

Symposium on Conservation of Fish Stocks and Illegal, Unreported and Unregulated Fishing

26 September 2009

International Tribunal for the Law of the Sea (ITLOS), Hamburg

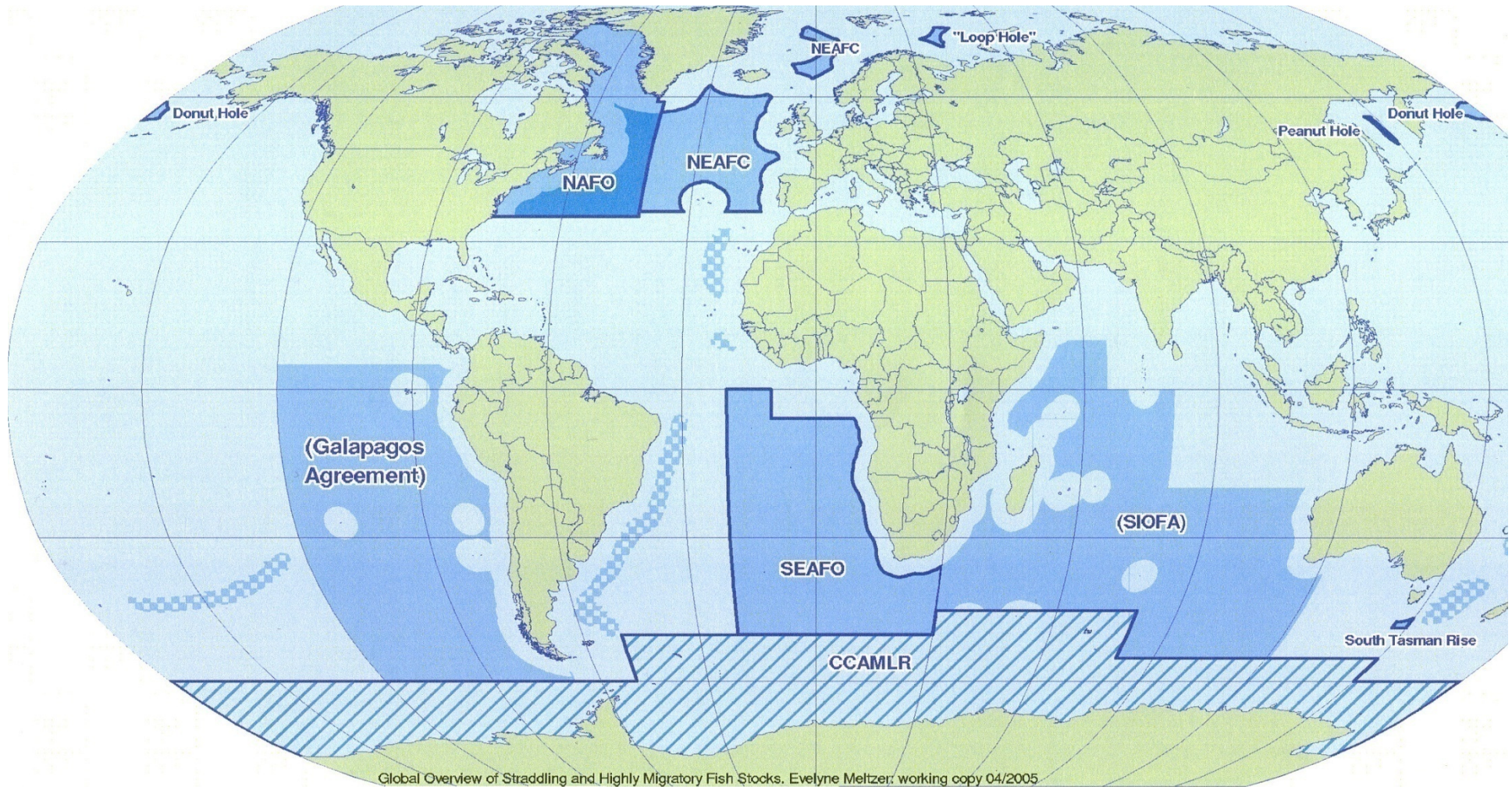


“Actions by the North East Atlantic Fisheries
Commission against Illegal, Unreported and
Unregulated Fishing Vessels
Kjartan Hoydal, NEAFC, London



Professional background

- Coming from the Faroe Islands
- Degree in Marine Ecology, Univ. of Copenhagen
- Worked as scientist 1969 – 1985. Chairman of the ACFM of ICES 1980-1982 and director of fisheries in the Faroe Islands, 1986-1996. International work for ICES 1982-1985, as Fisheries Officer, and NEAFC from 2001-
- Participated actively in the international processes in FAO, UN and regional cooperation

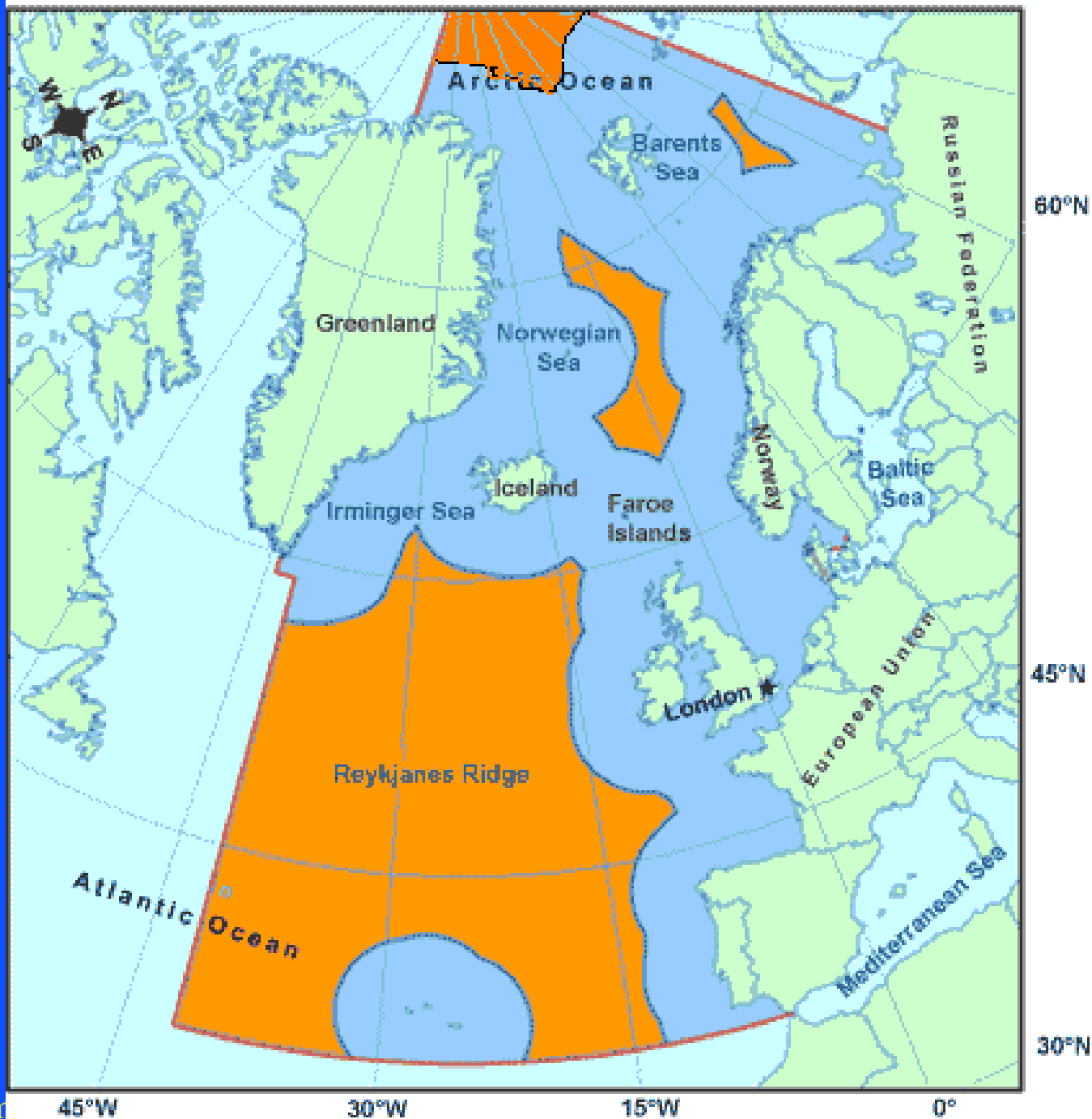


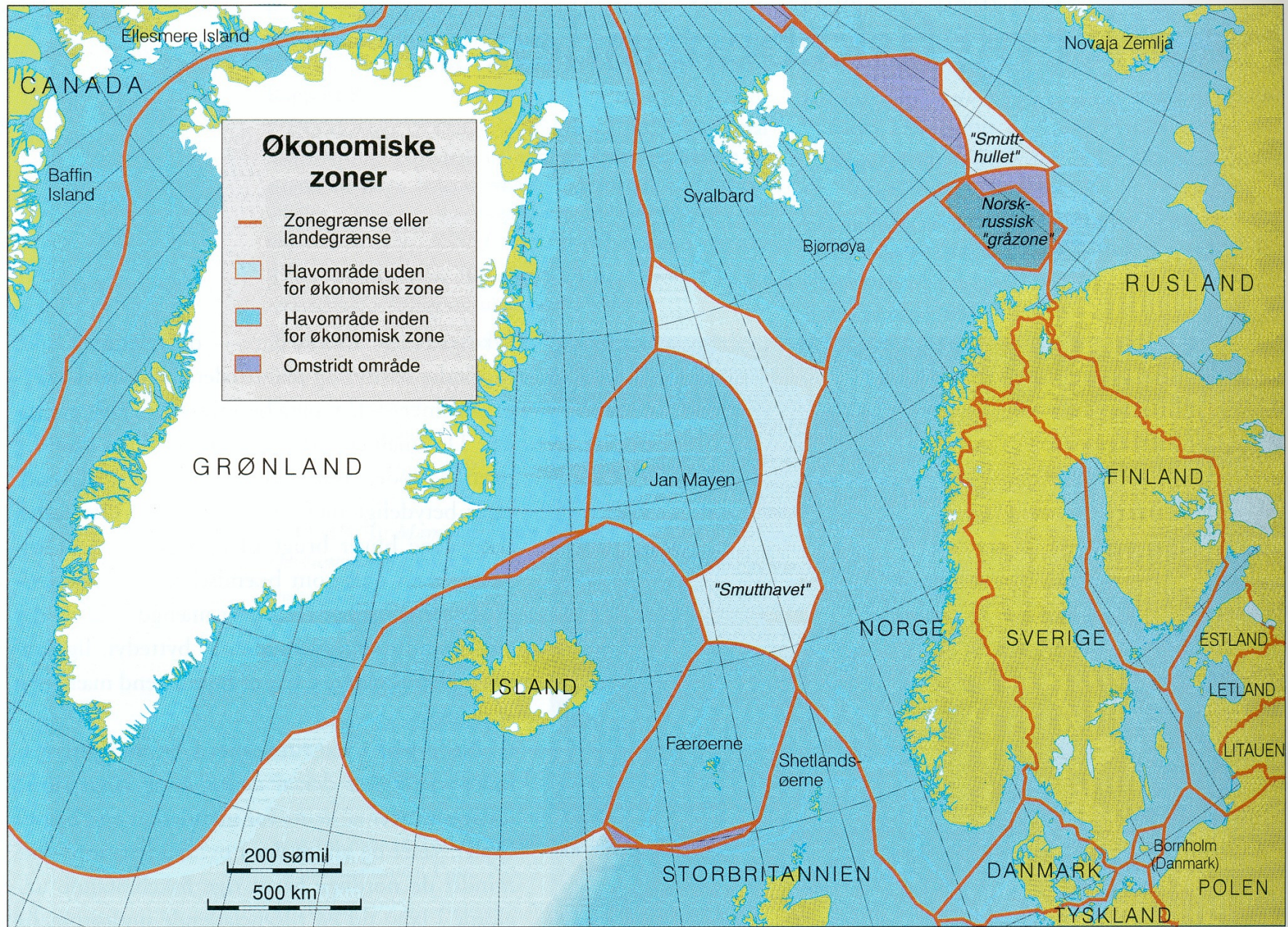
For illustration purposes only.
Map Projection : Robinson

Global Overview - Straddling Fish Stocks

- RFMO Boundary
- Proposed Regulatory Area (not yet adopted or not yet in force)
- Other Unregulated High Seas Areas where Straddling Fish Stocks Occur
- ▨ CCAMLR
- NAFO Regulatory Area

NEAFC Convention Area and Regulatory Area





NEAFC Parties

Contracting Parties

Denmark (in respect of the Faroe Islands & Greenland)

EU

Iceland

Norway

Russian Federation

Cooperating non-Contracting Parties

Belize, Cook Islands,

Canada, Japan, New Zealand



North East Atlantic Fisheries Commission

- [Managing Fisheries](#) [Illegal Fishing](#) [Port-State Control](#) [Documents](#) [Operations](#)
- [Current Management Measures](#)

Contracting Parties

Denmark (in respect of the Faroe Islands & Greenland)
EU

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Belize
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Japan
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UN ICP 10 Statement

Statement by the NEAFC Secretariat at the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea - Tenth meeting
17-19 June 2009 UN New York

- 19 Jun 2009
- 400 reads
 - [1 attachment](#)

Fisheries Status Report 1998 - 2007

8 May 2009
NEAFC Fisheries Status Report 1998-2007
Edited by Kjartan Hoydal
NEAFC Secretariat

- 367 reads
- [1 attachment](#)

World Ocean Day 8 June – Our Oceans our Responsibility

NEAFC, the Regional Fisheries Management Organisation of the North East Atlantic, celebrates the World Ocean Day by marking 10 years of progress in long time conservation and management of fish resources and fisheries in the North East Atlantic.

[Read more](#)

Task at hand

- States on their own or cooperating through Regional Fisheries Management Organisations, RFMOs establish fisheries management systems in the high seas supporting and compatible with systems in sea areas under national jurisdiction
- These include agreeing on science based management measures and establishing Monitoring Surveillance and Control to make sure that the measures are respected.
- In NEAFC the central MSC feature is the Scheme of Control and Enforcement entering into force in 2000.

Facts about NEAFC

- NEAFC goes back a long time. First Convention 1959. The present Convention is signed in 1980 and entered in to force in 1982.
- It reflects the discussions and negotiations at the time UNCLOS was drafted.
- There are at present 5 Contracting Parties, Denmark (in respect of the Faroe Islands and Greenland), the EU, Iceland, Norway, and the Russian Federation.
- NEAFC was “a sleeping beauty” until 1995. The signing of the UNFA sparked new life in the organisation. In 1999 a permanent Secretariat was created.

Updating the NEAFC Convention

□ The Contracting Parties of NEAFC updated the 1982 Convention in 2004 (dispute settlement procedures) and 2006 (bringing the Convention in line with developments in international law since the 1980 convention was negotiated). The CPs have agreed to use these as basis for measures on a voluntary basis, until all parties have ratified.

□ The preamble of the “New” Convention stresses that NEAFC in addition to managing fisheries has an important role in conservation and integrating environmental concerns into its management.

Updating the NEAFC Convention

- The new preamble recognises the relevant provisions of
- The United Nations Convention on the Law of the Sea of 10 December 1982
- UNFA 1995
- The Compliance Agreement
- The Code of Conduct for Responsible Fisheries adopted by the 28th Session of the Conference of the Food and Agriculture Organisation of the United Nations in October 1995.

Updating the NEAFC Convention

New Article 2: The objective of this Convention is to ensure the long-term conservation and optimum utilisation of the fishery resources in the Convention Area, providing sustainable economic, environmental and social benefits.

NEAFC performance review

You don't have to take my word for how NEAFC is performing with respect to MSC. An independent review was undertaken in 2006.

The Panel gave a favourable comment to the NEAFC Scheme of Control and Enforcement, summarised below:

“The Panel had noted the positive developments over the last decade and NEAFC's ability to act quickly to address specific issues by using new technologies, monitoring Contracting Party vessels, addressing IUU activity and stepping up control in ports”

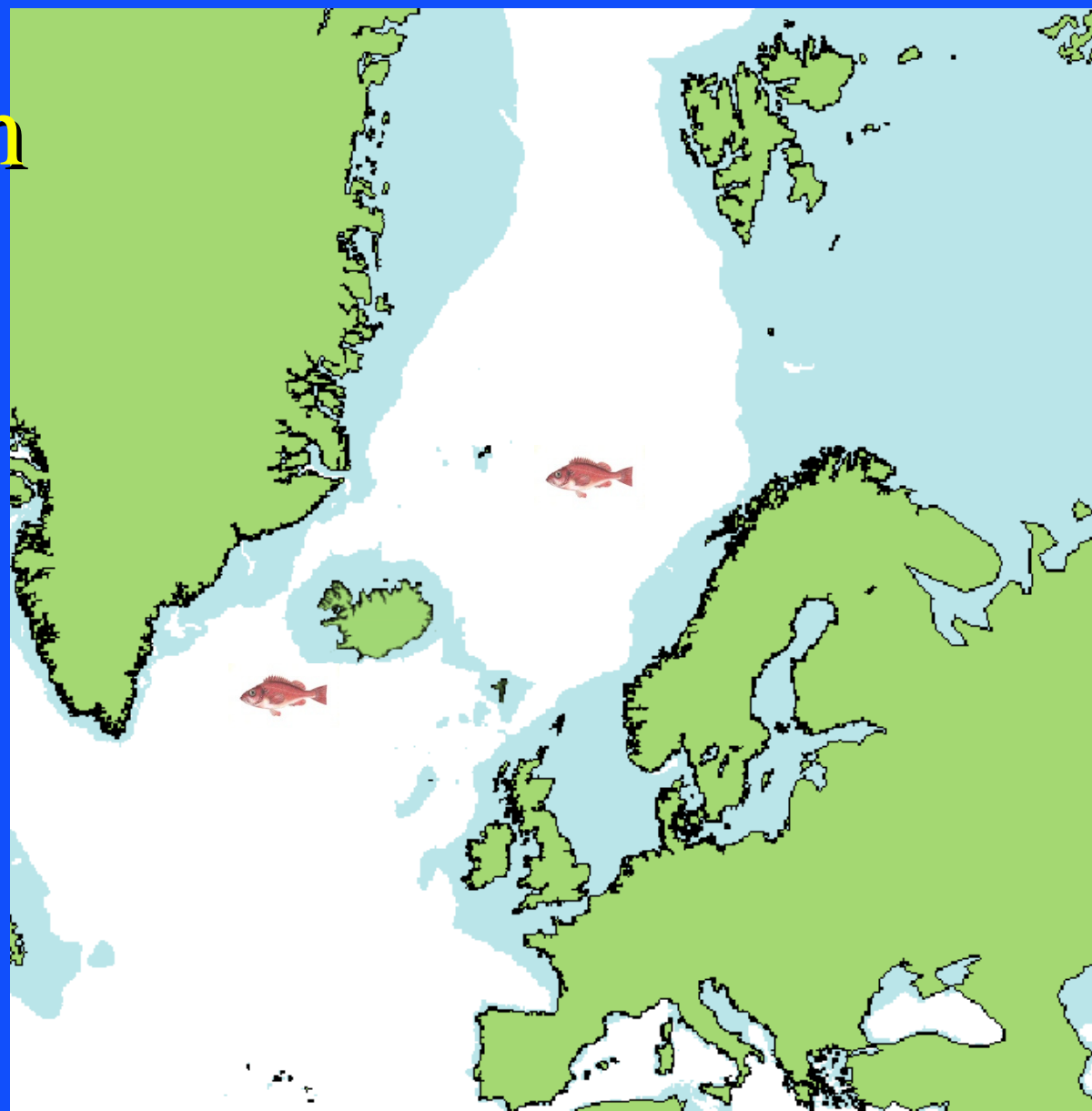
Access to ports as a measure in combating IUU fishing

- The objective is to protect the rights of legal fishermen operating under national and regional, modern and efficient fisheries management against free riding
- Major IUU problems in the NEAFC Convention area have been unreported catches of **cod from the Barents sea** and IUU fishing by flags of convenience for **redfish in the Irminger sea**.
- In the NEAFC Scheme of Control and Enforcement regulation of access to ports was introduced in 2005

Combating IUU fishing - Protecting against free riders

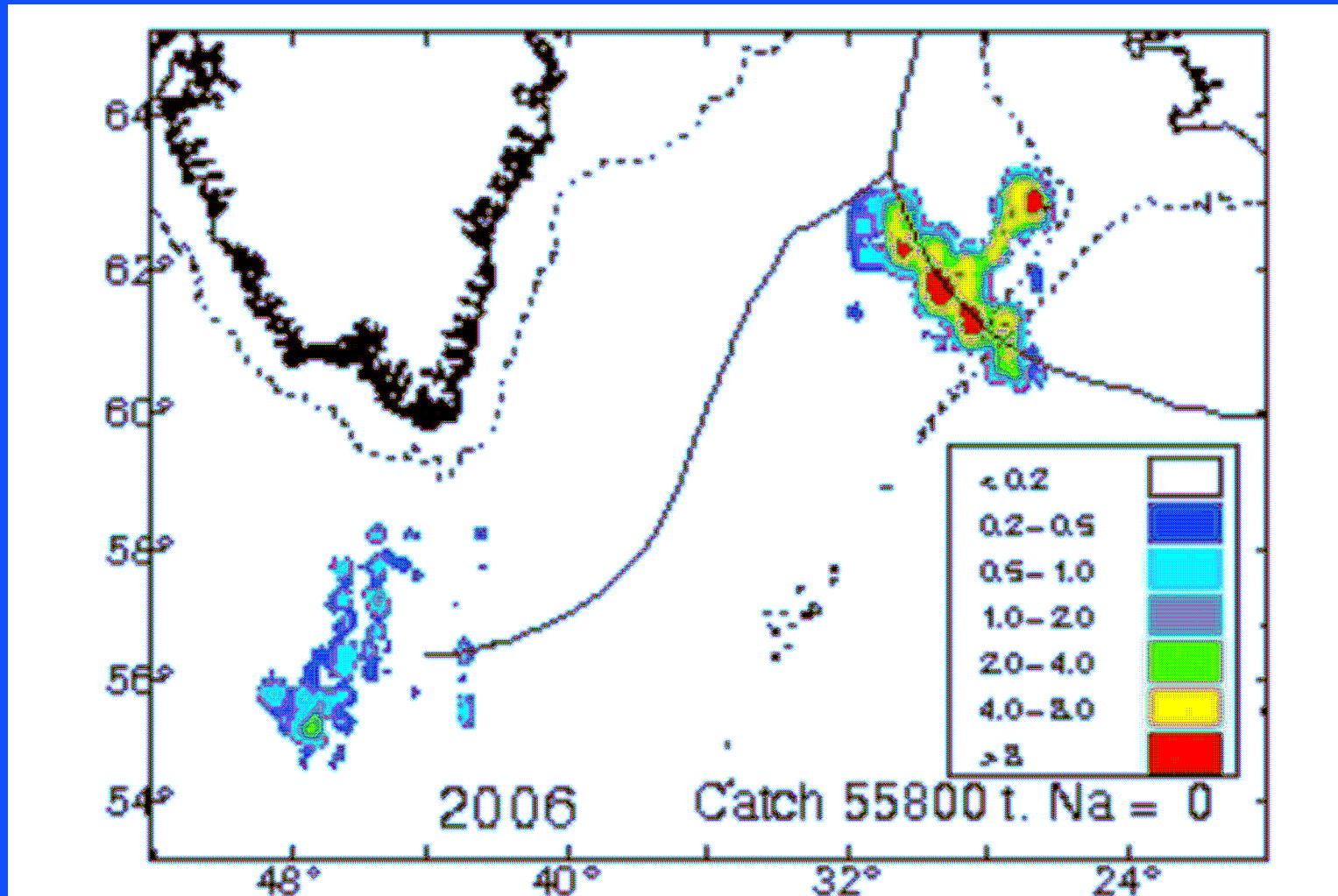
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- From 2001 problems were identified with unreported catches of pelagic redfish. There were observations of individual vessels from nations not reporting catches to international organisations like ICES/NEAFC/FAO/NAFO. EC project (IMPAST) EC JRC satellite analysis estimated that approx. 27% to 33% more vessels were found in the area than were reporting to NEAFC

Redfish



IFLOS Hamburg 26 September 2009 Kjartan Hoydal

Redfish in the Irminger Sea



Blacklisting

- The Scheme of Control and Enforcement was changed in 2004 introducing two IUU blacklists lists. The observation A-list and the permanent B-list.
- The Contracting Party which sighted the non-Contracting Party vessel shall attempt to inform such a vessel without delay that it has been sighted or by other means identified as engaging in fishing activities in the Convention Area and unless its flag state has been accorded the status of co-operating non-Contracting Party provided for under Article 34, is consequently presumed to be undermining the Recommendations established under the Convention.

Blacklisting

- The Secretary shall transmit all information all Contracting Parties and other relevant Regional Fisheries Management Organisations within one business day of receiving this information, and as soon as possible to the flag state of the vessel identified as being engaged in fishing activities in the Convention Area.
- The Secretary shall, in consultation with the President of the Commission, request that it take measures in accordance with its applicable legislation to ensure that the vessel or vessels in question desist from any activities that undermine the effectiveness of NEAFC Recommendations, including if necessary, the withdrawal of the registration of these vessels or their authorisation to engage in fishing activities.

Pan Atlantic Blacklist

- NEAFC has arrangement with NAFO to the west and SEAFO in the South Atlantic to include vessels on their IUU lists in the NEAFC list and vice-versa.
- This means that the number of states refusing the IUU vessels to enter their ports is expanded considerably

The B-list

NEAFC B-list 2005 -2009

	Vessel category		
	Transport	Fishing	Total
Removed from the lists	2	1	3
Scrapped		7	7
Retained in harbours	1	4	5
Probably sunk	1	1	2
Fate unknown		2	2
Operating outside NEAFC Area	1	4	5
Observed recently		2	2
Total	5	21	26

One case

1. A reefer, Panama flagged, ended on the B-list because it transhipped from a fishing vessel on the B-list

One Case

- NEAFC Event log
- 09/06/2006 Sighted by ISL Transshipping SCH 06/26
- 12/06/2006 Letter sent to Panama
- 09/06/2006 Put on NEAFC A List
- 04/07/2006 Letter from ISL regarding OBS
- 22/08/2006 Info from NAFO & from EU re transshipping to IUU vessels
- 19/07/2006 OBS by ISL surveillance aircraft in RA. Transshipping IUU vessels
- 25/08/2006 Info from ISL
- 30/08/2006 Information from Charterer. Vessel heading for the Pacific, relevant authorities contacted
- 31/08/2006 Instruction to proceed sailing back to Tokyo to discharge cargo
- 04/09/2006 Drifting outside Japan waters
- 04/09/2006 Information from Charterer SCH
- 15/09/2006 Instruction to discharge in Hongkong

Further developments

- The vessel in the return trip took on board a perfectly legitimate cargo in Alaska for delivery in Europe.
- Was turned away in Europe. Went to Morocco where the vessel was seized by the military and the crew jailed.
- Lot of diplomatic activity to sort out the mess
- 2 years after the vessel taken off the black list

Access to ports as a measure in combating IUU fishing

- The problem with IUU fishery for Barents Sea cod has to a large extent been mitigated by the NEAFC Port State Control System introduced 1 May 2007.
- In 2005 blacklists were introduced. Vessels on the blacklists were denied access to ports and services in the NEAFC area. This was specifically aimed at the IUU redfish fishery by non-Contracting Parties

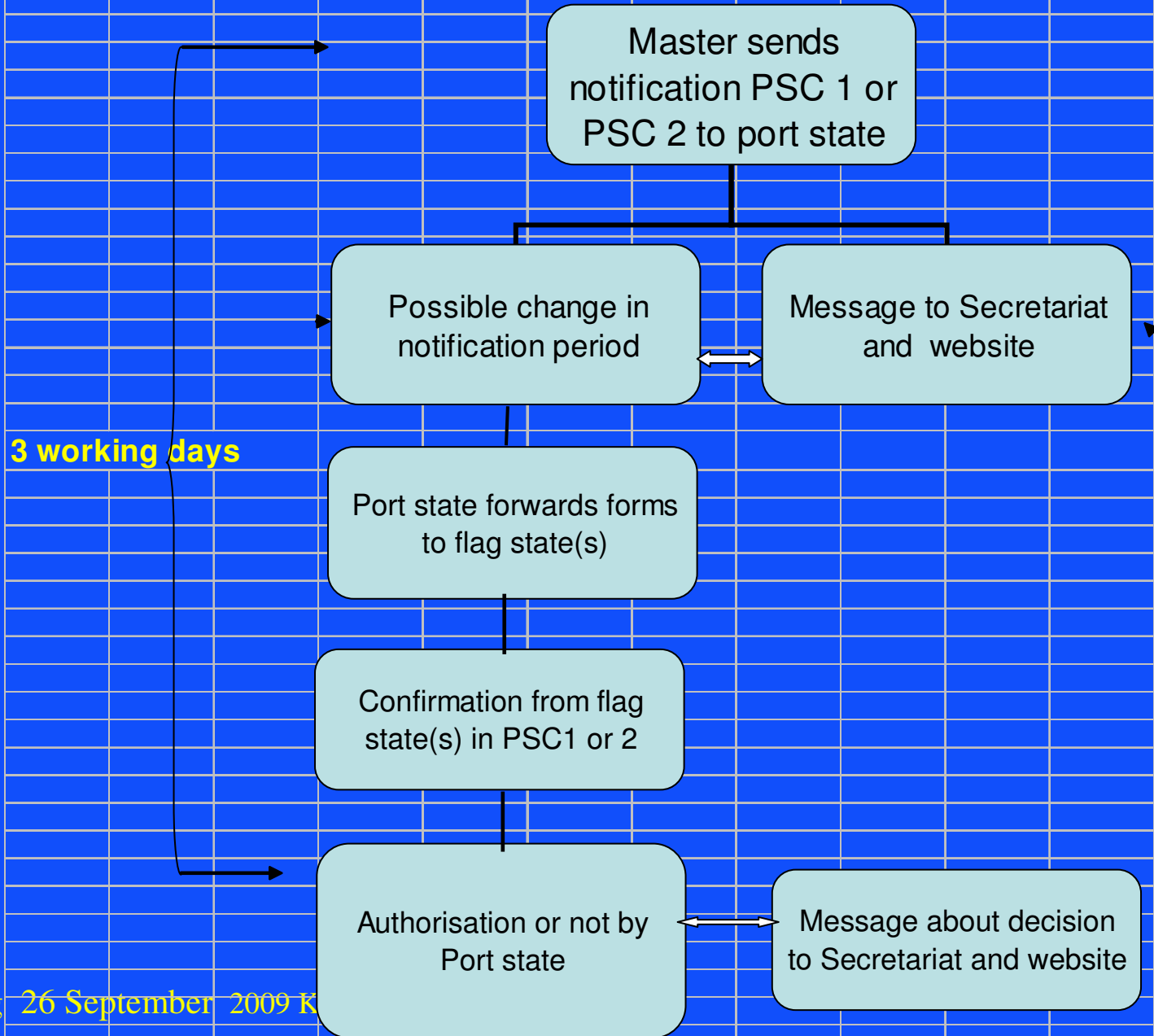
1 May 2007 Port state control expanded

- The new port state control regulations set up the following stages for landings of frozen fish in foreign ports. The Port State Control system
- Each Contracting Party has to designate certain ports for landings of frozen fish for foreign vessels.
- Since 1 May 2007 over 3400 landings have been certified and can be reviewed by all Contracting Parties on the NEAFC website.
- The system have got much praise from the industry in Europe.

Port state control of foreign vessels

Article 22-23 of the consolidated Scheme entering into force 1 May 2007

Port state control - Paper flow



The Transparent PSC file at www.neafc.org

No	form	Port	Country	Date_Posted	Landing Vessel	Vessel Call sign	Info Flag	Donor Vessel	Vessel Call sign	Info Flag	Status	File_Name	
2602	PSC2	Velsen	Netherlands	26/02/2009			RUS		UICO	RUS	Accepted	View File	
2601	PSC2	Velsen	Netherlands	26/02/2009			RUS			UDHM	RUS	Accepted	View File
2600	PSC2	Velsen	Netherlands	26/02/2009			RUS			UFYN	RUS	Accepted	View File
2599	PSC2	Velsen	Netherlands	26/02/2009			RUS			UEUP	RUS	Accepted	View File
2598	PSC1	Melbu	Norway	26/02/2009			RUS	-	-	-	Accepted	View File	
2597	PSC1	Hammerfest	Norway	26/02/2009			RUS	-	-	-	Accepted	View File	
2596	PSC1	Tromsø	Norway	26/02/2009			RUS	-	-	-	Accepted	View File	
2595	PSC1	Vadsø	Norway	26/02/2009			RUS	-	-	-	Accepted	View File	
2593	PSC3	Hafnarfjörður	Iceland	25/02/2009				9 FRO	-	-	-	Inspected	View File
2592	PSC3	Sortland	Norway	25/02/2009					RUS	-	-	-	Inspected

Port state control Results

WWF News Centre

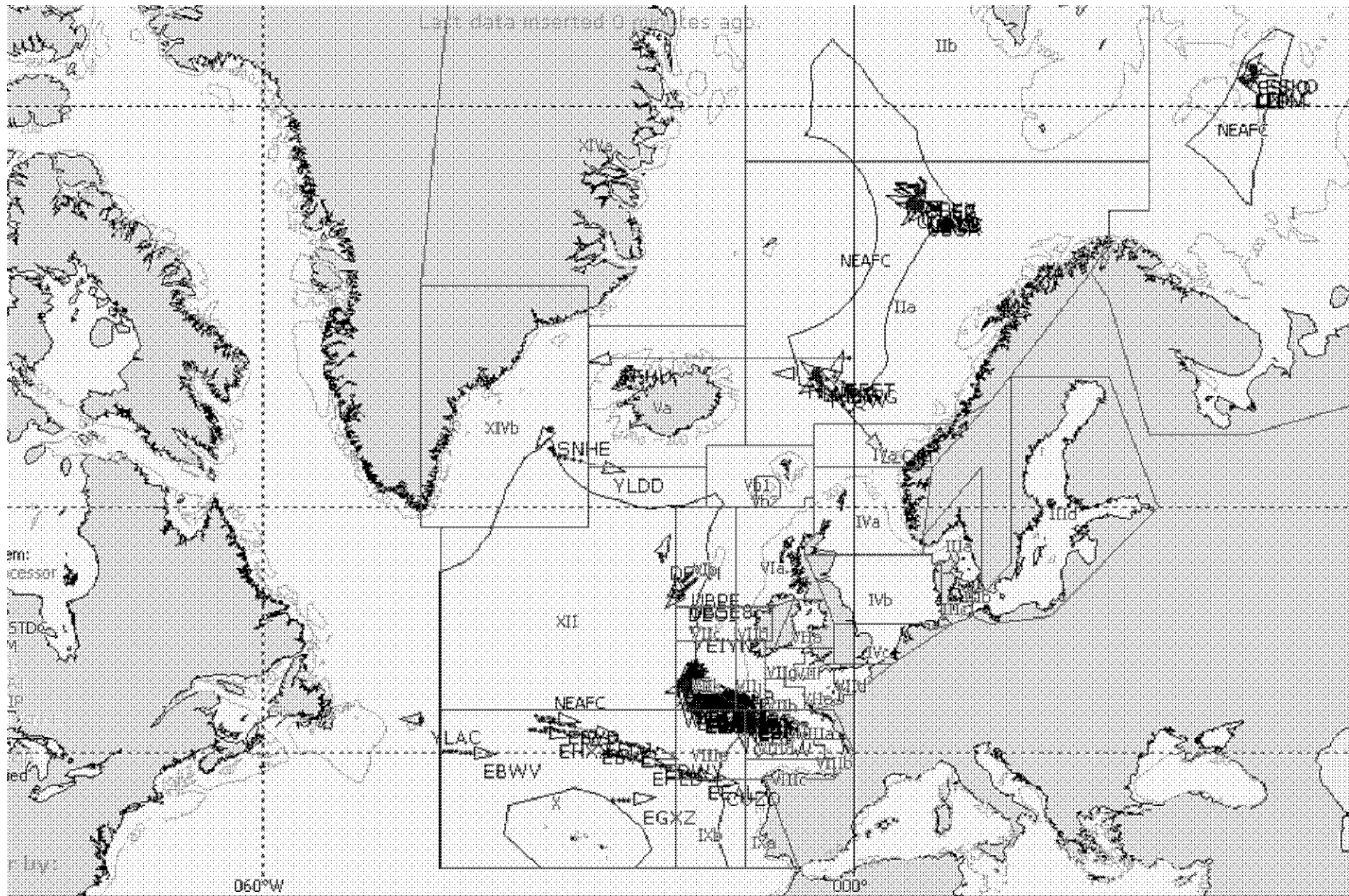
Major success in the fight against illegal fishing

23 Apr 2008

Efforts to clamp down on illegal fishing for cod in the Barents Sea are paying off - with a 50% cut in illegal fishing since 2005.

According to Norwegian government figures, more than 100,000 tonnes of illegal cod, valued at €225 million (\$US350 million), was caught in the Barents Sea in 2005. Last year, estimates put illegal landings at about 40,000 tonnes. By way of comparison, the annual legal catch is around 450,000 metric tonnes.

The most recent estimate is 10,000 tonnes



The
end

