

Serial No. N5302NAFO/GC Doc. 06/428<sup>TH</sup> ANNUAL MEETING – SEPTEMBER 2006**Adopted Amendments to Chapter VI of the Conservation and Enforcement Measures****Article 42** - *New para 1 bis (para between existing para 1 and 2) reading:*

For the purposes of paragraph 1, recognizing the adjacent boundary of the NRA with the Convention Area of North East Atlantic Fisheries Commission (NEAFC); the existence of stocks that straddle the boundary between these areas; and the global nature of IUU vessel activities, a non-Contracting Party vessel that has been placed on the NEAFC IUU list is presumed to be engaging in fishing activities in the NRA and thereby undermining the effectiveness of Conservation and Enforcement Measures.

*Amendment to existing para 2 as follows:*

Information regarding sightings or identifications as specified in paragraph 1....

**Article 46** - *Amend para 3 as follows:*

At the same time, the Executive Secretary shall, in consultation with the Chair of STACTIC where practicable, advise relevant non-Contracting Parties of the vessels flying their flag that have been included in the Provisional List and provide the following information to the non-Contracting Party

**Article 47** - *Amend para 5 as follows:*

The Executive Secretary shall place the IUU List on the NAFO website. This list shall include the name and flag state of the vessel and, where available, the IMO number, the previous name(s), the previous flag state(s), the radio call signal.

**Article 47** - *New 5 bis (para between existing para 5 and 6) reading:*

The Secretariat shall transmit the IUU List and any relevant information regarding the list, including the reasons for listing or de-listing each vessel, to the Secretariat of NEAFC with a request to circulate this to all NEAFC Contracting Parties. The Secretariat shall also circulate the IUU List to other Regional Fisheries Management Organisations.

*New 6 bis (para after existing para 6) reading:*

Upon receipt of NEAFC's IUU List and any relevant information regarding the list, the Secretariat shall circulate this information to the Contracting Parties. Notwithstanding paragraph 2, vessels that have been added to or deleted from the NEAFC IUU List that are flagged to non-Contracting Parties shall be incorporated into or deleted from the NAFO IUU List as appropriate, unless any Contracting Party objects within 30 days of the date of the transmittal by the Secretariat on the grounds that:

- i. there is satisfactory information to establish that any of the requirements in paragraph 3 a) – d) have been met with regard to a vessel placed on the NEAFC IUU list, or
- ii. there is satisfactory information to establish that none of the requirements in paragraph 3 a) – d) have been met with regard to a vessel taken off the NEAFC IUU list.

In the event of an objection to a NEAFC IUU-listed vessel being incorporated into or deleted from the NAFO IUU List, such vessel shall be placed on the Provisional List. Article 46 shall not apply to vessels placed on the Provisional List pursuant to this paragraph.

**Article 48** - *Present text replaced with:*

Contracting Parties shall take all the necessary measures to the extent possible in accordance with their applicable legislation with regard to vessels on the IUU List, including:

- a) prohibiting fishing vessels, support vessels, refueling vessels, the mother-ships and cargo vessels flying their flag to assist vessels on the IUU List in any way, engage in fish processing operations or participate in any transshipment or joint fishing operations with vessels on the IUU List;
- b) prohibiting the supply of provisions, fuel or other services to vessels on the IUU List.
- c) prohibiting the entry into their ports of such vessels, except in case of force majeure;
- d) prohibiting the change of crew, except as required in relation to force majeure;
- e) refusing authorization of such vessels to fish in waters under their national jurisdiction;
- f) prohibiting the chartering of such vessels;
- g) refusing to entitle such vessels to fly their flag;
- h) prohibiting where traceable the imports of fish coming from such vessels;
- i) prohibiting the landing of fish coming from such vessels;
- j) encouraging importers, transporters and other sectors concerned, to refrain from negotiating and from transshipping of fish caught by such vessels;
- k) collecting and exchanging any appropriate information regarding vessels appearing on the IUU List with other Contracting Parties, non-Contracting Parties and other Regional Fisheries Management Organizations with the aim of detecting, controlling and preventing false import/export certificates regarding fish from such vessels.