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## **46<sup>th</sup> ANNUAL MEETING OF NAFO - SEPTEMBER 2024**

### **Surveillance Procedures**

#### **Background**

Article 33 of the NAFO Control and Enforcement Measures (CEM) includes surveillance procedures in case of sightings on fishing vessels flying the flag of a Contracting Party for which there are reasons to suspect an apparent infringement of the CEM. There are however no clear procedures where the inspector does not have reasons to suspect an apparent infringement at the time of the sighting. This absence of procedures prevents that the information of the sighting is shared with all Contracting Parties and that the flag State Contracting Party cross-checks the sighting information with other available fisheries data and, as appropriate, against applicable domestic law. In some cases, the information obtained during a previous sighting can be useful for the follow up of an apparent infringement reported at a later stage during an inspection. To ensure the proper follow up and enforcement of these cases, basic information for all sightings should be documented, including whether images and footage were recorded, and shared with all Contracting Parties via MCS Website for control purposes.

#### **Proposal**

Amend Article 33 of the NAFO CEM as follows:

*Article 33 – Surveillance Procedures*

**1. The inspecting Contracting Party shall ensure that its inspectors record in a Sighting Report, for each sighting in the Regulatory Area of a fishing vessel entitled to fly the flag of a Contracting Party, the following information:**

**(a) inspecting Contracting Party and the inspector(s) identification;**

**(b) identification or call sign of the inspecting platform;**

**(c) flag State, name, and call sign of the sighted fishing vessel;**

**(d) sighted fishing vessel's activity in accordance with ANNEX II.I.B;**

**(e) date and time of the sighting;**

**(f) position of the fishing vessel at the time of the sighting; and**

**(g) if images or footage were recorded and any other relevant observations.**

**21. Where an inspector observes in the Regulatory Area a fishing vessel entitled to fly the flag of a Contracting Party for which there are reasons to suspect an apparent infringement of the CEM, and where an immediate inspection is not practicable, the inspector shall:**

**(a) fill out the Surveillance Report Form set out in Annex IV.A. If the inspector has made a volumetric or catch composition evaluation of the content of a haul, the Surveillance Report shall include all relevant information regarding the composition of the tow, and refer the method used for the volumetric evaluation;**

**(b) record images of the vessel and record the position, date and time the image was recorded; and**

**(c) without delay electronically transmit the Surveillance Report and images to their competent authority.**

**32.** The inspecting Contracting Party shall: ~~without delay:~~

**(a) without delay and no later than 15 days after the end of the deployment, submit the Sightings Report to the Executive Secretary:**

**(b) upon request, transmit a copy of images and/or footage recorded and any other available information relating to a sighting referred to in paragraph 1 to the flag State Contracting Party; and**

**(c) without delay, in respect of the sighting referred to in paragraph 2:**

**(ia)** submit to the Executive Secretary the Surveillance report for transmission to the flag State Contracting Party of the vessel;

**(iib)** transmit a copy of images recorded to the flag State Contracting Party of the vessel; **and**

**(iiie)** ensure security and continuity of the evidence for subsequent inspections.

**43.** Each flag State Contracting Party shall **on receipt of a Surveillance Report referred to in paragraph 2, including any image recorded, concerning a vessel entitled to fly its flag:**

**(a) on receipt of a Surveillance Report, including any image recorded, concerning a vessel entitled to fly its flag,** conduct such investigation as may be necessary to determine appropriate follow-up action; and

**(b)** submit without delay to the Executive Secretary the investigation report.

Duties of the Executive Secretary

**54.** The Executive Secretary posts without delay to the NAFO MCS Website:

**(a) the Sightings Reports referred to in paragraph 1**

**(ab)** the Surveillance Reports, including any image recorded, referred to in paragraph ~~12~~ and ensures that they are automatically transmitted to the flag State Contracting Party of the vessel concerned; and

**(bc)** the investigation report referred to in paragraph ~~34~~ and ensures that it is transmitted to the Contracting Party that has generated the Surveillance Report.