

## PART VI - PILOT PROJECT FOR OBSERVERS AND SATELLITE TRACKING

In order to improve compliance with the Conservation and Enforcement Measures for their vessels fishing in the Regulatory Area, Contracting Parties agree to implement during the period from 01 January 1996 to 31 December 1997 a Pilot Project to provide for properly trained and qualified observers on all vessels fishing in the NAFO Regulatory Area and satellite tracking devices on 35% of their respective vessels fishing in the Regulatory Area.

### A. Observers

1. Each Contracting Party shall require all its vessels fishing in the Regulatory Area to accept observers on the basis of the following:
  - a) each Contracting Party shall have the primary responsibility to obtain, for placement on its vessels, independent and impartial observers;
  - b) in cases where a Contracting Party has not placed an observer on a vessel, any other Contracting Party may, subject to the consent of the Contracting Party of the vessel, place an observer on board until that Contracting Party provides a replacement in accordance with paragraph a);
  - c) no vessel shall be required to carry more than one observer pursuant to this Pilot Project at any time.
2. Each Contracting Party shall provide to the Executive Secretary a list of the observers they will be placing on vessels in the Regulatory Area.
3. Observers shall:
  - a) monitor a vessel's compliance with the relevant Conservation and Enforcement Measures. In particular they shall:
    - i) record and report upon the fishing activities of the vessel and verify the position of the vessel when engaged in fishing;
    - ii) observe and estimate catches with a view to identifying catch composition and monitoring discards, by-catches and the taking of undersized fish;
    - iii) record the gear type, mesh size and attachments employed by the master;
    - iv) verify entries made to the logbooks (species composition and quantities, round and processed weight and haul reports).
  - b) collect catch and effort data on a set-by-set basis. This data shall include location (latitude/longitude), depth, time of net on the bottom, catch composition and discards;
  - c) carry out such scientific work (for example, collecting samples) as requested by the Fisheries Commission based on the advice of the Scientific Council;
  - d) within 30 days following completion of an assignment on a vessel, provide a report to the Contracting Party of the vessel and to the Executive Secretary, who shall make the report, available to any Contracting Party that requests it. Copies of reports sent to other Contracting Parties shall not include location of catch in latitude and longitude as required under 3 b), but will include daily totals of catch by species and division.

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*Erindi nr. p 120,2106  
komudagur 28/5 1996*

4. In the case where an observer is deployed on a vessel equipped with devices for satellite-based automatic remote position recording facilities, the observer shall monitor the functioning of, and report upon any interference with, the satellite system. In order to better distinguish fishing operations from steaming and to contribute to an *a posteriori* calibration of the signals registered by the receiving station, the observer shall maintain detailed reports on the daily activity of the vessel.
5. When an apparent infringement of the Conservation and Enforcement Measures is identified by an observer, the observer shall, within 24 hours, report it to a NAFO inspection vessel using an established code, which shall report it to the Executive Secretary.
6. Contracting Parties shall take all necessary measures to ensure that observers are able to carry out their duties. Subject to any other arrangements between the relevant Contracting Parties, the salary of an observer shall be covered by the sending Contracting Party.
7. The vessel on which an observer is placed shall provide suitable food and lodging during the observer's deployment. Vessel masters shall ensure that all necessary cooperation is extended to observers in order for them to carry out their duties.

**B. Satellite Tracking**

1. Each Contracting Party whose vessels fish, or plan to fish, a minimum of 300 days per year in the Regulatory Area, shall:
  - a) require 35% of its vessels fishing in the Regulatory Area to be equipped with an autonomous system able to transmit automatically satellite signals to a land-based receiving station permitting a continuous tracking of the position of the vessel by the Contracting Party of the vessel;
  - b) endeavour to test several systems of satellite tracking;
  - c) install at least one receiving station associated with their satellite tracking system;
  - d) transmit to the Executive Secretary, on a real time basis, messages of movement between NAFO divisions (as per the requirements of the Hail System outlined in Part III. E of these Measures) for its vessels equipped with satellite devices. The Executive Secretary shall, in turn, transmit such information to Contracting Parties with an inspection vessel or aircraft in the Convention Area;
  - e) cooperate with other Contracting Parties which have a NAFO inspection vessel or aircraft in the Convention Area, in order to exchange information on a real-time basis on the geographical distribution of fishing vessels equipped with satellite devices and, on specific request, information related to the identification of a vessel.
2. Subject to any other arrangements between Contracting Parties, each Contracting Party shall pay all costs associated with the satellite tracking system.

**C. Analysis**

1. Each Contracting Party shall prepare a report on the results of the Pilot Project from the perspective of efficiency and effectiveness, including:
  - a) overall effectiveness of the Project in improving compliance with the Conservation and Enforcement Measures;

- b) the effectiveness of the different components of the Project;
  - c) costs associated with observers and satellite tracking;
  - d) a summary of observers' reports, specifying type and number of observed infractions and important events;
  - e) estimations of fishing effort from observers as compared to initial estimation by satellite monitoring;
  - f) analysis of the efficiency in terms of cost/benefit, the latter being expressed in terms of compliance with the Conservation and Enforcement Measures and volume of data received for fisheries management.
2. The reports shall be submitted to the Executive Secretary in time for their consideration at the September 1997 Annual Meeting of NAFO and, based on these reports, the Parties agree to establish a permanent scheme that will ensure that the degree of control and enforcement in the Regulatory Area provided by the Project, as indicated above, is maintained.

§ 20. Fiskeribiologiske undersøgelser samt forsøgsfiskeri kan, uanset gældende begrænsninger for erhvervsmæssigt fiskeri, udføres af Grønlands Fiskeriundersøgelser og Grønlands Miljøundersøgelser eller af andre med tilladelse fra landsstyret. Landsstyret kan fastsætte betingelser for forsøgsfiskeri efter indhentet udtales fra Grønlands Fiskeriundersøgelser.

Stk. 2. Fiskeri i uddannelsesøjemed kan, uanset gældende begrænsninger for erhvervsmæssigt fiskeri, udføres med tilladelse fra landsstyret. Landsstyret kan fastsætte betingelser for sådant fiskeri.

#### *Kapitel 9. Statistik.*

§ 21. Landsstyret kan udstede regler, hvorefter grønlandske fartøjer, jf. § 5, produktionsanlæg og andre i Grønland pålegges at indsende nærmere bestemte oplysninger om fiskeriet til brug for statistiske formål.

#### *Kapitel 10. Kontrol.*

§ 22. Landsstyret kan udstede regler om kontrol med overholdeelse af bestemmelserne i loven og i regler udstedt efter loven.

Stk. 2. Landsstyret kan udstede regler med henblik på at forhindre overdragelse af fangst, som måtte være taget i strid med regler udstedt efter loven, herunder om,

- 1) pligt til at give oplysninger om modtaget fangst;
- 2) forbud mod at modtage fangst fra personer og selskaber m.v., der ikke er berettigede til fiskeri samt
- 3) forbud mod at modtage fangst efter opnåelsen af en tilladt fangstmængde.

# Parlamentslov nr. 17/1990 om udværsnæssing af fiskeri

§ 23. Forsvarets fiskeriinspektion og politiet påser i hidtidigt omfang overholdeksen af bestemmelserne i loven og i regler efter loven.

Sik. 2. Det påhviler Den grønlandske Fiskerilicenskontrol at påse overholdeksen af vilkårene i tilladelser, der er givet i henhold til loven, samt at varetage andre opgaver, som fastsættes af landstyret. I det omfang opgaverne omfatter påsyn af overholdeksen af bestemmelserne i loven og i regler endstedi efter loven, fastsættes opgaverne efter drøftelse med rigsmyndighederne.

§ 24. Forsvarets fiskeriinspektion og politiet kan lade fiskerfartøjer og fisketransportfartøjer stoppe og borde for at foretage tjenstlige handlinger, herunder ettersyn af skibsdokumenter, fiskerilogbøger, last- og produktionsopgører og lignende samt undersøgelse af fiskeredskaber og fangst, og kan forlange redskaber indbjærget til tjenstlig undersøgelse. Det kan endvidere gives sådanne fartøjer ordre til at afgå til udpeget grønlandsk havn med henblik på visitation eller oplysnings af fangst og redskaber.



§ 25. Landstyret kan pålægge fartøjer med licens at tage fiskerikontrollører fra Den grønlandske Fiskerilicenskontrol ombord med henblik på at observere fartøjet fiskeraktiviteter på Grønlands fiskeriterritorium. Fartøjet skal holdes udgifter til ophold og forplejning.

Sik. 2. Fiskerikontrollørernes arbejdsopgaver og beføjelser fastsættes af landstyret efter drøftelse med rigsmyndighederne.

Sik. 3. Fiskerikontrollørerne skal have mulighed for at benytte fartøjet radio og telefunktioner til at kommunikere med de grønlandske og danske myndigheder.

§ 26. Forsvarets fiskeriinspektion kan forlange, at et fiskerfartøj skal op holde sig på en nærmere angiven position inden for et bestemt



**NAFO OBSERVERS****1. Assignment of Observers**

- (i) With a view to fulfilling the obligation stipulated above, the Faroese Fishery Control shall assign appropriately qualified and experienced personnel. Selected personnel should possess the following skills in order to discharge their duties:
- Sufficient experience to identify species and gear,
  - Navigational skills,
  - A satisfactory knowledge of the NAFO conservation and enforcement measures,
  - The ability to carry out elementary scientific tasks e.g. collecting samples, as requested and observe and record accurately,
  - a Satisfactory knowledge of the English and Faroese language.
- (ii) The Faroese Fishery Control shall take all appropriate steps to ensure that observers are received on board fishing vessels at the duly designated time and location and facilitate their departure at the termination of the observation period.

**2. Duties of Observers**

The main task of the Observers is to monitor the fishing vessel's compliance with the relevant NAFO Conservation and Enforcement Measures. More Specifically, the designated observers shall:

- a) Record the fishing activities of the vessel observed, fishing activities shall be recorded using the model format set out below.
- b) Verify the position of the vessel when engaged in fishing activity.
- c) Observe and estimate catches taken on a set-by set basis

(location, depth, time the gears are in the water).

- d) Identify catch composition.
- e) Monitor discards, by-catch and catches of undersized fish.
- f) Record the gear, mesh size and attachments utilized by the master.
- g) Verify entries made to the logbook or production logbook. Verification of production logbook shall be made using the conversion factor employed by the master.
- h) Verify haul reports.
- i) Report, within 24 hours, evidence of an apparent infringement. Such reports shall be made to a NAFO Inspection vessel in the NAFO Regulatory Area which shall report the apparent infringement to the Executive Secretary of NAFO. Observers shall use an established code when communicating to an inspection vessel.
- j) Complete a daily log of the vessels' fishing activities in accordance with the format presented in appendix I.
- k) Monitor the functioning of automatic remote position recording facilities if on board and used by the vessel observed.
- l) Carry out scientific work and sampling if so requested by the Fisheries Commission of NAFO or by the Faroese authorities.
- m) Present a report, to the Faroese Fishery Control and to the Faroese Home Government, within 20 days following the termination of the observation period. The report shall summarize the main findings of the observer. The report

shall be transmitted to the NAFO Executive Secretary by the Faroese Home Government.

- n) The assigned observers shall take all appropriate steps to ensure that their presence on board of fishing vessels does not hinder or interfere with the proper functioning of the vessels including fishing activities.
- o) The observer shall respect the property and equipment on board of the fishing vessels including the confidentiality of all documents pertaining to the said vessels.
- p) All observation duties shall be confined to the Regulatory Area of NAFO.

### 3. Master of the Vessel

- (i) The master of the vessel designated to receive an

observer on board shall take all reasonable steps to facilitate the arrival and departure of the said observer. While on board the designated observer shall be offered appropriate and adequate accommodation and working facilities. The Master of the vessel shall permit the observer to have access to the vessel's documents (logbook, capacity plan, production logbook or stowage plan) and to different parts of the vessel in order to facilitate the discharge of the observer's duties.

- (ii) The master shall be informed in good time of the date and location for receiving observers and the likely duration of the observation period.
- (iii) The master of the vessel observed may, on his own request, be provided with a copy of the Observer's report.

The Faroese Home Government on the 15th of February 1996.