



38th ANNUAL MEETING – SEPTEMBER 2016

**Development of the NAFO MCS website and updating of the CEM text
to formalise report posting obligations**

At its 2016 Intersessional meeting, STACTIC adopted the Working Paper 16/07 Rev. 2, with the scope to enhance the use of the NAFO MCS Website to store reports related to fishing activities in NAFO waters in a single location within the Website, from where they will be disseminated to authorized recipients as provided by the CEM, and accessed for related MCS purposes.

For each report concerned, the transmission format and flow for storage on the NAFO MCS Website are detailed in Table 1 of the WP 16/07. It was agreed that the European Union would move forward with the proposal presented in STACTIC WP 16/07 Rev. 2 and would provide draft changes to the text of the NAFO CEM prior to the 2016 Annual Meeting.

Below are, for adoption, the draft changes to the NAFO CEM text proposed by the EU, implementing the new transmission flow adopted by STACTIC under the WP 16/07 Rev. 2, following the same sequence.



Section 0: Notification of vessels fishing on the "Others" quota

Article 5.3 (e)
<i>Quotas and Effort</i>
..... each Contracting Party shall: (e) posts to the NAFO MCS Website the names of vessels that intend to fish the "Others" quota at least 48 hours in advance of each entry, and after a minimum of 48 hours of absence from the Regulatory Area. This notification shall, if possible, be accompanied with an estimate of the projected catch;
Article 5.15 - new (i)
<i>Duties of the Executive Secretary</i>
9. The Executive Secretary: (i) ensures that the notification posted to the NAFO MCS Website in accordance with subparagraph 5.3 (e) is automatically transmitted to Contracting Parties with an inspection presence in the Regulatory Area.

Section 1: Catch Reporting by Vessels

COE; COX; CAT; COB; TRA; POR; CANCEL reports

Article 28.9.a and b
<i>Duties of the Executive Secretary</i>
9. The Executive Secretary: (a) assigns sequential numbers to the reports of each Contracting Party listed in paragraph 6, including any cancellation reports, then posts them to the NAFO MCS Website and ensures that they are automatically transmitted to Contracting Parties with an inspection presence in the Regulatory Area as soon as possible; (b) ensures that each port of landing report (POR) posted to the NAFO MCS Website is automatically transmitted to the flag State Contracting Party of the receiving vessel and, in conformity with Annex II.B, to all Contracting Parties;

Section 2: VMS

ENT; POS; EXI reports

Article 29.10.b
<i>Duties of the Executive Secretary</i>
10. The Executive Secretary: (b) posts as soon as possible the VMS position data listed in paragraph 2 (a) to the NAFO MCS Website and ensures that they are automatically made available to all Contracting Parties with an inspection presence in the Regulatory Area;

Section 3: Observer Scheme:***Notification of observers*****Article 30.A.2*****Duties of the Flag State Contracting Party***

2. Every flag State Contracting Party shall post to the NAFO MCS Website, in PDF format, a list of the observers it intends to deploy to the vessels entitled to fly its flag operating in the Regulatory Area and shall ensure that the observers on board such vessels carry out only the following duties:

Observer reports**Article 30.A.2.h*****Duties of the Flag State Contracting Party***

- (h) as soon as possible after leaving the Regulatory Area, and at the latest at arrival of the vessel in port, submit the report, as set out in Annex II.M, in electronic format, to the flag State Contracting Party and, if an inspection in port occurs, to the local port inspection authority. The flag State Contracting Party forwards the report to the Executive Secretary, in Microsoft Excel File format, within 30 days following the arrival of the vessel in port.

Article 30.A.7.a and b***Duties of the Executive Secretary***

7. The Executive Secretary:
- a) posts to the NAFO MCS Website a copy the observer report in PDF format, and
 - b) ensures that any Contracting Party:
 - (i) with an inspection presence in the Regulatory Area, is automatically provided with a copy of the report referred to in paragraph 2(g h), including individual hauls and co-ordinates;
 - (ii) without an inspection presence in the Regulatory Area, upon request, is provided with a copy of the report referred to in paragraph 2(g h), providing daily catch totals by species and division.

Notification of electronic reporting**Article 30.B.2.a*****Duties of the Flag State Contracting Party***

2. Each Contracting Party that intends to apply paragraph B.1 shall:
- (a) no later than 30 days prior to the start of its fishing season, post in PDF format to the NAFO MCS Website notification of its intention and, before it authorizes a vessel to operate in accordance with this Article, of the name of such vessel and the period of time during which it will not carry an observer.

Article 30.B.9.a***Duties of the Executive Secretary***

9. The Executive Secretary:
- (a) ensures that the information posted to the NAFO MCS Website in accordance with subparagraph B.2(a) is automatically transmitted as soon as possible to all Contracting Parties

OBR reports**Article 30.B.9.b*****Duties of the Executive Secretary***

9. The Executive Secretary:

- (b) posts to the NAFO MCS Website the OBR reports received in accordance with paragraphs B.6. Where any such report has not been received for 2 consecutive days, notifies the flag State Contracting Party and any Contracting Party with an inspection presence in the Regulatory Area;

Section 4: Sea Inspection Scheme:***Notification requirements*****Article 32.1.a to c*****Notification Requirements***

1. Each Contracting Party shall, no later than 1 December each year, posts to the NAFO MCS Website, in PDF format, notification of:
- (a) the names of inspectors and inspector trainees and the name, radio call sign and communication contact information of each inspection platform it has assigned to the Scheme. It shall notify changes to the particulars so notified, whenever possible, no less than 60 days in advance;
- (b) its provisional plan for assigning inspectors and platforms to this Scheme in the following calendar year;
- (c) the particulars for communicating to its competent authority immediate notification of infringements in the Regulatory Area, and
- (d) any subsequent changes to the information provided above under a, b or c in replacement of the previous one, no less than 15 days before the change comes into effect.

Article 32.3.a***Duties of the Executive Secretary***

3. The Executive Secretary:

- (a) ensures that the information referred to in paragraph 1 (a to d) is automatically made available to all Contracting Parties; and

Surveillance reports**Article 33.1.c and 33.2*****Surveillance procedures***

1. Where an inspector observes in the Regulatory Area a fishing vessel entitled to fly the flag of a Contracting Party for which the position and catch reports do not correspond with the current information available to that inspector, and where an immediate inspection is not practicable, the inspector shall:
- (c) without delay electronically transmit the Surveillance Report and images to the inspecting Contracting Party, who without delay will post them to the NAFO MCS Website for automatic transmission to the flag State Contracting Party of the vessel.
2. Each Contracting Party shall:
- (a) on receipt of a Surveillance Report concerning a vessel entitled to fly its flag, whenever possible, promptly board the vessel and conduct such investigation as may be necessary to determine appropriate follow-up action, and

(b) post the final report of such investigation in PDF format to the NAFO MCS Website.

Article 33.3

Duties of the Executive Secretary

3. The Executive Secretary ensures that:
- (a) the Surveillance Reports and images referred to in paragraph 1 (c) are automatically transmitted to the flag State Contracting Party of the vessel concerned, and
 - (b) the final reports referred to in paragraph 2 (b) are automatically transmitted to Contracting Parties with an inspection presence in the Regulatory Area.

Sea Inspection reports

Article 36.3 a to c

Inspection reports and follow-up

3. The inspecting Contracting Party shall:
- (a) post a copy of the sea inspection report in PDF format to the NAFO MCS Website, if possible within 30 days of the inspection, for automatic transmission to the flag State Contracting Party of the inspected vessel;
 - (b) where the inspectors issues a notice of an infringement, within 10 days of the inspection vessel's return to port, post a copy of the sea inspection report to the NAFO MCS Website in PDF format with supporting documents, including copies of any images recorded, for automatic transmission to the flag State Contracting Party of the inspected vessel. The inspecting Contracting Party shall treat this information as confidential in accordance with Annex II.B;

New paragraph 6 to be inserted in Article 36

Duties of the Executive Secretary

6. The Executive Secretary :
- (a) ensures that the sea inspection reports referred to in paragraphs 3 (a) and 3 (b) are automatically transmitted
 - i. to the flag State Contracting Party of the inspected vessel;
 - ii. to the port State Contracting Party, on demand of that Contracting Party and in support of the port inspection of the inspected vessel concerned, should the flag State Contracting Party be different;
 - (b) treats the related information as confidential in accordance with Annex II.B.

Section 5: Port State Control

Designated ports

Article 43.1

Duties of the Port State Contracting Party

1. The port State Contracting Party shall post to the NAFO MCS Website, in PDF format, a list of designated ports to which fishing vessels may be permitted access for the purpose of landing or transshipment. Any subsequent changes to the list shall be posted in replacement of the previous one no less than fifteen days before the change comes into effect.

Prior Notification Period**Article 43.2*****Duties of the Port State Contracting Party***

2. The port State Contracting Party shall establish a minimum prior notification period. The prior notification 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 period, taking into account, inter alia, distance between fishing grounds and its ports. The port State Contracting Party shall post the prior notification period to the NAFO MCS Website, in PDF format.

Competent Authority**Article 43.3*****Duties of the Port State Contracting Party***

3. The port State Contracting Party shall designate the competent authority which shall act as the contact point for the purposes of receiving notifications 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 post to the NAFO MCS Website, in PDF format, the competent authority name and its contact information.

PSC 1 and PSC 2 decision**Article 43.8*****Duties of the Port State Contracting Party***

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 posted to the NAFO MCS Website, in PDF format, without delay.

PSC 1 and PSC 2 cancellation**Article 43.9*****Duties of the Port State Contracting Party***

9. In case of cancellation of the prior notification referred to in Article 45, paragraph 2, the port State Contracting Party shall post a copy of the cancelled PSC 1 or 2 to the NAFO MCS Website, in PDF format, for automatic transmission to the flag State Contracting Party.

Port Inspection reports**Article 43.15*****Duties of the Port State Contracting Party***

15. The port State Contracting Party shall without delay post a copy of each port State Control inspection report to the NAFO MCS Website, in PDF format, for automatic transmission to the flag State Contracting Party and to the flag State of any vessel that transhipped catch to the inspected fishing vessel. The port State Contracting party transmits an original or a certified copy of the inspection report to any such flag States, upon request.

Duties of the Executive Secretary**Article 46*****Duties of the Executive Secretary***

1. The Executive Secretary ensures that the following information is automatically made available to all Contracting Parties:
 - (a) the list of designated ports;
 - (b) the prior notification periods established by each port State Contracting Party;
 - (c) the information about the designated competent authorities in each port State Contracting Party;
 - (d) the information about the designated competent authorities in each flag State Contracting Party, and
 - (e) copies of all PSC 1 and 2 forms transmitted by port State Contracting Parties;
2. The Executive Secretary ensures that copies of all inspection reports, as referred to in Annex IV.C (PSC 3 form), posted by port State Contracting Parties to the NAFO MCS Website are automatically transmitted to the flag State Contracting Party and to the flag State of any vessel that transhipped catch to the inspected fishing vessel
3. All forms related to a specific landing or transhipment shall be posted together.

GHL landings**Article 10.5. c and e*****Control Measures***

- (c) Each Contracting Party shall post to the NAFO MCS Website, in PDF format, the name of every port it has so designated. Any subsequent changes to the list shall be posted in replacement of the previous one no less than fifteen days before the change comes into effect;
- (e) Each Contracting Party shall inspect each landing of Greenland halibut in its ports and prepare an inspection report in the format prescribed in Annex IV.C, which it post to the NAFO MCS Website, in PDF format, within 14 working days from the date on which the inspection was completed.

Article 10.8.b and c

8. The Executive Secretary ensures that:
 - (b) the list of designated ports posted by the Contracting Parties for the purpose of this Article as well as any subsequent changes is automatically transmitted to all Contracting Parties;
 - (c) any port inspection report posted to the NAFO MCS Website in accordance with subparagraph 5(e) is transmitted to any Contracting Party that requests it; and