating the draft tables was to ensure that all the fishing reports submitted by CPs, as required in the NAFO Conservation and Enforcement Measures (NCEM), were received by the Secretariat. It was recalled the compilation tables serve as a basis in drafting the STACTIC Annual Compliance Review document. A clarification was made with regards to the submission of port inspection reports for CP vessels landings which do not include Greenland halibut (GHL). Specific suggestions for improvement in the presentation of information on the compilation tables were made:

- Relabel the column “Directed Species” to “Directed Species per Trip” in the Fishing Trip Overview table.
- The columns (W and X) in the overview table describing the at-sea AIs be combined.
- The AI table should cross-reference fishing trips in the overview table.

CPs agreed to defer adding any names to either table for further discussion and consideration.

Canada intends to table a working paper for the Annual Meeting to improve the reporting of AIs.

The Secretariat noted the suggestions and indicated that these would be integrated when the compilations tables will be formally transmitted to CPs on 22 June 2015. CPs were urged to review the draft compilation tables and inform the Secretariat of any necessary corrections and updates.

The Secretariat also presented the following issues that were identified during its preparation of the draft compliance tables:

- Port States are requested to ensure accuracy in completing Section E.1.B. of PSC 3;
- The scope of what follow-up information on AIs issued by port States is required, particularly as it relates to port infringements; and
- The very low compliance rate (7%) with the requirement of submitting observer reports (in accordance with Article 30.A).

Certain parties noted the obligation to comply with the existing NCEM, in particular the submission of the observer reports.

The Chair asked STACTIC to reflect on these issues with the aim that CPs would have ideas and proposed concrete actions in resolving the issues at the coming Annual Meeting.

In addition, the Secretariat was requested to analyze the catch data from the CAT reports and evaluate the trends of catches of species in the NRA for possible inclusion in the STACTIC Annual Compliance Review that will be completed at the Annual Meeting.

It was **agreed** that:

- **the noted recommended changes be made to the columns in the Fishing Trip Overview table and the AI table.**
- **Contracting Parties would reflect on the issues identified by the Secretariat with the view to proposing concrete actions to resolve them at the 2015 Annual Meeting.**
- **any corrections to the compliance review and accompanying tables be submitted to the Secretariat before 22 June 2015.**
- **the Secretariat would develop a pilot chart for trends of species catches for each year, to review at the 2015 Annual Meeting for possible inclusion in future compliance reports.**
- **Contracting Parties commit to the improvement of the compliance rate with regard to the submission of Observer Reports.**

## **5. Report and Recommendations of the Ad Hoc Working Group on Port State Control Alignment (WG-PSCA), May 2015**

The Chair presented STACTIC WP - 15/08 Revised (Annex 4) which included the recommendations from the NAFO ad hoc Working Group on Port State Control and Alignment, which met on 4-5 May 2015. The recommendations included the adoption of the draft alignment document based on Norway's STACTIC PSCA-WP 15/02, as amended by the ad hoc STACTIC WG-PSCA, with reservations noted, for purposes of receiving further comment from CPs by 01 July 2015. The draft document proposed changes to Chapters VII and VIII of the CEM to align and harmonize the PSA measures into the NCEM.

US presented draft changes to Annex IV.H so that it could be incorporated into the text of the NCEM, to clearly outline the minimum obligations for port inspections. CPs accepted this draft, with Japan noting a reservation.

The recommendations of the WG also included a request to the EDG WG to check for the consistency through the NCEM of certain terms, in light of the draft document and a request to JAGDM to seek to establish electronic communications in the interest of alignment with the PSA and the CEMs of NAFO and NEAFC.

It was **agreed** that:

- the draft alignment document, noting the reservations made by Japan during the ad hoc STACTIC WG-PSCA and the reservation made during the STACTIC intersessional meeting concerning the inclusion of the Annex IV.H in the text of the CEM, and Iceland concerning the scope of the draft document being limited to the Regulatory Area, and the separation of CPs and NCPs, shall be accepted for the purposes of receiving further consideration and comments before and during the Annual Meeting.
- the written comments on the draft alignment document attached to STACTIC WP -15/08 (Revised) to the Secretariat should be submitted no later than 01 July 2015 for recirculation.
- the recommendations 1 and 3 in STACTIC WP -15/08 (Revised) are adopted.

## 6. Review and evaluation of Practices and Procedures

The Secretariat presented STACTIC WP 15/01 - Practices and Procedures. The Secretariat noted that there were two additions from Canada on their Observer and Fishery Officer Training since the last STACTIC meeting. It was noted by Canada that a good practice going forward might be for Contracting Parties to share the Practices and Procedures of their Fisheries Monitoring Centres (FMCs) and that Canada was planning on providing the Secretariat with documentation outlining its domestic practices.

It was **agreed** that:

- CPs should continue to share best practices and procedures with the Secretariat and STACTIC and including in the future FMC Best Practices and Procedures.

## 7. Review of current IUU list pursuant to NAFO CEM (NCEM) Article 53

The Secretariat presented STACTIC WP 15/02 - NAFO IUU List update and noted that one vessel, the *Dolphin*, had been removed from the IUU list because information to the satisfaction of NAFO had been received that the vessel had been scrapped. This was confirmed by Russia.

Contracting Parties suggested that it might be useful to have on the NAFO website a compilation of all IUU listed vessels from relevant RFMOs (CCAMLR, SEAFO, and NEAFC) ensuring that there is a clear distinction between the NAFO IUU list and the other RFMOs.

It was **agreed** that:

- the NAFO Secretariat will complete a draft web page of IUU listed vessels from other relevant RFMOs (CCAMLR, SEAFO, and NEAFC) and provide it to STACTIC members for review at the 2015 NAFO Annual Meeting.

## 8. Half-year review of the implementation of new NAFO CEM measures

The Secretariat presented STACTIC WP 15/03 (Revised) - Half-year review of the implementation of the new measures in the 2015 NCEM. The measures adopted by FC in September 2014 which became in force in 2015 are as follows:

- Article 28.8 (b) and Annex II.N - Fishing Logbook Information by Haul to be submitted to the Secretariat, and
- Annex II.C – Format for authorization to conduct fishing activities (AUT report). The data element TA – (Targeted species and Area) – species and area allowed for regulated and un-regulated species.

The Secretariat noted that the Article 28.8.b has been interpreted in different ways by different Contracting Parties, resulting in the Secretariat receiving the haul by haul information in several different formats. It was also noted that at the present time, the Secretariat is unable to read the XML files submitted by one CP, but a solution is being developed in collaboration with the CP to resolve this issue and to allow the Secretariat to receive all related messages in XML format. CPs discussed these issues at length and decided that they should defer any possible solution until the annual meeting.

The US expressed reservation about reporting consistent with Annex II.N and preferred to retain the ability to report consistent with Annex II.M Part 2.

The Secretariat also noted that there may be an unresolved issue with the replacement of the “DS” field with the “TA” field in the AUT messages.

It was **agreed** that:

- **Contracting Parties would defer the discussion on the wording of Article 28.8.b in the CEM until the Annual Meeting. Contracting Parties will encourage the submission of the information as an Excel file in the form of Annex II.N in the interim if logbook information cannot be submitted electronically.**
- **the Secretariat would look further into the issue of replacing the “DS” with the “TA” field found in the AUT message resulting in error messages and report back to STACTIC at the Annual Meeting.**

## 9. NAFO MCS Website

The Secretariat presented STACTIC WP 15/04 - NAFO MCS Website and noted that Phase III of the website was completed. Contracting Parties were encouraged to continue testing the website and sending comments and suggestions to the Secretariat.

The EU noted that they had submitted to the Secretariat some suggestions/comments on the technical aspects of the website. The Secretariat indicated that it continues to incorporate the suggestions for improvement. It will review the list to ensure that all comments and suggestions are incorporated to the greatest extent possible. The Secretariat agreed to look into the status of the suggestions that have yet to be incorporated and report back on the issue.

The EU suggested expanding the functionality of the MCS website, including the use of the website as central hub for inspection information with due consideration for access rights of the CPs. The EU also suggested reviewing the scope of phase III of the MCS website for the possible inclusion of all port inspection and observer reports.

Contracting Parties discussed having the MCS website serve as an information sharing platform between NAFO and NEAFC. As an initial step, Contracting Parties suggested that JAGDM focus its advice and recommendations related to integrating and sharing of NAFO and NEAFC data on the technical aspects of sharing of COE/COX messages between NAFO and NEAFC as well as PSC1, 2 and 3 forms. The US reminded CPs that security and confidentiality concerns must be addressed in any sharing of data.

The Secretariat offered to give a demonstration on the functionality of the MCS website at the annual meeting.

Canada provided STACTIC WP 15/11 - Data Sharing between NAFO and NEAFC, which includes precise recommendations to assist JAGDM in completing their task (see Agenda Item 14).

It was **agreed** that:

- **STACTIC WP 15/11 would be forwarded to JAGDM to assist in its deliberations; and**
- **the Secretariat would continue to consider technical improvements to the website suggested by the CPs, and give a demonstration on the current functionality of MCS website at the Annual Meeting.**
- **the use of the website as a central hub be further be considered at the Annual Meeting**

#### **10. Editorial Drafting Group of the NAFO CEM (EDG)**

The EDG representative presented STACTIC WP 15/09 - Review of the footnotes associated to Annex I.A – Annual Quota Table. The representative explained the process undertaken to arrive at the recommendations and noted that there were no substantive changes to the existing text. The EU noted that there were several footnotes that state “EU to work on this footnote separately”, and explained that this task was an internal matter and would be undertaken in a separate exercise to be conducted by the EU. Iceland noted concerns about the footnotes (2, 3, 4, 10, 17) pertaining to REB (pelagic redfish) and suggested that these footnotes be reviewed by both the NAFO and NEAFC Secretariats prior to making any changes. The Chair noted that a written proposal should be tabled to provide direction to the Secretariat on how to proceed with this task. The EU suggested moving forward with the review of footnotes other than those pertaining to REB.

It was **agreed** that:

- **CPs would review and comment on the draft working paper, excluding those footnotes pertaining to REB, and submit comments to the NAFO Secretariat no later than 01 July 2015.**
- **the EU would present the results of its internal footnote review at the Annual Meeting.**

#### **11. New and Pending Proposals on Enforcement Measures -- possible revisions of the NAFO CEM**

There were no items put forward under this agenda item.

#### **12. Report and Recommendations of the Working Group to Review the NAFO Observer Scheme, April 2015**

The representative of the NAFO STACTIC Observer Program Review Working Group Canada presented STACTIC WP 15/07 (Revised). The representative noted that WG members had agreed on the ongoing need and utility of an effective observer plan and to that end the WG had discussed many themes and challenges related to the existing scheme. The Working Group provided the following **recommendations** to STACTIC:

- **that STACTIC confirm that the existing NAFO Observer Scheme should remain in place;**

- **Contracting Parties should remain vigilant in their respective application of the program and ensure that they adhere to the requirements of the existing Scheme;**
- **that the Working Group continue its deliberations to conclude the analysis of the existing program and develop options to enhance the program. Draft SWOT analysis will be completed through email/conference call and distributed to STACTIC Representatives by July 17, 2015;**
- **that the STACTIC Compliance Review should more thoroughly evaluate Contracting Party compliance with the provision of Chapter V of the NCEM's, in particular the electronic reporting derogation provided for under section B; and**
- **that any new definitions referring to the role of observers should be vetted through the FC SC Working Groups to ensure compatibility with the work being conducted by those NAFO bodies.**

It was indicated that the WG had initiated a SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis of the current NAFO Observer Scheme, but were not able to complete this significant task in the two days that were allotted for this meeting. The working group agreed to conclude the SWOT analysis through virtual discussions and distribute to the STACTIC representatives by 17 July 2015.

It was **agreed** that:

- **all recommendations put forward by the working group in STACTIC WP 15/07 (Revised) be adopted.**

### **13. Information Security Management System (ISMS)**

The Secretariat presented STACTIC WP 15/05 - NAFO Information Security Management System (ISMS) and reported on the IT Security Audit that was recently completed, including a list of 27 suggested recommendations. The Secretariat had three suggestions: that STACTIC approve in principle the recommendations table, that STACTIC ponder how to move forward with evaluating and addressing the items designated to them on the recommendations table, and that the NAFO ISMS be an item on the next STACTIC agenda. Contracting Parties discussed the working paper and agreed that they needed time to review the recommendations in detail and to defer the Agenda Item to the Annual Meeting. The Secretariat noted that this item is also on the agenda for the upcoming JAGDM meeting.

It was **agreed** that:

- **further discussions and actions of this agenda item be deferred to the Annual Meeting.**

### **14. Joint Advisory Group on Data Management (JAGDM)**

The Secretariat presented STACTIC WP 15/06 - Joint Advisory Group on Data Management (JAGDM) and noted that there had not been a JAGDM meeting since STACTIC last met. The Secretariat noted that the next JAGDM meeting will be held 20-21 May 2015 at the NAFO Secretariat and that there were several agenda items of possible interest to STACTIC, including:

- definitions and clarification of data elements,
- data sharing between NAFO and NEAFC,
- NAFO ISMS.



Canada presented STACTIC WP 15/11, and noted in the interest of providing JAGDM with additional direction to inform its deliberations on STACTIC's request for advice to enhance data sharing between NEAFC and NAFO, it is proposed that, as an initial step, JAGDM focus its activity on advice/recommendations related to:

- Automated comparison of COE/COX messages,
- Sharing of PSC-1 and PSC-2 information through the NAFO MCS website,
- Electronic submission, collection and management of PSC-3 forms,
- Security considerations for sharing this information.

It was **agreed** that:

- **as noted in Agenda item 9, STACTIC WP 15/11 would be forwarded to JAGDM to assist in its deliberations.**

## 15. Other Matters

### a) Presentation by Canada on examples of data and reporting anomalies

Canada noted that the improvements in data provisions have allowed for further analyses, previously difficult to compile. Canada provided some actual examples of where there are inconsistencies between position reports and the reported locations of catches. Contracting Parties discussed the information and DFG presented a demonstration of their internal control system and some of the methods they employ to conduct catch and effort comparisons. The Chair noted that the presentations demonstrated the value of having multiple sources of catch information.

Discussion by CPs included recognition that CPs are responsible for the quality of data submitted to the Secretariat.

It was **agreed** that:

- **the Contracting Parties should further reflect on how to address data and reporting anomalies and encourage proposed solutions to improve data quality and reporting.**
- **CPs exchange and share best practices on improving data quality, reporting, and integrating multiple data sources.**
- **STACTIC seek coordination of how to address data quality and reporting problems and possible solutions with other related NAFO WGs.**

### b) Canada proposed to discuss an editorial correction to the text of Article 9, Shrimp in Division 3L

Canada presented STACTIC WP 15/10 - Shrimp in Division 3L and referred to FC Doc. 11/23 and STACTIC WP 14/30. Canada noted that current text in Article 9.6 of the CEM does not match the text adopted by the FC in FC Doc. 11/23.

It was **agreed** that:

- **the text in Article 9.6 should be revised to align with the adopted text as follows (Table 3 and Figure 1 will remain unchanged) and forwarded to the Fisheries Commission:**

*All fishing for shrimp in Division 3L shall take place in depths greater than 200m. The fishery in the Regulatory Area shall be restricted to an area east of a line bound by the following coordinates described in Table 3 and depicted in Figure 1(3).*

#### **c) Clarifying terms on bycatches and discards**

The Secretariat referred to a recommendation made by the Working Group on Bycatches and Discards to the Fisheries Commission adopted by the FC at the 2014 annual meeting:

*That the FC task STACTIC to support the WG as necessary including the development of standardized language for bycatch and discards through the CEM, including clarifying ambiguous or inconsistent terminology;*

CPs discussed this request and noted that there was not any ambiguity or inconsistency in bycatch and discard terminology as used in the CEM for management purposes. It was also noted that STACTIC should contribute to the work of the Working Group on Bycatches and Discards.

It was **agreed** that:

- **STACTIC should respond to the FC request by noting the terms “bycatch” and “discards” as they are now defined in the CEM are not ambiguous or inconsistent because they apply to specific management measures rather than a global definition of the concepts.**
- **STACTIC should contribute to the Working Group on Bycatches and Discards.**

#### **d) IMO Numbering Scheme**

The Secretariat highlighted the following from the Fisheries Commission 2014 Annual Meeting:

*A proposal requiring NAFO fishing vessels to use the IMO numbering scheme beginning 1 January 2016 was adopted. Canada requested that in the transition period STACTIC reviews the implication of this requirement as some NAFO fishing vessels may not be eligible to obtain an IMO number.*

The United States indicated that they were looking into the implications of the adopted proposal and provided an update. The US noted that in 2014 there were only four vessels (of less than 100 gross tonnage) that did not have an IMO number but the US worked with IHS Fairplay (the entity that issues IMO numbers on behalf of the IMO) for those vessels to obtain assurances that they could obtain an IMO number. This would minimize barriers for CP vessels to be issued an IMO number.

The US offered to review the current vessels to determine if they have IMO numbers and provide the information to the Secretariat.

The Chair noted that since the process of obtaining an IMO number is not complicated, there should be no problems for NAFO vessels to have the ability to comply.

It was **agreed** that:

- **CPs would seek to facilitate the use of IMO numbers so that they are not restricted in their eligibility for fisheries activities in the NRA beginning on 01 January 2016.**

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#### **16. Time and Place of next meeting**

The next STACTIC meeting will be held at the Westin Nova Scotia Hotel in Halifax, Canada, 21-25 September 2015.

#### **17. Adoption of Report**

The report was adopted on 08 May 2015.

#### **18. Adjournment**

The meeting was adjourned the meeting at 12:28 pm on 08 May 2015. The Chair thanked the host and the Secretariat for their support. He also thanked the meeting participants for their cooperation and input. The participants likewise expressed their thanks and appreciation to the Chair for his leadership.

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## **Annex 2. Agenda**

1. Opening by the Chair, Gene Martin (USA)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Compilation of fisheries reports for compliance review (2004-2014), including review of Apparent Infringements.
5. Report and Recommendations of the Ad Hoc Working Group on Port State Control Alignment, May 2015
6. Review and evaluation of Practices and Procedures
7. Review of current IUU list pursuant to NAFO CEM (NCEM) Article 53
8. Half-year review of the implementation of new NAFO CEM measures
9. NAFO MCS Website
10. Editorial Drafting Group of the NAFO CEM (EDG)
11. New and Pending Proposals on Enforcement Measures -- possible revisions of the NAFO CEM
12. Report and Recommendations of the Working Group to Review the NAFO Observer Scheme, April 2015
13. Information Security Management System (ISMS)
14. Joint Advisory Group on Data Management (JAGDM)
15. Other Matters
  - a) Presentation by Canada on examples of data quality anomalies
  - b) Canada proposed to discuss an editorial correction to the text of Article 9, Shrimp in Division 3L
  - c) The NAFO Secretariat added the discussion point on the request for guidance made by the FC WG on Bycatches and discards to STACTIC
  - d) The NAFO Secretariat added a discussion point related to a FC request to STACTIC concerning the application and feasibility of the IMO numbering scheme.
16. Time and Place of next meeting
17. Adoption of Report
18. Adjournment

### Annex 3 - Fisheries in the NAFO Regulatory Area in 2014

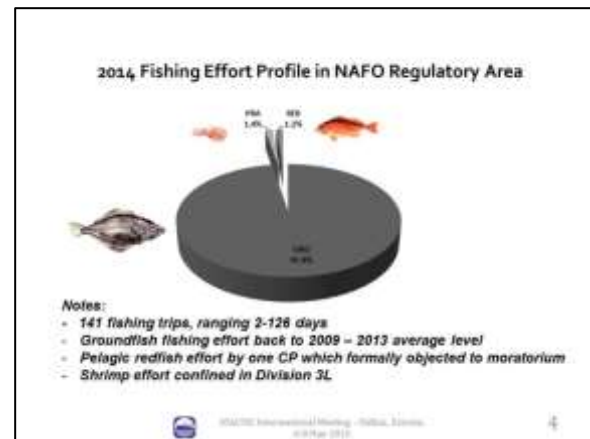
## NAFO 2014 FISHERIES TRENDS and COMPLIANCE

(from the Compilation of NAFO Fishing Reports for  
STACTIC Annual Compliance Review)

Presented by the NAFO Secretariat  
(Agenda item 4)

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Refer to circulated Table 1 (hard copy)

### Initial Observations from Table 1


- High level of compliance - VTI
- General agreement: declared vs landed
- Missing observer reports
- Als issued at sea
- Als issued at Port

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### 2013 -2014 Fishing Effort Profile Comparison

Number of fishing vessels					Fishing effort (days present)				
Year	Groundfish (GRO)	Shrimp (PRA)	Pelagic Redfish (REB)	TOTAL	Year	Groundfish (GRO)	Shrimp (PRA)	Pelagic Redfish (REB)	TOTAL
2013	54	7	4	64	2013	4509	190	79	4778
2014	53	5	5	60	2014	4685	67	57	4809
% Change	-1.85%	-28.57%	25.00%	-6.25%	% Change	3.90%	-64.74%	-27.85%	0.65%


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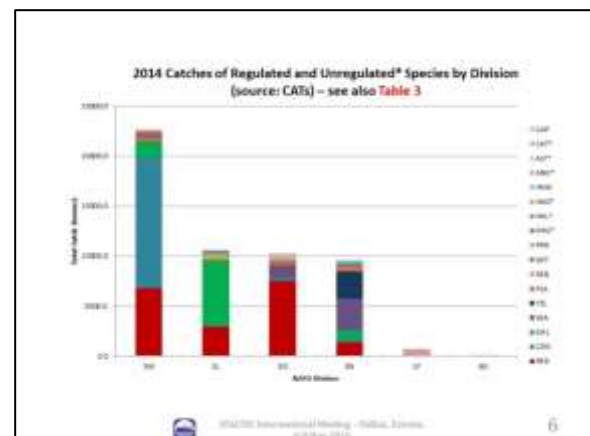
5

### 2014 Fishing Effort Profile in NAFO Regulatory Area

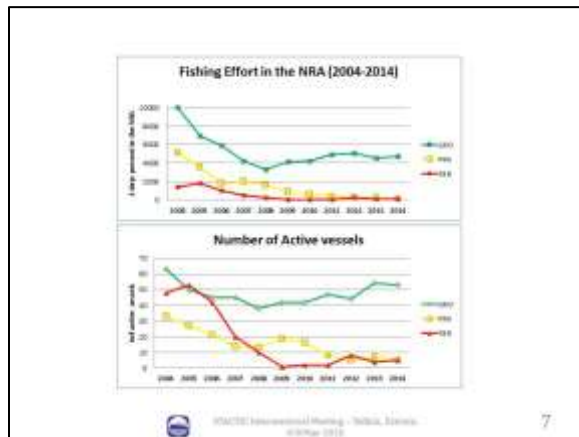
	Groundfish in Div 3LMNO (GRO)	Shrimp in Div 3L (PRA)	Redfish in Div 1F2 (REB)	TOTAL
Number of vessels	53	5	5	60
Effort (days present)	4685	67	57	4809
% Effort	97.4%	1.4%	1.2%	100%

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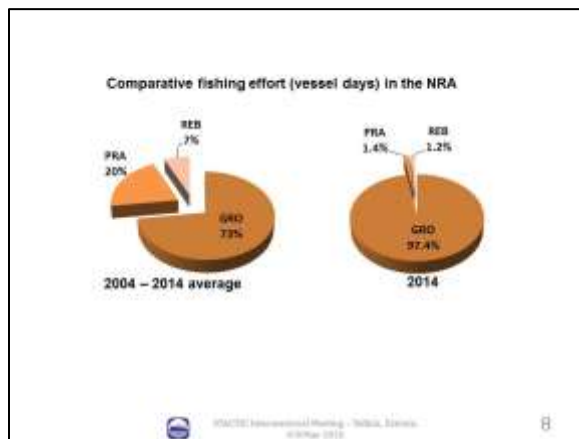
7

**Apparent Infringements 2014 – see Table 6 for details**

At detected at sea	Non- serious	Serious	At detected at port	Non- serious	Serious
Catch Reporting/ Monitoring (Art. 28)	2	2	Catch Reporting/ Monitoring (Art. 28)		1
Quota requirements - catch rates, legal attachments (Art. 34)		1	Quota requirements (Art. 34)	0	
Storage plans (Art. 21)	2		Produce labelling (Art. 27)	2	
AI - electronic observers (Art. 36.1)		1	Evidence sampling (Art. 36.2.a)		1
Capacity plans (Art. 23)	1		<b>Total</b>	2	2
Produce labelling (Art. 27)	1				
<b>Total</b>	6	3			

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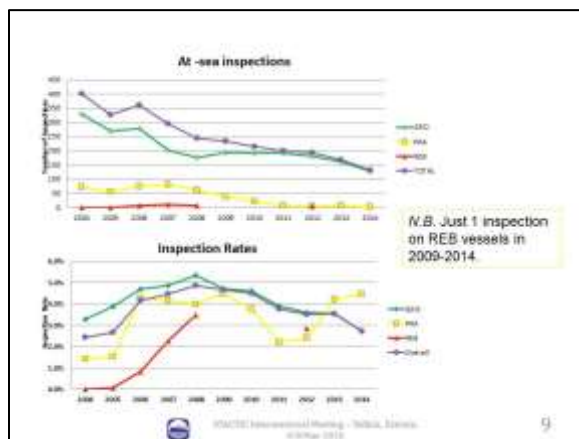


8

<b>Port Inspections</b>	<ul style="list-style-type: none"> <li>Completion of Section E, see table 1</li> <li>Some AIs have no follow-up info. See table 6</li> </ul>
<b>Observer Reports</b>	<ul style="list-style-type: none"> <li>Missing reports. Only 7% coverage</li> </ul>
<b>Daily catch (CAT)</b>	<ul style="list-style-type: none"> <li>Ensure accuracy. Used in quota monitoring.</li> <li>Identified by SC, WG as significant data source for catch validation.</li> </ul>

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<b>2014 Compliance Review</b>	<ul style="list-style-type: none"> <li>Compliance Tables by <b>22 June (RoP 5.1.e)</b></li> <li>Draft Compliance Review document based on Compliance Tables (RoP 5.1.e) by <b>Sept.</b></li> </ul>
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**Annex 4 - Proposed amendments to Chapter VII (Port State Control) and  
Chapter VIII (Non-Contracting Party Scheme) of the NCEM to align with the  
FAO Port State Measures Agreement**

STACTIC Working Paper 15/08 (Revised)

The ad hoc Working Group on Port State Control Alignment (AHWGPPSCA) met on 4-5 May 2015 in Tallinn, Estonia and agreed on the following recommendations:

1. EDG to check for consistency through the NCEM on the following terms:
  - Entitled to fly its flag
  - Entry into port
  - Fishing activities
  - Fishing vessels
  - Master or Agent
  - Landing, transshipment, or other use of ports
  - Fisheries resources
2. STACTIC to accept the draft document developed by the working group with reservations noted for purposes of receiving further comment from Contracting Parties by July 1, 2015. See Annex 1.
3. JAGDM seek to establish electronic communications in the interest of alignment with the PSA and the CEMs of NEAFC and NAFO.

A full draft report of the working group will be circulated following the STACTIC meeting.

Report of STACTIC,  
6-8 May 2015

## **Annex 1. Proposed amendments to Chapter VII (Port State Control) and Chapter VIII (Non-Contracting Party Scheme) of the NCEM to align with the FAO Port State Measures Agreement.**

Note: The basis of this document was STACTIC PSCA-WP 15/03 with additional changes incorporated during the STACTIC Intersessional meeting, specifically the incorporation of Annex IV.H into Article 43.13 and 43.14.

## Northwest Atlantic Fisheries Organization Conservation and Enforcement Measures

### Article 1 - Definitions

1. "Bottom fishing activities" means bottom fishing activities where the fishing gear is likely to contact the seafloor during the normal course of fishing operations;
2. "CEM" refers to these Conservation and Enforcement Measures;
3. "Convention" means the 1979 Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, as amended from time to time;
4. "FMC" means a land-based fisheries monitoring centre of the flag State Contracting Party;
5. "Fishing activities" means ~~fishing, fish harvesting or~~ processing ~~operations, transshipment~~ fishery resources, landings or transshipping of fish fishery resources or fish products, landings, and derived from fishery resources, or any other activity in preparation for, in support of, or related to ~~fishing~~ the harvesting of fisheries resources in the Regulatory Area, including:
  - (i) the actual or attempted searching for, catching or taking of fishery resources;
  - (ii) any activity that can reasonably be expected to result in locating, catching, taking, or harvesting of fishery resources for any purpose, and
  - (iii) any operation at sea in support of, or in preparation for, any activity described in this definition.
 but does not include any operations related to emergencies involving the health and safety of the crew members or the safety of a vessel.
6. "Fishing day" means any calendar day or any fraction of a calendar day in which a fishing vessel is present in any Division in the Regulatory Area;
7. "Fishing trip" for a fishing vessel includes the time from its entry into until its departure from the Regulatory Area and continues until all catch on board from the Regulatory Area has been ~~unloaded~~ landed or transhipped;
8. "Fishing vessel" means any vessel equipped for, intended for, or engaged in fishing activities, including fish processing, transshipment or any other activity in preparation for or related to fishing activities, including experimental or exploratory fishing activities;
9. "Inspector", unless otherwise specified, means an inspector of the fishery control services of a Contracting Party assigned to the Joint Inspection and Surveillance Scheme;
10. "IUU fishing" means activities as defined in paragraph 3 of the FAO International Plan of Action to prevent deter and eliminated illegal, unreported and unregulated fishing;
11. "IUU Vessel List" means the list, established in accordance with Articles 52 and 53;
12. "Non-Contracting Party vessel" means a vessel entitled to fly the flag of a State that is not a Contracting Party or a vessel suspected to be without nationality;
13. "Port" includes offshore terminals and other installations for landing, transshipping, packaging, processing, refueling or resupplying.
14. "Processed fish" means any marine organism that has been physically altered since capture, including fish that has been filleted, gutted, packaged, canned, frozen, smoked, salted, cooked, pickled, dried or prepared for market in any other manner;
15. "Research vessel" means a vessel permanently used for research or a vessel normally used for fishing activities or fisheries support activity that is for the time being used for fisheries research;

[1516](#). "Transshipment" means transfer, over the side, from one fishing vessel to another, of fisheries resources or products.  
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## **Article 2 - Scope**

1. The CEM shall, unless otherwise provided, apply to all fishing vessels used or intended for use for the purposes of commercial fishing activities conducted on fisheries resources in the Regulatory Area.
2. Unless otherwise provided, research vessels shall not be restricted by conservation and management measures pertaining to the taking of fish, in particular, concerning mesh size, size limits, closed areas and seasons.

## **Article 3 - Duties of the Contracting Parties**

1. Each Contracting Party shall ensure that every fishing vessel entitled to fly its flag operating in the Regulatory Area complies with the relevant provisions of the CEM; and
2. Each fishing vessel operating in the Regulatory Area shall perform the relevant duties set out in the CEM and comply with the relevant provisions of the CEM.

## **Article 38 - Additional Procedures for Serious Infringements**

### ***List of Serious Infringements***

1. Each of the following violations constitutes a serious infringement:

- (a) fishing an "Others" quota without prior notification to the Executive Secretary contrary to Article 5;
- (b) fishing an "Others" quota more than seven working days following closure by the Executive Secretary contrary to Article 5;
- (c) directed fishing for a stock which is subject to a moratorium, or for which fishing is otherwise prohibited, contrary to Article 6;
- (d) directed fishing for stocks or species after the date of closure by the flag State Contracting Party notified to the Executive Secretary contrary to Article 5;
- (e) fishing in a closed area, contrary to Article 9.6 and Article 11;
- (f) fishing with a bottom fishing gear in an area closed to bottom fishing activities, contrary to Chapter II;
- (g) using an unauthorized mesh size contrary to Article 13;
- (h) fishing without a valid authorization issued by the flag State Contracting Party contrary to Article 25;
- (i) mis-recording of catches contrary to Article 28;
- (j) failing to carry or interfering with the operation of the satellite monitoring system contrary to Article 29;
- (k) failure to communicate messages related to catch contrary to Article 10.6 or Article 28;
- (l) obstructing, intimidating, interfering with or otherwise preventing inspectors or observers from performing their duties;
- (m) committing an infringement where there is no observer on board;
- (n) concealing, tampering with or disposing of evidence related to an investigation, including the breaking or tampering of seals or gaining access to sealed areas;
- (o) presentation of falsified documents or providing false information to an inspector that would prevent a serious infringement from being detected;
- (p) landing ~~or~~, transshipping or making use of other port services in a port not designated in accordance with the provisions of Article 43.1;
- (q) failure to comply with the provisions of Article 45.1; and
- (r) landing ~~or~~, transshipping or making use of other port services without authorization of the port State as referred to in Article 43.6.

### ***Duties and Authority of the Inspectors***

2. Where the inspectors cite a vessel for having committed a serious infringement, they shall:

- (a) seek to notify the competent authority of the flag State Contracting Party;
- (b) report the serious infringement to the Executive Secretary;
- (c) take all measures necessary to ensure security and continuity of the evidence, including, as appropriate, sealing the vessel's hold for further inspection;
- (d) request that the master cease all fishing activity that appears to constitute a serious infringement ~~;~~

3. The inspectors may remain on board to provide information and assistance to the inspector designated by the flag State Contracting Party (designated inspector). During this time, the inspectors shall complete the original inspection provided that, following the arrival of the designated inspector, the competent authority of the flag State Contracting Party does not require the inspectors to leave the vessel.

Report of STACTIC,  
6-8 May 2015

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***Duties of the Flag State Contracting Party***

4. Where notified of a serious infringement, the flag State Contracting Party shall:

- (a) acknowledge receipt of the notification without delay;
- (b) ensure the fishing vessel does not resume fishing until the inspectors have notified the master that they are satisfied that the infringement will not be repeated; and
- (c) ensure that the vessel is inspected within 72 hours by an inspector designated by the flag State Contracting Party.

5. Where justified, the flag State Contracting Party shall, where authorized to do so, require the vessel to proceed immediately to a port for a thorough inspection under its authority in the presence of an inspector from any other Contracting Party that wishes to participate.

6. Where the flag State Contracting Party does not order the fishing vessel to port, it shall provide written justification to the Executive Secretary no later than 3 working days following the notice of infringement.

7. Where the flag State Contracting Party orders the fishing vessel to port, an inspector from another Contracting Party may board or remain onboard the vessel as it proceeds to port, provided that the competent authority of the flag State Contracting Party does not require the inspector to leave the vessel.

8. (a) Where, in accordance with the inspection referred to in paragraph 3, the designated inspector issues a notice of infringement for:

directed fishing for a stock which is subject to a moratorium (i)

directed fishing for a stock for which fishing is prohibited under Article 6 (ii)

mis-recording of catch, contrary to Article 28 or (iii)

repetition of the same serious infringement during a 100 days period or a single fishing trip, whichever (iv) is shorter

the flag State Contracting Party shall order the vessel to cease all fishing activities and shall forthwith initiate a full investigation.

(b) In this paragraph, "mis-recording of catches" means a difference of at least 10 tonnes or 20%, whichever is greater, between the inspectors' estimates of processed catch on board, by species or in total, and the figures recorded in the production logbook, calculated as a percentage of the production logbook figures. In order to calculate the estimate of the catch on board, the inspectors shall apply a stowage factor agreed between them and the designated inspector.

9. (a) Where the flag State Contracting Party is unable to conduct a full investigation in the Regulatory Area, or where the serious infringement is mis-recording of catches, it shall order the vessel to proceed immediately to a port where it shall conduct a full investigation ensuring that the physical inspection and enumeration of total catch on board takes place under its authority;

(b) Subject to the consent of the flag State Contracting Party, inspectors of another Contracting Party may participate in the inspection and enumeration of the catch.

***Duties of the Executive Secretary***

10. The Executive Secretary:

(a) informs without delay the Contracting Parties having an inspection presence in the Regulatory Area of the serious infringement referred by its inspectors;

(b) informs without delay to the inspecting Contracting Party, the justification provided by the flag State Contracting Party, where it did not order its vessel to port in response to the finding of a serious infringement; and

(c) makes available to any Contracting Party, on request, the justification provided by the flag State Contracting Party where it did not order its vessel to port in response to the finding of a serious infringement.



### Article 39 – Follow-up to Infringements

1. A flag State Contracting Party that has been notified of an infringement committed by a fishing vessel entitled to fly its flag shall:

- (a) investigate immediately and fully, including as appropriate, by physically inspecting the fishing vessel at the earliest opportunity;
- (b) cooperate with the inspecting Contracting Party to preserve the evidence in a form that will facilitate proceedings in accordance with its laws;
- (c) take immediate judicial or administrative action in conformity with its national legislation against the persons responsible for the vessel ~~flying~~[entitled to fly](#) its flag where the CEM have not been respected; and
- (d) ensure that sanctions applicable in respect of infringements are adequate in severity to be effective in securing compliance, deterring further infringements and depriving the offenders of the benefits accruing from the infringement.

2. Each Contracting Party shall ensure that in proceedings it has instituted, it treats all notices of infringement issued in accordance with Article 38.1(l) as if the infringement was reported by its own inspector.

3. Each Contracting Party shall take enforcement measures with respect to a vessel ~~flying~~[entitled to fly](#) its flag, where it has been established in accordance with domestic law, that the vessel committed a serious infringement listed in Article 38.8.

4. The measures referred to in paragraph 3 and the sanctions referred to in paragraph 1(d) may include the following depending on the gravity of the offence and in accordance with domestic law:

- (a) fines;
- (b) seizure of the vessel, illegal fishing gear and catches;
- (c) suspension or withdrawal of authorization to ~~fish~~[conduct fishing activities](#); and
- (d) reduction or cancellation of any fishing allocations.

5. The flag State Contracting Party shall immediately notify the Executive Secretary of the measures taken against its vessel in accordance with paragraphs 3 and 4.

## CHAPTER VII PORT STATE CONTROL

### Article 42 - Scope

Subject to the right of the port State Contracting Party to impose requirements of its own for access to its ports, the provisions in this ~~Article~~Chapter apply to ~~landings or transshipments in port entries and the use of~~ ports of Contracting Parties by fishing vessels ~~flying entitled to fly~~ the flag of another Contracting Party, ~~conducting fishing activities in the Regulatory Area~~. The provisions apply to ~~landing or transshipment of fish caught in the Regulatory Area, fish~~ or fish products originating from such fish, that have not been previously landed or ~~offloaded~~transshipped at a port. This ~~Article~~Chapter also sets out the respective duties of the flag State Contracting Party and obligations of the master of fishing vessels ~~seeking requesting entry~~ to ~~land catch in~~ a port of a Contracting Party.

### Article 43 - Duties of the Port State Contracting Party

1. The port State Contracting Party shall designate ports to which fishing vessels may be permitted ~~access~~entry for the purpose of landing ~~or~~ transshipment ~~and/or provision of port services and shall [to the greatest extent possible ensure] that each designated port has sufficient capacity to conduct inspections pursuant to this Chapter~~. It shall transmit to the Executive Secretary a list of these ports. Any subsequent changes to the list shall be notified to the Executive Secretary no less than fifteen days before the change comes into effect.
2. The port State Contracting Party shall establish a minimum prior ~~notification request~~ period. The prior ~~notification request~~ period should be 3 working days before the estimated time of arrival. However the port State Contracting Party may make provisions for another prior ~~notification request~~ period, taking into account, inter alia, ~~catch product type or the~~ distance between fishing grounds and its ports. The port State Contracting Party shall advise the Executive Secretary of the prior ~~notification request~~ period.
3. The port State Contracting Party shall designate the competent authority which shall act as the contact point for the purposes of receiving ~~notifications requests~~ in accordance with Article 45 (1, 2 and/or 3), receiving confirmations in accordance with Article 44.2 and issuing authorizations in accordance with paragraph 6. The port State Contracting Party shall advise the Executive Secretary about the competent authority name and its contact information.
4. The requirements contained in paragraphs 1, 2 and 3 do not apply to a Contracting Party that does not permit any ~~landings or transshipments port entries~~ in its ports by vessels ~~flying entitled to fly~~ the flag of another Contracting Party.
5. The port State Contracting Party shall forward a copy of the form as referred to in Article 45 (1 and 2) without delay to the flag State Contracting Party of the vessel and to the flag State Contracting Party of donor vessels where the vessel has engaged in transshipment operations.
6. ~~Landing or transshipment operations~~Fishing vessels may ~~only commence after not enter port without prior~~ authorization ~~has been given~~ by the competent authorities of the port State Contracting Party. ~~Such authorization~~Authorization to land or tranship shall only be given if the confirmation from the flag Contracting Party as referred to in Article 44.2 has been received.
7. By way of derogation from paragraph 6 the port State Contracting Party may authorize all or part of a landing in the absence of the confirmation referred to in paragraph 6. In such cases the fish concerned shall be kept in storage under the control of the competent authorities. The fish shall only be released to be sold, taken over, produced or transported once the confirmation referred to in paragraph 6 has been received. If the confirmation has not been received within 14 days of the landing the port State Contracting Party may confiscate and dispose of the fish in accordance with national rules. ~~8. The port State Contracting Party shall without delay notify the master of the fishing vessel of its decision on whether to authorize the landing or transshipment by returning a copy of the form PSC 1 or 2 with Part C duly completed. This copy shall also be transmitted to the Executive Secretary without delay.~~
8. The port State Contracting Party shall without delay notify the master of the fishing vessel of its decision on whether to authorize or deny the port entry, or if the vessel is in port, the landing, transshipment and other use of port. If the vessel entry is authorized the port state returns to the master a copy of the form PSC 1 or 2 with Part C duly completed. ~~This copy shall also be transmitted to the Executive Secretary without delay. In case of a denial the port state shall also notify the flag State Contracting Party.~~
9. In case of cancellation of the prior ~~notification request~~ referred to in Article 45, paragraph 2, the port State Contracting Party shall forward a copy of the cancelled PSC 1 or 2 to the flag State Contracting Party and the Executive Secretary.
10. Unless otherwise required in a recovery plan, the port State Contracting Party shall carry out inspections of at least 15 % of all such landings or transshipments during each reporting year.

In determining which vessels to inspect, port state Contracting Parties shall give priority to:

- a) vessels that have been denied entry or use of a port in accordance with this Chapter or any other provision of the CEM; and
- b) requests from other Contracting Parties, States or RFMOs that a particular vessel be inspected.

11. Inspections shall be conducted by authorized Contracting Party inspectors who shall present credentials to the master of the vessel prior to the inspection.

12. The port State Contracting Party may invite inspectors of other Contracting Parties to accompany their own inspectors and observe the inspection ~~of landings or transshipment operations.~~

13. An inspection of a vessel in port by a port State Contracting Party shall involve the monitoring of the entire landing or transshipment of fishery resources in that port, as applicable. During any such inspection, the port State Contracting Party shall, at a minimum:

- (a) verify, to the extent possible, that the vessel identification documentation on board and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag State or international records of vessels if necessary;
- (b) verify that the vessel's flag and markings (e.g. name, external registration number, International Maritime Organization (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with information contained in the documentation;
- (c) review all other relevant documentation and records held onboard, including, to the extent possible, those in electronic format and vessel monitoring system (VMS) data from the flag State or RFMOs. Relevant documentation may include logbooks, catch, transshipment and trade documents, crew lists, stowage plans and drawings, descriptions of fish holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- (d) verify, to the extent possible, that the authorizations for fishing activities are true, complete, correct and consistent with the information provided in accordance with the CEM provisions including, but not limited to, Articles 25, 44, 45 and 51;
- (e) determine, to the extent possible, whether any fishery resources on board were harvested in accordance with applicable authorizations for the vessel;
- (f) examine any fishery resources on board the vessel, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fishery resources have been pre-packed and move the catch or containers to ascertain the integrity of fish holds. Such examination may include inspections of product type and determination of nominal weight;
- (g) cross-check against the quantities of each species landed or transhipped,
  - (i) the quantities by species recorded in the logbook;
  - (ii) catch and activity reports; and
  - (iii) all information on catches provided in the prior notification (PSC 1 or 2);
- (h) verify and record the quantities by species of catch remaining on board upon completion of landing or transshipment;
- (i) verify any information from inspections carried out in accordance with Chapter VI;
- (j) examine, to the extent possible, all relevant fishing gear onboard, including any gear stowed out of sight as well as related devices, and to the extent possible, verify that they are in conformity with the conditions of the authorizations. The fishing gear shall, to the extent possible, also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configuration of nets, pots, dredges, hook sizes and numbers are in conformity with applicable regulations and that the markings correspond to those authorized for the vessel;
- (k) verify fish size for compliance with minimum size requirements;

(l) evaluate whether there is clear evidence for believing that a non-Contracting Party vessel has engaged in IUU fishing activities; and

(m) arrange, where necessary and possible, for translation of relevant documentation.

14. Each inspection shall be documented by completing form PSC 3 (port State Control inspection form) as set out in Annex IV.C. The inspectors may insert any comments they consider relevant. The master shall be given the opportunity to add any comments or objection to the report, and, as appropriate, to contact the relevant authorities of the flag State in particular where the master has serious difficulties in understanding the content of the report. The inspectors shall sign the report and request that the master sign the report. The master's signature on the report shall serve only as acknowledgment of the receipt of a copy of the report. The master of the vessel shall be provided with a copy of the report containing the result of the inspection, including possible measures that could be taken. A copy of the report shall be provided to the master.

13. An inspection shall involve the monitoring of the entire discharge landing or transshipment in that port and the port State Contracting Party shall as a minimum:

(a) cross-check against the quantities of each species landed or transhipped,

(i) the quantities by species recorded in the logbook

(ii) catch and activity reports, and

(iii) all information on catches provided in the prior notification (PSC 1 or 2)

(b) verify and record the quantities by species of catch remaining on board upon completion of landing or transshipment;

(c) verify any information from inspections carried out in accordance with Chapter VI;

(d) verify all nets on board and record mesh size measurements;

(e) verify fish size for compliance with minimum size requirements;

(f) ensure that inspectors examine all relevant areas, equipment and documents which are relevant to verifying compliance with relevant conservation and management measures, and that inspections are conducted in accordance with the procedures laid down in [Annex IV.H]

14. Each inspection shall be documented by completing form PSC 3 (port State Control inspection form) as set out in Annex IV.C. The inspectors may insert any comments they consider relevant. They shall sign the report and request that the master sign the report. The master may insert any comment he considers relevant and shall be provided with a copy of the report.

15. The port State Contracting Party shall without delay transmit a copy of each port State Control inspection report and, upon request, an original or a certified copy thereof, to the flag State Contracting Party and to the flag State of any vessel that transhipped catch to the inspected fishing vessel. A copy shall also be sent to the Executive Secretary without delay.

16. Inspections shall be conducted in a fair, transparent and non-discriminatory manner and shall not constitute harassment of any vessel. Inspectors shall not interfere with the master's ability to communicate with the authorities of the flag State Contracting Party.

17. The port State Contracting Party shall make all possible effort to communicate with the master or senior crew members of the vessel, including where possible and where needed, that the inspector is accompanied by an interpreter.

18. The port State Contracting Party shall make all possible efforts to avoid unduly delaying the fishing vessel and ensure that the vessel suffers the minimum interference and inconvenience and that unnecessary degradation of the quality of the fish is avoided.

## **Article 44 - Duties of the Flag State Contracting Party**

1. The flag State Contracting Party shall ensure that the master of any fishing vessel entitled to fly its flag complies with the obligations relating to masters set out in ~~this~~ Article ~~45~~.

2. The flag State Contracting Party of a fishing vessel intending to land or tranship, or where the vessel has engaged in transshipment operations outside a port, the flag State Contracting Party or parties, shall confirm by returning a copy of the form, PSC 1 or 2, transmitted in accordance with Article 43.5 with part B duly completed, stating that:

- (a) the fishing vessel declared to have caught the fish had sufficient quota for the species declared;
- (b) the declared quantity of fish on board has been duly reported by species and taken into account for the calculation of any catch or effort limitations that may be applicable;
- (c) the fishing vessel declared to have caught the fish had authorization to fish in the areas declared; and
- (d) the presence of the vessel in the area in which it has declared to have taken its catch has been verified by VMS data.

3. The flag State Contracting Party shall designate the competent authority, which shall act as the contact point for the purposes of receiving [notification requests](#) in accordance with Article 43.5 and providing confirmation in accordance with Article 43.6, and communicate this information to the NAFO Secretariat for dissemination to Contracting Parties.

### Article 45 - Obligations of the Master of a Fishing Vessel

1. The master or the agent of any fishing vessel intending to ~~make a~~[enter](#) port ~~call~~ shall ~~notify~~[forward the request for entry to](#) the competent authorities of the port State Contracting Party within the ~~notification request~~ period referred to in Article 43.2. Such ~~notification request~~ shall be accompanied by the form provided for in Annex II.L with Part A duly completed as follows:

(a) Form PSC 1, as referred to in Annex II.L.A shall be used where the vessel is [carrying](#), landing or transhipping its own catch; and

(b) Form PSC 2, as referred to in Annex II.L.B, shall be used where the vessel has engaged in transshipment operations. A separate form shall be used for each donor vessel.

(c) Both forms PSC 1 and PSC 2 shall be completed in cases where a vessel is intending to land [or tranship](#) both its own catch and catch that was received through transshipment.

2. A master or the agent may cancel a prior ~~notification request~~ by notifying the competent authorities of the port they intended to use. The ~~notification request~~ shall be accompanied by a copy of the original PSC 1 or 2 with the word "cancelled" written across it.

3. The master of a fishing vessel shall:

(a) co-operate with and assist in the inspection of the fishing vessel conducted in accordance with these procedures and shall not obstruct, intimidate or interfere with the port State inspectors in the performance of their duties;

(b) provide access to any areas, decks, rooms, catch, nets or other gear or equipment, and provide any relevant information which the port State inspectors request including copies of any relevant documents.

### Article 46 - Duties of the Executive Secretary

1. The Executive Secretary shall without delay post on the NAFO website:

(a) the list of designated ports [and any changes thereto](#);

(b) the prior ~~notification request~~ periods established by each Contracting Party;

(c) the information about the designated competent authorities in each port State Contracting Party; and,

(d) the information about the designated competent authorities in each flag State Contracting Party.

2. The Executive Secretary shall without delay post on the secure part of the NAFO website:

(a) copies of all PSC 1 and 2 forms transmitted by port State Contracting Parties;

(b) copies of all inspection reports, as referred to in Annex IV.C (PSC 3 form), transmitted by port State Contracting Parties.

3. All forms related to a specific landing or transshipment shall be posted together.

**Article 47 - Serious Infringements Detected During In-Port Inspections**

1. The provisions in Articles 39 and 40 shall apply to any serious infringements listed in Article 38 detected during in-port inspections.
2. Serious infringements detected during in-port inspections shall be followed up in accordance with domestic law.

## CHAPTER VIII NON-CONTRACTING PARTY SCHEME

### Article 48 - General Provisions

1. The purpose of this Chapter is to promote compliance with non-Contracting Party vessels with recommendations established by NAFO and to prevent, deter and eliminate IUU fishing by non-Contracting Party vessels (hereinafter referred to as "NCP" vessels) that undermine the effectiveness of the Conservation and Enforcement Measures established by the Organization.

2. Nothing in this Chapter shall be construed to:

(a) affect the sovereign right of any Contracting Party to take additional measures to prevent, deter and eliminate IUU fishing by NCP vessels or, where evidence so warrants, take such action as may be appropriate, consistent with international law; or

(b) prevent a Contracting Party from allowing an NCP vessel entry into its ports for the purpose of conducting an inspection of, or taking appropriate enforcement action ~~against the vessel, which, if there is sufficient proof of IUU fishing, is at least as effective as denial of port entry in preventing, deterring and eliminating IUU fishing.~~

3. This Chapter shall be:

(a) interpreted in a manner consistent with international law, including the right of port access in case of force majeure or distress; and

(b) applied in a fair and transparent manner.

4. Each Contracting Party shall ensure that vessels entitled to fly its flag do not engage in joint fishing activities with NCP vessels referred to in Article 49, including receiving or delivering transshipments of fish to or from a NCP vessel.

### Article 49 – Presumption of IUU fishing

1. An NCP vessel is presumed to have undermined the effectiveness of the CEM, and to have engaged in IUU fishing, if it has been:

(a) sighted or identified by other means as engaged in fishing activities in the Regulatory Area;

(b) involved in transshipment with another NCP vessel sighted or identified as engaged in fishing activities inside or outside the Regulatory Area; and/or

(c) included in the IUU list of the North East Atlantic Fisheries Commission (NEAFC);

### Article 50 – Sighting and Inspection of NCP Vessels in the NRA

1. Each Contracting Party with an inspection and/or surveillance presence in the Regulatory Area authorized under the Joint Inspection and Surveillance Scheme that sights or identifies an NCP vessel engaged in fishing activities in the NRA shall:

(a) transmit immediately the information to the Executive Secretary using the format of the surveillance report set out in Annex IV.A;

(b) attempt to inform the Master that the vessel is presumed to be engaged in IUU fishing and that this information will be distributed to all Contracting Parties, relevant Regional Fisheries Management Organizations (RFMOs) and the flag State of the vessel;

(c) if appropriate, request permission from the Master to board the vessel for inspection; and

(d) where the Master agrees to inspection:

(i) transmit the inspector's findings to the Executive Secretary without delay, using the inspection report form set out in Annex IV.B; and

(ii) provide a copy to the inspection report to the Master.

### *Duties of the Executive Secretary*

2. The Executive Secretary, within one business day, posts the information received pursuant to this Article to the secure part of the NAFO website and distributes it to all Contracting Parties, other relevant RFMOs, and to the flag State of the vessel as soon as possible.

## **Article 51 – Port Entry and Inspection of NCP vessels**

### ***Duties of the Master of a NCP vessel***

1. Each Master of a NCP vessel shall ~~notify~~[request permission to enter port from](#) the competent authority of the port State Contracting Party ~~of its intention to call into a port~~ in accordance with the provisions of Article 45.

### ***Duties of the Port State Contracting Party***

2. Each port State Contracting Party shall:

(a) forward without delay to the flag State of the vessel and to the Executive Secretary the information it has received pursuant to Article 45;

(b) refuse port entry to any NCP vessel where:

(i) the Master has not fulfilled the requirements set out in Article 45 paragraph 1; or

(ii) the flag State has not confirmed the vessel's fishing activities in accordance with Article 44 paragraph 2;

(c) inform the Master [or agent](#), the flag State of that vessel, and the Executive Secretary of its decision to refuse port entry, landing ~~or~~, transshipment [or other use of port](#) of any NCP vessel;

[\(d\) withdraw denial of port entry only if the port State has determined there is sufficient proof that the grounds on which entry was denied were inadequate or erroneous or that such grounds no longer apply.](#)

[\(e\) inform the Master or agent the flag State of that vessel, and \(d\) the Executive Secretary of its decision to withdraw denial of port entry, landing, transshipment or other use of port of any NCP vessel;](#)

[\(f\) where it permits entry, ensure the vessel is inspected by duly authorized officials knowledgeable in the CEM and that the inspection is carried out in accordance with Article 43 paragraphs 11 – 18 : and](#)

[includes an examination of log books, fishing gear, catch on board, and any other matter relating to the \(i\) vessel's activities in the Regulatory Area; and](#)

[is documented in the format set out in Annex IV.C; and \(ii\)](#)

~~(e)(g)~~ send a copy of the inspection report and details of any subsequent action it has taken to the Executive Secretary without delay.

3. Each [port State](#) Contracting Party shall ensure that no NCP vessel engages in landing, or transshipment operations [or other use of port](#) in its ports unless the vessel has been inspected by its duly authorized officials knowledgeable in the CEM and the Master establishes that the fish species on board subject to the NAFO Convention were harvested outside the Regulatory Area or in compliance [with](#) the CEM. ~~***Duties of the Executive Secretary***~~

### ***Duties of the Executive Secretary***

4. ~~In~~ The Executive Secretary [shall](#) without delay ~~posts~~[post](#) the information received pursuant to this Article to the secure part of the NAFO website, and distributes it to all Contracting Parties, relevant RFMOs, ~~and~~ the flag State of the vessel [and the state of which the vessel's master is a national if known.](#)

## **Article 52 - Provisional IUU Vessel List**

1. In addition to information submitted from Contracting Parties in accordance with Articles 49 and 51, each Contracting Party may, without delay, transmit to the Executive Secretary any information that may assist in identification of any NCP vessel that might be carrying out IUU fishing in the Regulatory Area.

2. If a Contracting Party objects to a NEAFC IUU-listed vessel being incorporated into or deleted from the NAFO IUU Vessel List in accordance with Article 53, such vessel shall be placed on the Provisional IUU Vessel List.



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### ***Duties of the Executive Secretary***

#### **3. The Executive Secretary:**

(a) establishes and maintains a list of NCP vessels presumed to have engaged in IUU fishing in the Regulatory Area referred to as the Provisional IUU Vessel List;

(b) upon receipt, records the information received pursuant to paragraph 1, including, if available, the name of the vessel, its flag State, call sign and registration number, and any other identifying features, in the Provisional IUU Vessel List;

(c) posts the Provisional IUU Vessel List and all updates to the secure part of the NAFO website; and

(d) advises the flag State of the NCP vessel listing, including:

the reasons and supporting evidence; (i)

a copy of the CEM and a link to its place on the NAFO website; (ii)

(e) requests that the flag State of the NCP vessel:

take all measures to ensure that the vessel immediately ceases all fishing activities that undermine the (i) effectiveness of the CEM;

report within 30 days from the date of the request on the measures it has taken with respect to the (ii) vessel concerned; and

state any objections it may have to including the vessel in the IUU Vessel List; (iii)

(f) transmits to the flag State of the NCP vessel any additional information received pursuant to Articles 49-51 in respect of vessels [flying entitled to fly](#) their flag that have already been included in the Provisional IUU Vessel List;

(g) distributes any information received from the flag State to all Contracting Parties;

(h) advises the flag State of the NCP vessel of the dates STACTIC and the General Council will consider listing the vessel in the IUU Vessel List, and invites the flag State to attend the meeting as an observer where it will be given the opportunity to respond to the report submitted in accordance with paragraph 3(e)(ii);

(i) transfers the vessel from the Provisional IUU Vessel List to the IUU Vessel List in accordance with Article 53 if the flag State does not object; and

(j) places all vessels included in the NEAFC IUU List on the IUU Vessel List unless a Contracting Party objects to such inclusion, in which case it places the vessel on the Provisional IUU Vessel List. Article 53 shall not apply to vessels placed on the Provisional IUU Vessel List in accordance with this paragraph.

### **Article 53 - IUU Vessel List**

#### ***Listing a Vessel on the IUU Vessel List***

1. STACTIC recommends to the Fisheries Commission whether each vessel listed in the Provisional IUU Vessel List should be:

(a) deleted from the Provisional IUU Vessel List;

(b) retained in the Provisional IUU Vessel List, pending receipt of further information from the flag State, or

(c) transferred to the IUU Vessel List only upon expiration of the period referred to in Article 52.3(e)(ii).

#### ***Deleting a Vessel from the IUU Vessel List***

2. STACTIC may advise that the Fisheries Commission recommend that General Council delete a vessel from either the Provisional IUU Vessel List or the IUU Vessel List where it is satisfied that the flag State of a vessel concerned has provided sufficient evidence to establish that:

(a) it has taken effective action to address the IUU fishing of such vessel, including prosecution and imposition of sanctions of adequate severity;

(b) it has taken measures to prevent such vessel from engaging in further IUU fishing under its flag;

(c) such vessel has changed ownership, and

the previous owner no longer has any legal, financial or real interest in such vessel, or exercises no (i) control over it; or

the new owner has no legal, financial or real interest in, nor exercises control over, another vessel listed (ii) in the IUU Vessel List or any similar IUU list maintained by an RFMO, [and has not otherwise been engaged in IUU activities;](#)

(d) such vessel did not take part in IUU fishing; or,

(e) such vessel has sunk, been scrapped, or been permanently reassigned for purposes other than fishing activities.

3. The Fisheries Commission may recommend to the General Council any changes to listings in the IUU Vessel List. The General Council determines the final composition of the IUU Vessel List.

### ***Duties of the Executive Secretary***

4. The Executive Secretary:

(a) posts the IUU Vessel List on the NAFO website, including the name and flag State and, if available, the call sign, hull number, IMO number, previous name(s) and flag(s) or any other identifying features for each vessel;

(b) notifies the flag State of the name of each vessel entitled to fly its flag listed in the IUU Vessel List;

(c) transmits the IUU Vessel List and any relevant information, including the reasons for listing or de-listing each vessel, to other RFMOs, including, in particular, the NEAFC, the South East Atlantic Fisheries Organisation (SEAFO), and the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR);

(d) transmits the amendments to the NEAFC IUU list, upon receipt, to all Contracting Parties and amends the IUU Vessel List consistent with amendments to the NEAFC IUU List, within 30 days of such transmittal; unless within the 30 days the Executive Secretary receives from a Contracting Party a written submission establishing that:

any of the requirements in paragraph 2(a)-(d) of this Article have been met with regard to a vessel (i) placed on the NEAFC IUU List; or

none of the requirements in paragraph 2(a)-(d) of this Article have been met with regard to a vessel (ii) taken off the NEAFC IUU List; and

(e) advises STACTIC of any action taken pursuant to this Article.

### **Article 54 - Action against vessels listed in the IUU Vessel List**

Each Contracting Parties shall take all measures necessary to deter, prevent, and eliminate IUU fishing, in relation to any vessel listed in the IUU Vessel List, including:

(a) prohibiting any vessel entitled to fly its flag, from, except in the case of force majeure, participating in fishing activities with such vessel, including but not limited to joint fishing operations;

(b) prohibiting the supply of provisions, fuel or other services to such vessel; both at sea and in port;

(c) prohibiting entry into its ports of such vessel, and if the vessel is in port, prohibiting use of port, except in the case of force majeure; distress, for the purposes of inspection, or for taking appropriate enforcement action;

(d) prohibiting change of crew, except as required in relation to force majeure;

(e) refusing to authorize such vessel to fish in waters under its national jurisdiction;

(f) prohibiting chartering of such vessel;

(g) refusing to entitle such vessels to fly its flag;

(h) prohibiting landing and importation of fish from onboard or traceable to such vessel;

(i) encouraging importers, transporters and other sectors concerned, to refrain from negotiating transshipment of fish with such vessels; and

(j) collecting and exchanging any appropriate information regarding such vessel with the other Contracting Parties, non-Contracting Parties and RFMOs with the aim of detecting, deterring and preventing the use of false import or export certificates in relation to fish or fish product from such vessels.

### **Article 55 - Action Against Flag States**

1. Contracting Parties shall jointly and/or individually request the cooperation of the flag State of each NCP vessel listed in the IUU Vessel List with a view to prevent, deter and eliminate future IUU activities by such vessel.

2. The Fisheries Commission shall review annually the actions taken by the flag States referred to in paragraph 1 with a view to identifying for follow-up action any that has not taken action sufficient to prevent deter and eliminate IUU activities by any vessel entitled to fly its flag listed in the IUU Vessel List.

3. Each Contracting Parties should, to the extent possible and consistent with its international obligations and in accordance with applicable legislation, restrict the export and transfer of any fishing vessel entitled to fly its flag to any State identified pursuant to paragraph 2.

## Annex II.L

### Port State Control Prior ~~Notification~~ Request Forms

#### A-PSC-1

PORT STATE CONTROL FORM – PSC 1							
PART A: To be completed by the Master of the Vessel. Please use black ink							
Name of Vessel:	IMO Number: <sup>1</sup>	Radio Call Sign:	Flag State:				
Email Address:	Telephone Number:	Fax Number:	Inmarsat Number:				
<u>Port of Landing or</u> <u>Transshipments:</u>							
<u>Estimated time of Arrival</u> <u>Date</u> <u>Time UTC</u>							
<u>Vessel master's name</u> <u>Vessel master's nationality</u> <u>Vessel owner</u> <u>Certificate of Registry ID</u>							
<u>Vessel dimensions</u> <u>Length (m):</u> <u>Beam (m):</u> <u>Draft (m):</u>							
<u>Port State:</u> <u>Port of Landing or Transshipment :</u>							
<u>Last port of call:</u> <u>Date:</u>							
Estimated Time of Arrival:	Date:		Time UTC:				
<u>Frozen products only</u>		<u>Fresh products only</u>		<u>Fresh and frozen products</u>			
Total catch on board – all areas							Catch to be landed <sup>2</sup>
Species <sup>3</sup>	Product <sup>4</sup>	Area of catch			Conversion factor	Product weight (kg)	Product weight (kg)
		NEAFC CA (ICES subareas and divisions)	NAFO RA (Sub Division)	Other areas			

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<b>PART B: For official use only – to be completed by the Flag State</b>				
<b>The Flag State of the vessel must respond to the following questions by marking in the box "Yes" or "No"</b>	<b>NEAFC CA</b>		<b>NAFO RA</b>	
	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
a) The fishing vessel declared to have caught the fish had sufficient quota for the species declared				
b) The quantities on board have been duly reported and taken into account for the calculation of any catch or effort limitations that may be applicable				
c) The fishing vessel declared to have caught the fish had authorisation to fish in the area declared				
d) The presence of the fishing vessel in the area of catch declared has been verified according to VMS data				
<b>Flag State confirmation: I confirm that the above information is complete, true and correct to the best of my knowledge and belief.</b>				
<b>Name and Title:</b>				<b>Date:</b>
<b>Signature:</b>	<b>Official Stamp:</b>			

<b>PART C: For official use only – to be completed by the Port State</b>				
<b>Name of Port State:</b>				
<b>Authorisation:</b>	<b>Yes:</b>		<b>No:</b>	
<b>Signature:</b>	<b>Official Stamp:</b>			
1. Fishing vessels not assigned an IMO number shall provide their external registration number 2. If necessary an additional form or forms shall be used 3. FAO Species Codes – NEAFC Annex V - NAFO Annex I.C 4. Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex I.L.K				

PORT STATE CONTROL FORM – PSC 2			
<b>PART A: To be completed by the Master of the Vessel. A separate form shall be completed for each donor vessel. Please use black ink</b>			
<b>Name of Vessel:</b>	<b>IMO Number:<sup>1</sup></b>	<b>Radio Call Sign:</b>	<b>Flag State:</b>
<b>Email Address:</b>	<b>Telephone Number:</b>	<b>Fax Number:</b>	<b>Inmarsat Number:</b>
<u>Vessel master's name</u>	<u>Vessel master's nationality</u>	<u>Vessel owner</u>	<u>Certificate of Registry ID</u>
<u>Vessel dimensions</u>	<u>Length (m):</u>	<u>Beam (m):</u>	<u>Draft (m):</u>
<u>Port State:</u>	<u>Port of Landing or Transhipment :</u>		
<u>Last port of call:</u>	<u>Date:</u>		
<b><u>Port of Landing or Transhipment:</u></b>			
<u>Date and location of transhipment</u>		<u>Transhipment authorisation if relevant</u>	

Estimated Time of Arrival:		Date:		Time UTC:			
<u>Frozen products only</u>			<u>Fresh products only</u>			<u>Fresh and frozen products</u>	
Catch Information for Donor Vessels *A separate form shall be completed for each Donor Vessel*							
Name of Vessel		IMO Number <sup>1</sup>		Radio Call Sign		Flag State	
		Total catch on board – all areas				Catch to be landed <sup>2</sup>	
Species <sup>3</sup>	Product <sup>4</sup>	Area of catch		Conversion factor	Product weight (kg)	Product weight (kg)	
	NEAFC CA (ICES subareas and divisions)	NAFO RA (Sub Division)	Other areas				
PART B: For official use only - to be completed by the Flag State							
The Flag State of the vessel must respond to the following questions by marking in the box "Yes" or "No"						NEAFC CA NAFO RA	
						Yes	No
						Yes	No

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a) The fishing vessel declared to have caught the fish had sufficient quota for the species declared				
b) The quantities on board have been duly reported and taken into account for the calculation of any catch or effort limitations that may be applicable				
c) The fishing vessel declared to have caught the fish had authorisation to fish in the area declared				
d) The presence of the fishing vessel in the area of catch declared has been verified according to VMS data				
<b>Flag State confirmation:</b> <i>I confirm that the above information is complete, true and correct to the best of my knowledge and belief.</i>				

Name and Title:

Date:

<b>Signature:</b>	<b>Official Stamp:</b>
<b>PART C: For official use only - to be completed by the Port State</b>	
<b>Name of Port State:</b>	
<b>Authorisation:</b>	<b>Yes:                      No:                      Date:</b>
<b>Signature:</b>	<b>Official Stamp:</b>
1. Fishing vessels not assigned an IMO number shall provide their external registration number 2. If necessary an additional form or forms shall be used      3. FAO Species Codes – NEAFC Annex V - NAFO Annex II      4. Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex XX (C)	

## Annex IV c

Report on Port State Control inspection (PSC 3)  
(Please use black ink)Inspection report number**A. INSPECTION REFERENCE.**

Landing	Yes	No	Transhipment	Yes	No	<u>Other reason for port entry</u>
Port State			Port of landing or transhipment			
Vessel name		Flag State		IMO Number <sup>1</sup>		International Radio call sign
Landing/transhipment started		Date		Time		
Landing/transhipment ended		Date		Time		
<u>Vessel Type</u>		<u>Certificate of Registry ID</u>		<u>Port of registry</u>		<u>VMS</u>
<u>Vessel master's name</u>		<u>Vessel master's nationality</u>		<u>Fishing master's name</u>		<u>Fishing master's nationality</u>
<u>Vessel's owner/operator</u>		<u>Vessel's beneficial owner<sup>2</sup></u>		<u>Vessel's agent</u>		
<u>Last port of call:</u>				<u>Date:</u>		
<b>B. INSPECTION DETAILS</b>						
Name of donor vessel <sup>3</sup>	IMO Number <sup>1</sup>		Radio call sign		Flag State	

<sup>1</sup> Fishing vessels not assigned an IMO number shall provide their external registration number<sup>2</sup> If known and if different from vessel's owner<sup>3</sup> In case where a vessel has engaged in transhipment operations, a separate form shall be used for each donor vessel.



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<b>B 1. CATCH RECORDED IN THE LOGBOOK</b>			
Species <sup>4</sup>	Area of catch	Declared live weight kg	Conversion factor used

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<sup>4</sup> FAO Species Codes – NEAFC Annex V - NAFO Annex I.C

**B 2. FISH LANDED OR TRANSHIPPED\***

\* In case where a vessel has engaged in transshipment operations a separate form shall be used for each donor vessel.

Species <sup>5</sup>	Product <sup>6</sup>	Area of catch	Product weight landed in kg	Con-version factor	Equivalent live weight kg	Diff (kg) between live weight declared in the logbook and the live weight landed	Diff (%) between live weight declared in the logbook and the live weight landed	Diff (kg) between Product weight landed and PSC 1/2	Diff (%) between Product weight landed and PSC 1/2
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**RELEVANT TRANSHIPMENT AUTHORISATION:****B 3. INFORMATION ABOUT LANDINGS AUTHORISED WITHOUT CONFIRMATION FROM THE FLAG STATE**

Ref. NEAFC art. 23.2 / NAFO art. 45.6

Name of Storage:

Name of Competent Authorities:

Deadline for receiving Confirmation

<sup>5</sup> FAO Species Codes – NEAFC Annex V - NAFO Annex I.C

<sup>6</sup> Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex II.K

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<b>B 4. FISH RETAINED ON BOARD</b>										
Species <sup>7</sup>	Product <sup>8</sup>	Area of catch	Product weight in kg	Conversion factor	Live weight kg	Diff. (kg) between product weight on board and PSC 1/2	Diff. (%) between product weight on board and PSC 1/2			
<b>C. RESULTS OF INSPECTION</b>										
<b>C1. GENERAL</b>										
Inspection started		Date			Time					
Inspection ended		Date			Time					
<u>Status in other RFMO areas where fishing activities have been undertaken, including any IUU vessel listing</u>										
<u>RFMO</u> <u>Vessel identifier</u> <u>Flag State status</u> <u>Vessel on authorised vessel list</u> <u>Vessel on IUU vessel list</u>										
<u>Observation</u>										
<b>C2. GEAR INSPECTION IN PORT (In accordance with Annex IV.H)</b>										
<b>A. General data</b>										
Number of gear inspected				Date gear inspection						
Has the vessel been cited ?		Yes		No		If yes, complete the full "verification of inspection in port form. If no, complete the form with the exception of the NAFO seal details				
<b>B. OTTER TRAWL DETAILS</b>										
NAFO Seal number				Is seal undamaged ?			Yes		No	
Gear type										
Attachments										
Grate Bar Spacing mm.										
Mesh type										
Average mesh sizes (mm)										

<sup>7</sup> FAO Species Codes – NEAFC Annex V - NAFO Annex II  
<sup>8</sup> Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex II.K



Trawl part Wings Body Lengthening Piece Codend
<b>D. OBSERVATIONS BY THE MASTER</b>
<p>I, .....the undersigned, Master of the vessel .....hereby confirm that a copy of this report have been delivered to me on this date. My signature does not constitute acceptance of any part of the contents of this report, except my own observations, if any.</p> <p>Signature: _____ Date : _____</p>

<b>E. INFRINGEMENTS AND FOLLOW-UP</b>			
<b>E1. NAFO</b>			
<b>E.1 A Sea Inspection</b>			
<b>Infringements resulting from Inspections inside NAFO R.A.</b>			
Inspection Party	Date of insp.	Division	NAFO CEM infringement legal reference
<b>E1 B Port Inspection Infringements results</b>			
<b>( a ) - Confirmation of Infringements found at sea inspection</b>			
NAFO CEM infringement legal reference		National Infringement legal reference	
<b>( b ) - Infringements found at sea inspection and not possible to be confirmed during the Port Inspection.</b>			
Comments :			

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<b>( c ) - Additional infringements found during the Port Inspection</b>		
NAFO CEM infringement legal reference	National Infringement legal reference	
<b>E2. NEAFC</b> <b>INFRIGEMENT NOTED</b> Article                      NEAFC provision(s) violated and summary of pertinent facts		
<u>Inspector's observations:</u>		
<u>Action taken</u>		
Inspecting authority / agency		
<b>Inspectors Name</b>	<b>Inspectors signature</b>	<b>Date and place</b>
<b>F.              DISTRIBUTION</b>		
Copy to flag State	Copy to NEAFC Secretary	Copy to NAFO Executive Secretary

**ANNEX IV.H****Port State inspection procedures****Inspectors shall:**

- ~~a) — verify, to the extent possible, that the vessel identification documentation on board and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag State or international records of vessels if necessary;~~
- ~~b) — verify that the vessel's flag and markings (e.g. name, external registration number, International Maritime Organization (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with information contained in the documentation;~~
- ~~c) — verify, to the extent possible, that the authorizations for fishing activities are true, complete, correct and consistent with the information provided in accordance with the CEM provisions including but not limited to Articles 25, 44, 45 and 51;~~
- ~~d) — review all other relevant documentation and records held onboard, including, to the extent possible, those in electronic format and vessel monitoring system (VMS) data from the flag State or RFMOs. Relevant documentation may include logbooks, catch, transshipment and trade documents, crew lists, stowage plans and drawings, descriptions of fish holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;~~
- ~~e) — examine, to the extent possible, all relevant fishing gear onboard, including any gear stowed out of sight as well as related devices, and to the extent possible, verify that they are in conformity with the conditions of the authorizations. The fishing gear shall, to the extent possible, also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configuration of nets, pots, dredges, hook sizes and numbers are in conformity with applicable regulations and that the markings correspond to those authorized for the vessel;~~
- ~~f) — determine, to the extent possible, whether the fish on board was harvested in accordance with the applicable authorizations;~~
- ~~g) — examine the fish, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fish has been pre-packed and move the catch or containers to ascertain the integrity of fish holds. Such examination may include inspections of product type and determination of nominal weight;~~
- ~~h) — evaluate whether there is clear evidence for believing that an NCP vessel has engaged in IUU fishing;~~
- ~~i) — provide the master of the vessel with the report containing the result of the inspection, including possible measures that could be taken, to be signed by the inspector and the master. The master's signature on the report shall serve only as acknowledgment of the receipt of a copy of the report. The master shall be given the opportunity to add any comments or objection to the report, and, as appropriate, to contact the relevant authorities of the flag State in particular where the master has serious difficulties in understanding the content of the report. A copy of the report shall be provided to the master; and~~
- ~~j) — [arrange, where necessary and possible, for translation of relevant documentation.]~~