



North Pacific Fisheries Commission

SUSTAINABLE USE AND CONSERVATION HANDBOOK

2023

Table of Contents

FOREWORD	3
ACRONYMS	4
CHAPTER I: VESSEL REQUIREMENTS	6
Article 1 – CMM NPFC Vessel Registry/Vessel Markings/General	6
Article 2 – Enhancements and Clarifications from the Commission	45
Article 3 – CMM Sharks	46
Article 4 – Enhancements and Clarifications from the Commission	48
Article 5 – CMM The Prevention, Reduction, and Elimination of Marine Pollution	49
Article 6 – Enhancements and Clarifications from the Commission	52
CHAPTER II: MEASURES FOR PRIORITY SPECIES	53
Article 7 – CMM Chub Mackerel.....	53
Article 8 – Enhancements and Clarifications from the Commission	55
Article 9 – CMM Pacific Saury.....	56
Article 10 – Enhancements and Clarifications from the Commission	59
Article 11 – CMM Sablefish	60
Article 12 – Enhancements and Clarifications from the Commission	62
Article 13 – CMM Japanese Sardine, Neon Flying Squid and Japanese Flying Squid....	63
Article 14 – Enhancements and Clarifications from the Commission	65
CHAPTER III: PROTECTION OF VULNERABLE MARINE ECOSYSTEMS FROM BOTTOM FISHING ACTIVITIES	66
Article 15 – CMM Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northwestern Pacific Ocean	66
Article 16 – Enhancements and Clarifications from the Commission	95
Article 17 – CMM Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northeastern Pacific Ocean	96
Article 18 – Enhancements and Clarifications from the Commission	120
CHAPTER IV: MONITORING OF FISHERIES	121
Article 19 – CMM Vessel Monitoring System	121
Article 20 – Enhancements and Clarifications from the Commission	134
Article 21 – CMM Compliance Monitoring Scheme	135
Article 22 – Enhancements and Clarifications from the Commission	151
Article 23 – CMM Transshipment.....	152
Article 24 – Enhancements and Clarifications from the Commission	173
CHAPTER V: AT-SEA INSPECTION AND SURVEILLANCE SCHEME	174
Article 25 – CMM High Seas Boarding and Inspection Procedures	174
Article 26 – Enhancements and Clarifications from the Commission	187
CHAPTER VI: NON-CONTRACTING PARTY SCHEME	188
Article 27 – CMM Vessels without Nationality	188
Article 28 – Enhancements and Clarifications from the Commission	189
Article 29 – CMM Identification of Illegal, Unreported, and Unregulated Activities	190
Article 30 – Enhancements and Clarifications from the Commission	201

FOREWORD

The objective of the *Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean* (2015) is to ensure the long-term conservation and sustainable use of the fisheries resources in the Convention Area while protecting the marine ecosystems of the North Pacific Ocean in which these resources occur.

To achieve this aim, the North Pacific Fisheries Commission (NPFC) has developed the *Sustainable Use and Conservation Handbook*, as mandated by the Commission at its 5th meeting. The Handbook brings together all conservation and management measures presently in force, as adopted by the Commission as of July 2023, as well as relevant decisions made at the Commission.

The Handbook supports all the active conservation and management measures, with a special focus on their implementation, *inter alia*, boarding and inspection procedures, vessel monitoring system requirements, protection of VMEs, data collection, observers, and other relevant compliance and enforcement information. We trust that this publication, updated annually with new or updated conservation and management measures, will be of assistance to Commission Members, the scientific community, patrol aircraft and vessels, inspectors and others in realizing the objectives of the Convention.

All Commission publications, as well as further information on the Commission and its laws and policies, can be viewed and downloaded from the Commission website: www.npfc.int.

ACRONYMS

CA	NPFC Convention Area
CMM	Conservation and Management Measure
CNCP	Cooperating Non-Contracting Party
ES-NHR	Emperor Sea Mounts – Northern Hawaiian Ridge Area
FAC	NPFC Finance and Administration Committee
FAO	Food and Agriculture Organization of the United Nations
IMO	International Maritime Organization under the United Nations Economic and Social Council
IPOA	FAO International Plan of Action
IRCS	International Radio Call Sign
ISSCFV	FAO International Standard Statistical Classification of Fishing Vessels by Vessel Types
ISSCFG	FAO International Standard Statistical Classification of Fishing Gear
IUU	Illegal, unreported and unregulated fishing activities
Kg	Kilogram
Lat	Latitude
Lon/Long	Longitude
MMSI	Maritime Mobile Service Identity
Mt	Metric tonne
NPFC	North Pacific Fisheries Commission
RFMO	Regional Fisheries Management Organization
SAI	Significant Adverse Impact
SC	NPFC Scientific Committee
TCC	NPFC Technical and Compliance Committee
UNCLOS	United Nations Convention on the Law of the Sea of 10 December 1982
UNFSA	The Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (commonly called the UN Fish Stocks Agreement)
UNGA	United Nations General Assembly

UTC	Coordinated Universal Time
Vessel ID	Vessel identifier
VME	Vulnerable Marine Ecosystem
VR	NPFC Vessel Registry
WTO	World Trade Organization

CHAPTER I: VESSEL REQUIREMENTS

Article 1 – CMM NPFC Vessel Registry/Vessel Markings/General

CMM 2023-01

(Entered into force 26 July 2023)

CONSERVATION AND MANAGEMENT MEASURE ON INFORMATION REQUIREMENTS FOR VESSEL REGISTRATION

The North Pacific Fisheries Commission (NPFC),

Recalling Article 4 of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 24 November 1993 that stipulates to maintain a record of fishing vessels entitled to fly its flag and authorized to be used for fishing on the high seas, and to take such measures as may be necessary to ensure that all such fishing vessels are entered in that record,

Recognizing Article 7, paragraph 2 (d) of the Convention regarding the establishment of appropriate cooperative mechanisms for effective monitoring, control and surveillance to ensure enforcement of the conservation and management measures adopted by the Commission including mechanisms to prevent, deter and eliminate IUU fishing,

Reaffirming that Article 13, paragraph 1 of the Convention that members of the Commission or Cooperating non-Contracting Parties shall take necessary measures to ensure that fishing vessels entitled to fly its flag operating in the Convention Area comply with the provisions of the Convention and measures adopted pursuant to the Convention and such vessels do not engage in any activities that undermine the effectiveness of such measures and do not conduct unauthorized fishing activities within areas under national jurisdiction of another State adjacent to the Convention Area,

Also reaffirming that Article 13, paragraph 2 of the Convention that no members or Cooperating non-Contracting Parties of the Commission shall allow any fishing vessel entitled to fly its flag to be used for fishing activities in the Convention Area unless it has been authorized to do so by the appropriate authority or authorities of that member of the Commission or Cooperating non-Contracting Parties. Each member of the Commission, or Cooperating non-Contracting Parties, shall authorize the use of vessels entitled to fly its flag in the Convention Area only where it is able to exercise effectively its responsibilities in respect of those vessels under this Convention, the 1982 Convention and the 1995 Agreement,

Also recognizing that members of the Commission or Cooperating non-Contracting Parties have the need to conduct transshipment with carrier vessels that are flagged to Commission members, Cooperating non-Contracting Parties,

Noting the decision by the IMO Assembly in its 30th session to expand eligibility for IMO numbers to fishing vessels less than 100 gross tons down to a size limit of 12 meters in length overall authorized to operate outside waters under national jurisdiction of the flag State to assist in identifying and tracking fishing vessels and to tackle illegal, unreported and unregulated fishing,

Adopts the following conservation and management measures in accordance with Article 7, Article 13, paragraph 8 and Article 15 of the Convention:

NPFC Vessel Registry

For the purpose of the effective implementation of the Convention, each Commission member or Cooperating non-Contracting Party shall:

1. Maintain a record of fishing vessels entitled to fly its flag and authorized to be used for fishing activities in the Convention Area in accordance with the information requirements in the Annex.
2. Update pertinent information required from paragraph 1 in the NPFC Vessel Registry established under Article 13, paragraph 10 of the Convention, noting that vessel submissions which do not include the initial data elements as indicated in the Annex will not be accepted by the database.
3. Promptly update the NPFC Vessel Registry with:
 - (a) any additions to the record; e.g. new vessel authorizations;
 - (b) any modifications to this information with dates of such modifications; and
 - (c) any deletions from the record, specifying which of the following reasons is applicable:
 - (i) the voluntary relinquishment of the fishing authorization by the fishing vessel owner or operator;
 - (ii) the withdrawal or non-renewal of the fishing authorization issued in respect of the fishing vessel under Article 13, paragraph 2 of the Convention;
 - (iii) the fact that the fishing vessel concerned is no longer entitled to fly its flag;
 - (iv) the scrapping, decommissioning, or loss of the fishing vessel concerned; or
 - (v) any other grounds, with a specific explanation provided.

4. Provide to the Commission, as part of the annual report required pursuant to Article 16 of the Convention, the names of the fishing vessels entered in the record that conducted fishing activities during the previous calendar year.

Vessel Marking

5. Each Commission Member and Cooperating non Contracting Party shall ensure that every fishing vessel authorized to fly its flag bear markings that are readily identified in accordance with the FAO Standard Specifications for the Marking and Identification of Fishing Vessels, and recognize that non-compliance with these standards shall be considered a serious violation according to Article 17, paragraph 5 of the NPFC Convention and Article 21 Paragraph 11(f) of the United Nations Fish Stocks Agreement.

General

6. Commission Members and Cooperating non-Contracting Parties shall ensure they have maintained the NPFC Vessel Registry of the vessels based on the information provided to it and make the record publicly available as appropriate and subject to any legal confidentiality regulations of the individual Commission member and Cooperating non-Contracting Party.
7. The Commission member or Cooperating non-Contracting Parties entering vessels identified in paragraph 2 on the NPFC Vessel Registry established under paragraph 1 shall attest that the vessel or vessels being added recommended are not vessels:
 - (a) with a history of illegal, unreported or unregulated (IUU) fishing, unless the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no legal, beneficial or financial interest in, or control of the vessels, or Commission members or Cooperating non-Contracting Parties concerned is satisfied that, having taken into account all relevant facts, the vessel is no longer engaged in or associated with IUU fishing; or
 - (b) that are currently listed on any of the IUU vessel lists adopted by regional fishery management organizations (RFMOs)
8. If a fishing vessel with such an IUU history or on an RFMO IUU Vessel list as noted in paragraph 7 without the appropriate justification noted therein, is uploaded to, or found on the NPFC Vessel Registry, the Executive Secretary shall remove the vessel from the appropriate vessel registry with notification of such action to the flag member.
9. Each Commission Member and Cooperating non-Contracting Party entering vessels on the NPFC Vessel Registry must enter the required data for its vessels, immediately after it has so authorized the vessel to conduct fishing activities.

10. An authorized vessel cannot conduct fishing activities in the Convention Area until the vessel has been accepted in the NPFC Vessel Registry.
11. The Commission shall also provide to any Commission Member or Cooperating non-Contracting Party, upon request, information about any vessel entered on the Commission record that is not otherwise publicly available, as appropriate.
12. This CMM shall replace the NPFC CMM 2021-01.

List of Fields in the NPFC Vessel Registry and their Format and Content

“Asterisks (*) denote ‘initial data elements’ required to commence fishing activities in the Convention Area.”

	Field	Field Name	Field Format	Field Description/ Instructions	Example	Ref.
		NPFC ID	Number (integer)	This number is assigned automatically upon entry of vessel information.	1099	
*	(a)	Flag State	Text	The registered flag state – in UPPER CASE.	CANADA	
*	(b)	Authorizing Member	Text	Country/Member name – in UPPER CASE.	CHINA	
*	(c)	Name of fishing vessel	Text	Name of the fishing vessel as indicated on flag State registration – in UPPER CASE.	HAPPY NO. 123	CMM 2023-01
(where applicable)	(d)	Previous name(s) of fishing vessel	Text	<p>List of the previous name(s) of the fishing vessel in UPPER CASE.</p> <ul style="list-style-type: none"> • If the Member/CNCP knows the vessel has no previous names, use “N/A”. • If the Member/CNCP does not know if the vessel has any previous names, 	UNHAPPY NO. 1; IMHERE NO. 2	CMM 2023-01

				<p>use “NONE KNOWN”.</p> <p>If multiple previous vessel names, separate entries with “;” (semi-colon).</p>		
*	(e)	Registration number	Text	<p>Alphanumeric registration identifier assigned by the flag country/Member, as indicated on flag country/Member registration – in UPPER CASE.</p>	ABCD1234	CMM 2023-01
(where applicable)	(f)	Previous registration number(s)	Text	<p>Alphanumeric registration identifier assigned by the flag country, as indicated on flag State registration – in UPPER CASE.</p> <p>If multiple previous registration numbers, separate entries with “;” (semi-colon).</p>	EFGH5678; IJKL0109	CMM 2023-01
	(g)	Port of registry	Text	<p>Country/Member name – in UPPER CASE.</p>	PANAMA	CMM 2023-01
(where applicable)	(h)	Previous port(s) of registry	Text	<p>Country/Member name – in UPPER CASE,</p> <p>If multiple previous ports of registry, separate entities with “;” (semi-colon).</p>	CANADA ; JAPAN	CMM 2023-01
*	(i)	<p>IMO number*</p> <p>*Required for vessels which</p>	Number (integer)	<p>A seven-digit number assigned to all vessels by HIS.</p>	1234567	CMM 2023-01

		are eligible to receive IMO numbers		All fishing vessels are required to have an IMO number.		
*	(j)-1	Name of owner(s)	Text	<p>All in UPPER CASE.</p> <p>If multiple owners, separate entries with “;”.</p> <p>If company, enter full name of the company.</p> <p>If personal name, enter last/family name, first/given name(s) (separated by a comma).</p>	DOE, JANE; GOOD CATCH INC.;	CMM 2023-01
*	(j)-2	Address of owner(s)	Text	<p>All in UPPER CASE.</p> <p>Separate components of each address with a comma.</p> <p>If more than one address, separate addresses with “;” (semi-colon).</p>	2F, HAKUYO HALL, TOKYO UNIVERSITY OF MARINE AND TECHNOLOGY, 4-5-7 KONAN, MINATOKU TOKYO 108-8477 JAPAN.	CMM 2023-01
*	(k)-1	Name of master	Text	<p>All in UPPER CASE.</p> <p>Enter last/family name, first/given name(s).</p>	DOE, JANE	CMM 2023-01
*	(k)-2	Citizenship of master	Text	All in UPPER CASE.	RUSSIA	CMM 2023-01

				If multiple masters, separate entries with “;” (semi-colon).		
(if any)	(l)	Previous flag	Text	List previous flag(s) of the vessel, if any. <ul style="list-style-type: none"> If vessel has no previous flag, enter “N/A”. If multiple previous flags, separate entries with “;” (semi-colon).	JAPAN; REPUBLIC OF KOREA	CMM 2023-01
* (where applicable)	(m)	International Radio Call Sign (IRCS)	Text	Alphanumeric code. All in CAPS without space.	BZ1VK	CMM 2023-01
(where applicable)	(n)	Maritime Mobile Service Identity (MMSI)	Number (integer)	A nine-digit number.	123456789	CMM 2023-01
	(o)	Vessel communication types and numbers, including when available: satellite-based telephony or data services/devices.	Number	Enter description of each of any communication devices on board the vessel that use Inmarsat A, B, or C, or that have a satellite telephone number. If no such communication devices are on board, enter “NONE”.	C:1233445 56	CMM 2023-01
*	(p)	Vessel Photo Full length color photograph(s) showing	PNG JPEG	Upload file containing vessel photo. Enter the name of the electronic data file, using the following format:	1551_JOY NO. 345_06.12. 2019	CMM 2023-01

		Side view including IRCS. Photographs must show clear and unobstructed views that demonstrate compliance with vessel marking requirements to be accepted by the Secretariat for addition to the database; Provision of additional photographs showing bow and stern view are encouraged.		[NPFC ID #]_[Vessel Name]_[Date of Photograph: dd.mm.yyyy]		
*	(q)-1	Where (country/Member) built.	Text	Country/Member name – in UPPER CASE.	JAPAN	CMM 2023-01
*	(q)-2	When built (year).	Number (integer)	Enter the year the vessel was built in.	1996	CMM 2023-01
*	(r)	Type of vessel, as specified in standard abbreviations under the current <i>FAO International Standard Statistical Classification of Fishery Vessels by Vessel Types</i> (ISSCFV).	Text	Enter vessel type(s) as listed under the FAO ISSCFV.	JIGGER VESSELS	CMM 2023-01

	(s)	Normal crew complement	Number (integer)	The number of crew members normally on board the vessel, including officers.	35	CMM 2023-01
	(t)	Type of gear Type of fishing method or methods, as specified in standard abbreviations under the current <i>FAO International Standard Statistical Classification of Fishing Gear</i> (ISSCFG) and additions as requested by Members to accommodate gear not in the ISSCFG.	Text	Enter gear type(s) as listed under the FAO ISSCFG.	LIFT NETS (NEI)	CMM 2023-01
*	(u)-1	Type of length [Length*, including type of length* and unit of measurement.*]	Text	Enter length overall (LOA), length between perpendiculars, waterline length, or registered length.	Length overall (LOA)	CMM 2023-01
*	(u)-2	Length	Number (decimal)		109.00	CMM 2023-01
*	(u)-3	Length measurement unit	Text	Enter metres or feet.	Metres	CMM 2023-01

	(v)-1	Type of Depth [Depth, including type of depth and unit of measurement.]	Text	Enter draft/draught or moulded depth.	Draft/draught Moulded depth	CMM 2023-01
	(v)-2	Depth	Number (decimal)		10.50	
	(v)-3	Depth measurement unit	Text	Enter metres or feet.	Metres	CMM 2023-01
*	(w)-1	Type of beam [Beam*, including type of beam* and unit of measurement.*]	Text	Enter moulded breadth or extreme breadth.	Moulded breadth.	CMM 2023-01
*	(w)-2	Beam	Number (decimal)		18.00	CMM 2023-01
*	(w)-3	Beam measurement unit	Text	Enter metres or feet.	Metres	CMM 2023-01
*	(x)-1	Tonnage [Gross register tonnage*, or gross tonnage* (specify which)]	Number (decimal)		5005.00	CMM 2023-01
*	(x)-2	Tonnage type	Text	Enter gross register tonnage (GRT) or gross tonnage (GT).	GRT	CMM 2023-01

	(y)-1	Power of main engine or engine(s) [Power of main engine or engines, including unit of measurement.]	Number (decimal)		3000.00	CMM 2023-01
	(y)-2	Engine measurement unit	Text	Enter kilowatts (kW), horsepower (hp), or pferdestärke.	Kilowatts (kW)	CMM 2023-01
*	(z)	Domestic Licence Authorization The nature of authorization to fish granted by the flag state in its domestic licence, such as type or method of fisheries authorized and main target species, and authorized periods.	Text and/or number. For date - DAY/MONTH/YEAR	Enter start and end dates of domestic licence authorization, target species, and authorization number.	12-05-2019 – 11-10-2020 Pacific Saury 1135	CMM 2023-01
*	(z)-1	NPFC Commission Authorization period – the dates for the authorization to operate in the NPFC Convention Area by the	For date – DAY/MONTH/YEAR	System automatically enters notification date for commencement of authorization; Member enters end date, e.g., date of licence period if within 5 years from notification date, OR maximum of 5-year	28 November 2020 – 27 November 2025 and species from drop down list – one of: Bottom	CMM 2023-01

		<p>Member commencing on the date of notification of the authorization to extend to the date of the domestic authorization period up to a maximum of five years from the notification date.</p> <p>Gear and species will be same as ‘Domestic Licence’, but identified according to the drop down list of individual target species (see example).</p>		<p>period from notification date.</p> <p>The target species for each authorization period must be listed separately.</p>	<p>fish; Mackerel; Japanese flying squid; neon flying squid; Japanese sardine, etc.. (maximum authorization period)</p>	
	(aa)	Fish hold capacity, in cubic metres.	Number (decimal)	The total amount of fish capable of being stored on the vessel, excluding bait and fish kept for crew consumption.	7151.00 m ³	CMM 2023-01
	(bb)	<p>Freezer: number of freezers, type(s), capacity, and unit of measurement.</p> <p>[Freezer type and capacity, including unit</p>	Text; Number (decimal)	<p>Freezer type: enter ice, brine, air blast, air coil, and/or plate freezer.</p> <p>Capacity unit: enter tons/day, metric ton/day, lbs/day, cubic metres, and/or cubic feet.</p>	2-Air blast-55 cubic metres	CMM 2023-01

		of measurement.]				
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Specifications for the Marking and Identification of Fishing Vessels

Purpose

1. These specifications are intended to implement the *FAO Standard Specifications for the Marking and Identification of Fishing Vessels* for the North Pacific Fisheries Commission (NPFC).

General Provisions

2. Each Commission Member and Cooperating non-Contracting Party shall ensure that each fishing vessel entitled to fly its flag and authorized to be used for fishing in the Convention Area is:
 - (a) marked and identifiable with their International Telecommunication Union Radio Call Sign (IRCS); and
 - (b) where an IRCS has not been assigned, the vessel shall be marked and identifiable with the characters allocated by the International Telecommunication Union (ITU) to the flag State and followed by, as appropriate, the licence or registration number assigned by the flag State. In such cases, a hyphen shall be placed between the nationality identification characters, and the licence or registration number identifying the vessel.
3. In order to avoid confusion with the letters I and O, it is recommended that the numbers 1 and 0, which are specifically excluded from the ITU call signs, be avoided by national authorities when allocating licence or registration numbers.
4. Apart from the fishing vessel's name or identification mark and the port of registry as required by international practice or national legislation, the marking system as specified shall, in order to avoid confusion, be the only other vessel identification mark consisting of letters and numbers to be painted on the hull or superstructure.

Application of Markings

5. Each Commission Member and Cooperating non-Contracting Party shall ensure that the markings are prominently displayed at all times:
 - (a) on the vessel's side or superstructure, port and starboard; fixtures inclined at an angle to the vessel's side or superstructure are permitted provided that the angle of inclination does not prevent sighting of the sign from another vessel or from the air; and

- (b) on a deck, except as provided for in paragraph 7. Should an awning or other temporary cover be placed so as to obscure the mark on a deck, the awning or cover shall also be marked. These marks should be placed athwartships with the top of the numbers or letters towards the bow.
6. Each Commission Member and Cooperating non-Contracting Party shall ensure that markings are:
 - (a) placed as high as possible above the waterline on both sides, and that such parts of the hull as the flare of the bow and the stern shall be avoided;
 - (b) so placed as to not be obscured by the fishing gear whether it is stowed or in use;
 - (c) clear of flow from scuppers or overboard discharges including areas which might be prone to damage or discolouration from the catch of certain types of species; and
 - (d) not extended below the waterline.
 7. Undecked vessels shall not be required to display the markings on a horizontal surface. However, owners should be encouraged, where practical, to fit a board on which the markings may be clearly seen from the air.
 8. Vessels fitted with sails may display the markings on the sail in addition to the hull.
 9. Boats, skiffs, and craft carried by the vessel for fishing operations shall bear the same mark as the vessel concerned.

Specifications for Markings

10. Each Commission Member and Cooperating non-Contracting Party shall ensure that:
 - (a) block lettering and numbering is used throughout;
 - (b) the width of the letters and numbers is in proportion to the height;
 - (c) the height (*h*) of the letters and the numbers shall be in proportion to the size of the vessel in accordance with the following:

(i) for marks to be placed on the hull, superstructure, and/or inclined surfaces:

<u>Length of vessel overall (LOA)</u> <u>in metres (m)</u>	Height of letters and numbers in metres (m) is not less than:
25 m and over	1.0 m
20 m but less than 25 m	0.8 m
15 m but less than 20 m	0.6 m
12 m but less than 15 m	0.4 m
5 m but less than 12 m	0.3 m
Under 5 m	0.1 m

(ii) for marks to be placed on deck: the height shall not be less than 0.3 metres (m) for all classes of vessels of 5 metres (m) and over.

(d) the length of the hyphen shall be half the height of the letters and numbers;

(e) the width of the stroke for all letters, numbers, and the hyphen shall be $h/6$;

(f) the space between letters and/or numbers shall not exceed $h/4$, nor be less than $h/6$; and

(g) the space between adjacent letters having sloping sides shall not exceed $h/8$, nor be less than $h/10$, for example A V.

Specifications for Painting of Markings

11. Each Commission Member and Cooperating non-Contracting Party shall ensure that:

(a) the markings are either white on a background, or black on a white background;

(b) the background shall extend to provide a border around the mark of not less than $h/6$;

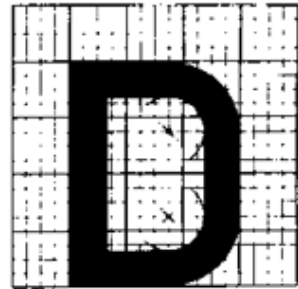
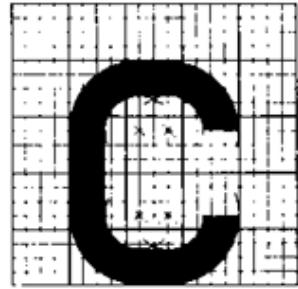
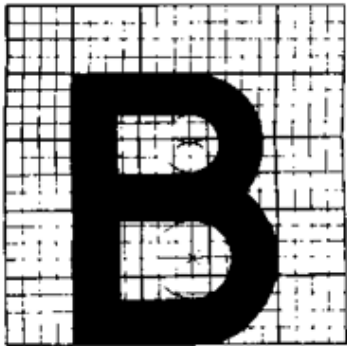
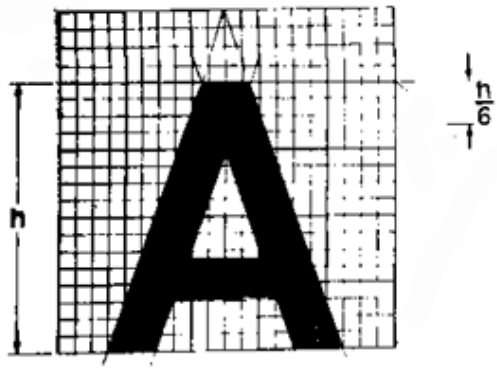
(c) good quality marine paint is used throughout;

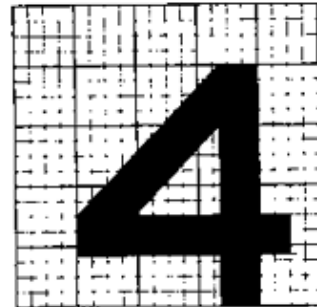
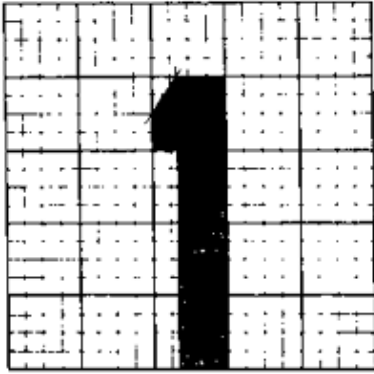
(d) where retro-reflective or heat generating substances are used, the markings meet the requirements of this Annex; and

(e) the markings and background are maintained in good condition at all times.

Review and Amendment of Specifications

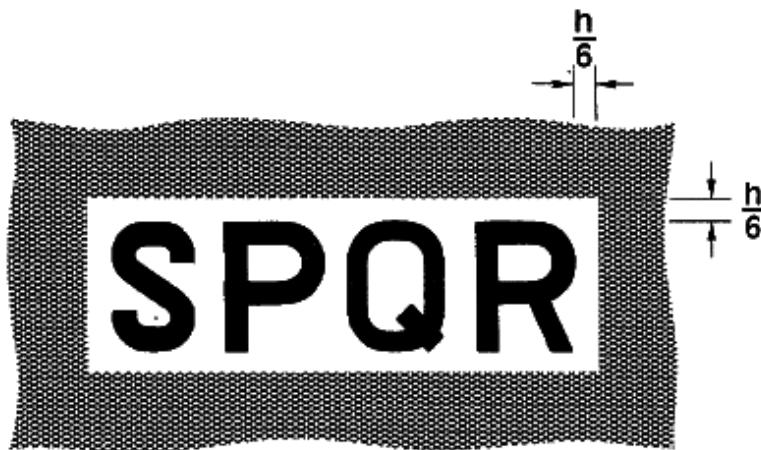
12. The Commission shall keep these specifications under review, and may amend them as appropriate.





Examples of placement of the marks
Exemples d'emplacement des marques
Ejemplos de colocación de las marcas

CONTRAST / CONTRASTE / CONTRASTE



COLOURED BACKGROUND / FOND COLORE / FONDO EN COLOR



Group No. 1
FACTORY TRAWLER

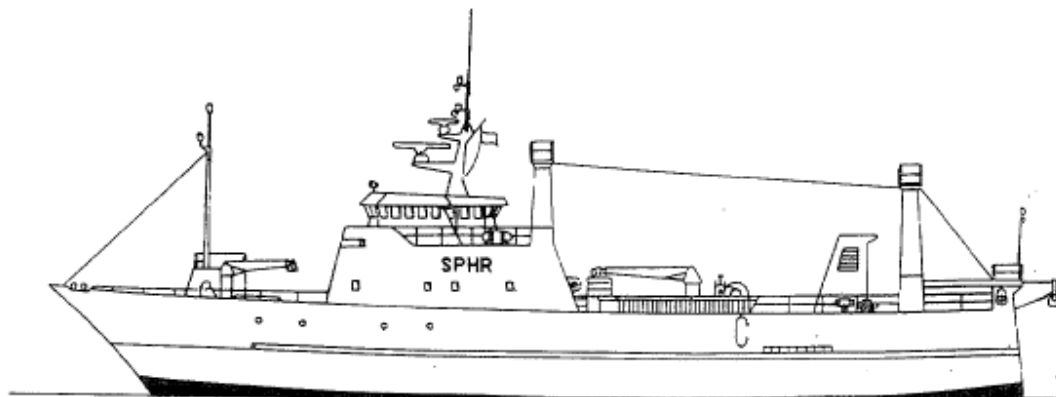
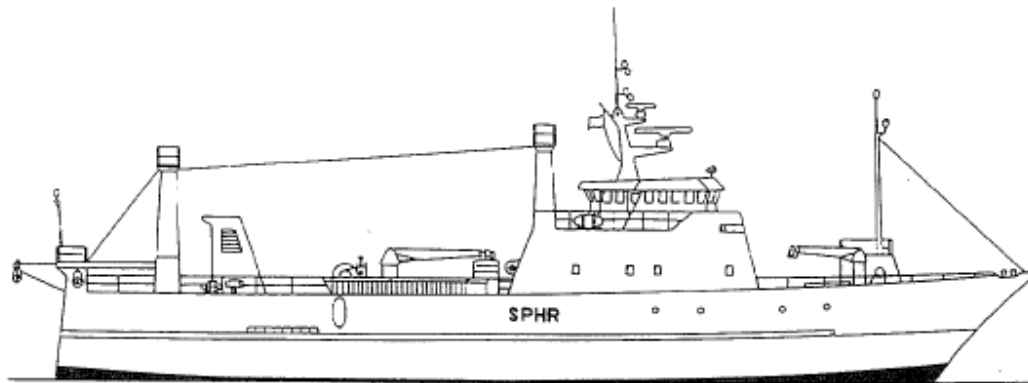
Length over all: 68 m
Call sign: POLAND
Letter height: 1 m

Groupe N° 1
CHALUTIER-USINE

Longueur hors tout: 68 m
Indicatif d'appel: POLOGNE
Hauteur des lettres: 1 m

Grupo N° 1
ARRASTRERO FACTORIA

Eslora máxima: 68 m
Distintivos de llamado: POLONIA
Altura de letra: 1 m



Group No. 1
TUNA PURSE SEINER

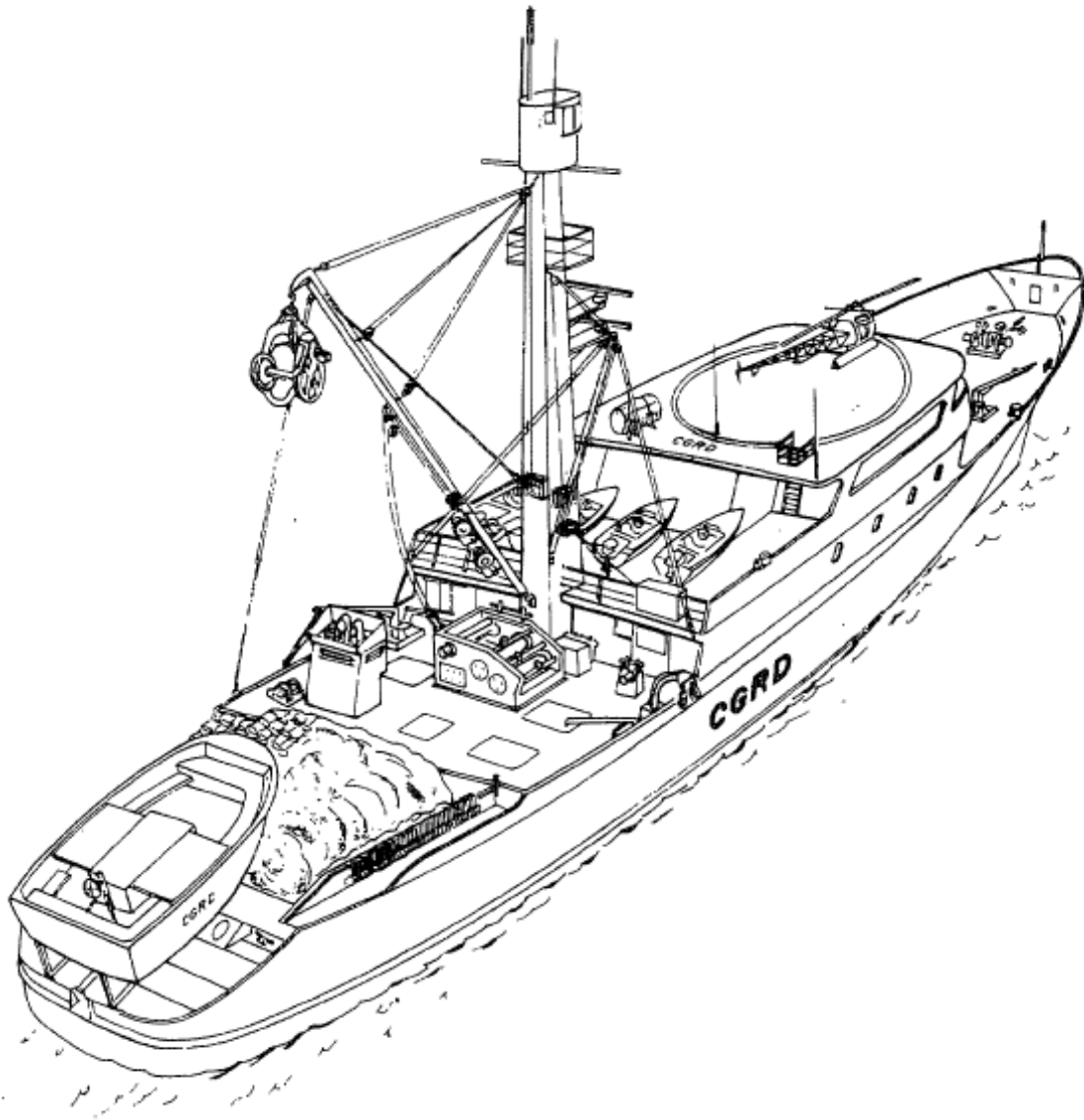
Length over all: 64 m
Call sign: CANADA
Letter height: 1 m
- on superstructure:
0.40 m
- on skiff: 0.40 m

Groupe N° 1
THONIER-SENNEUR

Longueur hors tout: 64 m
Indicatif d'appel: CANADA
Hauteur des lettres: 1 m
- sur les superstructures:
0,40 m
- sur le bateau annexe:
0,40 m

Grupo N° 1
CERQUERO ATUNERO

Eslora máxima: 64 m
Distintivos de llamado: CANADA
Altura de letra: 1 m
- sobre la subestructura:
0,40 m
- sobre la barca auxiliar:
0,40 m



Group No. 1
POLE AND LINE VESSEL/
AMERICAN TYPE

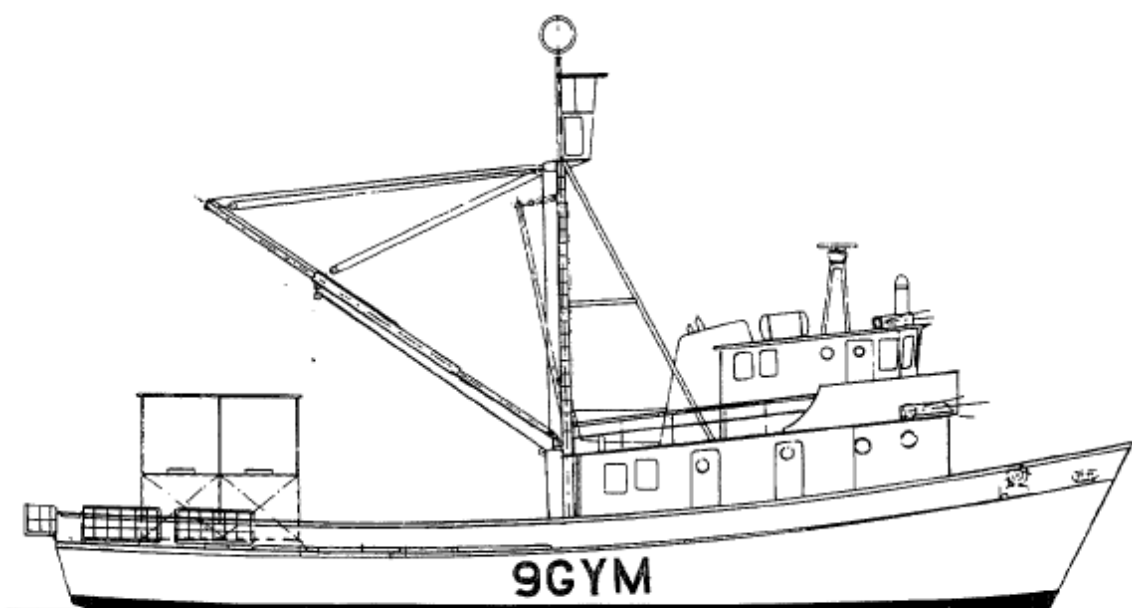
Length over all: 28 m
Call sign: GHANA
Letter height: 1 m

Groupe N° 1
CANNEUR, TYPE AMERICAIN

Longueur hors tout: 28 m
Indicatif d'appel: GHANA
Hauteur des lettres: 1 m

Grupo N° 1
EMBARCACION PARA LA PESCA CON
LINEA Y CAÑA, TIPO AMERICANO

Eslora máxima: 28 m
Distintivos de llamado: GHANA
Altura de letra: 1 m



Group No. 1
LONGLINER

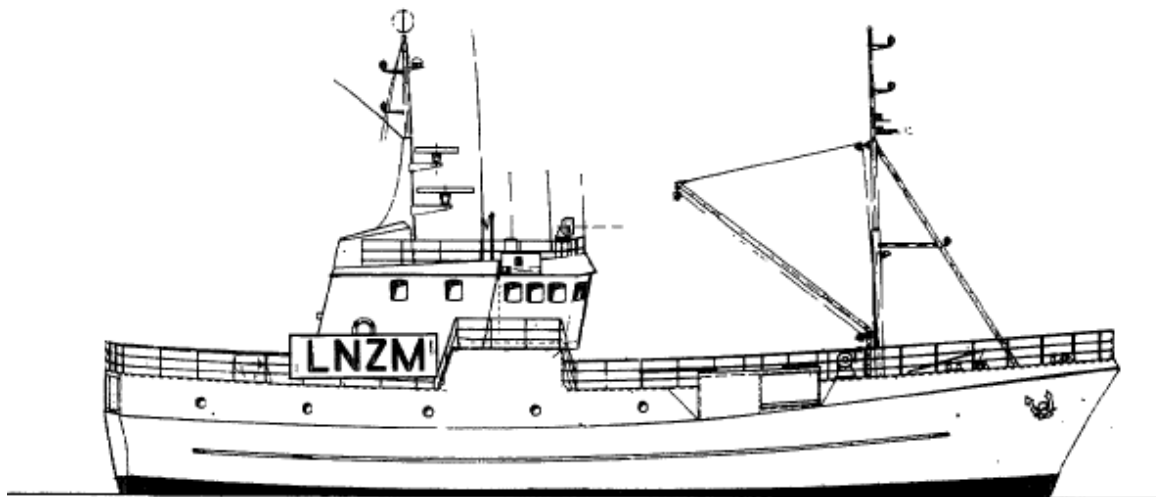
Length over all: 33.50 m
Call sign: NORWAY
Letter height: 1 m

Groupe N° 1
PALANGRIER

Longueur hors tout: 33,50 m
Indicatif d'appel: NORVEGE
Hauteur des lettres: 1 m

Grupo N° 1
PALANGRERO

Eslora máxima: 33,50 m
Distintivos de llamado: NORUEGA
Altura de letra: 1 m



Group No. 2
POLE AND LINE, JAPANESE
TYPE

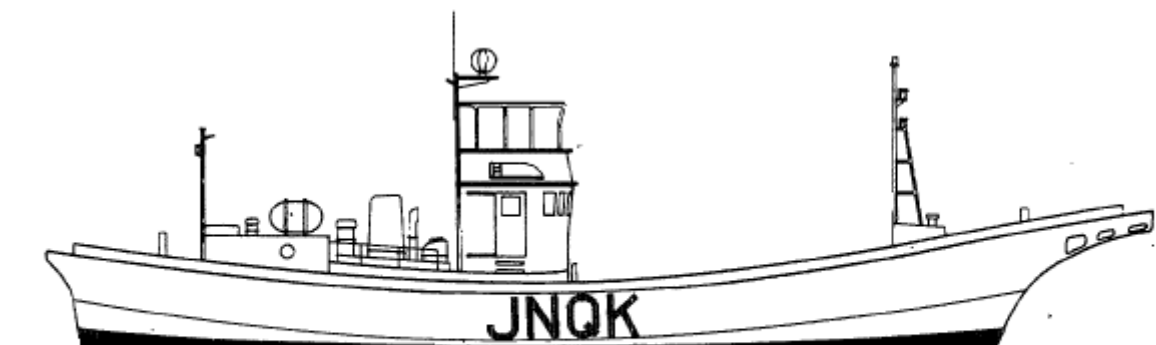
Length over all: 21.55 m
Call sign: JAPAN
Letter height: 0.8 m

Groupe N° 2
CANNEUR, TYPE JAPONAISE

Longueur hors tout: 21,55 m
Indicatif d'appel: JAPON
Hauteur des lettres: 0,8 m

Grupo N° 2
EMBARCACION, PARA LA PESCA CON
LINEA Y CANA, TIPO JAPONES

Eslora máxima: 21,55 m
Distintivos de llamado: JAPON
Altura de letra: 0,8 m



Group No. 2
PURSE SEINER

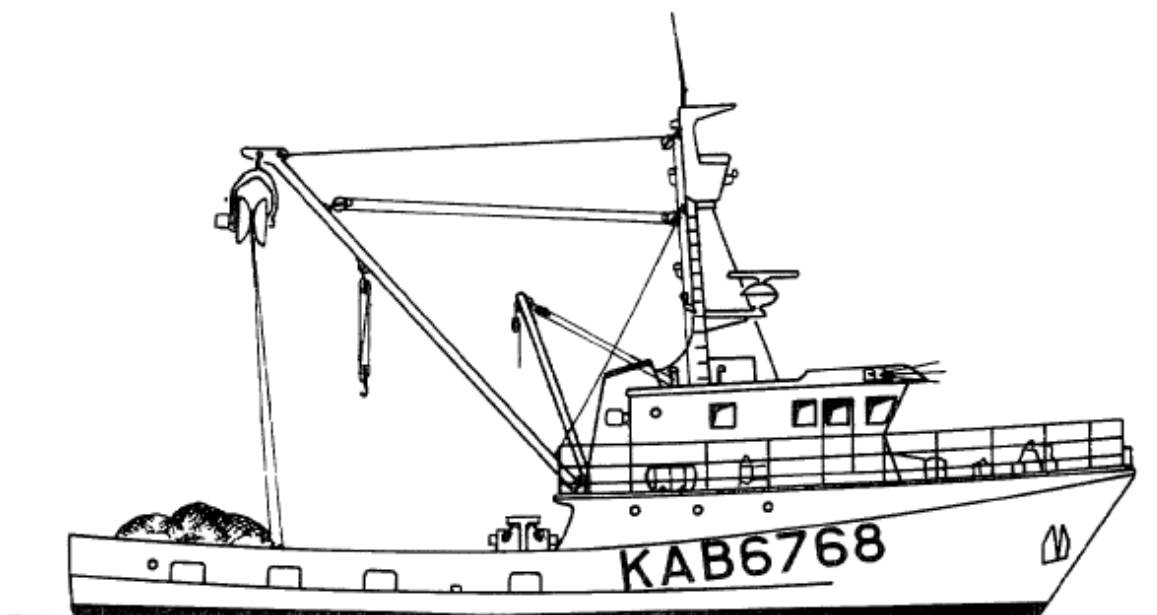
Length over all: 22 m
Call sign: U.S.A.
Letter height: 0.8 m

Groupe N° 2
SENNEUR

Longueur hors tout: 22 m
Indicatif d'appel: ETATS-UNIS
Hauteur des lettres: 0,8 m

Grupo N° 2
CERQUERO

Eslora máxima: 22 m
Distintivos de llamado: ESTADOS
UNIDOS
Altura de letra: 0,8 m



Group No. 2
SCALLOP DREDGER

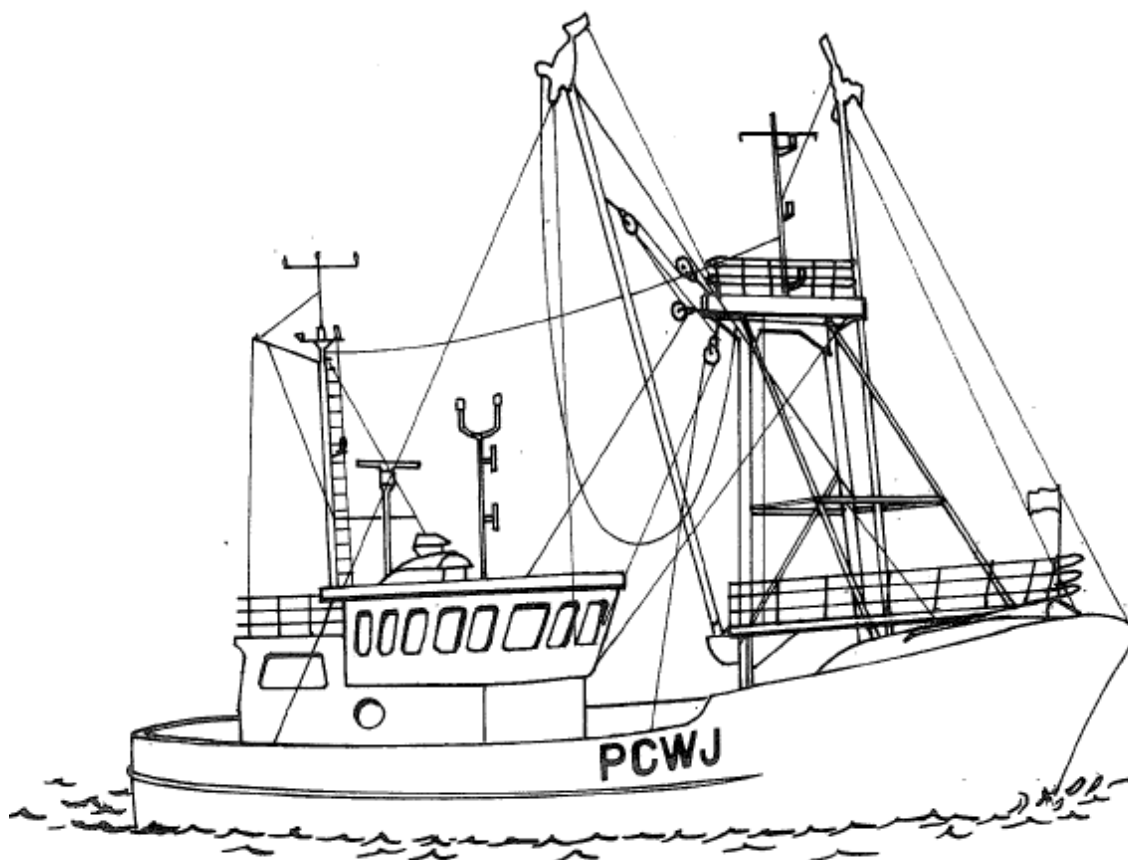
Length over all: 22 m
Call sign: NETHERLANDS
Letter height: 0.8 m

Groupe N° 2
DRAGUEUR

Longueur hors tout: 22 m
Indicatif d'appel: PAYS-BAS
Hauteur des lettres: 0,8 m

Grupo N° 2
RASTRERO

Eslora máxima: 22 m
Distintivos de llamado: PAISES
BAJOS
Altura de letra: 0,8 m



Group No. 2
TRAWLER/SEINER

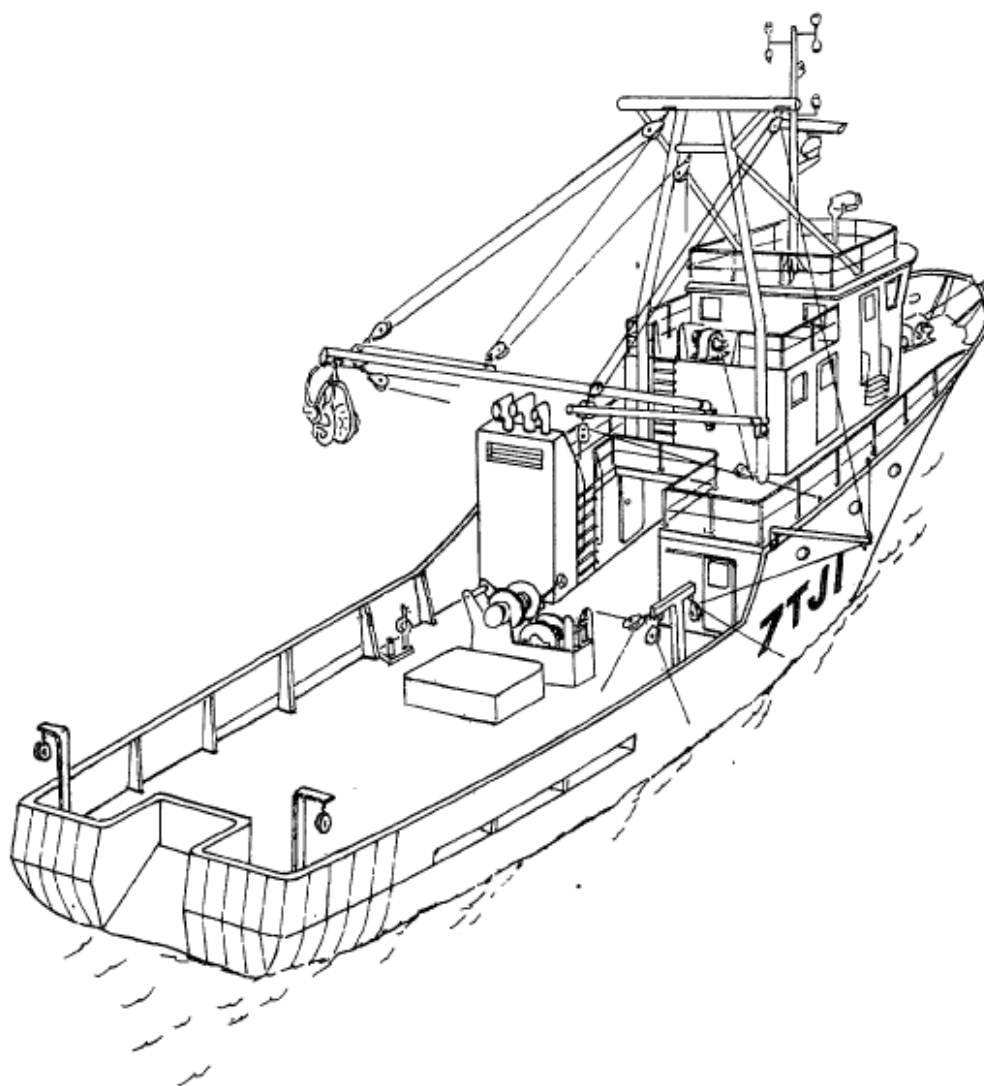
Length over all: 20 m
Call sign: ALGERIA
Letter height: 0.8 m

Groupe N° 2
CHALUTIER-SENNEUR

Longueur hors tout: 20 m
Indicatif d'appel: ALGERIE
Hauteur des lettres: 0,8 m

Grupo N° 2
ARRASTRERO-CERQUERO

Eslora máxima: 20 m
Distintivos de llamado: ARGELIA
Altura de letra: 0,8 m



Group No. 2
MEDIUM-SIZED SHELTER DECK
STERN TRAWLER

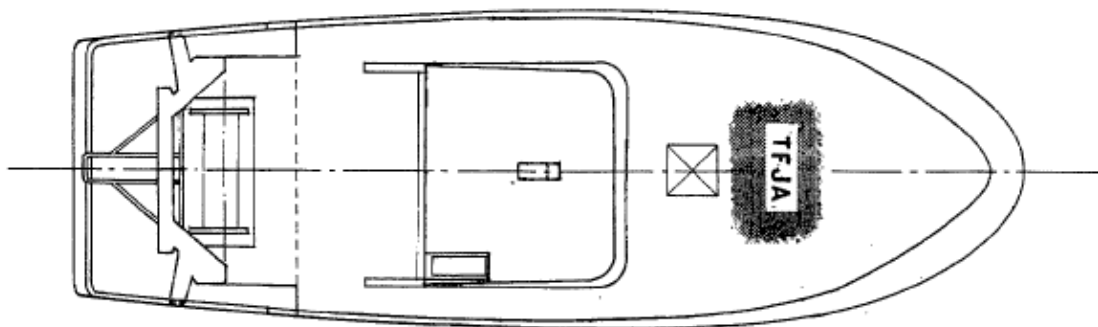
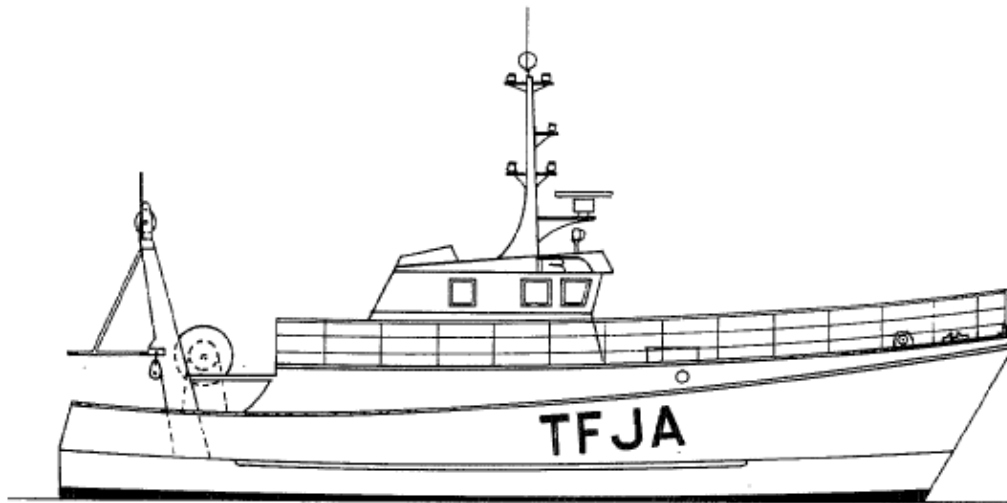
Length over all: 22 m
Call sign: ICELAND
Letter height: 0.8 m
- on deck: 0.3 m

Groupe N° 2
CHALUTIER PECHE ARRIERE DE
TAILLE MOYENNE A PONT COUVERT

Longueur hors tout: 22 m
Indicatif d'appel: ISLANDE
Hauteur des lettres: 0,8 m
- sur le pont: 0,3 m

Grupo N° 2
ARRASTRERO POR LA POPA MEDIANO
CON CUBIERTA PROTEGIDA

Eslora máxima: 22 m
Distintivos de llamado:
ISLANDIA
Altura de letra: 0,8 m
- sobre la cubierta: 0,3 m



Group No. 3
OUTRIGGER TRAWLER

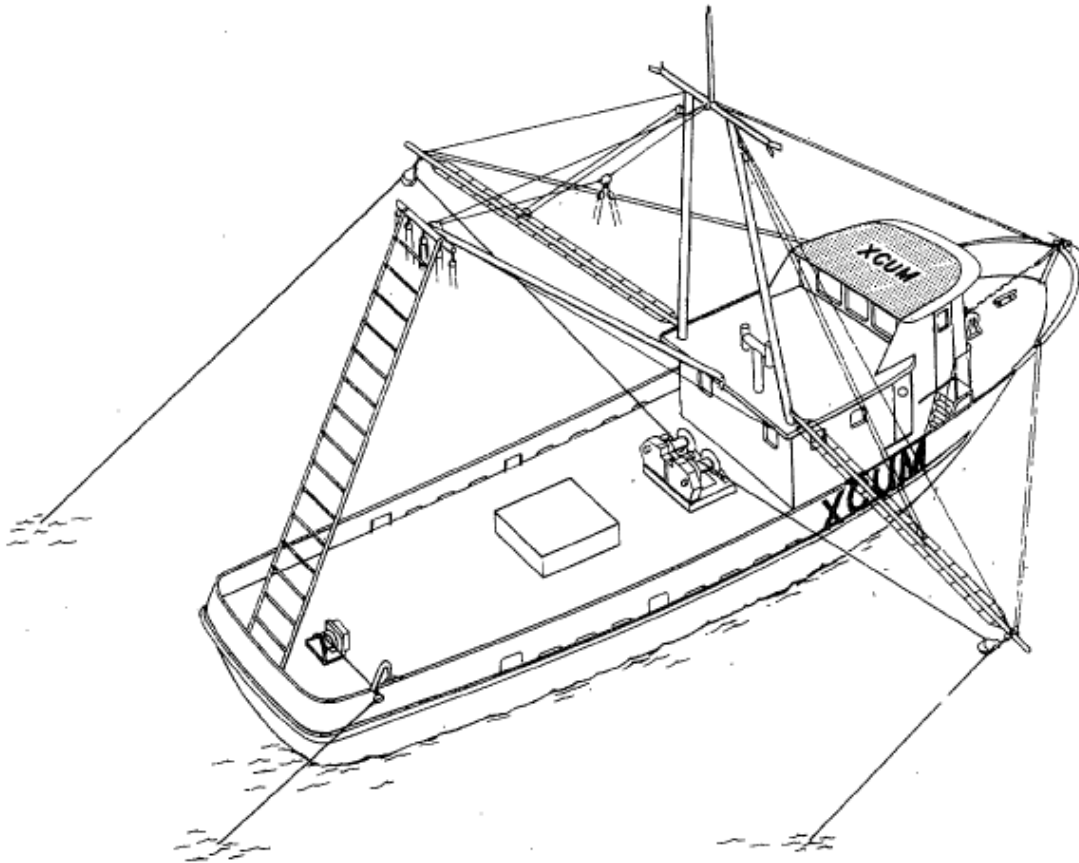
Length over all: 18 m
Call sign: MEXICO
Letter height: 0.6 m
- on wheelhouse top:
0.3 m

Groupe N° 3
CHALUTIER A TANGONS

Longueur hors tout: 18 m
Indicatif d'appel: MEXIQUE
Hauteur des lettres: 0,6 m
- sur le timonerie: 0,3 m

Grupo N° 3
ARRASTRERO CON HORQUETA

Eslora máxima: 18 m
Distintivos de llamado: MEXICO
Altura de letra: 0,6 m
- sobre caseta de gobierno:
0,3 m



Group No. 3
SEINE NETTER

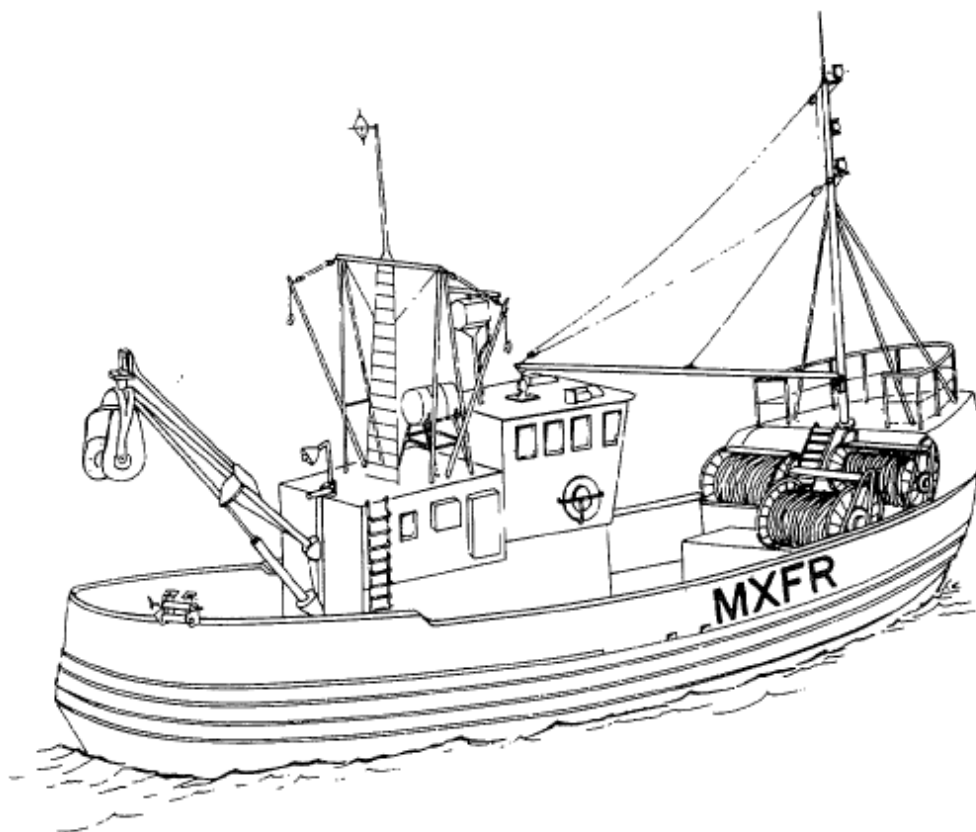
Length over all: 16 m
Call sign: U.K.
Letter height: 0.6 m

Groupe N° 3
SENNEUR A SENNE DE FOND

Longueur hors tout: 16 m
Indicatif d'appel: ROYAUME-
UNI
Hauteur des lettres: 0,6 m

Grupo N° 3
CERQUERO DE RED DE TIRO

Eslora máxima: 16 m
Distintivos de llamado: REINO
UNIDO
Altura de letra: 0,6 m



Group No. 3
TROLLER

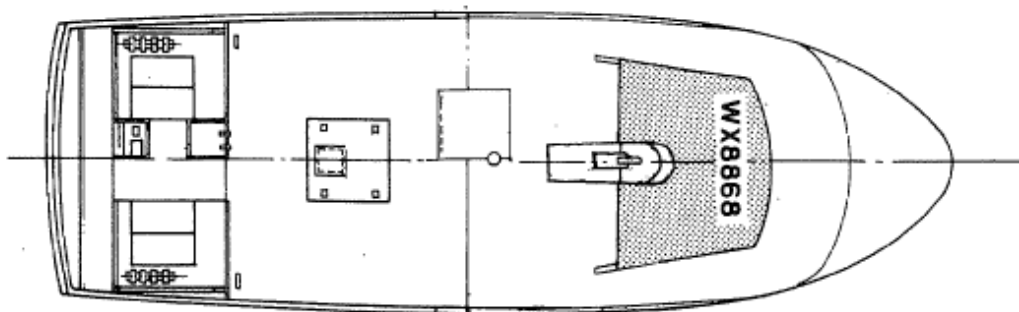
Length over all: 16.80 m
Call sign: U.S.A.
Letter height: 0.6 m
- on wheelhouse: 0.3 m

Groupe N° 3
LIGNEUR A LIGNES DE TRAINÉ

Longueur hors tout: 16,80 m
Indicatif d'appel: ETATS-UNIS
Hauteur des lettres: 0,6 m
- sur le timonerie: 0,3 m

Grupo N° 3
CURRICANERO

Eslora máxima: 16,80 m
Distintivos de llamado: ESTADOS
UNIDOS
Altura de letra: 0,6 m
- sobre caseta de gobierno:
0,3 m



Group No. 4
SMALL LONGLINER

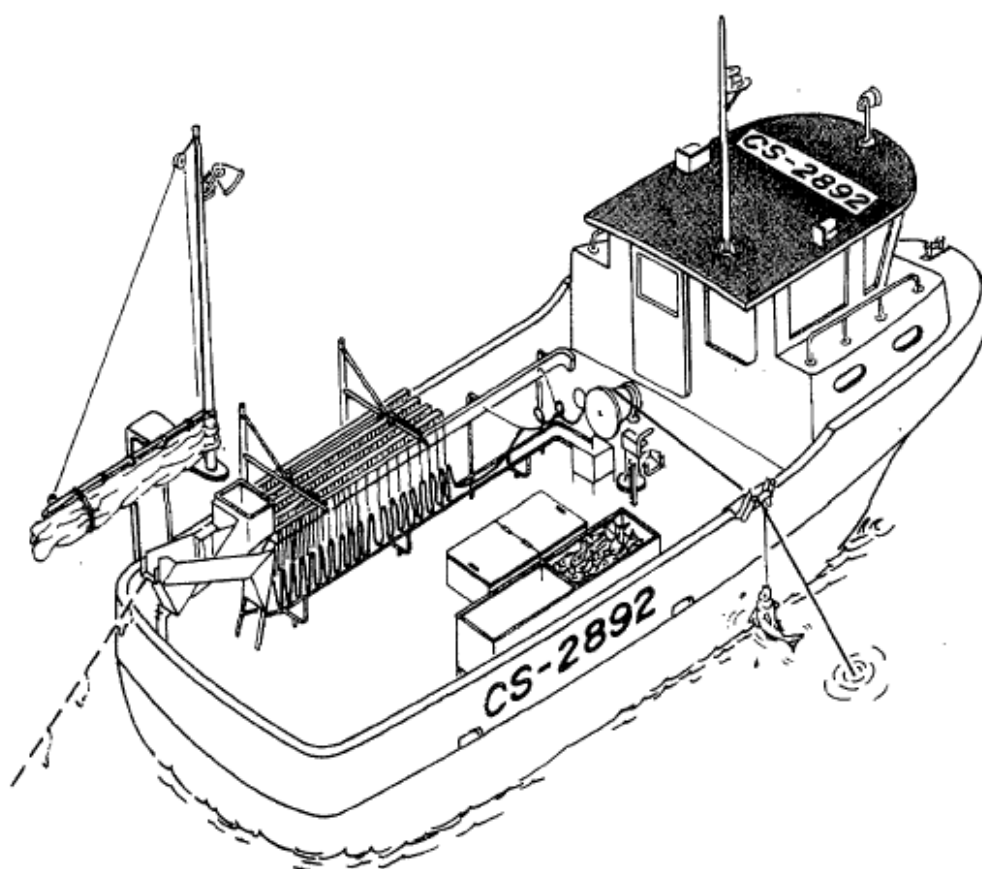
Length over all: 14 m
Call sign: PORTUGAL + No.
Letter height: 0.4 m
- on wheelhouse: 0.3 m

Groupe N^o 4
PALANGRIER DE PETITE TAILLE

Longueur hors tout: 14 m
Indicatif d'appel: PORTUGAL
+ N^o
Hauteur des lettres: 0,4 m
- sur la timonerie: 0,3 m

Grupo N^o 4
PALANGRERO PEQUEÑO

Eslora máxima: 14 m
Distintivos de llamado:
PORTUGAL + N^o
Altura de letra: 0,4 m
- sobre la caseta de gobierno:
0,3 m



Group No. 4
SMALL STERN TRAWLER

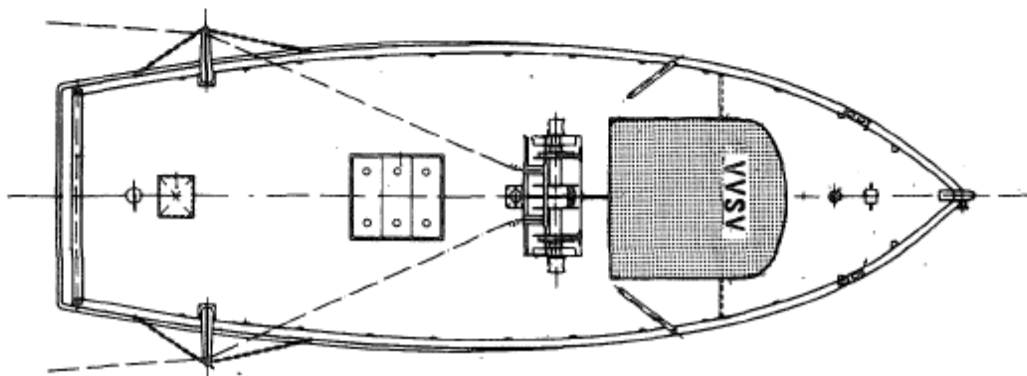
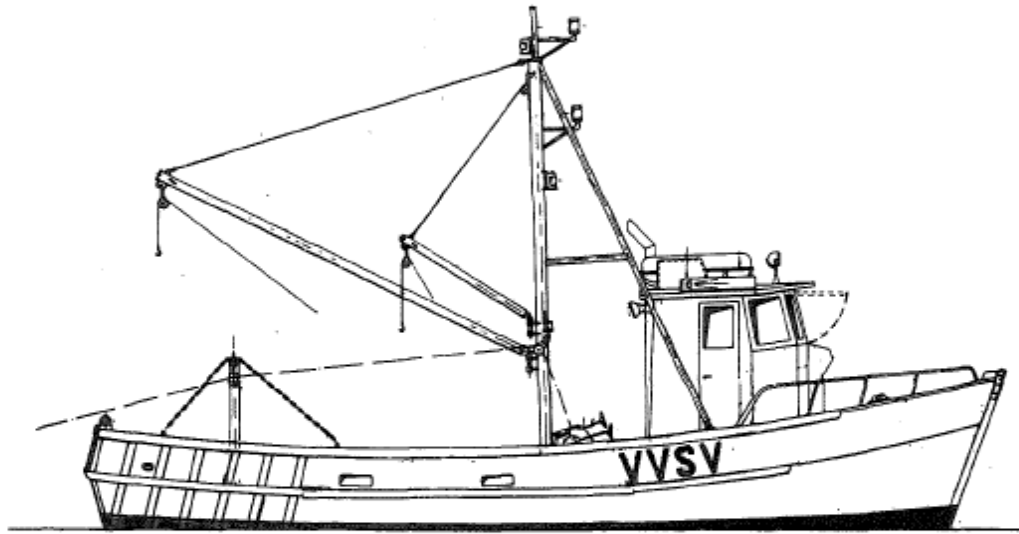
Length over all: 13 m
Call sign: INDIA
Letter height: 0.4 m
- on wheelhouse top:
0.3 m

Groupe N° 4
CHALUTIER PECHE ARRIERE DE
PETITE TAILLE

Longueur hors tout: 13 m
Indicatif d'appel: INDE
Hauteur des lettres: 0,4 m
- sur le timonerie: 0,3 m

Grupo N° 4
ARRASTRERO POR LA POPA PEQUEÑA

Eslora máxima: 13 m
Distintivos de llamado: INDIA
Altura de letra: 0,4 m
- sobre caseta de gobierno:
0,3 m



Group No. 4
HANDLINER

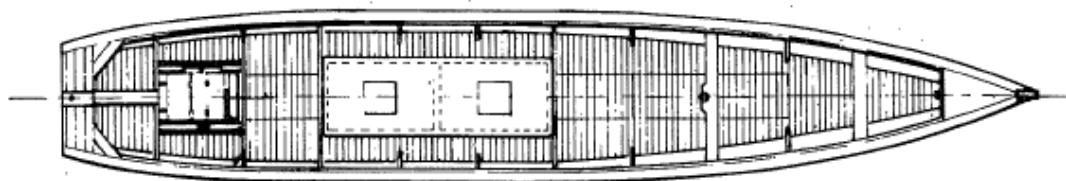
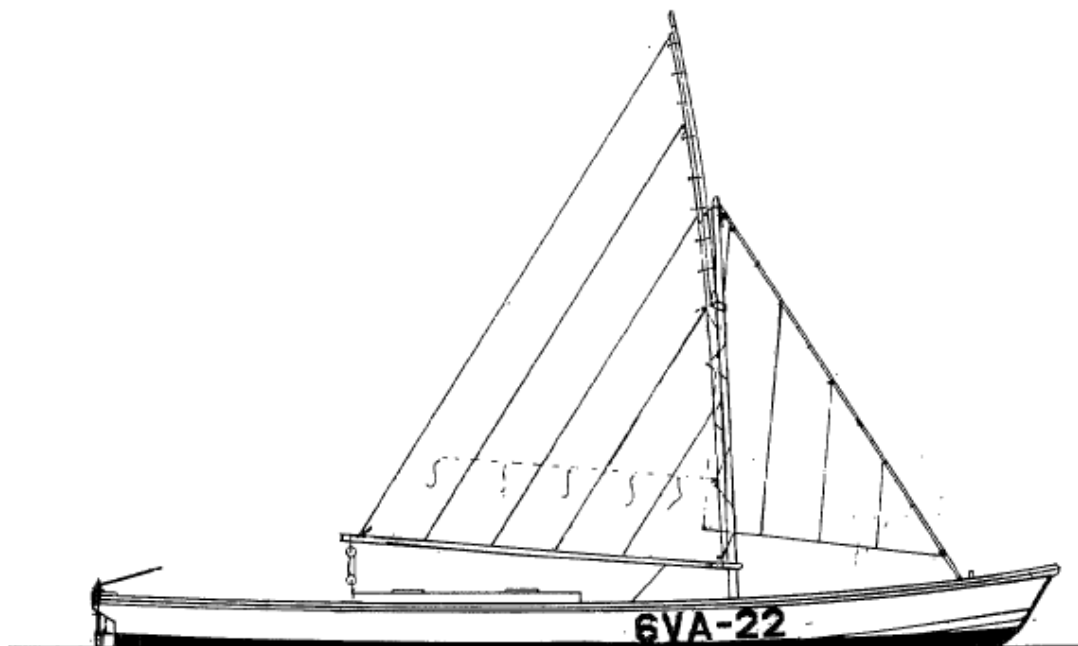
Length over all: 14.80 m
Call sign: SENEGAL + No.
Letter height: 0.4 m

Groupe N° 4
LIGNEUR A LIGNES A MAIN

Longueur hors tout: 14,80 m
Indicatif d'appel: SENEGAL
+ N°
Hauteur des lettres: 0,4 m

Grupo N° 4
EMBARCACION PARA LA PESCA CON
LINEAS DE MANO

Eslora máxima: 14,80 m
Distintivos de llamado: SENEGAL
+ N°
Altura de letra: 0,4 m



Group No. 5
MULTIPURPOSE VESSEL

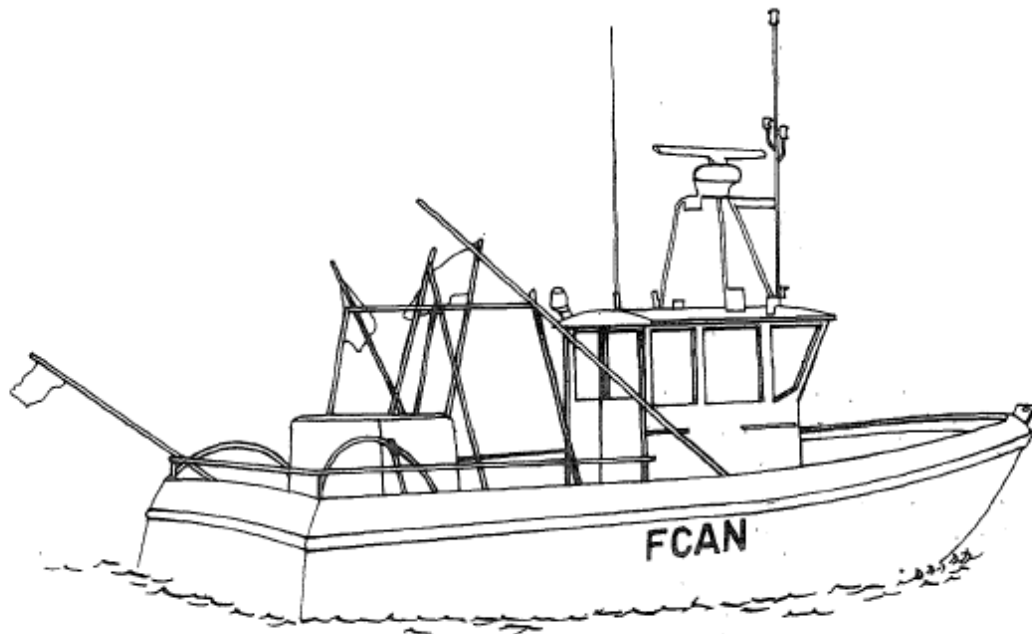
Length over all: 9 m
Call sign: FRANCE
Letter height: 0.30 m

Groupe N° 5
NAVIRE POLYVALENT

Longueur hors tout: 9 m
Indicatif d'appel: FRANCE
Hauteur des lettres: 0,30 m

Grupo N° 5
EMBARCACION POLYVALENT

Eslora máxima: 9 m
Distintivos de llamado: FRANCIA
Altura de letra: 0,30 m



Group No. 5
VESSEL WITH SAIL

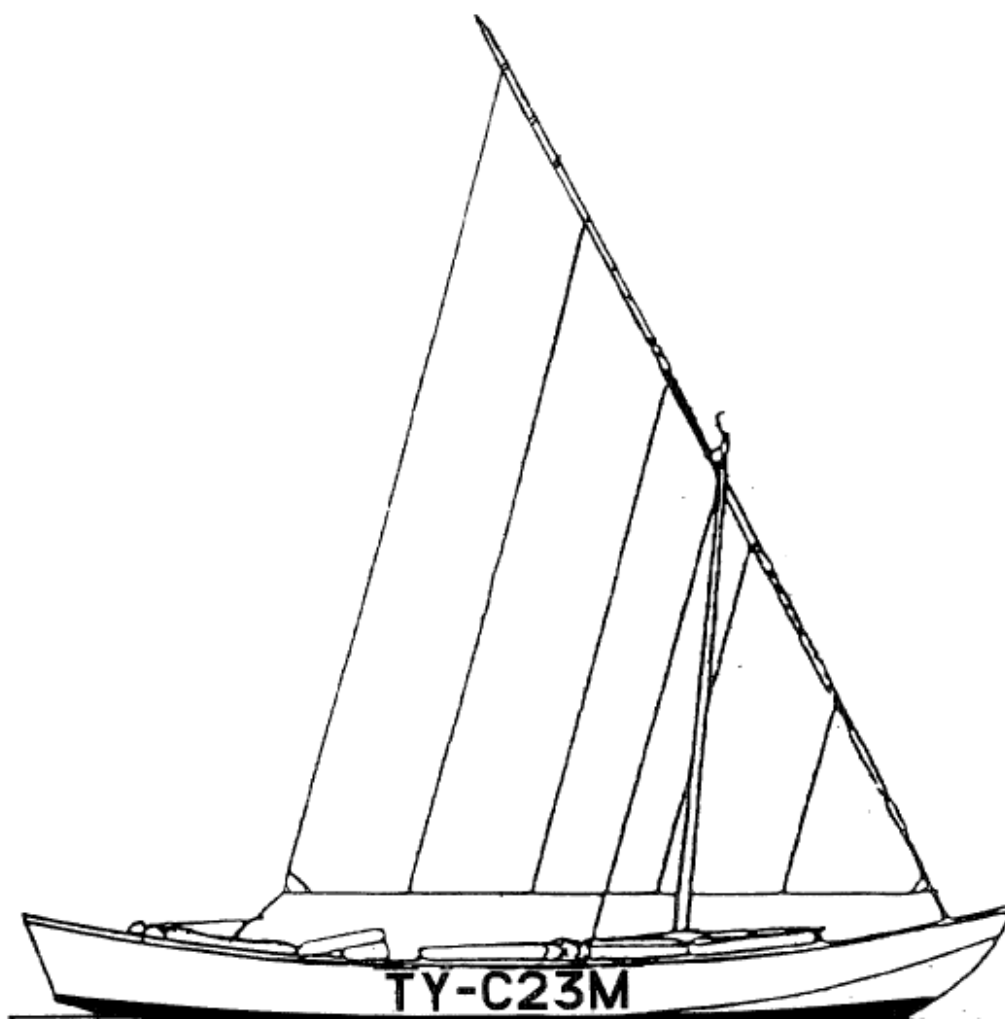
Length over all: 7.4 m
Call sign: BENIN + No.
Letter height: 0.30 m

Groupe N° 5
BATEAU AVEC VOILE

Longueur hors tout: 7,4 m
Indicatif d'appel: BENIN +
N°
Hauteur des lettres: 0,30 m

Grupo N° 5
BARCO CON VELA

Eslora máxima: 7,4 m
Distintivos de llamado: BENIN +
N°
Altura de letra: 0,30 m



Group No. 5
HANDLINER

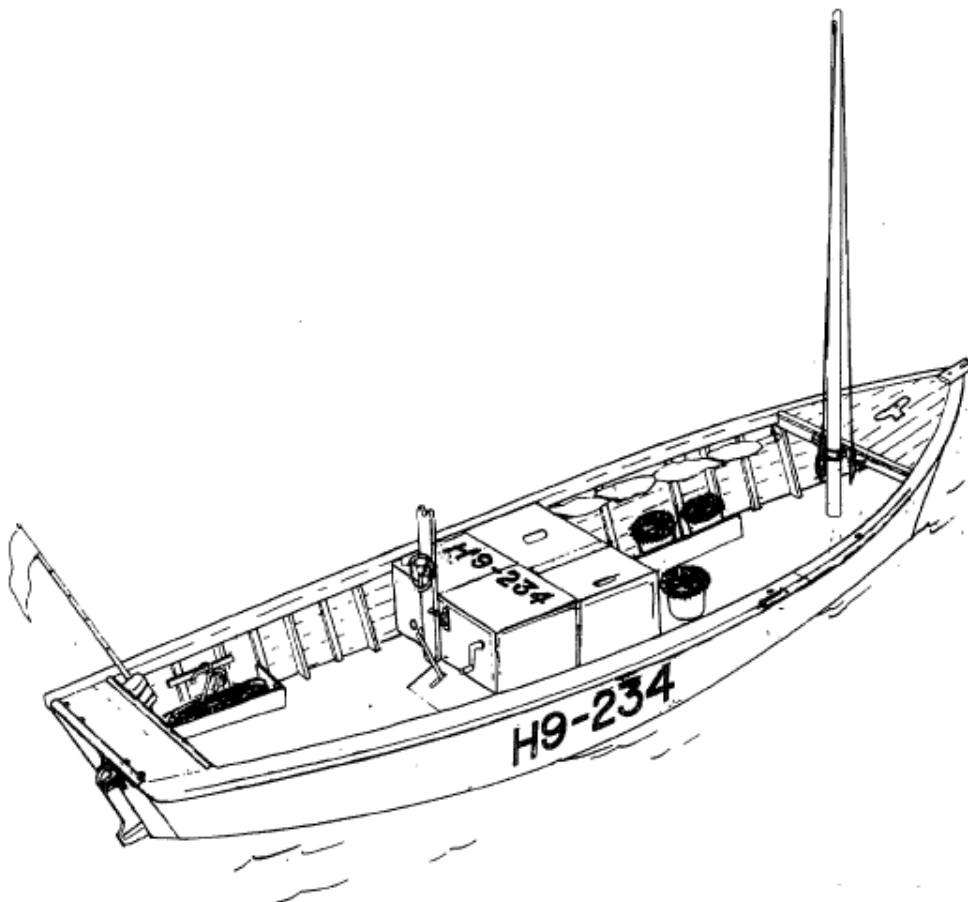
Length over all: 7.60 m
Call sign: PANAMA + No.
Letter height: 0.3 m
- on engine box: 0.10 m

Groupe N° 5
LIGNEUR A LIGNES A MAIN

Longueur hors tout: 7,60 m
Indicatif d'appel: PANAMA +
N°
Hauteur des lettres: 0,3 m
- sur coffe du moteur:
0,10 m

Grupo N° 5
EMBARCACION PARA LA PESCA CON
LINEAS DE MANO

Eslora máxima: 7,60 m
Distintivos de llamado: PANAMA
+ N°
Altura de letra: 0,3 m
- sobre alojamiento del motor:
0,10 m



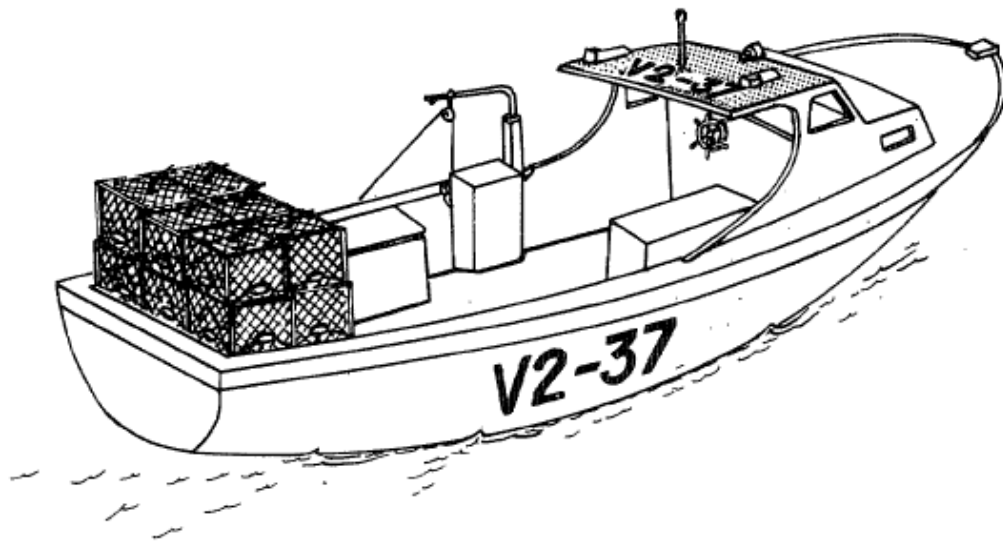
Group No. 5
SMALL POT FISHING VESSEL

Length over all: 6 m
Call sign: ANTIGUA
Letter height: 0.3 m
- on the cuddy: 0.10 m

Groupe N° 5
CASEYEUR DE PETITE TAILLE

Longueur hors tout: 6 m
Indicatif d'appel: ANTIGUA
Hauteur des lettres: 0,3 m
- sur la tille: 0,10 m

Grupo N° 5
EMBARCACION PARA LA PESCA CON
NASAS PEQUEÑA
Eslora máxima: 6 m
Distintivos de llamado: ANTIGUA
Altura de letra: 0,3 m
- sobre la camarote de proa:
0,10 m



Group No. 6
OUTBOARD POWERED BOAT

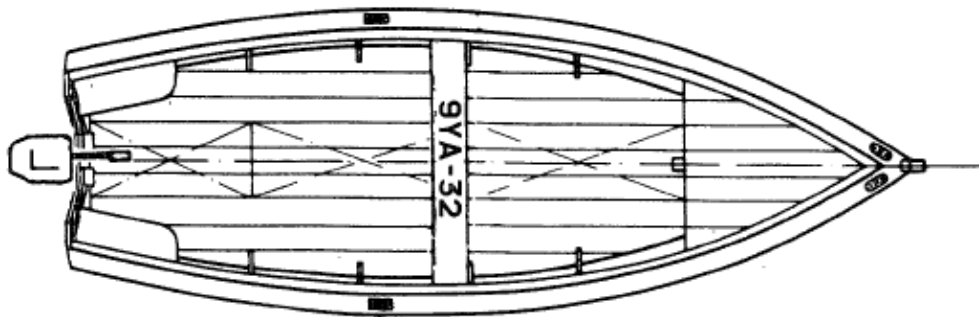
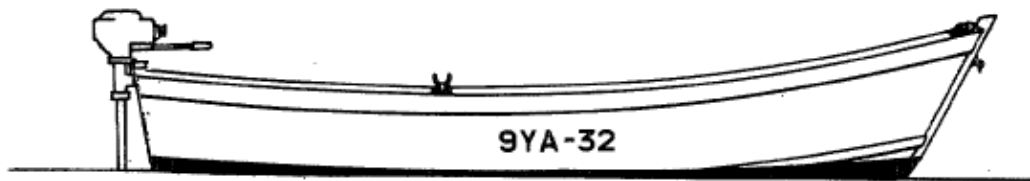
Length over all: 4.80 m
Call sign: TRINIDAD AND
TOBAGO + No.
Letter height: 0.10 m
- on seat: 0.10 m

Groupe N° 6
BATEAU A MOTEUR HORS-BORD

Longueur hors tout: 4,80 m
Indicatif d'appel: TRINITE-
ET-TOBAGO + N°
Hauteur des lettres: 0,10 m
- sur le banc: 0,10 m

Grupo N° 6
LANCHA CON MOTOR FUERA DE BORDA

Eslora máxima: 4,80 m
Distintivos de llamado:
TRINIDAD Y TABAGO + N°
Altura de letra: 0,10 m
- sobre banco: 0,10 m



Article 2 – Enhancements and Clarifications from the Commission

Article 3 – CMM Sharks

CMM 2023-14

(Entered into force 26 July 2023)

(Note: paragraph 9 entered into force 1 January 2024)

CONSERVATION AND MANAGEMENT MEASURE ON SHARKS

The North Pacific Fisheries Commission (NPFC),

Recognizing the biological importance of sharks in the marine ecosystems as a key predatory species of the North Pacific Ocean, and the need to promote their long-term conservation;

Concerned with vulnerability of certain shark species to exploitation given their low biological productivity and complex spatial structures, and especially mindful that vulnerable species of sharks are more susceptible to overfishing even at low levels of fishing mortality;

Greatly troubled by the observed incidental catch of sharks by fishing vessels, and practice of shark finning on board fishing vessels engaging in fishing activities in the Convention Area;

Mindful of the lack of knowledge on sharks in the North Pacific Ocean because of the lack of available data on catch, effort, landings, and trade, and the consequent need to adopt a precautionary approach to fisheries management;

Recalling Article 7(1)(c) of the Convention which states that the Commission shall adopt, where necessary, conservation and management measures for species belonging to the same ecosystem or dependent upon or associated with the target stocks;

Recalling further Article 21(2) of the Convention which states that the Commission shall take into account the conservation and management measures or recommendations adopted by other regional fisheries management organizations that have competence in relation to areas adjacent to the Convention Area or in respect of fisheries resources not covered by this Convention, species belonging to the same ecosystem or dependent upon or associated with the target stocks, and that have objectives that are consistent with and supportive of the objective of this Convention;

Adopts the following:

Definitions

1. This measure shall be interpreted in accordance with the Convention.

2. For the purpose of this measure, the following definitions apply:

- (a) “shark” includes any species of shark, skate, ray, or chimaera (class Chondrichthyes), either in whole or in part; and
- (b) “shark finning” refers to the practice of removing a shark’s fin from the corresponding shark and discarding the remainder of the shark prior to the point of first landing.

Scope

3. This measure applies to all fishing vessels included in the NPFC Vessel Registry in the Convention Area not otherwise registered and operating within the area of competence of another regional fisheries management organization.

Shark Conservation and Management

- 4. Recognizing there are no directed shark fisheries currently managed by the Commission, Commission Members and Cooperating non-Contracting Parties shall ensure that any directed shark fishing follow the process outlined in Article 3(h) of the Convention.
- 5. For greater clarity, paragraph 4 does not apply to fishing vessels authorized to engage in shark fisheries managed by another regional fisheries management organization.

Prohibition on Shark Finning

- 6. No fishing vessel shall engage in shark finning.
- 7. No fishing vessel shall:
 - (a) retain on board, or otherwise possess or control, a shark fin that is not naturally attached to the corresponding shark; or
 - (b) transship, or land, a shark fin that is not naturally attached to the corresponding sharkunless the fishing vessel complies with paragraph 8.
- 8. A fishing vessel may only remove a shark fin from the corresponding shark if the shark is incidentally caught, taken, or harvested, and if:
 - (a) the shark fin and the corresponding shark can be readily identified; and

(b) one of the following methods is used:

- (i) the shark fin is stored in the same bag, preferably a biodegradable one, as the corresponding shark;
- (ii) the shark fin is bound to the corresponding shark using rope or wire; or
- (iii) the shark fin and the corresponding shark are identically, uniquely, and numerically tagged in a manner that an authorized inspector can readily identify the matching of the shark fin to the corresponding shark.

On-Board Record of Interactions with Sharks

- 9. A fishing vessel shall record, and maintain a record of, any shark catch in the Convention Area, to the extent possible by species, in its logbook on board the fishing vessel.
- 10. A Commission Member, or Cooperating non-Contracting Party, shall annually report all shark catches, to the extent possible by species, from their fishing vessels to the Secretariat.
- 11. The requirements contained in paragraph 9 will come into effect 1 January 2024.

Article 4 – Enhancements and Clarifications from the Commission

Article 5 – CMM The Prevention, Reduction, and Elimination of Marine Pollution

CMM 2023-15

(Entered into force 26 July 2023)

CONSERVATION AND MANAGEMENT MEASURE ON THE PREVENTION, REDUCTION, AND ELIMINATION OF MARINE POLLUTION

The North Pacific Fisheries Commission (NPFC),

Concerned with the prevalence of marine pollution in the world's oceans, and its detrimental effects on marine species, marine ecosystems, and the livelihoods of legitimate fishers;

Recognizing the significant ecological threat posed by abandoned, lost, or discarded fishing gear (ALDFG) to the sustainability of fisheries resources;

Aware of both the role fishing vessels have in producing marine pollution during fishing activities from waste, harmful liquid substances, and ALDFG fishing gear, and their equal potential to combat marine pollution;

Committed to the use of the precautionary approach in fisheries management in light of the lack of data and information on marine pollution in the North Pacific Ocean;

Recalling that Article 3(k) of the Convention requires Commission Members and Cooperating non-Contracting Parties to minimize pollution or waste originating from fishing vessels, catch by lost or abandoned gear, and impacts on other species and marine ecosystems through measures including, to the extent practicable, the development and use of selective, environmentally safe, and cost-effective fishing gear and techniques;

Noting that the International Convention for the Prevention of Pollution from Ships (MARPOL) seeks to eliminate and reduce the amount of garbage being discharged into the sea from ships and that Annex V of MARPOL applies to all vessels but that there is limited monitoring and implementation of MARPOL obligations on fishing vessels, and consequently little information exists about illegal pollution activities by fishing vessels at sea;

Noting further that the need to prevent and significantly reduce marine pollution of all kinds was affirmed at the United Nations Conference to Support the Implementation of Sustainable Development Goal 14 through the adoption of paragraph 13(g) of the “Our ocean, our future: call for action” declaration;

Desiring to establish rules, and encourage advancements, in the prevention, reduction, and elimination of marine pollution in the North Pacific Ocean;

Adopts the following:

Definitions

1. This measure shall be interpreted, unless otherwise stated, in accordance with the Convention.
2. The following definitions apply:
 - (a) “fishing gear” means any physical device or part thereof or combination of items that may be placed on or in the water or on the seabed with the intended purpose of catching, taking, or harvesting, or controlling for the subsequent catching, taking, or harvesting, of fisheries resources;
 - (b) “garbage” means all kinds of food wastes, domestic wastes, and operational wastes as defined under Annex V of MARPOL, including incinerator ashes, cooking oil, floating dunnage, or lining and packing materials¹, but excluding plastics; and
 - (c) “plastics” means a solid material which contains as an essential ingredient one or more high molecular mass polymers and which is formed during either manufacture of the polymer or the fabrication into a finished product by heat or pressure.

Scope

3. This measure applies to all fishing vessels in the Convention Area.

Prohibitions on Marine Pollution

Prohibition on Discard or Abandonment of Fishing Gear

4. No fishing vessel shall discard or abandon fishing gear at sea.
5. A fishing vessel is deemed to have discarded fishing gear if it relinquishes control of the fishing gear, except in the event of distress.

¹ For greater clarity, a reference to garbage in paragraphs 11 – 15 does not include garbage that is permitted to be released under Annex V of MARPOL

6. A fishing vessel is deemed to have abandoned fishing gear if it loses control of the fishing gear, or relinquishes control due to *force majeure*, and does not make every reasonable effort to retrieve the fishing gear.

Lost Fishing Gear

7. If a fishing vessel loses control of its fishing gear, or relinquishes control due to *force majeure*, and makes every reasonable effort to retrieve the fishing gear, but it is impossible to retrieve, the fishing gear is considered lost.

Prohibition on Release of Plastics

8. No fishing vessel shall release any plastics, including synthetic ropes, synthetic fishing nets, plastic garbage bags, or incinerator ashes from plastics products, at sea.

Prohibition on the Release of Other Marine Pollutants

9. A Commission Member, or Cooperating non-Contracting Party, is encouraged to implement appropriate on-board storage for, and to prohibit the release of the following discharges at sea by its fishing vessels, except as permitted under applicable international instruments:
 - (a) oil, fuel products, or oily residues;
 - (b) sewage; and
 - (c) garbage.

Other Requirements

Preventive Measures

10. A fishing vessel shall take all reasonable precautions to prevent:
 - (a) the abandonment, loss, or discard of fishing gear at sea; and
 - (b) the release of garbage, and plastics, at sea.

Retrieval of Fishing Gear and Other Marine Pollutants

11. A fishing vessel shall make every reasonable effort to retrieve any abandoned, lost, or discarded gear, garbage, or plastics that it has released as soon as possible.

12. A fishing vessel is encouraged to retrieve any abandoned, lost, or discarded fishing gear, garbage, or plastics that it observes at sea.
13. A fishing vessel is encouraged to carry equipment on board to retrieve any abandoned, lost, or discarded fishing gear, garbage, or plastics that it released or observes.

Storage, Retention, and Disposal of Marine Pollutants

14. A fishing vessel shall, to the extent possible, safely store and retain on board all fishing gear, garbage, and plastics until they can be disposed of at an adequate port reception facility.

Review

15. The Commission shall review this measure annually, taking into account, *inter alia*:
 - (a) the effectiveness of this measure in preventing, reducing, and eliminating marine pollution, including the potential for reporting requirements; and
 - (b) the development of international standards, guidelines, or best practices, or international instruments related to the prevention, reduction, and elimination of marine pollution.

Article 6 – Enhancements and Clarifications from the Commission

CHAPTER II: MEASURES FOR PRIORITY SPECIES

Article 7 – CMM Chub Mackerel

CMM 2023-07

(Entered into force 26 July 2023)

CONSERVATION AND MANAGEMENT MEASURE FOR CHUB MACKEREL

The North Pacific Fisheries Commission (NPFC),

Recognizing that outcomes of the small ad hoc workshop for the scientific analysis of chub mackerel stock were presented to the Scientific Committee (SC) in April 2017 and the SC recommended to establish the Technical Working Group on Chub Mackerel Stock Assessment (TWG CMSA);

Noting that CMM 2016-07 states the SC will complete the stock assessment of chub mackerel as soon as practicable, even if such assessment is provisional, and provide advice and recommendations to the Commission in accordance with Article 10, paragraph 4(b) of the Convention;

Reaffirming the General Principles provided in Article 3 of the Convention, in particular, paragraph (h) stipulating that any expansion of fishing effort does not proceed without prior assessment of the impacts of those fishing activities on the long-term sustainability of fisheries resources;

Noting paragraph 1(a) of Article 7 of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 December 1995 (hereinafter, “1995 Agreement”), stipulating that the relevant coastal States and the States whose nationals fish for straddling fish stocks in the adjacent high seas area shall seek to agree upon the measures necessary for the conservation of these stocks in the adjacent high seas area;

Recognizing paragraph 2(a) of Article 7 of the 1995 Agreement stipulating that the conservation and management measures adopted and applied in accordance with article 61 of the United Nations Convention on the Law of the Sea in respect of the same stocks by coastal States within areas under national jurisdiction and ensure that measures established in respect of such stocks for the high seas do not undermine the effectiveness of such measures;

Reaffirming paragraph (i) of Article 3 of the Convention, stipulating in accordance with Article 7 of the 1995 Agreement, that conservation and management measures established for straddling fish stocks on the high seas and those adopted for areas under national jurisdiction are compatible in order to ensure conservation and management of these fisheries resources in their entirety;

Recalling that concern was expressed on an adverse impact on the stock of chub mackerel given the rapid increase in vessels that appear to be fishing for chub mackerel in the Convention Area, as articulated in paragraphs 9 and 10 of Report of the 1st Meeting of the Technical and Compliance Committee;

Adopts the following conservation and management measure in accordance with Article 7 of the Convention:

1. Members of the Commission and Cooperating non-Contracting Parties (CNCs) with substantial harvest of chub mackerel in the Convention Area shall refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for chub mackerel from the historical existing level until the stock assessment by the SC has been completed.
2. Members of the Commission and CNCs without substantial harvest of chub mackerel in the Convention Area are encouraged to refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for chub mackerel from the historical existing level until the stock assessment by the SC has been completed.
3. Members of the Commission participating in chub mackerel fisheries in areas under national jurisdiction adjacent to the Convention Area are requested to take compatible measures in paragraph 1. Such Members¹ may divert part of their catch limit for areas under their jurisdiction to their own catch of chub mackerel in the Convention Area by vessels entitled to fly their flags and authorized to fish for chub mackerel, provided that: (i) the Member has established a catch limit for chub mackerel in its jurisdiction; (ii) the Member has notified the Commission of the catch limit; and (iii) the total catch of the Member in the Convention Area and the areas under their jurisdiction adjacent to the Convention Area will not exceed the Member's total catch limit for its jurisdiction.
4. Members of the Commission and CNCs shall ensure that fishing vessels flying their flag that fish for Chub mackerel record their catches and report them to the relevant flag State authorities in accordance with their national data recording and reporting requirements.
5. Development of new fishing activity for the chub mackerel fishery in the Convention Area by Members of the Commission without documented historical catch for chub mackerel in the Convention Area shall be determined in accordance with relevant provisions, including but not limited to, as appropriate, Article 3, paragraph (h) and Article 7, subparagraphs 1(g) and (h) of the Convention.

¹ Paragraph 3 applies to Russia and Japan.

6. Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag operating in the Convention Area to fish chub mackerel are to be equipped with an operational vessel monitoring system that is activated at all times.
7. Members of the Commission and CNCPs shall provide their data on chub mackerel separated by the Convention Area and the areas under national jurisdiction adjacent to the Convention Area in accordance with the data requirements adopted by the Commission in the Annual Report by the end of February, every year. The Commission shall review such information at the annual meeting every year.
8. Members of the Commission and CNCPs shall cooperate to take necessary measures including sharing information, in order to accurately understand the situation and eliminate IUU fishing for chub mackerel.
9. The SC and its subsidiary Technical Working Group on Chub Mackerel Stock Assessment (TWG CMSA) will complete the stock assessment of chub mackerel as soon as possible in accordance with the terms of reference agreed at the TWG CMSA meeting in December 2017, even if such assessment is provisional, and provide advice and recommendations to the Commission in accordance with Article 10, paragraph 4(b) of the Convention.
10. After chub mackerel stock assessment has been completed, the provisions in Paragraph 1 shall be reviewed by the Commission and those provisions shall not be a precedent to hinder those Members who are not harvesting substantial amounts of chub mackerel in the Convention Area to develop their own chub mackerel fisheries in the Convention Area noting the Commission shall regularly review chub mackerel harvests in the Convention Area by all Members.
11. This management measure shall expire and be replaced by the measure to be adopted by the Commission based on the advice and recommendations from the Scientific Committee.
12. This CMM is an amendment of the NPFC CMM 2019-07.

Article 8 – Enhancements and Clarifications from the Commission

CONSERVATION AND MANAGEMENT MEASURE FOR PACIFIC SAURY

The North Pacific Fisheries Commission (NPFC),

Reaffirming the General Principles, Article 3 of the Convention, in particular, paragraph (b) stipulating that measures are adopted, based on the best scientific information available, to ensure that fisheries resources are maintained at or restored to levels capable of producing maximum sustainable yield, and paragraph (f) stipulating that preventing or eliminating overfishing and excess fishing capacity and ensuring that levels of fishing effort or harvest levels are based on the best scientific information available and do not exceed those commensurate with the sustainable use of the fisheries resources;

Gravely concerned that, according to the latest stock assessment provided by the 7th meeting of the Scientific Committee (SC7) in December 2022, stock biomass of Pacific saury remains at historically low levels in recent years,

Recognizing that SC7 recommended that the Commission consider the advice, in particular “a reduction to the TAC for 2021-22 would increase the probability of higher biomass and catch levels in the Pacific saury stock” and “an HCR that reduces the target harvest rate and TAC when biomass falls below its target level may be appropriate for Pacific saury”;

Further recognizing the urgent needs to take responsible actions to prevent further degradation and to ensure recovery of the Pacific saury stock;

Adopts the following conservation and management measure in accordance with Article 7 of the Convention:

[EFFORT MANAGEMENT]

1. Members of the Commission, not described under Paragraph 2, and that are currently fishing for Pacific saury shall refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for Pacific saury from the historical existing level.
2. Members fishing for Pacific saury in areas of their jurisdiction that are adjacent to the Convention Area shall refrain from rapid expansion, in the Convention Area, of the number of

fishing vessels entitled to fly their flags and authorized to fish for Pacific saury from the historical existing level.¹

3. Members of the Commission participating in Pacific saury fisheries in areas under national jurisdiction adjacent to the Convention Area are, in accordance with relevant provisions of Article 3 of the Convention, requested to take compatible measures in paragraph 2.
4. Each Member of the Commission participating in Pacific saury fisheries shall implement either of the following measures;
 - (a) to reduce the number of fishing vessels flying its flag and fishing for Pacific saury in the Convention Area by 10% from the number of its fishing vessels that fished for Pacific saury in the Convention Area in 2018; or
 - (b) to prohibit fishing vessels flying its flag from engaging in fishing for Pacific saury in the Convention Area outside its designated fishing period of no longer than 180 consecutive days each year.

Each Member shall notify the Secretariat of the measure it implements and its designated fishing period in case of (b). above no later than May 1st each year. The Secretariat shall summarize the notifications from Members and make them available to all Members and CNCs. This Paragraph does not apply to Members whose fishing vessels that fished for Pacific saury in the Convention Area in 2018 were less than five (5).

[CATCH MANAGEMENT]

5. For 2023 and 2024, Members of the Commission agree, having regard to the advice of the Scientific Committee, that the annual catches of Pacific saury in the entire area (the Convention Area and the areas under their jurisdiction adjacent to the Convention Area) should not exceed 250,000 metric tons.
6. In 2023 and 2024, the annual total allowable catch (TAC) of Pacific saury in the Convention Area shall be limited to 150,000 metric tons.
7. As a provisional measure until the Commission decides allocation of the TAC, each Member of the Commission shall reduce the annual total catch of Pacific saury by the fishing vessels entitled to fly its flag in 2023 and 2024 by 55% from its reported catch in 2018 so that the total catch in the Convention Area will not exceed the TAC set out in paragraph 6.

¹ Paragraph 2 applies to Russia and Japan

8. To comply with the provisional measures above, Members of the Commission shall report to the Executive Secretary, in the electronic format, weekly catches of Pacific saury in the Convention Area by fishing vessels flying their flags by Wednesday of the next week. The Executive Secretary shall make publicly available the compiled catch of Pacific saury in the Convention Area on the Commission's website without delay.
9. Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag that fish Pacific saury record their catches and report them to the relevant flag state authorities in accordance with their national data recording and reporting requirements.
10. In the event that a Member reaches 70% of its catch limit set out in paragraph 7, the Executive Secretary shall inform that Member of that fact, with a copy to all other Members. That Member shall close the fishery for its flagged vessels when the total catch of its flagged vessels is equivalent to 100% of its catch limit. Such Member shall notify promptly the Executive Secretary of the date of the closure, except as described in paragraph 11.
11. Members fishing for Pacific saury in areas of their jurisdiction² that are adjacent to the Convention Area may divert part of their catch limit for areas under their jurisdiction to their own catch of Pacific saury in the Convention Area by vessels entitled to fly their flags and authorized to fish for Pacific saury.

[OTHER MEASURES]

12. Development of new fishing activity for the Pacific saury fishery in the Convention Area by Members without documented historical catch for Pacific saury in the Convention Area shall be determined in accordance with relevant provisions, as appropriate, including but not limited to Article 3, paragraph (h) and Article 7, subparagraphs 1(g) and (h) of the Convention.
13. Members of the Commission shall ensure that fishing vessels flying its flag operating in the Convention Area to fish Pacific saury be equipped with an operational vessel monitoring system that is activated at all times.
14. In order to prevent discards and contribute to the proper stock assessment, Members of the Commission shall take necessary measures to ensure that fishing vessels flying their flags in the Convention Area retain all the catch of Pacific saury on board.
15. In order to protect juvenile fish, Members of the Commission shall take measures for fishing vessels flying their flags to refrain from fishing for Pacific saury in the areas east of 170°E from June to July. The SC and its subsidiary Small Scientific Committee on Pacific Saury will submit

² Paragraph 11 applies to Russia and Japan

to the Commission relevant scientific information on geographical distribution of juvenile fish in the Convention Area, and its migration patterns.

16. Based on advice and recommendations from the Joint SC-TCC-COM Small Working Group on Management Strategy Evaluation for Pacific Saury (SWG MSE PS), the Commission shall establish harvest control rules for Pacific saury as an interim measure as soon as possible, preferably at the 8th Commission annual meeting. The SWG MSE PS shall also consider establishment of a management procedure to be formulated through an MSE process. The Commission shall continue to fund an external expert to support the process.
17. This CMM shall in no case be a basis for any future CMM for Pacific saury.
18. Consideration should be given to development aspirations of small island developing States in accordance with international law in revising this CMM.
19. The Commission shall review and revise, as appropriate, this CMM based on the advice and recommendations from the SC and the SWG MSE PS, but no later than at the 9th Commission meeting.
20. This CMM shall enter into force on May 1st, 2023, replacing CMM 2021-08 and will be reviewed on a regular basis.

Article 10 – Enhancements and Clarifications from the Commission

**CONSERVATION AND MANAGEMENT MEASURE
FOR SABLEFISH IN THE NORTHEASTERN PACIFIC OCEAN**

The North Pacific Fisheries Commission (NPFC),

Recalling relevant international law as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 December 1995 and the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 24 November 1993 and taking into account the Code of Conduct for Responsible Fisheries adopted by the Conference of the Food and Agriculture Organization of the United Nations (“FAO”) at its 28th session on 31 October 1995 as well as the International Guidelines for the Management of Deep-Sea Fisheries in the High Seas adopted by FAO on 29 August 2008;

Seeking to ensure the long term conservation and sustainable use of the fishery resources of the Northeastern Pacific Ocean and, in so doing, protect the vulnerable marine ecosystems that occur there, in accordance with the Sustainable Fisheries Resolutions adopted by the United Nations General Assembly (UNGA) including, in particular, paragraphs 66 to 71 of the UNGA59/25 in 2004, paragraphs 69 to 74 of UNGA60/31 in 2005, paragraphs 69 and 80 to 91 of UNGA61/105 in 2006, and paragraphs 113 to 124 of UNGA64/72 in 2009;

Reaffirming the General Principles, Article 3 of the Convention, in particular, paragraph (b) stipulating that measures are adopted, based on the best scientific information available, to ensure that fisheries resources are maintained at or restored to levels capable of producing maximum sustainable yield, and paragraph (f) stipulating that preventing or eliminating overfishing and excess fishing capacity and ensuring that levels of fishing effort or harvest levels are based on the best scientific information available and do not exceed those commensurate with the sustainable use of the fisheries resources;

Noting that the existing high seas seamount Sablefish fishery is being conducted by Canada following a precautionary approach with set effort controls in accordance with the conservation and management measure (CMM) 2023-06 for Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northeastern Pacific Ocean;

Reaffirming the General Principles provided in Article 3 of the Convention, in particular, paragraph (h) stipulating that any expansion of fishing effort does not proceed without prior assessment of the impacts of those fishing activities on the long-term sustainability of fisheries resources and a determination that those activities would not have significant adverse impacts (SAI) on vulnerable marine ecosystems (VME), or ensuring that those activities are managed to prevent those impacts or are not authorized to proceed;

Conscious of the need to adopt permanent measures for the Northeastern Pacific Ocean to ensure that this area is not left as the only major area of the Pacific Ocean where no such measures are in place;

Recognizing that the scope of management measures outlined in CMM 2023-06 applies to the management of bottom fisheries in the Northeastern Pacific Ocean;

Recognizing the documented historical catch in NPFC Annual Reports of Sablefish in the Northeastern Pacific Ocean by Canada, managed in accordance with CMM 2023-06 and compatible domestic management measures;

Recognizing the need expressed in CMM 2023-06 to develop and implement other permanent management arrangements to govern these and other fisheries in the Northeastern Pacific Ocean;

Recognizing that the Commission is to strive to adopt conservation and management measures to prevent SAI on marine species or any VME;

Recognizing the detrimental impacts of lost, abandoned and otherwise discarded fishing gear on the conservation and sustainable use of fisheries and the ecosystems they depend on, and the need for global action to address this issue;

Adopts the following conservation and management measure in accordance with Article 7 of the Convention:

1. This CMM shall apply to the eastern part of the Convention Area as defined in CMM 2023-06.
2. Members of the Commission with current harvest of sablefish in the eastern part of the Convention Area shall refrain from expansion of their fishery in this area from the existing historical level.
3. Members with historical but no current harvest of sablefish in the eastern part of the Convention Area may only expand their fishery in this area in the context of the relevant NPFC Convention provisions, as appropriate including but not limited to Article 3, paragraph (h).

4. Development of new fishing activity for the sablefish fishery in the eastern part of the Convention Area by Members not referenced in paragraph 5 without documented historical catch for sablefish in this area shall be determined in accordance with, but not limited to, as appropriate, Article 3, paragraph (h) and Article 7, subparagraphs 1(g) and (h) of the Convention.
5. Members referenced in paragraph 2 and Members fishing for Sablefish in areas of their jurisdiction that are adjacent to the eastern part of the Convention Area shall adhere to the exploratory fishing protocol as set out in Annex 1 of CMM 2023-06 for Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northeastern Pacific Ocean when considering new and exploratory bottom fishing activities in the Convention Area.

Fishing Gear

6. Longline gear and longline trap gear are permitted to be used.
7. Members of the Commission shall ensure that fishing vessels flying their flag operating in the eastern part of the Convention Area to fish sablefish are to be equipped with an operational vessel monitoring system that is activated at all times.
8. All vessels authorized to fish sablefish in the eastern part of the Convention Area shall have 100% observer coverage.
9. Recognizing ongoing processes to address marine pollution in other fora, including at the International Maritime Organization, Members are encouraged to report lost fishing gear as soon as possible to the Secretariat, and retrieve any lost gear encountered by their vessels if safety is not compromised.
10. Proposed fishing activities involving the use of trawl fishing gear or other gear types not in use at the time of the adoption of this CMM in the eastern part of the Convention Area will be subject to the requirements of the Convention and relevant CMMs, as appropriate, including for new and exploratory fishery protocol in the Northeastern Pacific Ocean as per CMM 2023-06.
11. This CMM shall not be a precedent to hinder Members referenced in paragraph 2, at the time of the adoption of this CMM, to develop new or exploratory Sablefish fisheries in the eastern part of the Convention Area subject to the requirements of CMM on Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northeastern Pacific Ocean.

Article 12 – Enhancements and Clarifications from the Commission

Article 13 – CMM Japanese Sardine, Neon Flying Squid and Japanese Flying Squid

CMM 2023-11

(Entered into force 26 July 2023)

CONSERVATION AND MANAGEMENT MEASURE FOR JAPANESE SARDINE, NEON FLYING SQUID AND JAPANESE FLYING SQUID

The North Pacific Fisheries Commission (NPFC),

Recalling that six pelagic species – Pacific saury, chub mackerel, spotted mackerel, Japanese sardine, neon flying squid, and Japanese flying squid – are identified as priority species;

Also recalling that the NPFC has adopted the CMMs on two species – Pacific saury and chub mackerel;

Noting that specific measures for the remaining four species have yet to be introduced while those species have been subject to extensive fishing practices, whether they are target or bycatch species;

Reaffirming the General Principles provided in Article 3 of the Convention, in particular, Paragraph (h) stipulating that any expansion of fishing effort does not proceed without prior assessment of the impacts of those fishing activities on the long-term sustainability of fisheries resources;

Adopts the following conservation and management measure in accordance with Article 7 of the Convention:

1. Members of the Commission and Cooperating non-Contracting Parties (CNCs) with substantial harvest of any of Japanese sardine, neon flying squid and Japanese flying squid (hereinafter referred to as “the three Pelagic Species”) in the Convention Area shall refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for such species from the historical existing level until the stock assessment for such species by the SC has been completed.
2. Members of the Commission and CNCs without substantial harvest of the three Pelagic Species in the Convention Area are encouraged to refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for such species from the historical existing level until the stock assessment for such species by the SC has been completed.
3. Members of the Commission participating in fishing for the three Pelagic Species in areas under their jurisdiction adjacent to the Convention Area are requested to take compatible measures in

paragraph 1. Such Members¹ may divert part of their catch limit for areas under their jurisdiction to their own catch of the species in the Convention Area by vessels entitled to fly their flags and authorized to fish for the species, provided that: (i) the Member has established a catch limit for the species in its jurisdiction; (ii) the Member has notified the Commission of the catch limit; and (iii) the total catch of the species in the Convention Area and the areas under their jurisdiction adjacent to the Convention Area will not exceed the Member's total catch limit for its jurisdiction respectively.

4. Development of new fishing activity for the three Pelagic Species in the Convention Area by Members of the Commission without documented historical catch for such species in the Convention Area shall be determined in accordance with relevant provisions, as appropriate, including but not limited to Article 3, paragraph (h) and Article 7, subparagraphs 1(g) and (h) of the Convention.
5. Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag operating in the Convention Area authorized to fish the three Pelagic Species are to be equipped with an operational vessel monitoring system that is activated at all times.
6. Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag that fish the three Pelagic Species record their catches and report them to the relevant flag state authorities in accordance with their national data recording and reporting requirements.
7. Members of the Commission and CNCPs shall provide their data on the three Pelagic Species in accordance with the data requirements adopted by the Commission in the Annual Report by the end of February, every year. The Commission shall review such information at the annual meeting of every year.
8. Members of the Commission and CNCPs shall cooperate to take necessary measures including sharing information, in order to accurately understand the situation and eliminate IUU fishing for the three Pelagic Species.
9. After a stock assessment for any of the three Pelagic Species has been completed, the provisions in Paragraph 1 shall be reviewed by the Commission and those provisions shall not be a precedent to hinder those Members who are not harvesting substantial amounts of the three Pelagic Species assessed in the Convention Area to develop their own fisheries in the Convention Area noting the Commission shall regularly review the harvests of such species in the Convention Area by all Members.
10. This management measure shall expire and be replaced by the measure to be adopted by the Commission based on the advice and recommendations from the Scientific Committee.

¹ Paragraph 3 applies to Russia and Japan

Article 14 – Enhancements and Clarifications from the Commission

CHAPTER III: PROTECTION OF VULNERABLE MARINE ECOSYSTEMS FROM BOTTOM FISHING ACTIVITIES

Article 15 – CMM Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northwestern Pacific Ocean

CMM 2023-05

(Entered into force 26 July 2023)

CONSERVATION AND MANAGEMENT MEASURE FOR BOTTOM FISHERIES AND PROTECTION OF VULNERABLE MARINE ECOSYSTEMS IN THE NORTHWESTERN PACIFIC OCEAN

The North Pacific Fisheries Commission (NPFC),

Strongly supporting protection of vulnerable marine ecosystems (VMEs) and sustainable management of fish stocks based on the best scientific information available;

Recalling the United Nations General Assembly Resolutions (UNGA) on Sustainable Fisheries, particularly paragraphs 66 to 71 of the UNGA59/25 in 2004, paragraphs 69 to 74 of UNGA60/31 in 2005, and paragraphs 69 and 80 to 91 of UNGA61/105 in 2006;

Noting, in particular, paragraphs 66 and 69 of UNGA59/25 that call upon States to take action urgently to address the issue of bottom trawl fisheries on VMEs and to cooperate in the establishment of new regional fisheries management organizations or arrangements;

Recognizing further that fishing activities, including bottom fisheries, are an important contributor to the global food supply and that this must be taken into account when seeking to achieve sustainable fisheries and to protect VMEs;

Recognizing the importance of collecting scientific data to assess the impacts of these fisheries on marine species and VMEs;

Concerned about possible adverse impacts of unregulated expansion of bottom fisheries on marine species and VMEs in the western part of the Convention Area.

Adopts the following Conservation and Management Measure:

1. Scope

A. Coverage

These Measures are to be applied to all bottom fishing activities throughout the high seas areas of the Northwestern Pacific Ocean, defined, for the purposes of this document, as those

occurring in the Convention Area as set out in Article 4 of the Convention text to the west of the line of 175 degrees W longitude (here in after called “the western part of the Convention Area”) including all such areas and marine species other than those species already covered by existing international fisheries management instruments, including bilateral agreements and Regional Fisheries Management Organizations or Arrangements.

B. Management target

Bottom fisheries conducted by vessels operating in the western part of the Convention Area.

2. General purpose

Sustainable management of fish stocks and protection of VMEs in the western part of the Convention Area.

The objective of these Measures is to ensure the long-term conservation and sustainable use of the fisheries resources in the Convention Area while protecting the marine ecosystems of the North Pacific Ocean in which these resources occur.

These measures shall set out to prevent significant adverse impacts on VMEs in the Convention Area of the North Pacific Ocean, acknowledging the complex dependency of fishing resources and species belonging to the same ecosystem within VMEs.

The Commission shall re-evaluate, and as appropriate, revise, the definition based on further consideration of the work done through FAO and by NPFC.

3. Principles

The implementation of this CMM shall:

- (a) be based on the best scientific information available,
- (b) be in accordance with existing international laws and agreements including UNCLOS and other relevant international instruments,
- (c) establish appropriate and effective conservation and management measures,
- (d) be in accordance with the precautionary approach, and
- (e) incorporate an ecosystem approach to fisheries management.

4. Measures

Members of the Commission shall take the following measures in order to achieve sustainable management of fish stocks and protection of VMEs in the western part of the Convention Area:

- A. Limit fishing effort in bottom fisheries on the western part of the Convention Area to the level agreed in February 2007 in terms of the number of fishing vessels and other parameters which reflect the level of fishing effort, fishing capacity or potential impacts on marine ecosystems.

- B. Not allow bottom fisheries to expand into the western part of the Convention Area where no such fishing is currently occurring, in particular, by limiting such bottom fisheries to seamounts located south of 45 degrees North Latitude and refrain from bottom fisheries in other areas of the western part of the Convention Area covered by these measures and also not allow bottom fisheries to conduct fishing operation in areas deeper than 1,500m.
- C. Notwithstanding subparagraphs A and B above, exceptions to these restrictions may be provided in cases where it can be shown that any fishing activity beyond such limits or in any new areas would not have significant adverse impacts (SAIs) on marine species or any VME. Such fishing activity is subject to an exploratory fishery protocol (Annex 1).
- D. Any determinations pursuant to subparagraph C that any proposed fishing activity will not have SAIs on marine species or any VME are to be in accordance with the Science-based Standards and Criteria (Annex 2), which are consistent with the FAO International Guidelines for the Management of Deepsea Fisheries in the High Seas.
- E. Any determinations, by any flag State or pursuant to any subsequent arrangement for the management of the bottom fisheries in the areas covered by these measures, that fishing activity would not have SAIs on marine species or any VMEs, shall be made publicly available through agreed means.
- F. Prohibit its vessels from engaging in directed fishing on the following taxa: *Alcyonacea*, *Antipatharia*, *Gorgonacea*, and *Scleractinia*, the classes of *Hexactinellida* and *Demospongiae* in the phylum Porifera as well as any other indicator species for VMEs as may be identified from time to time by the SC and approved by the Commission.
- G. Further, considering accumulated information regarding fishing activities in the western part of the Convention Area, in areas where, in the course of fishing operations, cold water corals more than 50Kg or sponges more than 500Kg are encountered in one gear retrieval, Members of the Commission shall require vessels flying their flag to cease bottom fishing activities in that location. In such cases, the vessel shall not resume fishing activities until it has relocated a sufficient distance, which shall be no less than 1 nautical mile, so that additional encounters with VMEs are unlikely. All such encounters, including the location, gear type, date, time and name and weight of the VME indicator species, shall be reported to the Secretariat, through the Member, within one business day. The Executive Secretary shall, within one business day, notify the other Members of the Commission and at the same time implement a temporary closure in the area to prohibit bottom fishing vessels from contacting the sea floor with their trawl nets. Members shall inform their fleets and enforcement operations within one business day of the receipt of the notification from the Executive Secretary. It is agreed that the VME indicator taxa include cold water corals *Alcyonacea*, *Antipatharia*, *Gorgonacea*, and *Scleractinia*, and the classes of *Hexactinellida* and *Demospongiae* in the phylum Porifera.

- H. Based on all the available data, including data on the VME encounter and distribution received from the fishing vessel(s), research survey data, visual survey data, and/or model results, the Scientific Committee (SC) shall assess and conclude if the area has a VME. If so, the SC shall recommend to the Commission that the temporary closure be made permanent, although the boundary of the closure may be adjusted, or suggest other appropriate measures. Otherwise, the Executive Secretary shall inform the Members that they may reopen the area to their vessels.
- I. C-H seamount and Southeastern part of Koko seamount, specifically for the latter seamount, the area South of 34 degrees 57 minutes North, East of the 400m isobaths, East of 171 degrees 54 minutes East, North of 34 degrees 50 minutes North, are closed precautionary for potential VME conservation. Fishing in these areas requires exploratory fishery protocol (Annex 1).
- J. Ensure that the distance between the footrope of the gill net and sea floor is greater than 70 cm.
- K. Apply a bottom fisheries closure from November to December.
- L. Limit annual catch of North Pacific armorhead to 15,000 tons for Japan. In years when strong recruitment of North Pacific armorhead is not detected by the monitoring survey (Annex 6), the Commission encourages Japan to limit their catch of North Pacific armorhead by vessels flying its flag to 500 tons, and encourages Korea to limit their catch of North Pacific armorhead by vessels flying its flag to 200 tons. When a strong recruitment of North Pacific armorhead is detected by the monitoring survey (Annex 6), the Commission encourages that Japan limit the annual catch of North Pacific armorhead by vessels flying its flag to 10,000 tons, and that Korea limit the annual catch of North Pacific armorhead by vessels flying its flag to 2,000 tons. The Commission encourages that catch overages for any given year be subtracted from the applicable annual catch limit in the following year, and that catch underages during any given year not be added to the applicable annual catch limit during the following year.
- M. During a year when high recruitment is detected, bottom fishing with trawl gear shall be prohibited in specific areas in the Emperor seamounts where half of the catch occurred in 2010 and 2012 (Annex 6). Determination of a strong recruitment year and of the specific areas where bottom fishing with trawl gear is prohibited shall be communicated to all Members and Cooperating Non-Contracting Parties following the procedure specified in Annex 6.
- N. Catch in the monitoring surveys shall not be included in the catch limits specified in paragraphs L but shall be reported to the Secretariat.

- O. Development of new fishing activity for the North Pacific armorhead and splendid alfonsino in the Convention Area by Members without documented historical catch for North Pacific armorhead and splendid alfonsino in the Convention Area shall be determined in accordance with relevant provisions, including but not limited to Article 3, paragraph (h) and Article 7, subparagraphs 1(g) and (h) of the Convention.
- P. Fishing activity for the North Pacific armorhead and splendid alfonsino in the Convention Area by Members with documented historical catch for North Pacific armorhead and splendid alfonsino in the Convention Area is not precluded.
- Q. Members shall require vessels flying their flags to use trawl nets with mesh size greater than or equal to 130mm of stretched mesh with 5kg tension in the codend when conducting fishing activities for North Pacific armorhead or splendid alfonsino.
- R. Task the Scientific Committee with reviewing the appropriate methods for establishing catch limits, and the adequacy and practicability of the adaptive management plan described in subparagraphs K, L, M, N, O, P, Q and Annex 6 from time to time and recommending revisions and actions, if necessary.
- S. Prohibit its bottom fishing vessels from contacting the sea floor with their trawl nets in the following two sites with VME indicator species. A Member of the Commission whose fishing vessels entered these areas shall report to the TCC as to how it ensured the compliance of this measure.

Sites with VME indicator species (Areas surrounded by the straight lines linking the 4 geographical points below)

Northwestern part of Koko Seamount	35-44.75 N 171-07.60 E	35-44.75 N 171-07.80 E
	35-43.80 N 171-07.80 E	35-43.80 N 171-08.00 E
Northern Ridge of Colahan Seamount	31-03.85 N 175-53.40 E	31-03.85 N 175-53.65 E
	31-03.5 N 175-53.50 E	31-03.05 N 175-53.85 E

5. Contingent Action

Members of the Commission shall submit to the SC their assessments of the impacts of fishing activity on marine species or any VMEs, including the proposed management measures to prevent such impact. Such submissions shall include all relevant data and information in support of any such assessment. Procedures for such reviews including procedures for the provision of advice and recommendations from the SC to the submitting Member are attached (Annex 3). Members will only authorize bottom fishing activity pursuant to paragraph 4 (C).

6. Scientific Information

To facilitate the scientific work associated with the implementation of these measures, each Member of the Commission shall undertake:

A. Reporting of information for purposes of defining the footprint

In implementing paragraphs 4A and 4B, the Members of the Commission shall provide for each year, the number of vessels by gear type, size of vessels (tons), number of fishing days or days on the fishing grounds, total catch by species, and areas fished (names of seamounts) to the Secretariat. The Secretariat shall circulate the information received to the other Members consistent with the approved Regulations for Management of Scientific Data and Information. To support assessments of the fisheries and refinement of conservation and management measures, Members of the Commission are to provide updated information on an annual basis.

B. Collection of information

(i) Collection of scientific information from each bottom fishing vessel operating in the western part of the Convention Area.

(a) Catch and effort data

(b) Related information such as time, location, depth, temperature, etc.

(ii) As appropriate, the collection of information from research vessels operating in the western part of the Convention Area.

(a) Physical, chemical, biological, oceanographic, meteorological, etc.

(b) Ecosystem surveys.

(c) Seabed mapping (e.g. multibeam or other echosounder); seafloor images by drop camera, remotely operated underwater vehicle (ROV) and/or autonomous underwater vehicle (AUV).

(iii) Collection of observer data

Duly designated observers from the flag member shall collect information from bottom fishing vessels operating in the western part of the Convention Area. Observers shall collect data in accordance with Annex 5. Each Member of the Commission shall submit the reports to the Secretariat in accordance with Annex 4. The Secretariat shall compile this information on an annual basis and make it available to the Members of the Commission.

7. Control of bottom fishing vessels

To strengthen its control over bottom fishing vessels flying its flag, each Member of the Commission shall ensure that all such vessels operating in the western part of the Convention Area be equipped with an operational vessel monitoring system.

8. Observers

All vessels authorized to bottom fishing in the western part of the Convention Area shall carry an observer on board.

EXPLORATORY FISHERY PROTOCOL IN THE NORTH PACIFIC OCEAN

1. From 1 January 2009, all bottom fishing activities in new fishing areas and areas where fishing is prohibited in a precautionary manner or with bottom gear not previously used in the existing fishing areas, are to be considered as “exploratory fisheries” and to be conducted in accordance with this protocol.
2. Precautionary conservation and management measures, including catch and effort controls, are essential during the exploratory phase of deep sea fisheries. Implementation of a precautionary approach to sustainable exploitation of deep sea fisheries shall include the following measures:
 - (i) precautionary effort limits, particularly where reliable assessments of sustainable exploitation rates of target and main by-catch species are not available;
 - (ii) precautionary measures, including precautionary spatial catch limits where appropriate, to prevent serial depletion of low-productivity stocks;
 - (iii) regular review of appropriate indices of stock status and revision downwards of the limits listed above when significant declines are detected;
 - (iv) measures to prevent significant adverse impacts on vulnerable marine ecosystems; and
 - (v) comprehensive monitoring of all fishing effort, capture of all species and interactions with VMEs.
3. When a member of the Commission would like to conduct exploratory fisheries, it is to follow the following procedure:
 - (i) Prior to the commencement of fishing, the member of the Commission is to circulate the information and assessment in Appendix 1.1 to the members of the Scientific Committee (SC) for review and to all members of the Commission for information, together with the impact assessment. Such information is to be provided to the other members at least 30 days in advance of the meeting at which the information shall be reviewed.
 - (ii) The assessment in (i) above is to be conducted in accordance with the procedure set forth in “Science-based Standards and Criteria for Identification of VMEs and Assessment of Significant Adverse Impacts on VMEs and Marine Species (Annex 2)”, with the understanding that particular care shall be taken in the evaluation of risks of the significant adverse impact on vulnerable marine ecosystems (VMEs), in line with the precautionary approach.
 - (iii) The SC is to review the information and the assessment submitted in (i) above in accordance with “SC Assessment Review Procedures for Bottom Fishing Activities (Annex 3).”
 - (iv) The exploratory fisheries are to be permitted only where the assessment concludes that they would not have significant adverse impacts (SAIs) on marine species or any VMEs and on the basis of comments and recommendations of SC. Any determinations, by any Member of the Commission or the SC, that the exploratory fishing activities would not have SAIs on marine species or any VMEs, shall be made publicly available through the NPFC website.

4. The member of the Commission is to ensure that all vessels flying its flag conducting exploratory fisheries are equipped with a satellite monitoring device and have an observer on board at all times.
5. Within 3 months of the end of the exploratory fishing activities or within 12 months of the commencement of fishing, whichever occurs first, the member of the Commission is to provide a report of the results of such activities to the members of the SC and all members of the Commission. If the SC meets prior to the end of this 12-month period, the member of the Commission is to provide an interim report 30 days in advance of the SC meeting. The information to be included in the report is specified in Appendix 1.2.
6. The SC is to review the report in 5 above and decide whether the exploratory fishing activities had SAIs on marine species or any VME. The SC then is to send its recommendations to the Commission on whether the exploratory fisheries can continue and whether additional management measures shall be required if they are to continue. The Commission is to strive to adopt conservation and management measures to prevent SAIs on marine species or any VMEs. If the Commission is not able to reach consensus on any such measures, each fishing member of the Commission is to adopt measures to avoid any SAIs on VMEs.
7. Members of the Commission shall only authorize continuation of exploratory fishing activity, or commencement of commercial fishing activity, under this protocol on the basis of comments and recommendations of the SC.
8. The same encounter protocol should be applied in both fished and unfished areas specified in Annex 2, paragraph 4(1)(a).

Appendix 1.1

Information to be provided before exploratory fisheries start

1. A harvesting plan
 - Name of vessel
 - Flag member of vessel
 - Description of area to be fished (location and depth)
 - Fishing dates
 - Anticipated effort
 - Target species
 - Bottom fishing gear-type used
 - Area and effort restrictions to ensure that fisheries occur on a gradual basis in a limited geographical area.

2. A mitigation plan

- Measures to prevent SAIs to VMEs that may be encountered during the fishery

3. A catch monitoring plan

- Recording/reporting of all species brought onboard to the lowest possible taxonomic level
- 100% satellite monitoring
- 100% observer coverage

4. A data collection plan

- Data is to be collected in accordance with “Type and Format of Scientific Observer Data to be Collected” (Annex 5)

Appendix 1.2

Information to be included in the report

- Name of vessel
- Flag member of vessel
- Description of area fished (location and depth)
- Fishing dates
- Total effort
- Bottom fishing gear-type used
- List of VME encountered (the amount of VME indicator species for each encounter specifying the location: longitude and latitude)
- Mitigation measures taken in response to the encounter of VME
- List of all organisms brought onboard
- List of VMEs indicator species brought onboard by location: longitude and latitude

SCIENCE-BASED STANDARDS AND CRITERIA FOR IDENTIFICATION OF VMES AND ASSESSMENT OF SIGNIFICANT ADVERSE IMPACTS ON VMES AND MARINE SPECIES

1. Introduction

Members of the Commission have hereby established science-based standards and criteria to guide their implementation of United Nations General Assembly (UNGA) Resolution 61/105 and the measures adopted by the Members in respect of bottom fishing activities in the North Pacific Ocean (NPO). In this regard, these science-based standards and criteria are to be applied to identify vulnerable marine ecosystems (VMEs) and assess significant adverse impacts (SAIs) of bottom fishing activities on such VMEs or marine species and to promote the long-term sustainability of deep sea fisheries in the Convention Area. The science-based standards and criteria are consistent with the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas, taking into account the work of other RFMOs implementing management of deep-sea bottom fisheries in accordance with UNGA Resolution 61/105. The standards and criteria are to be modified from time to time as more data are collected through research activities and monitoring of fishing operations.

2. Purpose

- (1) The purpose of the standards and criteria is to provide guidelines for each member of the Commission in identifying VMEs and assessing SAIs of individual bottom fishing activities¹ on VMEs or marine species in the Convention Area. Each member of the Commission, using the best information available, is to decide which species or areas are to be categorized as VMEs, identify areas where VMEs are known or likely to occur, and assess whether individual bottom fishing activities would have SAIs on such VMEs or marine species. The results of these tasks are to be submitted to and reviewed by the Scientific Committee with a view to reaching a common understanding among the members of the Commission.
- (2) For the purpose of applying the standards and criteria, the bottom fisheries are defined as follows:
 - (a) The fisheries are conducted in the Convention Area;
 - (b) The total catch (everything brought up by the fishing gear) includes species that can only sustain low exploitation rates; and
 - (c) The fishing gear is likely to contact the seafloor during the normal course of fishing operations.

¹ “individual bottom fishing activities” means fishing activities by each fishing gear. For example, if ten fishing vessels operate bottom trawl fishing in a certain area, the impacts of the fishing activities of these vessels on the ecosystem are to be assessed as a whole rather than on a vessel-by-vessel basis. It should be noted that if the total number or capacity of the vessels using the same fishing gear has increased, the impacts of the fishing activities are to be assessed again.

3. Definition of VMEs

- (1) Although Paragraph 83 of UNGA Resolution 61/105 refers to seamounts, hydrothermal vents and cold-water corals as examples of VMEs, there is no definitive list of specific species or areas that are to be regarded as VMEs.
- (2) Vulnerability is related to the likelihood that a population, community or habitat will experience substantial alteration by fishing activities and how much time will be required for its recovery from such alteration. The most vulnerable ecosystems are those that are both easily disturbed and are very slow to recover or may never recover. The vulnerabilities of populations, communities and habitats are to be assessed relative to specific threats. Some features, particularly ones that are physically fragile or inherently rare may be vulnerable to most forms of disturbance, but the vulnerability of some populations, communities and habitats may vary greatly depending on the type of fishing gear used or the kind of disturbance experienced. The risks to a marine ecosystem are determined by its vulnerability, the probability of a threat occurring and the mitigation means applied to the threat. Accordingly, the FAO Guidelines only provide examples of potential vulnerable species groups, communities and habitats as well as features that potentially support them (Annex 2.1).
- (3) A marine ecosystem is to be classified as vulnerable based on its characteristics. The following list of characteristics is used as criteria in the identification of VMEs.
 - (a) Uniqueness or rarity - an area or ecosystem that is unique or that contains rare species whose loss could not be compensated for by other similar areas. These include:
 - (i) Habitats that contain endemic species;
 - (ii) Habitats of rare, threatened or endangered species that occur in discrete areas;
 - (iii) Nurseries or discrete feeding, breeding, or spawning areas.
 - (b) Functional significance of the habitat – discrete areas or habitats that are necessary for the survival, function, spawning/reproduction or recovery of fish stocks, particular life-history stages (e.g. nursery grounds or rearing areas), or of rare, threatened or endangered marine species.
 - (c) Fragility – an ecosystem that is highly susceptible to degradation by anthropogenic activities
 - (d) Life-history traits of component species that make recovery difficult – ecosystems that are characterized by populations or assemblages of species with one or more of the following characteristics:
 - (i) Slow growth rates
 - (ii) Late age of maturity
 - (iii) Low or unpredictable recruitment
 - (iv) Long-lived
 - (e) Structural complexity – an ecosystem that is characterized by complex physical structures created by significant concentrations of biotic and abiotic features. In these ecosystems, ecological processes are usually highly dependent on these structured systems. Further, such ecosystems often have high diversity, which is dependent on the structuring organisms.

- (4) Management response may vary, depending on the size of the ecological unit in the Convention Area. Therefore, the spatial extent of the ecological unit is to be decided first. That is, whether the ecological unit is the entire Area, or the current fishing ground, namely, the Emperor Seamount and Northern Hawaiian Ridge area (hereinafter called “the ES-NHR area”), or a group of the seamounts within the ESNHR area, or each seamount in the ES-NHR area, is to be decided using the above criteria.

4. Identification of potential VMEs

(1) Fished seamounts

(a) Identification of fished seamounts

It is reported that four types of fishing gear are currently used by the members of the Commission in the ES-NHR area, namely, bottom trawl, bottom gillnet, bottom longline and pot. A fifth type of fishing gear (coral drag) was used in the ES-NHR area from the mid-1960s to the late 1980s and is possibly still used by non-members of the Commission. These types of fishing gear are usually used on the top or slope of seamounts, which could be considered VMEs. It is therefore necessary to identify the footprint of the bottom fisheries (fished seamounts) based on the available fishing record. The following seamounts have been identified as fished seamounts: Suiko, Showa, Youmei, Nintoku, Jingu, Ojin, Northern Koko, Koko, Kinmei, Yuryaku, Kammu, Colahan, and CH. Since the use of most of these gears in the ES-NHR area dates back to the late 1960s and 1970s, it is important to establish, to the extent practicable, a time series of where and when these gears have been used in order to assess potential long-term effects on any existing VMEs.

Fishing effort may not be evenly distributed on each seamount since fish aggregation may occur only at certain points of the seamount and some parts of the seamount may be physically unsuitable for certain fishing gears. Thus, it is important to know actual fished areas within the same seamount so as to know the gravity of the impact of fishing activities on the entire seamount.

Due consideration is to be given to the protection of commercial confidentiality when identifying actual fishing grounds.

(b) Assessment on whether a specific seamount that has been fished is a VME

After identifying the fished seamounts or fished areas of seamounts, it is necessary to assess whether each fished seamount is a VME or contains VMEs in accordance with the criteria in 3 above, individually or in combination using the best available scientific and technical information as well as Annex 2.1. A variety of data would be required to conduct such assessment, including pictures of seamounts taken by an ROV camera or drop camera, biological samples collected through research activities and observer programs, and detailed bathymetry map. Where site-specific information is lacking, other information that is relevant to inferring the likely presence of VMEs is to be used. The flow chart to identify data that can be used to identify VMEs is attached in Annex 2.3.

(2) New fishing areas

Any place other than the fished seamounts above is to be regarded as a new fishing area. If a member of the Commission is considering fishing in a new fishing area, such a fishing area is to be subject to, in addition to these standards and criteria, an exploratory fishery protocol (Annex 1).

5. Assessment of SAIs on VMEs or marine species

- (1) Significant adverse impacts are those that compromise ecosystem integrity (i.e., ecosystem structure or function) in a manner that: (i) impairs the ability of affected populations to replace themselves; (ii) degrades the long-term natural productivity of habitats; or (iii) causes, on more than a temporary basis, significant loss of species richness, habitat or community types. Impacts are to be evaluated individually, in combination and cumulatively.
- (2) When determining the scale and significance of an impact, the following six factors are to be considered:
 - (a) The intensity or severity of the impact at the specific site being affected;
 - (b) The spatial extent of the impact relative to the availability of the habitat type affected;
 - (c) The sensitivity/vulnerability of the ecosystem to the impact;
 - (d) The ability of an ecosystem to recover from harm, and the rate of such recovery;
 - (e) The extent to which ecosystem functions may be altered by the impact; and
 - (f) The timing and duration of the impact relative to the period in which a species needs the habitat during one or more life-history stages.
- (3) Temporary impacts are those that are limited in duration and that allow the particular ecosystem to recover over an acceptable timeframe. Such timeframes are to be decided on a case-by-case basis and be on the order of 5-20 years, taking into account the specific features of the populations and ecosystems.
- (4) In determining whether an impact is temporary, both the duration and the frequency with which an impact is repeated is to be considered. If the interval between the expected disturbances of a habitat is shorter than the recovery time, the impact is to be considered more than temporary.
- (5) Each member of the Commission is to conduct assessments to establish if bottom fishing activities are likely to produce SAIs in a given seamount or other VMEs. Such an impact assessment is to address, *inter alia*:
 - (a) Type of fishing conducted or contemplated, including vessel and gear types, fishing areas, target and potential bycatch species, fishing effort levels and duration of fishing;
 - (b) Best available scientific and technical information on the current state of fishery resources, and baseline information on the ecosystems, habitats and communities in the fishing area, against which future changes are to be compared;
 - (c) Identification, description and mapping of VMEs known or likely to occur in the fishing area;
 - (d) The data and methods used to identify, describe and assess the impacts of the activity, identification of gaps in knowledge, and an evaluation of uncertainties in the information presented in the assessment;

- (e) Identification, description and evaluation of the occurrence, scale and duration of likely impacts, including cumulative impacts of activities covered by the assessment on VMEs and low-productivity fishery resources in the fishing area;
 - (f) Risk assessment of likely impacts by the fishing operations to determine which impacts are likely to be SAIs, particularly impacts on VMEs and low-productivity fishery resources (Risk assessments are to take into account, as appropriate, differing conditions prevailing in areas where fisheries are well established and in areas where fisheries have not taken place or only occur occasionally);
 - (g) The proposed mitigation and management measures to be used to prevent SAIs on VMEs and ensure long-term conservation and sustainable utilization of low-productivity fishery resources, and the measures to be used to monitor effects of the fishing operations.
- (6) Impact assessments are to consider, as appropriate, the information referred to in these Standards and Criteria, as well as relevant information from similar or related fisheries, species and ecosystems.
- (7) Where an assessment concludes that the area does not contain VMEs or that significant adverse impacts on VMEs or marine species are not likely, such assessments are to be repeated when there have been significant changes to the fishery or other activities in the area, or when natural processes are thought to have undergone significant changes.

6. Proposed conservation and management measures to prevent SAIs

As a result of the assessment in 5 above, if it is considered that individual fishing activities are causing or likely to cause SAIs on VMEs or marine species, the member of the Commission is to adopt appropriate conservation and management measures to prevent such SAIs. The member of the Commission is to clearly indicate how such impacts are expected to be prevented or mitigated by the measures.

7. Precautionary approach

If after assessing all available scientific and technical information, the presence of VMEs or the likelihood that individual bottom fishing activities would cause SAIs on VMEs or marine species cannot be adequately determined, members of the Commission are only to authorize individual bottom fishing activities to proceed in accordance with:

- (a) Precautionary, conservation and management measures to prevent SAIs;
- (b) Measures to address unexpected encounters with VMEs in the course of fishing operations;
- (c) Measures, including ongoing scientific research, monitoring and data collection, to reduce the uncertainty; and
- (d) Measures to ensure long-term sustainability of deep sea fisheries.

8. Template for assessment report

Annex 2.2 is a template for individual member of the Commission to formulate reports on identification of VMEs and impact assessment.

Examples of potential vulnerable species groups, communities and habitats as well as features that potentially support them

The following examples of species groups, communities, habitats and features often display characteristics consistent with possible VMEs. Merely detecting the presence of an element itself is not sufficient to identify a VME. That identification is to be made on a case-by-case basis through application of relevant provisions of the Standards and Criteria, particularly Sections 3, 4 and 5.

Examples of species groups, communities and habitat forming species that are documented or considered sensitive and potentially vulnerable to deep-sea fisheries in the high-seas, and which may contribute to forming VMEs:	
a.	certain cold-water corals, e.g., reef builders and coral forest including: stony corals (scleractinia), alcyonaceans and gorgonians (octocorallia), black corals (antipatharia), and hydrocorals (stylasteridae),
b.	Some types of sponge dominated communities,
c.	communities composed of dense emergent fauna where large sessile protozoans (xenophyphores) and invertebrates (e.g., hydroids and bryozoans) form an important structural component of habitat, and
d.	seep and vent communities comprised of invertebrate and microbial species found nowhere else (i.e., endemic).

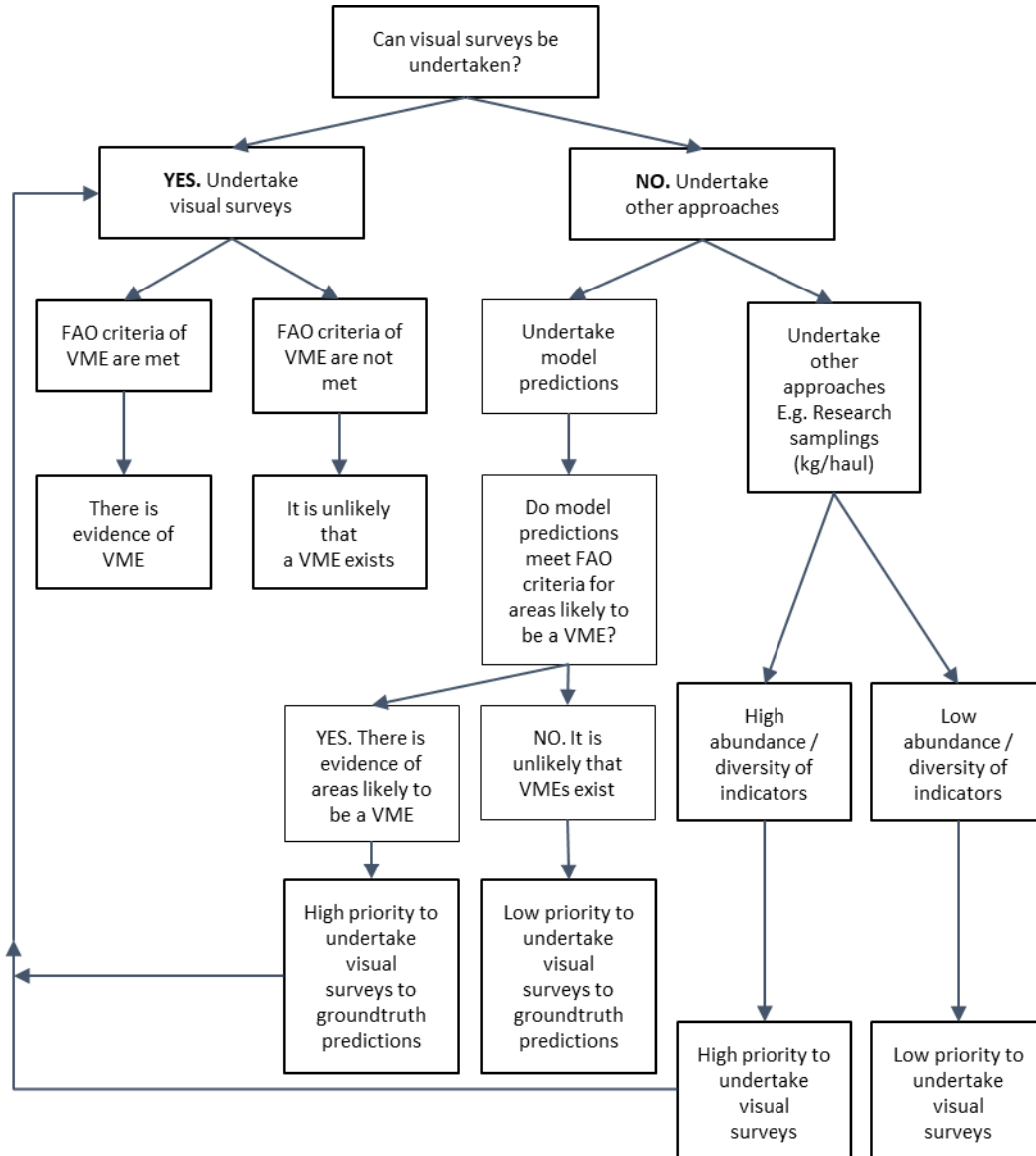
Examples of topographical, hydrophysical or geological features, including fragile geological structures, that potentially support the species groups or communities referred to above:

- a. submerged edges and slopes (e.g., corals and sponges)
- b. summits and flanks of seamounts, guyots, banks, knolls, and hills (e.g., corals, sponges and xenophyphores)
- c. canyons and trenches (e.g., burrowed clay outcrops, corals),
- d. hydrothermal vents (e.g., microbial communities and endemic invertebrates), and
- e. cold seeps (e.g., mud volcanoes, microbes, hard substrates for sessile invertebrates).

Template for reports on identification of VMEs and assessment of impacts caused by individual fishing activities on VMEs or marine species

1. Name of the member of the Commission
2. Name of the fishery (e.g., bottom trawl, bottom gillnet, bottom longline, pot)
3. Status of the fishery (existing fishery or exploratory fishery)
4. Target species
5. Bycatch species
6. Recent level of fishing effort (every year at least since 2002)
 - (1) Number of fishing vessels
 - (2) Tonnage of each fishing vessel
 - (3) Number of fishing days or days on the fishing ground
 - (4) Fishing effort (total operating hours for trawl, # of hooks per day for long-line, # of pots per day for pot, total length of net per day for gillnet)
 - (5) Total catch by species
 - (6) Names of seamounts fished or to be fished
7. Fishing period
8. Analysis of status of fishery resources
 - (1) Data and methods used for analysis
 - (2) Results of analysis
 - (3) Identification of uncertainties in data and methods, and measures to overcome such uncertainties
9. Analysis of status of bycatch species resources
 - (1) Data and methods used for analysis
 - (2) Results of analysis
 - (3) Identification of uncertainties in data and methods, and measures to overcome such uncertainties
10. Analysis of existence of VMEs in the fishing ground
 - (1) Data and methods used for analysis
 - (2) Results of analysis
 - (3) Identification of uncertainties in data and methods, and measures to overcome such uncertainties
11. Impact assessment of fishing activities on VMEs or marine species including cumulative impacts, and identification of SAIs on VMEs or marine species, as detailed in Section 5 above, Assessment of SAIs on VMEs or marine species
12. Other points to be addressed
13. Conclusion (whether to continue or start fishing with what measures, or stop fishing).

Flow chart to identify data that can be used to identify VMEs in the NPFC Convention Area



SCIENTIFIC COMMITTEE ASSESSMENT REVIEW PROCEDURES FOR BOTTOM FISHING ACTIVITIES

1. The Scientific Committee (SC) is to review identifications of vulnerable marine ecosystems (VMEs) and assessments of significant adverse impact on VMEs, including proposed management measures intended to prevent such impacts submitted by individual Members.
2. Members of the Commission shall submit their identifications and assessments to members of the SC at least 21 days prior to the SC meeting at which the review is to take place. Such submissions shall include all relevant data and information in support of such determinations.
3. The SC will review the data and information in each assessment in accordance with the Science-based Standards and Criteria for Identification of VMEs and Assessment of Significant Adverse Impacts on VMEs and Marine Species (Annex 2), previous decisions of the Commission, and the FAO Technical Guidelines for the Management of Deep Sea Fisheries in the High Seas, paying special attention to the assessment process and criteria specified in paragraphs 47-49 of the Guidelines.
4. In conducting the review above, the SC will give particular attention to whether the deep-sea bottom fishing activity would have a significant adverse impact on VMEs and marine species and, if so, whether the proposed management measures would prevent such impacts.
5. Based on the above review, the SC will provide advice and recommendations to the submitting Members on the extent to which the assessments and related determinations are consistent with the procedures and criteria established in the documents identified above; and whether additional management measures will be required to prevent SAIs on VMEs.
6. Such recommendations will be reflected in the report of the SC meeting at which the assessments are considered.

FORMAT OF NATIONAL REPORT SECTIONS ON DEVELOPMENT AND IMPLEMENTATION OF SCIENTIFIC OBSERVER PROGRAMMES

Report Components

Annual Observer Programme implementation reports should form a component of annual National Reports submitted by members to the Scientific Committee. These reports should provide a brief overview of observer programmes conducted in the NPFC Convention Area. Observer programme reports should include the following sections:

A. Observer Training

An overview of observer training conducted, including:

- Overview of training programme provided to scientific observers.
- Number of observers trained.

B. Scientific Observer Programme Design and Coverage

Details of the design of the observer programme, including:

- Which fleets, fleet components or fishery components were covered by the programme.
- How vessels were selected to carry observers within the above fleets or components.
- How was observer coverage stratified: by fleets, fisheries components, vessel types, vessel sizes, vessel ages, fishing areas and seasons.

Details of observer coverage of the above fleets, including:

- Components, areas, seasons and proportion of total catches of target species, specifying units used to determine coverage.
- Total number of observer employment days, and number of actual days deployed on observation work.

C. Observer Data Collected

List of observer data collected against the agreed range of data set out in Annex 5, including:

- Effort Data: Amount of effort observed (vessel days, net panels, hooks, etc), by area and season and % observed out of total by area and seasons
- Catch Data: Amount of catch observed of target and by-catch species, by area and season, and % observed out of total estimated catch by species, area and seasons
- Length Frequency Data: Number of fish measured per species, by area and season.
- Biological Data: Type and quantity of other biological data or samples (otoliths, sex, maturity, etc.) collected per species.
- The size of length-frequency and biological sub-samples relative to unobserved quantities.

D. Detection of Fishing in Association with Vulnerable Marine Ecosystems

- Information about VME encounters (species and quantity in accordance with Annex 5, H, 2).

E. Tag Return Monitoring

- Number of tags returns observed, by fish size class and area.

F. Problems Experienced

- Summary of problems encountered by observers and observer managers that could affect the NPFC Observer Programme Standards and/or each member's national observer programme developed under the NPFC standards.

NPFC BOTTOM FISHERIES OBSERVER PROGRAMME STANDARDS: SCIENTIFIC COMPONENT

TYPE AND FORMAT OF SCIENTIFIC OBSERVER DATA TO BE COLLECTED

A. Vessel & Observer Data to be collected for Each Trip

1. Vessel and observer details are to be recorded only once for each observed trip.
2. The following observer data are to be collected for each observed trip:
 - (a) NPFC vessel ID.
 - (b) Observer's name.
 - (c) Observer's organisation.
 - (d) Date observer embarked (UTC date).
 - (e) Port of embarkation.
 - (f) Date observer disembarked (UTC date).
 - (g) Port of disembarkation.

B. Catch & Effort Data to be collected for Trawl Fishing Activity

1. Data are to be collected on an un-aggregated (tow by tow) basis for all observed trawls.
2. The following data are to be collected for each observed trawl tow:
 - (a) Tow start date (UTC).
 - (b) Tow start time (UTC).
 - (c) Tow end date (UTC).
 - (d) Tow end time (UTC).
 - (e) Tow start position (Lat/Lon, 1 minute resolution).
 - (f) Tow end position (Lat/Lon, 1 minute resolution).
 - (g) Type of trawl, bottom or mid-water.
 - (h) Type of trawl, single, double or triple.
 - (i) Height of net opening (m).
 - (j) Width of net opening (m).
 - (k) Mesh size of the cod-end net (stretched mesh, mm) and mesh type (diamond, square, etc).
 - (l) Gear depth (of footrope) at start of fishing (m).
 - (m) Bottom (seabed) depth at start of fishing (m).
 - (n) Gear depth (of footrope) at end of fishing (m).
 - (o) Bottom (seabed) depth at end of fishing (m).
 - (p) Status of the trawl operation (no damage, lightly damaged*, heavily damaged*, other (specify)).
*Degree may be evaluated by time for repairing (<=1hr or >1hr).
 - (q) Duration of estimated period of seabed contact (minute)

- (r) Intended target species.
- (s) Catch of all species retained on board, split by species, in weight (to the nearest kg).
- (t) Estimate of the amount (weight or volume) of all living marine resources discarded, split by species.
- (u) Record of the numbers by species of all marine mammals, seabirds or reptiles caught.

C. Catch & Effort Data to be collected for Bottom Gillnet Fishing Activity

1. Data are to be collected on an un-aggregated (set by set) basis for all observed bottom gillnet sets.
2. The following data are to be collected for each observed bottom gillnet set:
 - (a) Set start date (UTC).
 - (b) Set start time (UTC).
 - (c) Set end date (UTC).
 - (d) Set end time (UTC).
 - (e) Set start position (Lat/Lon, 1 minute resolution).
 - (f) Set end position (Lat/Lon, 1 minute resolution).
 - (g) Net panel (“tan”) length (m).
 - (h) Net panel (“tan”) height (m).
 - (i) Net mesh size (stretched mesh, mm) and mesh type (diamond, square, etc)
 - (j) Bottom depth at start of setting (m).
 - (k) Bottom depth at end of setting (m).
 - (l) Number of net panels for the set.
 - (m) Number of net panels retrieved.
 - (n) Number of net panels actually observed during the haul.
 - (o) Actually observed catch of all species retained on board, split by species, in weight (to the nearest kg).
 - (p) An estimation of the amount (numbers or weight) of marine resources discarded, split by species, during the actual observation.
 - (q) Record of the actually observed numbers by species of all marine mammals, seabirds or reptiles caught.
 - (r) Intended target species.
 - (s) Catch of all species retained on board, split by species, in weight (to the nearest kg).
 - (t) Estimate of the amount (weight or volume) of all marine resources discarded* and dropped off, split by species. * Including those retained for scientific samples.
 - (u) Record of the numbers by species of all marine mammals, seabirds or reptiles caught (including those discarded and dropped-off).

D. Catch & Effort Data to be collected for Bottom Long Line Fishing Activity

1. Data are to be collected on an un-aggregated (set by set) basis for all observed longline sets.
2. The following fields of data are to be collected for each set:
 - (a) Set start date (UTC).

- (b) Set start time (UTC).
- (c) Set end date (UTC).
- (d) Set end time (UTC).
- (e) Set start position (Lat/Lon, 1 minute resolution).
- (f) Set end position (Lat/Lon, 1 minute resolution).
- (g) Total length of longline set (m).
- (h) Number of hooks or traps for the set.
- (i) Bottom (seabed) depth at start of set.
- (j) Bottom (seabed) depth at end of set.
- (k) Number of hooks or traps actually observed during the haul.
- (l) Intended target species.
- (m) Actually observed catch of all species retained on board, split by species, in weight (to the nearest kg).
- (n) An estimation of the amount (numbers or weight) of marine resources discarded* or dropped-off, split by species, during the actual observation. * Including those retained for scientific samples.
- (o) Record of the actually observed numbers by species of all marine mammals, seabirds or reptiles caught (including those discarded and dropped-off).

E. Length-Frequency Data to Be Collected

1. Representative and randomly distributed length-frequency data (to the nearest mm, with record of the type of length measurement taken) are to be collected for representative samples of the target species and other main by-catch species. Total weight of length-frequency samples should be recorded, and observers may be required to also determine sex of measured fish to generate length-frequency data stratified by sex. The length-frequency data may be used as potential indicators of ecosystem changes (for example, see: Gislason, H. et al. (2000. ICES J Mar Sci 57: 468-475), Yamane et al. (2005. ICES J Mar Sci, 62: 374-379), and Shin, Y-J. et al. (2005. ICES J Mar Sci, 62: 384-396)).
2. The numbers of fish to be measured for each species and distribution of samples across area and month strata should be determined, to ensure that samples are properly representative of species distributions and size ranges.

F. Biological sampling to be conducted (optional for gillnet and long line fisheries)

1. The following biological data are to be collected for representative samples of the main target species and, time permitting, for other main by-catch species contributing to the catch:
 - (a) Species
 - (b) Length (to the nearest mm), with record of the type of length measurement used.
 - (c) Length and depth in case of North Pacific armorhead.
 - (d) Sex (male, female, indeterminate, not examined)
 - (e) Maturity stage (immature, mature, ripe, ripe-running, spent)

2. Representative stratified samples of otoliths are to be collected from the main target species and, time permitting, from other main by-catch species regularly occurring in catches. All otoliths to be collected are to be labelled with the information listed in 1 above, as well as the date, vessel name, observer name and catch position.
3. Where specific trophic relationship projects are being conducted, observers may be requested to also collect stomach samples from certain species. Any such samples collected are also to be labelled with the information listed in 1 above, as well as the date, vessel name, observer name and catch position.
4. Observers may also be required to collect tissue samples as part of specific genetic research programmes implemented by the SC.
5. Observers are to be briefed and provided with written length-frequency and biological sampling protocols and priorities for the above sampling specific to each observer trip.

G. Data to be collected on Incidental Captures of Protected Species

1. Flag members operating observer programs are to develop, in cooperation with the SC, lists and identification guides of protected species or species of concern (seabirds, marine mammals or marine reptiles) to be monitored by observers.
2. The following data are to be collected for all protected species caught in fishing operations:
 - (a) Species (identified as far as possible, or accompanied by photographs if identification is difficult).
 - (b) Count of the number caught per tow or set.
 - (c) Life status (vigorous, alive, lethargic, dead) upon release.
 - (d) Whole specimens (where possible) for onshore identification. Where this is not possible, observers may be required to collect sub-samples of identifying parts, as specified in biological sampling protocols.

H. Detection of Fishing in Association with Vulnerable Marine Ecosystems

1. The SC is to develop a guideline, species list and identification guide for benthic species (e.g. sponges, sea fans, corals) whose presence in a catch will indicate that fishing occurred in association with a vulnerable marine ecosystem (VME). All observers on vessels are to be provided with copies of this guideline, species list and ID guide.
2. For each observed fishing operation, the following data are to be collected for all species caught, which appear on the list of vulnerable benthic species:
 - (a) Species (identified as far as possible or accompanied by a photograph where identification is difficult).
 - (b) An estimate of the quantity (weight (kg) or volume (m³)) of each listed benthic species caught in the fishing operation.
 - (c) An overall estimate of the total quantity (weight (kg) or volume (m³)) of all invertebrate benthic species caught in the fishing operation.

- (d) Where possible, and particularly for new or scarce benthic species which do not appear in ID guides, whole samples should be collected and suitable preserved for identification on shore.

I. Data to be collected for all Tag Recoveries

1. The following data are to be collected for all recovered fish, seabird, mammal or reptile tags:
 - (a) Observer name.
 - (b) Vessel name.
 - (c) Vessel call sign.
 - (d) Vessel flag.
 - (e) Collect, label (with all details below) and store the actual tags for later return to the tagging agency.
 - (f) Species from which tag recovered.
 - (g) Tag colour and type (spaghetti, archival).
 - (h) Tag numbers (The tag number is to be provided for all tags when multiple tags were attached to one fish. If only one tag was recorded, a statement is required that specifies whether or not the other tag was missing)
 - (i) Date and time of capture (UTC).
 - (j) Location of capture (Lat/Lon, to the nearest 1 minute)
 - (k) Animal length / size (to the nearest cm) with description of what measurement was taken (such as total length, fork length, etc).
 - (l) Sex (F=female, M=male, I=indeterminate, D=not examined)
 - (m) Whether the tags were found during a period of fishing that was being observed (Y/N)
 - (n) Reward information (e.g. name and address where to send reward)

(It is recognised that some of the data recorded here duplicates data that already exists in the previous categories of information. This is necessary because tag recovery information may be sent separately to other observer data.)

J. Hierarchies for Observer Data Collection

1. Trip-specific or programme-specific observer task priorities may be developed in response to specific research programme requirements, in which case such priorities should be followed by observers.
2. In the absence of trip- or programme-specific priorities, the following generalised priorities should be followed by observers:
 - (a) Fishing Operation Information
 - All vessel and tow / set / effort information.
 - (b) Monitoring of Catches
 - Record time, proportion of catch (e.g. proportion of trawl landing) or effort (e.g. number of hooks), and total numbers of each species caught.
 - Record numbers or proportions of each species retained or discarded.

(c) Biological Sampling

- Length-frequency data for target species.
 - Length-frequency data for main by-catch species.
 - Identification and counts of protected species.
 - Basic biological data (sex, maturity) for target species.
 - Check for presence of tags.
 - Otoliths (and stomach samples, if being collected) for target species.
 - Basic biological data for by-catch species.
 - Biological samples of by-catch species (if being collected)
 - Photos
3. The monitoring of catches and biological sampling procedures should be prioritised among species groups as follows:

Species	Priority (1 highest)
Primary target species (such as North Pacific armorhead and splendid alfonso)	1
Other species typically within top 10 in the fishery (such as mirror dory, and oreos)	2
Protected species	3
All other species	4

The allocation of observer effort among these activities will depend on the type of operation and setting. The size of sub-samples relative to unobserved quantities (e.g. number of hooks/panels examined for species composition relative to the number of hooks/panels retrieved) should be explicitly recorded under the guidance of member country observer programmes.

K. Coding Specifications to be used for Recording Observer Data

1. Unless otherwise specified for specific data types, observer data are to be collected in accordance with the same coding specifications as specified in this Annex.
2. Coordinated Universal Time (UTC) is to be used to describe times.
3. Degrees and minutes are to be used to describe locations.
4. The following coding schemes are to be used:
 - (a) Species are to be described using the FAO 3 letter species codes or, if species do not have a FAO code, using scientific names.
 - (b) Fishing methods are to be described using the International Standard Classification of Fishing Gear (ISSCFG - 29 July 1980) codes.
 - (c) Types of fishing vessel are to be described using the International Standard Classification of Fishery Vessels (ISSCFV) codes.
5. Metric units of measure are to be used, specifically:
 - (a) Kilograms are to be used to describe catch weight.
 - (b) Metres are to be used to describe height, width, depth, beam or length.

- (c) Cubic metres are to be used to describe volume.
- (d) Kilowatts are to be used to describe engine power.

Implementation of the Adaptive Management for North Pacific armorhead

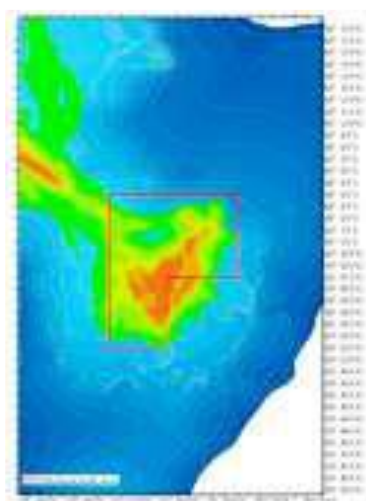
1. Monitoring survey for the detection of strong recruitment of North Pacific armorhead

(1) Location of monitoring surveys

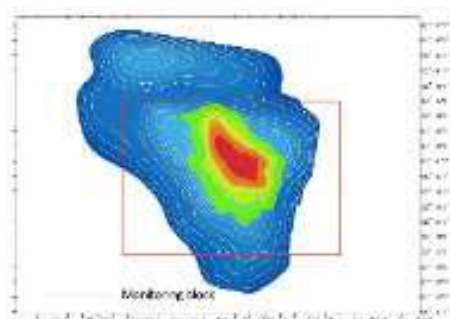
Monitoring surveys for the detection of strong recruitment of North Pacific armorhead will be conducted by trawl fishing vessels in the pre-determined four (24) monitoring blocks of Koko (South eastern), Yuryaku, Kammu (North western) and/or Colahan seamounts.

Monitoring blocks

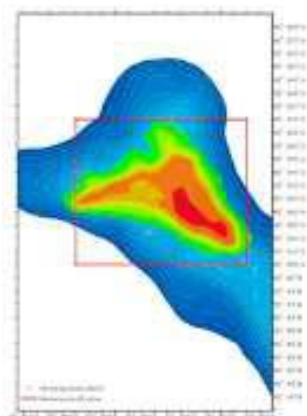
- (1) Koko seamount ($34^{\circ}51' - 35^{\circ}04'N$, $171^{\circ}49' - 172^{\circ}00' E$)



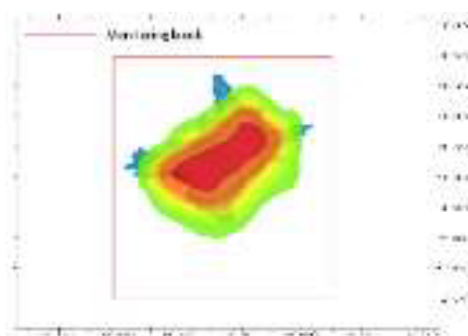
- (2) Yuryaku seamount ($32^{\circ}35' - 32^{\circ}45'N$, $172^{\circ}10' - 172^{\circ}24'E$)



- (3) Kammu seamount ($32^{\circ}10' - 32^{\circ}21'N$, $172^{\circ}44' - 172^{\circ}57'E$)



(4) Colahan seamount (30°57'–31°05'N, 175°50'–175°57'E)



(2) Schedule for monitoring surveys

Monitoring surveys will be conducted from March 1st to June 30th each year, with at least a one week interval between monitoring surveys. For each survey, a trawl fishing vessel will conduct a monitoring survey in one of the four monitoring blocks that is the nearest from the location of the trawl fishing vessel at the time of prior notification in (4) below. The base schedule for monitoring surveys will be notified to the Executive Secretary by the end of February of each year. The base schedule may be revised during the year subject to prior notification to the Executive Secretary.

(3) Data to be collected during monitoring surveys

For each monitoring survey, a trawl net will be towed for one hour. A scientific observer onboard the trawl fishing vessel will calculate nominal-CPUE (kg/hour) of North Pacific armorhead. The scientific observer will also calculate fat index* (FI) of randomly sampled 100 individuals of North Pacific armorhead by measuring fork length (FL) and body height (BH) of each individual.
 (*fat index (FI) = body height (BH) / fork length (FL))

(4) Prior notifications and survey results

At least three (3) days before each survey, a prior notification with monitoring date/time, location and trawl fishing vessel name will be provided by the flag state of the trawl fishing vessel to the Executive Secretary.

No later than three (3) days after each survey, the survey result including date/time, location, catch, nominal-CPUE (kg/hour) and percentage of fish with fat index (FI)>0.3 will be provided by the flag state to the Executive Secretary.

The Executive Secretary will circulate these prior notifications and survey results to all Members of the Commission without delay.

2. Areas where bottom fishing with trawl gear is prohibited when high recruitment is detected

(1) Criteria for a high recruitment

It is considered that high recruitment has occurred if the following criteria are met in four (4) consecutive monitoring surveys.

- Nominal CPUE > 10t/h
- Individuals of fat index (FI) > 0.3 account for 80% or more

(2) Areas where bottom fishing with trawl gear is prohibited

Bottom fishing with trawl gear shall be prohibited in the following two (2) seamount areas (*) during the year when high recruitment is detected. In such a case, all monitoring surveys scheduled during the year will be cancelled.

- Northern part of Kammu seamount (north of 32°10.0' N)
- Yuryaku seamount

(*) The catch of North Pacific armorhead in the above two seamounts accounts for a half of the total catch in the entire Emperor Seamounts area based on the catch records in 2010 and 2012.

(3) Notification by the Secretariat

When the criteria for high recruitment are met as defined in 2(1) above, the Executive Secretary will notify all Members of the Commission of the fact with a defined date/time from which bottom fishing with trawl gear is prohibited in the areas as defined in 2(2) above until the end of the year.

Article 16 – Enhancements and Clarifications from the Commission

Article 17 – CMM Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northeastern Pacific Ocean

CMM 2023-06

(Entered into force 26 July 2023)

CONSERVATION AND MANAGEMENT MEASURE FOR BOTTOM FISHERIES AND PROTECTION OF VULNERABLE MARINE ECOSYSTEMS IN THE NORTHEASTERN PACIFIC OCEAN

The North Pacific Fisheries Commission (NPFC):

Seeking to ensure the long term conservation and sustainable use of the fishery resources of the Northeastern Pacific Ocean and, in so doing, protect the vulnerable marine ecosystems that occur there, in accordance with the Sustainable Fisheries Resolutions adopted by the United Nations General Assembly (UNGA) including, in particular, paragraphs 66 to 71 of the UNGA59/25 in 2004, paragraphs 69 to 74 of UNGA60/31 in 2005, paragraphs 69 and 80 to 91 of UNGA61/105 in 2006, and paragraphs 113 to 124 of UNGA64/72 in 2009;

Recalling that paragraph 85 of UNGA 61/105 calls upon participants in negotiations to establish regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries to adopt permanent measures in respect of the area of application of the instruments under negotiation;

Noting that North Pacific Fisheries Commission has previously adopted interim measures for the Northeastern Pacific Ocean;

Conscious of the need to adopt permanent measures for the Northeastern Pacific Ocean to ensure that this area is not left as the only major area of the Pacific Ocean where no such measures are in place;

Hereby adopt the following Conservation and Management Measure (CMM) for bottom fisheries of the Northeastern Pacific Ocean while working to develop and implement other permanent management arrangements to govern these and other fisheries in the North Pacific Ocean.

Scope

1. These Measures are to be applied to all bottom fishing activities throughout the high seas areas of the Northeastern Pacific Ocean, defined, for the purposes of this document, as those occurring in the Convention Area as set out in Article 4 of the Convention text to the east of the line of 175 degrees W longitude (here in after called “the eastern part of the Convention Area”) including all such areas and marine species other than those species already covered by existing international fisheries management instruments, including bilateral agreements and Regional

Fisheries Management Organizations or Arrangements.

For the purpose of these Measures, the term vulnerable marine ecosystems is to be interpreted and applied in a manner consistent with the International Guidelines on the Management of Deep Sea Fisheries on the High Seas adopted by the FAO on 29 August 2008 (see Annex 2 for further details).

2. The implementation of these Measures shall:
 - a. be based on the best scientific information available in accordance with existing international laws and agreements including UNCLOS and other relevant international instruments,
 - b. establish appropriate and effective conservation and management measures,
 - c. be in accordance with the precautionary approach, and
 - d. incorporate an ecosystem approach to fisheries management.

3. Actions by Members of the Commission
Members of the Commission will take the following actions in respect of vessels operating under its Flag or authority in the area covered by these Measures:
 - a. Conduct the assessments called for in paragraph 83(a) of UNGA Resolution 61/105, in a manner consistent with the FAO Guidelines and the Standards and Criteria included in Annex 2;
 - b. Submit to the SC their assessments conducted pursuant to subparagraph (a) of this paragraph, including all relevant data and information in support of any such assessment, and receive advice and recommendations from the SC, in accordance with the procedures in Annex 3;
 - c. Taking into account all advice and recommendations received from the SC, determine whether the fishing activity or operations of the vessel in question are likely to have a significant adverse impact on any vulnerable marine ecosystem;
 - d. If it is determined that the fishing activity or operations of the vessel or vessels in question would have a significant adverse impact on vulnerable marine ecosystems, adopt conservation and management measures to prevent such impacts on the basis of advice and recommendations of the SC, which are subject to adoption by the Commission;
 - e. Ensure that if any vessels are already engaged in bottom fishing, that such assessments have been carried out in accordance with paragraph 119(a)/UNGA RES 2009, the determination called for in subparagraph (c) of this paragraph has been rendered and, where appropriate, managements measures have been implemented in accordance with the advice and recommendations of the SC, which are subject to adoption by the Commission;
 - f. Further ensure that they will only authorize fishing activities on the basis of such assessments and any comments and recommendations from the SC;
 - g. Prohibit its vessels from engaging in directed fishing on the following taxa: *Alcyonacea*, *Antipatharia*, *Gorgonacea*, and *Scleractinia*, the classes of *Hexactinellida* and *Demospongiae* in the phylum Porifera as well as any other indicator species for vulnerable marine ecosystems as may be identified from time to time by the SC and approved by the

Commission;

- h. In respect of areas where vulnerable marine ecosystems are known to occur or are likely to occur, based on the best available scientific information, ensure that bottom fishing activities do not proceed unless conservation and management measures have been established to prevent significant adverse impacts on vulnerable marine ecosystems;
 - i. Limit fishing effort in bottom fisheries on the Eastern part of the Convention Area to the level of a historical average (baseline to be determined through consensus in the SC based on information to be provided by Members) in terms of the number of fishing vessels and other parameters which reflect the level of fishing effort, fishing capacity or potential impacts on marine ecosystems dependent on new SC advice;
 - j. Further, considering accumulated information regarding fishing activities in the Eastern part of the Convention Area, in areas where, in the course of fishing operations, cold water corals that exceed 50Kg or 500Kg of *Hexactinellida* and *Demospongiae* are encountered in one gear retrieval, Members of the Commission shall require vessels flying their flag to cease bottom fishing activities in that location. In such cases, the vessel shall not resume fishing activities until it has relocated a sufficient distance, which shall be no less than 1 nautical mile, so that additional encounters with VMEs are unlikely. All such encounters, including the location, gear type, date, time and name and weight of the VME indicator species, shall be reported to the Secretariat, through the Member, within one business day. The Executive Secretary shall notify the other Members of the Commission and at the same time implement a temporary closure in the area to prohibit its bottom fishing vessels from contacting the sea floor with their trawl nets. Members shall inform their fleets and enforcement operations within one business day of the receipt of the notification from the Executive Secretary. It is agreed that the VME indicator taxa include cold water corals *Alcyonacea*, *Antipatharia*, *Gorgonacea*, and *Scleractinia*, and the classes of *Hexactinellida* and *Demospongiae* in the phylum Porifera.
 - k. Based on all the available data, including data on the VME encounter and distribution received from the fishing vessel(s), research survey data, visual survey data, and/or model results, the Scientific Committee (SC) shall assess and conclude if the area has a VME. If so, the SC shall recommend to the Commission that the temporary closure be made permanent, although the boundary of the closure may be adjusted, or suggest other appropriate measures. Otherwise, the Executive Secretary shall inform the Members that they may reopen the area to their vessels.
4. All assessments and determinations by any Member as to whether fishing activity would have significant adverse impacts on vulnerable marine ecosystems, as well as measures adopted in order to prevent such impacts, will be made publicly available through agreed means.

Control of Bottom Fishing Vessels

5. Members will exercise full and effective control over each of their bottom fishing vessels operating in the high seas of the Northeastern Pacific Ocean, including by means of fishing licenses, authorizations or permits, and maintenance of a record of these vessels as outlined in the Convention and applicable CMM.

6. New and exploratory fishing will be subject to the exploratory fishery protocol included as Annex 1.

Scientific Committee (SC)

7. Scientific Committee will provide scientific support for the implementation of these CMMs.

Scientific Information

8. The Members shall provide all available information as required by the Commission for any current or historical fishing activity by their flag vessels, including the number of vessels by gear type, size of vessels (tons), number of fishing days or days on the fishing grounds, total catch by species, areas fished (names or coordinates of seamounts), and information from scientific observer programmes (see Annexes 4 and 5) to the NPFC Secretariat as soon as possible and no later than one month prior to SC meeting. The Secretariat will make such information available to SC.
9. Scientific research activities for stock assessment purposes are to be conducted in accordance with a research plan that has been provided to SC prior to the commencement of such activities.

EXPLORATORY FISHERY PROTOCOL IN THE NORTH PACIFIC OCEAN

1. From 1 January 2009, all bottom fishing activities in new fishing areas and areas where fishing is prohibited in a precautionary manner or with bottom gear not previously used in the existing fishing areas, are to be considered as “exploratory fisheries” and to be conducted in accordance with this protocol.

2. Precautionary conservation and management measures, including catch and effort controls, are essential during the exploratory phase of deep sea fisheries. Implementation of a precautionary approach to sustainable exploitation of deep sea fisheries shall include the following measures:

- i. precautionary effort limits, particularly where reliable assessments of sustainable exploitation rates of target and main by-catch species are not available;
- ii. precautionary measures, including precautionary spatial catch limits where appropriate, to prevent serial depletion of low-productivity stocks;
- iii. regular review of appropriate indices of stock status and revision downwards of the limits listed above when significant declines are detected;
- iv. measures to prevent significant adverse impacts on vulnerable marine ecosystems; and
- v. comprehensive monitoring of all fishing effort, capture of all species and interactions with VMEs.

3. When a member of the Commission would like to conduct exploratory fisheries, it is to follow the following procedure:

(1) Prior to the commencement of fishing, the member of the Commission is to circulate the information and assessment in Appendix 1.1 to the members of the Scientific Committee (SC) for review and to all members of the Commission for information, together with the impact assessment. Such information is to be provided to the other members at least 30 days in advance of the meeting at which the information shall be reviewed.

(2) The assessment in (1) above is to be conducted in accordance with the procedure set forth in “Science-based Standards and Criteria for Identification of VMEs and Assessment of Significant Adverse Impacts on VMEs and Marine Species (Annex 2)”, with the understanding that particular care shall be taken in the evaluation of risks of the significant adverse impact on vulnerable marine ecosystems (VMEs), in line with the precautionary approach.

(3) The SC is to review the information and the assessment submitted in (1) above in accordance with “SC Assessment Review Procedures for Bottom Fishing Activities (Annex 3).”

(4) The exploratory fisheries are to be permitted only where the assessment concludes that they would not have significant adverse impacts (SAIs) on marine species or any VMEs and on the

basis of comments and recommendations of SC. Any determinations, by any Member of the Commission or the SC, that the exploratory fishing activities would not have SAIs on marine species or any VMEs, shall be made publicly available through the NPFC website.

4. The member of the Commission is to ensure that all vessels flying its flag conducting exploratory fisheries are equipped with a satellite monitoring device and have an observer on board at all times.
5. Within 3 months of the end of the exploratory fishing activities or within 12 months of the commencement of fishing, whichever occurs first, the member of the Commission is to provide a report of the results of such activities to the members of the SC and all members of the Commission. If the SC meets prior to the end of this 12-month period, the member of the Commission is to provide an interim report 30 days in advance of the SC meeting. The information to be included in the report is specified in Appendix 1.2.
6. The SC is to review the report in 5 above and decide whether the exploratory fishing activities had SAIs on marine species or any VME. The SC then is to send its recommendations to the Commission on whether the exploratory fisheries can continue and whether additional management measures shall be required if they are to continue. The Commission is to strive to adopt conservation and management measures to prevent SAIs on marine species or any VMEs. If the Commission is not able to reach consensus on any such measures, each fishing member of the Commission is to adopt measures to avoid any SAIs on VMEs.
7. Members of the Commission shall only authorize continuation of exploratory fishing activity, or commencement of commercial fishing activity, under this protocol on the basis of comments and recommendations of the SC.
8. The same encounter protocol should be applied in both fished and unfished areas specified in Annex 2, paragraph 4(1)(a).

Appendix 1.1

Information to be provided before exploratory fisheries start

1. A harvesting plan
 - Name of vessel
 - Flag member of vessel
 - Description of area to be fished (location and depth)
 - Fishing dates
 - Anticipated effort
 - Target species
 - Bottom fishing gear-type used
 - Area and effort restrictions to ensure that fisheries occur on a gradual basis in a limited geographical area.

2. A mitigation plan

- Measures to prevent SAIs to VMEs that may be encountered during the fishery

3. A catch monitoring plan

- Recording/reporting of all species brought onboard to the lowest possible taxonomic level
- 100% satellite monitoring
- 100% observer coverage

4. A data collection plan

- Data is to be collected in accordance with “Type and Format of Scientific Observer Data to be Collected” (Annex 5)

Appendix 1.2

Information to be included in the report

- Name of vessel
- Flag member of vessel
- Description of area fished (location and depth)
- Fishing dates
- Total effort
- Bottom fishing gear-type used
- List of VME encountered (the amount of VME indicator species for each encounter specifying the location: longitude and latitude)
- Mitigation measures taken in response to the encounter of VME
- List of all organisms brought onboard
- List of VMEs indicator species brought onboard by location: longitude and latitude

SCIENCE-BASED STANDARDS AND CRITERIA FOR IDENTIFICATION OF VMES AND ASSESSMENT OF SIGNIFICANT ADVERSE IMPACTS ON VMES AND MARINE SPECIES

1. Introduction

Members of the Commission have hereby established science-based standards and criteria to guide their implementation of United Nations General Assembly (UNGA) Resolution 61/105 and the measures adopted by the Members in respect of bottom fishing activities in the North Pacific Ocean (NPO). In this regard, these science-based standards and criteria are to be applied to identify vulnerable marine ecosystems (VMEs) and assess significant adverse impacts (SAIs) of bottom fishing activities on such VMEs or marine species and to promote the long-term sustainability of deep sea fisheries in the Convention Area. The science-based standards and criteria are consistent with the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas, taking into account the work of other RFMOs implementing management of deep-sea bottom fisheries in accordance with UNGA Resolution 61/105. The standards and criteria are to be modified from time to time as more data are collected through research activities and monitoring of fishing operations.

2. Purpose

(1) The purpose of the standards and criteria is to provide guidelines for each member of the Commission in identifying VMEs and assessing SAIs of individual bottom fishing activities¹ on VMEs or marine species in the Convention Area. Each member of the Commission, using the best information available, is to decide which species or areas are to be categorized as VMEs, identify areas where VMEs are known or likely to occur, and assess whether individual bottom fishing activities would have SAIs on such VMEs or marine species. The results of these tasks are to be submitted to and reviewed by the Scientific Committee with a view to reaching a common understanding among the members of the Commission.

(2) For the purpose of applying the standards and criteria, the bottom fisheries are defined as follows:

- (a) The fisheries are conducted in the Convention Area;
- (b) The total catch (everything brought up by the fishing gear) includes species that can only sustain low exploitation rates; and

¹ “individual bottom fishing activities” means fishing activities by each fishing gear. For example, if ten fishing vessels operate bottom trawl fishing in a certain area, the impacts of the fishing activities of these vessels on the ecosystem are to be assessed as a whole rather than on a vessel-by-vessel basis. It should be noted that if the total number or capacity of the vessels using the same fishing gear has increased, the impacts of the fishing activities are to be assessed again.

(c) The fishing gear is likely to contact the seafloor during the normal course of fishing operations

3. Definition of VMEs

(1) Although Paragraph 83 of UNGA Resolution 61/105 refers to seamounts, hydrothermal vents and cold water corals as examples of VMEs, there is no definitive list of specific species or areas that are to be regarded as VMEs.

(2) Vulnerability is related to the likelihood that a population, community or habitat will experience substantial alteration by fishing activities and how much time will be required for its recovery from such alteration. The most vulnerable ecosystems are those that are both easily disturbed and are very slow to recover, or may never recover. The vulnerabilities of populations, communities and habitats are to be assessed relative to specific threats. Some features, particularly ones that are physically fragile or inherently rare may be vulnerable to most forms of disturbance, but the vulnerability of some populations, communities and habitats may vary greatly depending on the type of fishing gear used or the kind of disturbance experienced. The risks to a marine ecosystem are determined by its vulnerability, the probability of a threat occurring and the mitigation means applied to the threat. Accordingly, the FAO Guidelines only provide examples of potential vulnerable species groups, communities and habitats as well as features that potentially support them (Annex 2.1).

(3) A marine ecosystem is to be classified as vulnerable based on its characteristics. The following list of characteristics is used as criteria in the identification of VMEs.

(a) Uniqueness or rarity - an area or ecosystem that is unique or that contains rare species whose loss could not be compensated for by other similar areas. These include:

- (i) Habitats that contain endemic species;
- (ii) Habitats of rare, threatened or endangered species that occur in discrete areas;
- (iii) Nurseries or discrete feeding, breeding, or spawning areas

(b) Functional significance of the habitat – discrete areas or habitats that are necessary for the survival, function, spawning/reproduction or recovery of fish stocks, particular life-history stages (e.g. nursery grounds or rearing areas), or of rare, threatened or endangered marine species.

(c) Fragility – an ecosystem that is highly susceptible to degradation by anthropogenic activities

(d) Life-history traits of component species that make recovery difficult – ecosystems that are characterized by populations or assemblages of species with one or more of the following characteristics:

- (i) Slow growth rates
- (ii) Late age of maturity
- (iii) Low or unpredictable recruitment
- (iv) Long-lived

(e) Structural complexity – an ecosystem that is characterized by complex physical structures created by significant concentrations of biotic and abiotic features. In these ecosystems, ecological processes are usually highly dependent on these structured systems. Further, such ecosystems often have high diversity, which is dependent on the structuring organisms.

(4) Management response may vary, depending on the size of the ecological unit in the Convention Area. Therefore, the spatial extent of the ecological unit is to be decided first. For example, whether the ecological unit is a group of seamounts, or an individual seamount in the Convention Area, is to be decided using the above criteria.

4. Identification of potential VMEs

(1) Fished seamounts

(a) Identification of fished seamounts

It is reported that two types of fishing gear are currently used by members of the Commission in the NE area, namely long-line hook and long-line trap. The footprint of the bottom fisheries (fished seamounts) is identified based on the available fishing record. The following seamounts have been identified as fished seamounts at some point in the past: Brown Bear, Cobb, Warwick, Eickelberg, Pathfinder, Miller, Murray, Cowie, Surveyor, Pratt, and Durgin. It is important to establish, to the extent practicable, a time series of where and when these gears have been used in order to assess potential long-term effects on any existing VMEs.

Fishing effort may not be evenly distributed on each seamount since fish aggregation may occur only at certain points of the seamount and some parts of the seamount may be physically unsuitable for certain fishing gears. Thus, it is important to know actual fished areas within the same seamount so as to know the gravity of the impact of fishing activities on the entire seamount.

Due consideration is to be given to the protection of commercial confidentiality when identifying actual fishing grounds.

(b) Assessment on whether a specific seamount that has been fished is a VME

After identifying the fished seamounts or fished areas of seamounts, it is necessary to assess whether each fished seamount is a VME or contains VMEs in accordance with the criteria in 3 above, individually or in combination using the best available scientific and technical information as well as Annex 2.1. A variety of data would be required to conduct such assessment, including pictures of seamounts taken by an ROV camera or drop camera, biological samples collected through research activities and observer programs, and detailed bathymetry map. Where site-specific information is lacking, other information that is relevant to inferring the likely presence of VMEs is to be used. The flow chart to identify data that can be used to identify VMEs is attached in Annex 2.3.

(2) New fishing areas

Any place other than the fished seamounts above is to be regarded as a new fishing area. If a member of the Commission is considering fishing in a new fishing area, such a fishing area is to be subject to, in addition to these standards and criteria, an exploratory fishery protocol (Annex 1).

5. Assessment of SAIs on VMEs or marine species

(1) Significant adverse impacts are those that compromise ecosystem integrity (i.e., ecosystem structure or function) in a manner that: (i) impairs the ability of affected populations to replace themselves; (ii) degrades the long-term natural productivity of habitats; or (iii) causes, on more than a temporary basis, significant loss of species richness, habitat or community types. Impacts are to be evaluated individually, in combination and cumulatively.

(2) When determining the scale and significance of an impact, the following six factors are to be considered:

- (a) The intensity or severity of the impact at the specific site being affected;
- (b) The spatial extent of the impact relative to the availability of the habitat type affected;
- (c) The sensitivity/vulnerability of the ecosystem to the impact;
- (d) The ability of an ecosystem to recover from harm, and the rate of such recovery;
- (e) The extent to which ecosystem functions may be altered by the impact; and
- (f) The timing and duration of the impact relative to the period in which a species needs the habitat during one or more life-history stages.

(3) Temporary impacts are those that are limited in duration and that allow the particular ecosystem to recover over an acceptable timeframe. Such timeframes are to be decided on a case-by-case basis and be on the order of 5-20 years, taking into account the specific features of the populations and ecosystems.

(4) In determining whether an impact is temporary, both the duration and the frequency with which an impact is repeated is to be considered. If the interval between the expected disturbances of a habitat is shorter than the recovery time, the impact is to be considered more than temporary.

(5) Each member of the Commission is to conduct assessments to establish if bottom fishing activities are likely to produce SAIs in a given seamount or other VMEs. Such an impact assessment is to address, *inter alia*:

- (a) Type of fishing conducted or contemplated, including vessel and gear types, fishing areas, target and potential bycatch species, fishing effort levels and duration of fishing;
- (b) Best available scientific and technical information on the current state of fishery resources, and baseline information on the ecosystems, habitats and communities in the fishing area, against which future changes are to be compared;

- (c) Identification, description and mapping of VMEs known or likely to occur in the fishing area;
- (d) The data and methods used to identify, describe and assess the impacts of the activity, identification of gaps in knowledge, and an evaluation of uncertainties in the information presented in the assessment
- (e) Identification, description and evaluation of the occurrence, scale and duration of likely impacts, including cumulative impacts of activities covered by the assessment on VMEs and low-productivity fishery resources in the fishing area;
- (f) Risk assessment of likely impacts by the fishing operations to determine which impacts are likely to be SAIs, particularly impacts on VMEs and low-productivity fishery resources (Risk assessments are to take into account, as appropriate, differing conditions prevailing in areas where fisheries are well established and in areas where fisheries have not taken place or only occur occasionally);
- (g) The proposed mitigation and management measures to be used to prevent SAIs on VMEs and ensure long-term conservation and sustainable utilization of low-productivity fishery resources, and the measures to be used to monitor effects of the fishing operations.

(6) Impact assessments are to consider, as appropriate, the information referred to in these Standards and Criteria, as well as relevant information from similar or related fisheries, species and ecosystems.

(7) Where an assessment concludes that the area does not contain VMEs or that significant adverse impacts on VMEs or marine species are not likely, such assessments are to be repeated when there have been significant changes to the fishery or other activities in the area, or when natural processes are thought to have undergone significant changes.

6. Proposed conservation and management measures to prevent SAIs

As a result of the assessment in 5 above, if it is considered that individual fishing activities are causing or likely to cause SAIs on VMEs or marine species, the member of the Commission is to adopt appropriate conservation and management measures to prevent such SAIs. The member of the Commission is to clearly indicate how such impacts are expected to be prevented or mitigated by the measures.

7. Precautionary approach

If after assessing all available scientific and technical information, the presence of VMEs or the likelihood that individual bottom fishing activities would cause SAIs on VMEs or marine species cannot be adequately determined, members of the Commission are only to authorize individual bottom fishing activities to proceed in accordance with:

- (a) Precautionary, conservation and management measures to prevent SAIs;
- (b) Measures to address unexpected encounters with VMEs in the course of fishing operations;
- (c) Measures, including ongoing scientific research, monitoring and data collection, to reduce the uncertainty; and
- (d) Measures to ensure long-term sustainability of deep sea fisheries.

8. Template for assessment report

Annex 2.2 is a template for individual member of the Commission to formulate reports on identification of VMEs and impact assessment.

ANNEX 2.1

EXAMPLES OF POTENTIAL VULNERABLE SPECIES GROUPS, COMMUNITIES AND HABITATS AS WELL AS FEATURES THAT POTENTIALLY SUPPORT THEM

The following examples of species groups, communities, habitats and features often display characteristics consistent with possible VMEs. Merely detecting the presence of an element itself is not sufficient to identify a VME. That identification is to be made on a case-by-case basis through application of relevant provisions of the Standards and Criteria, particularly Sections 3, 4 and 5.

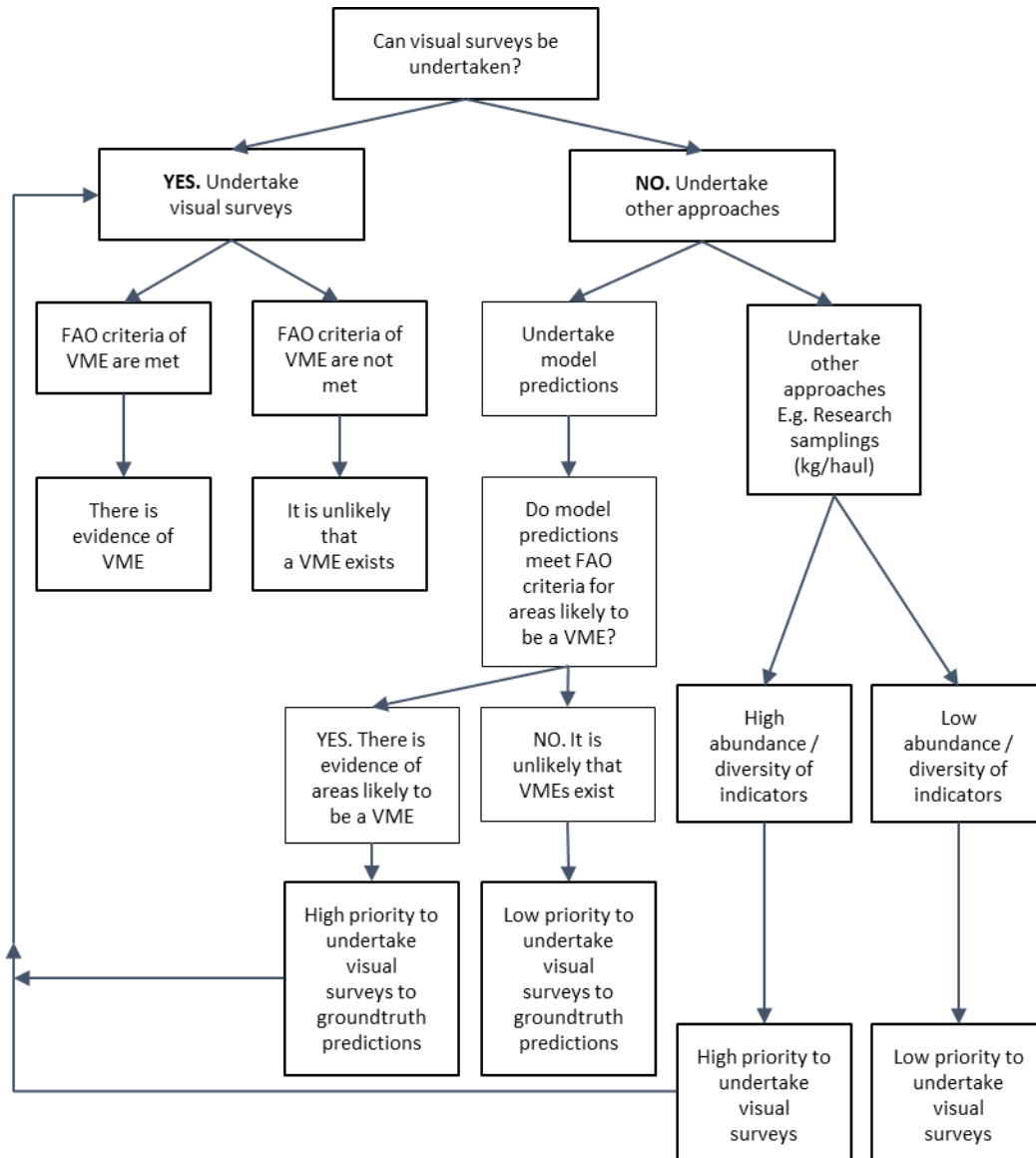
Examples of species groups, communities and habitat forming species that are documented or considered sensitive and potentially vulnerable to deep-sea fisheries in the high-seas, and which may contribute to forming VMEs:	
a.	certain coldwater corals, e.g., reef builders and coral forest including: stony corals (scleractinia), alcyonaceans and gorgonians (octocorallia), black corals (antipatharia), and hydrocorals (stylasteridae),
b.	Some types of sponge dominated communities,
c.	communities composed of dense emergent fauna where large sessile protozoans (xenophyphores) and invertebrates (e.g., hydroids and bryozoans) form an important structural component of habitat, and
d.	seep and vent communities comprised of invertebrate and microbial species found nowhere else (i.e., endemic).

Examples of topographical, hydrophysical or geological features, including fragile geological structures, that potentially support the species groups or communities, referred to above:	
a.	submerged edges and slopes (e.g., corals and sponges),
b.	summits and flanks of seamounts, guyots, banks, knolls, and hills (e.g., corals, sponges, xenophyphores),
c.	canyons and trenches (e.g., burrowed clay outcrops, corals),
d.	hydrothermal vents (e.g., microbial communities and endemic invertebrates), and
e.	cold seeps (e.g., mud volcanoes, microbes, hard substrates for sessile invertebrates).

TEMPLATE FOR REPORTS ON IDENTIFICATION OF VMEs AND ASSESSMENT OF IMPACTS CAUSED BY INDIVIDUAL FISHING ACTIVITIES ON VMEs OR MARINE SPECIES

1. Name of the member of the Commission
2. Name of the fishery (e.g., bottom trawl, bottom gillnet, bottom longline, pot)
3. Status of the fishery (existing fishery or exploratory fishery)
4. Target species
5. Bycatch species
6. Recent level of fishing effort (every year at least since 2002)
 - (1) Number of fishing vessels
 - (2) Tonnage of each fishing vessel
 - (3) Number of fishing days or days on the fishing ground
 - (4) Fishing effort (total operating hours for trawl, # of hooks per day for long-line, # of pots per day for pot, total length of net per day for gillnet)
 - (5) Total catch by species
 - (6) Names of seamounts fished or to be fished
7. Fishing period
8. Analysis of status of fishery resources
 - (1) Data and methods used for analysis
 - (2) Results of analysis
 - (3) Identification of uncertainties in data and methods, and measures to overcome such uncertainties
9. Analysis of status of bycatch species resources
 - (1) Data and methods used for analysis
 - (2) Results of analysis
 - (3) Identification of uncertainties in data and methods, and measures to overcome such uncertainties
10. Analysis of existence of VMEs in the fishing ground
 - (1) Data and methods used for analysis
 - (2) Results of analysis
 - (3) Identification of uncertainties in data and methods, and measures to overcome such uncertainties
11. Impact assessment of fishing activities on VMEs or marine species including cumulative impacts, and identification of SAIs on VMEs or marine species, as detailed in Section 5 above, Assessment of SAIs on VMEs or marine species
12. Other points to be addressed
13. Conclusion (whether to continue or start fishing with what measures, or stop fishing).

Flow chart to identify data that can be used to identify VMEs in the NPFC Convention Area



SCIENTIFIC COMMITTEE ASSESSMENT REVIEW PROCEDURES FOR BOTTOM FISHING ACTIVITIES

1. The Scientific Committee (SC) is to review identifications of vulnerable marine ecosystems (VMEs) and assessments of significant adverse impact on VMEs, including proposed management measures intended to prevent such impacts submitted by individual Members.
2. Members of the Commission shall submit their identifications and assessments to members of the SC at least 21 days prior to the SC meeting at which the review is to take place. Such submissions shall include all relevant data and information in support of such determinations.
3. The SC will review the data and information in each assessment in accordance with the Science-based Standards and Criteria for Identification of VMEs and Assessment of Significant Adverse Impacts on VMEs and Marine Species (Annex 2), previous decisions of the Commission, and the FAO Technical Guidelines for the Management of Deep Sea Fisheries in the High Seas, paying special attention to the assessment process and criteria specified in paragraphs 47-49 of the Guidelines.
4. In conducting the review above, the SC will give particular attention to whether the deep-sea bottom fishing activity would have a significant adverse impact on VMEs and marine species and, if so, whether the proposed management measures would prevent such impacts.
5. Based on the above review, the SC will provide advice and recommendations to the submitting Members on the extent to which the assessments and related determinations are consistent with the procedures and criteria established in the documents identified above; and whether additional management measures will be required to prevent SAIs on VMEs.
6. Such recommendations will be reflected in the report of the SC meeting at which the assessments are considered.

FORMAT OF NATIONAL REPORT SECTIONS ON DEVELOPMENT AND IMPLEMENTATION OF SCIENTIFIC OBSERVER PROGRAMMES

Report Components

Annual Observer Programme implementation reports should form a component of annual National Reports submitted by members to the Scientific Committee. These reports should provide a brief overview of observer programmes conducted in the NPFC Convention Area. Observer programme reports should include the following sections:

A. Observer Training

An overview of observer training conducted, including:

- Overview of training programme provided to scientific observers.
- Number of observers trained.

B. Scientific Observer Programme Design and Coverage

Details of the design of the observer programme, including:

- Which fleets, fleet components or fishery components were covered by the programme.
- How vessels were selected to carry observers within the above fleets or components.
- How was observer coverage stratified: by fleets, fisheries components, vessel types, vessel sizes, vessel ages, fishing areas and seasons.

Details of observer coverage of the above fleets, including:

- Components, areas, seasons and proportion of total catches of target species, specifying units used to determine coverage.
- Total number of observer employment days, and number of actual days deployed on observation work.

C. Observer Data Collected

List of observer data collected against the agreed range of data set out in Annex 5, including:

- Effort Data: Amount of effort observed (vessel days, net panels, hooks, etc), by area and season and % observed out of total by area and seasons
- Catch Data: Amount of catch observed of target and by-catch species, by area and season, and % observed out of total estimated catch by species, area and seasons
- Length Frequency Data: Number of fish measured per species, by area and season.
- Biological Data: Type and quantity of other biological data or samples (otoliths, sex, maturity, etc) collected per species.

- The size of length-frequency and biological sub-samples relative to unobserved quantities.

D. Detection of Fishing in Association with Vulnerable Marine Ecosystems

- Information about VME encounters (species and quantity in accordance with Annex 5, H, 2).

E. Tag Return Monitoring

- Number of tags returns observed, by fish size class and area.

F. Problems Experienced

- Summary of problems encountered by observers and observer managers that could affect the NPFC Observer Programme Standards and/or each member's national observer programme developed under the NPFC standards.

**NPFC BOTTOM FISHERIES
OBSERVER PROGRAMME STANDARDS: SCIENTIFIC COMPONENT**

TYPE AND FORMAT OF SCIENTIFIC OBSERVER DATA TO BE COLLECTED

A. Vessel & Observer Data to be collected for Each Trip

1. Vessel and observer details are to be recorded only once for each observed trip.
2. The following observer data are to be collected for each observed trip:
 - a) NPFC vessel ID
 - b) Observer's name.
 - c) Observer's organisation.
 - d) Date observer embarked (UTC date).
 - e) Port of embarkation.
 - f) Date observer disembarked (UTC date).
 - g) Port of disembarkation.

B. Catch & Effort Data to be collected for Trawl Fishing Activity

1. Data are to be collected on an un-aggregated (tow by tow) basis for all observed trawls.
2. The following data are to be collected for each observed trawl tow:
 - a) Tow start date (UTC).
 - b) Tow start time (UTC).
 - c) Tow end date (UTC).
 - d) Tow end time (UTC).
 - e) Tow start position (Lat/Lon, 1 minute resolution).
 - f) Tow end position (Lat/Lon, 1 minute resolution).
 - g) Type of trawl, bottom or mid-water.
 - h) Type of trawl, single, double or triple.
 - i) Height of net opening (m).
 - j) Width of net opening (m).
 - k) Mesh size of the cod-end net (stretched mesh, mm) and mesh type (diamond, square, etc).
 - l) Gear depth (of footrope) at start of fishing (m).
 - m) Bottom (seabed) depth at start of fishing (m).
 - n) Gear depth (of footrope) at end of fishing (m).
 - o) Bottom (seabed) depth at end of fishing (m).
 - p) Status of the trawl operation (no damage, lightly damaged*, heavily damaged*, other (specify)). *Degree may be evaluated by time for repairing (<=1hr or >1hr)
 - q) Duration of estimated period of seabed contact (minute)
 - r) Intended target species.
 - s) Catch of all species retained on board, split by species, in weight (to the nearest kg).

- t) Estimate of the amount (weight or volume) of all living marine resources discarded, split by species.
- u) Record of the numbers by species of all marine mammals, seabirds or reptiles caught.

C. Catch & Effort Data to be collected for Bottom Gillnet Fishing Activity

1. Data are to be collected on an un-aggregated (set by set) basis for all observed bottom gillnet sets.
2. The following data are to be collected for each observed bottom gillnet set:
 - a) Set start date (UTC).
 - b) Set start time (UTC).
 - c) Set end date (UTC).
 - d) Set end time (UTC).
 - e) Set start position (Lat/Lon, 1 minute resolution).
 - f) Set end position (Lat/Lon, 1 minute resolution).
 - g) Net panel (“tan”) length (m).
 - h) Net panel (“tan”) height (m).
 - i) Net mesh size (stretched mesh, mm) and mesh type (diamond, square, etc)
 - j) Bottom depth at start of setting (m).
 - k) Bottom depth at end of setting (m).
 - l) Number of net panels for the set.
 - m) Number of net panels retrieved.
 - n) Number of net panels actually observed during the haul.
 - o) Actually observed catch of all species retained on board, split by species, in weight (to the nearest kg).
 - p) An estimation of the amount (numbers or weight) of marine resources discarded, split by species, during the actual observation.
 - q) Record of the actually observed numbers by species of all marine mammals, seabirds or reptiles caught.
 - r) Intended target species.
 - s) Catch of all species retained on board, split by species, in weight (to the nearest kg).
 - t) Estimate of the amount (weight or volume) of all marine resources discarded* and dropped-off, split by species. * Including those retained for scientific samples.
 - u) Record of the numbers by species of all marine mammals, seabirds or reptiles caught (including those discarded and dropped-off).

D. Catch & Effort Data to be collected for Bottom Long Line Fishing Activity

1. Data are to be collected on an un-aggregated (set by set) basis for all observed longline sets.
2. The following fields of data are to be collected for each set:
 - a) Set start date (UTC).

- b) Set start time (UTC).
- c) Set end date (UTC).
- d) Set end time (UTC).
- e) Set start position (Lat/Lon, 1 minute resolution).
- f) Set end position (Lat/Lon, 1 minute resolution).
- g) Total length of longline set (m).
- h) Number of hooks or traps for the set.
- i) Bottom (seabed) depth at start of set.
- j) Bottom (seabed) depth at end of set.
- k) Number of hooks or traps actually observed during the haul.
- l) Intended target species.
- m) Actually observed catch of all species retained on board, split by species, in weight (to the nearest kg).
- n) An estimation of the amount (numbers or weight) of marine resources discarded* or dropped-off, split by species, during the actual observation. * Including those retained for scientific samples.
- o) Record of the actually observed numbers by species of all marine mammals, seabirds or reptiles caught (including those discarded and dropped-off).

E. Length-Frequency Data to Be Collected

1. Representative and randomly distributed length-frequency data (to the nearest mm, with record of the type of length measurement taken) are to be collected for representative samples of the target species and other main by-catch species. Total weight of length-frequency samples should be recorded, and observers may be required to also determine sex of measured fish to generate length-frequency data stratified by sex. The length-frequency data may be used as potential indicators of ecosystem changes (for example, see: Gislason, H. et al. (2000. ICES J Mar Sci 57: 468-475), Yamane et al. (2005. ICES J Mar Sci, 62: 374-379), and Shin, Y-J. et al. (2005. ICES J Mar Sci, 62: 384-396)).
2. The numbers of fish to be measured for each species and distribution of samples across area and month strata should be determined, to ensure that samples are properly representative of species distributions and size ranges.

F. Biological sampling to be conducted (optional for gillnet and long line fisheries)

1. The following biological data are to be collected for representative samples of the main target species and, time permitting, for other main by-catch species contributing to the catch:
 - a) Species
 - b) Length (to the nearest mm), with record of the type of length measurement used.
 - c) Length and depth in case of North Pacific armorhead.
 - d) Sex (male, female, indeterminate, not examined)
 - e) Maturity stage (immature, mature, ripe, ripe-running, spent)

2. Representative stratified samples of otoliths are to be collected from the main target species and, time permitting, from other main by-catch species regularly occurring in catches. All otoliths to be collected are to be labelled with the information listed in 1 above, as well as the date, vessel name, observer name and catch position.
3. Where specific trophic relationship projects are being conducted, observers may be requested to also collect stomach samples from certain species. Any such samples collected are also to be labelled with the information listed in 1 above, as well as the date, vessel name, observer name and catch position.
4. Observers may also be required to collect tissue samples as part of specific genetic research programmes implemented by the SC.
5. Observers are to be briefed and provided with written length-frequency and biological sampling protocols and priorities for the above sampling specific to each observer trip.

G. Data to be collected on Incidental Captures of Protected Species

1. Flag members operating observer programs are to develop, in cooperation with the SC, lists and identification guides of protected species or species of concern (seabirds, marine mammals or marine reptiles) to be monitored by observers.
2. The following data are to be collected for all protected species caught in fishing operations:
 - a) Species (identified as far as possible, or accompanied by photographs if identification is difficult).
 - b) Count of the number caught per tow or set.
 - c) Life status (vigorous, alive, lethargic, dead) upon release.
 - d) Whole specimens (where possible) for onshore identification. Where this is not possible, observers may be required to collect sub-samples of identifying parts, as specified in biological sampling protocols.

H. Detection of Fishing in Association with Vulnerable Marine Ecosystems

1. The SC is to develop a guideline, species list and identification guide for benthic species (e.g. sponges, sea fans, corals) whose presence in a catch will indicate that fishing occurred in association with a vulnerable marine ecosystem (VME). All observers on vessels are to be provided with copies of this guideline, species list and ID guide.
2. For each observed fishing operation, the following data are to be collected for all species caught, which appear on the list of vulnerable benthic species:
 - a) Species (identified as far as possible, or accompanied by a photograph where identification is difficult).

- b) An estimate of the quantity (weight (kg) or volume (m³)) of each listed benthic species caught in the fishing operation.
- c) An overall estimate of the total quantity (weight (kg) or volume (m³)) of all invertebrate benthic species caught in the fishing operation.
- d) Where possible, and particularly for new or scarce benthic species which do not appear in ID guides, whole samples should be collected and suitable preserved for identification on shore.

I. Data to be collected for all Tag Recoveries

1. The following data are to be collected for all recovered fish, seabird, mammal or reptile tags:
 - a) Observer name.
 - b) Vessel name.
 - c) Vessel call sign.
 - d) Vessel flag.
 - e) Collect, label (with all details below) and store the actual tags for later return to the tagging agency.
 - f) Species from which tag recovered.
 - g) Tag colour and type (spaghetti, archival).
 - h) Tag numbers (The tag number is to be provided for all tags when multiple tags were attached to one fish. If only one tag was recorded, a statement is required that specifies whether or not the other tag was missing)
 - i) Date and time of capture (UTC).
 - j) Location of capture (Lat/Lon, to the nearest 1 minute)
 - k) Animal length / size (to the nearest cm) with description of what measurement was taken (such as total length, fork length, etc).
 - l) Sex (F=female, M=male, I=indeterminate, D=not examined)
 - m) Whether the tags were found during a period of fishing that was being observed (Y/N)
 - n) Reward information (e.g. name and address where to send reward)

(It is recognised that some of the data recorded here duplicates data that already exists in the previous categories of information. This is necessary because tag recovery information may be sent separately to other observer data.)

J. Hierarchies for Observer Data Collection

2. Trip-specific or programme-specific observer task priorities may be developed in response to specific research programme requirements, in which case such priorities should be followed by observers.
3. In the absence of trip- or programme-specific priorities, the following generalised priorities should be followed by observers:

- a) Fishing Operation Information
 - All vessel and tow / set / effort information.
- b) Monitoring of Catches
 - Record time, proportion of catch (e.g. proportion of trawl landing) or effort (e.g. number of hooks), and total numbers of each species caught.
 - Record numbers or proportions of each species retained or discarded.
- c) Biological Sampling
 - Length-frequency data for target species.
 - Length-frequency data for main by-catch species.
 - Identification and counts of protected species.
 - Basic biological data (sex, maturity) for target species.
 - Check for presence of tags.
 - Otoliths (and stomach samples, if being collected) for target species.
 - Basic biological data for by-catch species.
 - Biological samples of by-catch species (if being collected)
 - Photos

4. The monitoring of catches and biological sampling procedures should be prioritised among species groups as follows:

Species	Priority (1 highest)
Primary target species (such as North Pacific armorhead and splendid alfonsino)	1
Other species typically within top 10 in the fishery (such as mirror dory, and oreos)	2
Protected species	3
All other species	4

The allocation of observer effort among these activities will depend on the type of operation and setting. The size of sub-samples relative to unobserved quantities (e.g. number of hooks/panels examined for species composition relative to the number of hooks/panels retrieved) should be explicitly recorded under the guidance of member country observer programmes.

K. Coding Specifications to be used for Recording Observer Data

- 1. Unless otherwise specified for specific data types, observer data are to be collected in accordance with the same coding specifications as specified in this Annex.

2. Coordinated Universal Time (UTC) is to be used to describe times.
3. Degrees and minutes are to be used to describe locations.
4. The following coding schemes are to be used:
 - a. Species are to be described using the FAO 3 letter species codes or, if species do not have a FAO code, using scientific names.
 - b. Fishing methods are to be described using the International Standard Classification of Fishing Gear (ISSCFG - 29 July 1980) codes.
 - c. Types of fishing vessel are to be described using the International Standard Classification of Fishery Vessels (ISSCFV) codes.
5. Metric units of measure are to be used, specifically:
 - a. Kilograms are to be used to describe catch weight.
 - b. Metres are to be used to describe height, width, depth, beam or length.
 - c. Cubic metres are to be used to describe volume.
 - d. Kilowatts are to be used to describe engine power.

Article 18 – Enhancements and Clarifications from the Commission

CHAPTER IV: MONITORING OF FISHERIES

Article 19 – CMM Vessel Monitoring System

CMM 2023-12

(Entered into force 26 July 2023)

CONSERVATION AND MANAGEMENT MEASURE ON THE VESSEL MONITORING SYSTEM (VMS)

The North Pacific Fisheries Commission (NPFC),

Recalling Article 2 of the Convention on the Conservation and Management of High Seas Fisheries resources in the North Pacific Ocean (Convention), the long-term conservation and sustainable use of the fisheries resources in the Convention Area while protecting the marine ecosystems of the North Pacific Ocean in which these resources occur.

Recognizing Article 7, paragraph 2 (e) of the Convention regarding the development of standards, specifications and procedures for Members of the Commission to report movements and activities using real-time satellite position-fixing transmitters for vessels engaged in fishing activities in the Convention Area and, in accordance with those procedures, coordinate timely dissemination of data collected from Members' satellite vessel monitoring systems,

Reaffirming that Article 13, paragraph 1 of the Convention that Members of the Commission or Cooperating Non-Contracting Parties (CNCs) shall take necessary measures to ensure that fishing vessels entitled to fly their flag operating in the Convention Area comply with the provisions of the Convention and measures adopted pursuant to the Convention and such vessels do not engage in any activities that undermine the effectiveness of such measures and do not conduct unauthorized fishing activities within areas under national jurisdiction of another State adjacent to the Convention Area,

Determined to ensure effective monitoring, control and surveillance (MCS) and to address the challenge of illegal, unreported and unregulated (IUU) fishing in the Convention Area,

Adopts the following conservation and management measure (CMM) in accordance with Article 7 of the Convention:

Definitions

1. For the purpose of this CMM, the following definitions apply:

- (a) “Convention” means the Convention on the Conservation and Management of High Seas Fisheries resources in the North Pacific Ocean.
- (b) “Convention Area” means the area of the high seas areas of the North Pacific Ocean as specified in Article 4 of the Convention.
- (c) “Commission” means the North Pacific Fisheries Commission (NPFC) established under Article 5 of the Convention.
- (d) “Fishing activities” means the activities established under Article 1 (i) of the Convention.
- (e) “Fisheries monitoring center (FMC)” means the authorized authority or agency of a Member or CNCP responsible for managing VMS for its flagged fishing vessels.
- (f) “Fishing vessels” means any vessel described under Article 1 (j) of the Convention.
- (g) “Inspection Presence in the Convention Area” means the Member is authorized by the High Seas Boarding Inspection Procedure to conduct inspections and is planning for or actively engaged in surveillance in the Convention Area.
- (h) “Manually report” means the transmission via any alternative means of the date/time, current geographical position (latitude and longitude) when an MTU fails to transmit VMS data.
- (i) “Mobile transmitting unit (MTU)” means a satellite communication device capable of receiving and transmitting VMS data.
- (j) “VMS” means a satellite-based monitoring system that transmits VMS data from MTUs on fishing vessels to FMCs.
- (k) “VMS data” means data transmitted by an MTU including:
 - (i) MTU unique identifier;
 - (ii) the current geographical position (latitude and longitude) of the vessel (accurate to within 100m); and,
 - (iii) the date and time (expressed in Coordinated Universal Time (UTC)) of the fixing of the position of the vessel in paragraph 1(k)(ii).

Purpose

2. The VMS supports the Convention’s objective to ensure the long-term conservation and sustainable use of the fisheries resources in the Convention Area. The VMS forms an important

part of the Commission's MCS regime to ensure compliance with, and enforcement of, the provisions of the Convention and CMMs. The purpose of the VMS is to continuously monitor the positions and movements of all fishing vessels in the Convention Area for compliance purposes. VMS data may also be used to support scientific processes as agreed by the Commission.

Application

3. The VMS applies to all authorized NPFC vessels in the Convention Area.
4. A Member or CNCP may request that waters under their jurisdiction be also covered by the VMS. This request shall be provided to the Commission for their consideration and approval.

Mobile Transmitting Units (MTUs)

5. Each Member or CNCP shall ensure that its vessels authorized pursuant to the relevant CMM for Vessel Registration under NPFC in the Convention Area are equipped with an MTU that complies with the guidance on minimum standards for MTUs contained in Annex 1.
6. Each Member or CNCP shall ensure that MTUs are installed on their flagged fishing vessels in the Convention Area in accordance with relevant domestic legal obligations, procedures and conditions.

VMS Data Transmission Requirements

7. Each Member or CNCP shall ensure its authorized NPFC vessels provide accurate VMS data to the Secretariat via its FMC, in accordance with this CMM.
8. All Members or CNCPs shall ensure that its flagged vessels that are authorized under NPFC and present in the Convention Area transmit VMS data every hour to their FMC.
9. A Member or CNCP may require its fishing vessels to transmit VMS data directly to the Secretariat.
10. Each Member or CNCP shall ensure that their FMC automatically transmits VMS data to the Secretariat, which shall be received no later than 60 minutes upon receipt of the data at their FMC.

Fisheries Monitoring Centers (FMCs)

11. Each Member or CNCP shall ensure that their FMC can automatically receive VMS data and transmit VMS data to the Secretariat.
12. Each Member or CNCP shall provide the Secretariat with VMS contact points in their FMCs including the name, position, email address and phone number of their VMS contact points. The Secretariat will make a list of VMS contact points available to all Members and Cooperating non-Contracting Parties.

Data Access and Use

13. All VMS data received by the Secretariat shall be treated as confidential information in accordance with NPFC's Data-Sharing and Data-Security Protocols for Vessel Monitoring System (VMS) Data (Annex 2).
14. In accordance with the NPFC's Data-Sharing and Data-Security Protocols for Vessel Monitoring System (VMS) (Annex 2), the Secretariat shall provide VMS data:
 - (a) By electronic means to a Member who has an inspection presence in the Convention Area;
or
 - (b) upon request from a Member to support search and rescue (SAR)

Data Sharing, Security and Integrity

15. In accordance with NPFC's Data-Sharing and Data-Security Protocols for Vessel Monitoring System (VMS) Data (Annex 2), VMS data shall only be accessed and used for the purposes included in this measure or for any other purposes as agreed by the Commission.
16. MTUs on fishing vessels shall be tamper-proof so as to preserve the security and integrity of VMS data.

VMS Data Transmission Failure

17. In the event that an MTU has failed to transmit VMS data for four hours, the flag Member or CNCP shall require the fishing vessel master to manually report every four hours to the FMC or the Secretariat by other means of communication.

18. A Member or CNCP may also require its fishing vessels to manually report directly to the Secretariat.
19. The flag Member or CNCP shall require an MTU that fails to transmit VMS data in accordance with this measure, be repaired or replaced as soon as possible and, in any event, within thirty (30) days of the VMS data transmission failure.
20. If the fishing vessel returns to port following an MTU VMS data transmission failure, the Member or CNCP shall not permit the vessel to undertake fishing in the Convention Area until the MTU has been replaced in accordance with the guidance in Annex 1 or is repaired and is able to transmit VMS data.
21. If a Member or CNCP finds that an MTU has failed to transmit VMS data for twelve hours, the Member or CNCP shall immediately notify the fishing vessel master, owner or authorized representative of this failure.
22. If a failure to transmit occurs more than two times within a period of one year, the flag Member or CNCP of the fishing vessel shall investigate the matter, including having an authorized official examine the MTU on board the vessel. The outcome of this investigation shall be forwarded to the Secretariat within fifteen (15) days of its completion.

Research Vessels

23. Notwithstanding the requirements in this CMM, research vessels operated by authority of a Member may use AIS for their position reporting. Such research vessels shall make their positions available via AIS at all times while engaging in research operations in the Convention Area. In the event of AIS data transmission failure, the research vessel is required to take steps as stipulated in paragraphs 16-21 *mutatis mutandis*. The flag Members of research vessels that make position reporting via AIS in accordance with this paragraph shall submit to the Secretariat relevant information (vessel name, MMSI number, abstract of research activities, etc.) 30 days prior to the initiation of their research activities. This paragraph will expire at the end of the 8th Commission meeting unless the Commission decides otherwise.

Review

24. The Secretariat shall report on the implementation of this measure annually to the Technical and Compliance Committee (TCC). The TCC shall review the implementation of the VMS after two years and make recommendations to the Commission as may be necessary.

Guidance on minimum standards for mobile transmitting units (MTUs)

1. The mobile transmitting unit (MTU) shall automatically and independently of any intervention by the fishing vessel, transmit VMS data as required by NPFC.
2. The VMS data shall be obtained from a satellite-based positioning system.
3. MTUs on fishing vessels must be capable of transmitting VMS data at least every fifteen minutes.
4. MTUs on fishing vessels must be tamper-proof so as to preserve the security and integrity of VMS data.
5. Storage of VMS data and other relevant information within the MTU must be safe, secure and integrated within a single unit under normal operating conditions.
6. It must not be reasonably possible for anyone, other than the Fisheries Monitoring Centre (FMC), to alter any of the VMS data stored in an MTU, including the frequency of position VMS data transmission to the FMC.
7. Any features built into the MTU or its software to assist with servicing shall not allow unauthorized access to the MTU that could potentially compromise the operation of the VMS.
8. MTUs shall be installed on fishing vessels by an authorized installer in accordance with the manufacturer's specifications and applicable standards and in accordance with a flag State's relevant domestic legal obligations, procedures and conditions.
9. Under normal satellite navigation operating conditions, VMS data must include the geographical location of a fishing vessel within an accuracy of 100 meters.
10. The MTU and/or the VMS service provider must be able send VMS data to multiple independent destinations.
11. The MTU and its component parts shall be fully integrated and housed in the same tamperproof physical enclosure.
12. The MTU must have:
 - (a) all components sealed by the manufacturer; or

(b) official seals¹, individually identified with unique serial numbers, applied.

13. Relevant domestic legal obligations, procedures and conditions for MTU installation on fishing vessels should be forwarded by members and cooperating non-Contracting Parties to the Secretariat or made available upon request.
14. The MTU must have an alternate power unit, to act as a backup in case of failure of the main power, to enable the MTU to continue to meet the VMS data transmission requirements of this CMM.
15. The MTU should include audible or visible alarms to indicate a unit malfunction.

¹ Official seals or other mechanisms must be of such a type to indicate whether the MTU has been accessed or tampered with.

NPFC Data-Sharing and Data-Security Protocol for Vessel Monitoring System (VMS) Data

Definitions

1. For the purpose of this Protocol, unless specifically defined herein, words and terms have the same meaning as in the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean (Convention) and any conservation and management measures (CMMs) adopted by the North Pacific Fisheries Commission (Commission or NPFC), including in particular the CMM on the Vessel Monitoring System (VMS).
 - (a) “Confidential” refers to non-public domain data and information held by Commission Members, the Secretariat, and by service providers contracted by the Commission, or contractors acting on their behalf, that is to be kept private, and shall not be accessed, released or disclosed unless such access, release or disclosure is for the purposes described in, and authorized by, this Protocol;
 - (b) “Scientific purposes” may include estimating distribution of fishing effort for use in the Commission’s research activities; planning for and implementing tagging programmes; modelling fishing effort for use in fisheries management activities, including management strategy evaluation (MSE); estimating abundance indices or undertaking stock assessments; validating logbook data; and, any other scientific purposes agreed to by the Commission.

Purpose

2. The purpose of this Protocol is to implement Article 16, paragraph 4 of the Convention, which states, “The Commission shall establish rules to ensure the security of, access to and dissemination of data, including data reported via real-time satellite position-fixing transmitters, while maintaining confidentiality where appropriate and taking due account of the domestic practices and domestic laws of members of the Commission.”

Scope of Application

3. This Protocol applies to VMS data transmitted to, received by, stored, and, used by the Secretariat, the Commission and its Members, and authorized contractors, from authorized NPFC vessels in the Convention Area.

General Provisions

Accountability and Control System

4. All VMS data shall be considered confidential.
5. It is the responsibility of each Commission Member, and the Secretariat, to take all necessary measures to comply with this Protocol when transmitting and receiving VMS data.
6. Prior to accessing VMS data, authorized contractors shall be informed that VMS data is confidential and shall sign the Confidentiality Agreement (attached as Appendix 1) stipulating that they have been informed that the VMS data is confidential and that they have reviewed, are familiar with, and agree to the procedures to protect confidential VMS data set forth in the Confidentiality Agreement.
7. Where VMS data is transmitted by the Secretariat, with the approval of the Commission, to a party not already authorized to receive VMS data in accordance with this protocol, the Secretariat shall remain responsible for such data. The third party must receive written authorization from Secretariat to receive VMS data and shall be required to sign the Confidentiality Agreement (attached as Appendix 1). Breach of the Confidentiality Agreement constitutes breach of this Protocol, and will result in access to confidential VMS data being revoked, until corrective actions deemed appropriate by the Commission and the Secretariat have been taken. The third party will maintain the data provided to it in a manner no less stringent than the security standards established by the Commission.
8. The Executive Secretary will report to the Commission annually on the compliance with this Protocol, including any breach thereof.

Data Purposes

9. All VMS data collection, access, storage, use, and dissemination shall only be undertaken for the purposes of monitoring, control, and surveillance in the Convention Area, supporting search and rescue operations, and fulfilling the functions of the Commission, as established in Article 7(1) and (2) of the Convention, including scientific purposes as defined above, and subject to any additional relevant regulations, protocols, CMMs or policies approved by the Commission.

Safeguards

10. All authorized personnel having access to VMS data are prohibited from unauthorized use or disclosure of such data.

11. All VMS data shall be protected against loss or theft, as well as unauthorized access, dissemination, copying, use, or modification, by security safeguards, in accordance with the Data Retention and Security Section of this Protocol.

Data Access and Use

12. VMS data should only be accessed and/or used by authorized personnel in the Secretariat, authorized MCS entities and personnel, and authorized contractors, for the identified purposes in this Protocol or for other purposes identified by the Commission.
13. The Secretariat shall not make VMS data available to a Member where the Commission has established that the Member has not complied with this Protocol, or the CMM for VMS.

Use for Inspection Presence in Convention Area

14. For a Member who has an Inspection Presence in the Convention Area, VMS data shall be made available electronically in accordance with the following provisions:
 - (a) Each Member shall identify a point of contact for VMS data;
 - (b) Each Member who has an Inspection Presence in the Convention Area shall provide the Secretariat with the geographic area (in multiples of 10 degrees latitude and longitude with a north and south latitude boundary and an east and west longitude boundary) of the planned boarding and inspection MCS activities at least 72 hours in advance, when practicable;
 - (c) Without prejudice and pursuant to CMM 2023-09, and following the notification process outlined above, the Secretariat shall make VMS data available electronically for the area defined in paragraph 14 b) as it is received, to each Member who has an Inspection Presence in the Convention Area. The provisions of this paragraph shall expire at the end of the next scheduled Commission meeting.
 - (d) Each Member who has an Inspection Presence in the Convention Area shall only make VMS data available to authorities or inspectors, as defined in the CMM for High Seas Boarding and Inspection Procedures for the North Pacific Fisheries Commission (NPFC) responsible for fisheries monitoring, control, and surveillance activities in the Convention Area unless the data is being used in an investigation, or a judicial, or administrative proceeding, and subject to any relevant domestic laws and policies, and has requested VMS data in support of HSBI/MCS activities.
15. Where the fishing vessel to which the VMS data pertains has been involved in an alleged violation of a CMM, the Convention, or domestic laws or regulations, the VMS data pertaining to the alleged violation may be retained, and the Secretariat will be notified, by Members who

have an inspection presence in the Convention Area until appropriate proceedings, including investigations, and judicial or administrative proceedings, have concluded.

16. Should no VMS data be retained pursuant to paragraph 15, each Member who has an Inspection Presence in the Convention Area shall delete all VMS data received from the Secretariat within seven days following the completion of monitoring, control, and surveillance activities in the Convention Area. The Member shall also submit a written confirmation to the Secretariat of the deletion of the VMS data within seven working days following the completion of monitoring, control, and surveillance activities.

Use for Search and Rescue Operations

17. For the purpose of supporting search and rescue operations by a Commission Member, the Secretariat shall make VMS data available upon request from a Member.

Data Retention and Security

Data Retention

18. All VMS data transmitted to the Secretariat in accordance with the Convention and CMMs shall be retained by the Secretariat.
19. Each Commission Member shall retain VMS data for fishing vessels flying its flag for at least one year.

Data Security

20. Each Commission Member and the Executive Secretary shall ensure the security of VMS data in their respective electronic data processing facilities, particularly where the use of VMS data involves transmission over a network.
21. Security measures must be appropriate to the level of risk posed by the transmission, processing, and storage of VMS data. At a minimum, the following security requirements must be implemented prior to transmitting or receiving VMS data:
 - (a) The Executive Secretary shall ensure that regional system access to VMS data under its control is protected such that all data that enters the system is securely stored and will not be accessed by or tampered with from unauthorized individuals by implementing, at minimum, the following measures:
 - (i) physical access to the computer system which transmits, uses, and stores VMS data is controlled;

- (ii) each user of the system is assigned a unique identification and associated password, and each time the user logs on to the system, he or she must provide the correct password;
 - (iii) user access shall be audited annually for analysis and detection of security breaches; and
 - (iv) each user shall be given access only to the data necessary for his or her task.
- (b) Data exchange protocols for electronic transmission of VMS data between Commission Members and the Secretariat shall be duly tested by the Secretariat and periodically reviewed by the Commission. Electronic transmission is subject to security procedures established in this Protocol.
- (c) Appropriate encryption protocols duly tested by the Secretariat and periodically reviewed by the Commission shall be applied by authorized contractors, including the use of cryptographic techniques to ensure confidentiality and authenticity.
- (d) Security procedures shall be designed by authorized contractors addressing access to the system hardware and software, system administration and maintenance, backup, and general usage of the system. Each Commission Member, and the Executive Secretary, shall ensure proper maintenance of system security and restrict access to the system accordingly. Each Commission Member shall liaise with the Secretariat in order to identify and resolve any security breaches or issues.

**Confidentiality Agreement For Accessing North Pacific Fisheries Commission (NPFC)
Confidential Vessel Monitoring System (VMS) Data**

Applicant Name, contact information, and signature:

Full Name	Agency/Organization, Address, Email, and Phone	Signature and Date

In return for the NPFC Secretariat granting me access to confidential NPFC VMS data, I hereby make the following declarations and promises:

1. I am (check the appropriate box):
 - a. a contractor employed by the NPFC, or one of its Members, whose official duties require access to confidential VMS data.
 - b. an employee of an organization, which the NPFC Secretariat has authorized in writing to receive confidential VMS data.

2. I am requesting access to confidential NPFC VMS data:
 - a. for the following purposes (provide a detailed explanation, attaching an additional sheet if necessary):
 - b. on behalf of the following organization: _____.

3. I have read and understood the NPFC Data-Sharing and Data-Security Protocols for Vessel Monitoring System (VMS) Data (“Protocols”). I understand that the VMS data I am requesting are confidential, as defined in the Protocols. I agree to abide by the provisions of the Protocols that address protecting and safeguarding confidential VMS data.
4. I agree to abide by any additional written conditions regarding the use of confidential VMS data the Secretariat attaches to this Confidentiality Agreement.
5. I agree to abide by the NPFC Data Sharing and Data Security Protocols.

6. I agree that the confidential VMS data shall be used only for the purposes for which I am requesting the data, be accessed only by me and other individuals who have signed a Confidentiality Agreement, and be destroyed upon completion of the usage for which the data are being requested. I further agree to report the destruction of the confidential VMS data to the Secretariat.
7. I agree to make no unauthorized copies of the requested confidential VMS data. If a copy of all, or part, of the data is made by me, all copies, and/or parts thereof, will be registered with the Secretariat and will be destroyed upon completion of the purpose for which I requested the data.
8. Prior to the publication of any report in which I intend to use requested confidential VMS data, I agree to provide the report to the Secretariat for clearance to ensure that no confidential VMS data will be published.
9. I agree to provide a copy of any published reports referenced in paragraph 8 to the Secretariat.
10. I agree not to disclose, divulge, or transfer, either directly or indirectly, the requested confidential VMS data to any third party without the prior written consent of the Secretariat.
11. I agree to promptly notify the Secretariat, in writing, of any unauthorized or inadvertent disclosure of confidential VMS data.
12. I assume all liability, if any, with respect to my breach of this Confidentiality Agreement after I receive the requested confidential VMS data.
13. In the event of my breach of this Confidentiality Agreement, I understand that the Secretariat will not grant me access to confidential VMS data until corrective actions deemed appropriate by the Secretariat have been taken by me, my employer, or by the Member under whose supervision I work.

This Agreement is effective on the date indicated below upon signature of an authorized representative of the Secretariat.

Authorized NPFC Secretariat Representative

Date

Article 20 – Enhancements and Clarifications from the Commission

Article 21 – CMM Compliance Monitoring Scheme

CMM 2023-13

(Entered into force 26 July 2023)

CONSERVATION AND MANAGEMENT MEASURE FOR THE COMPLIANCE MONITORING SCHEME

The North Pacific Fisheries Commission (NPFC),

Acknowledging the importance of compliance by Members and Cooperating Non-Contracting Parties to achieve the objective of the Convention as defined in Article 2;

Recognizing that Article 7 of the Convention calls for the Commission to establish procedures for reviewing compliance with the Convention and measures adopted pursuant to the Convention;

Recalling that the Commission has adopted a wide range of conservation and management measures to give effect to the objective of the Convention;

Noting that, in accordance with Article 17 of the Convention, Members of the Commission have undertaken to enforce the provisions of the Convention and any conservation and management measures adopted by the Commission;

Noting also that, in accordance with international law, Members and Cooperating Non-Contracting Parties have responsibilities to effectively exercise jurisdiction and control over their flagged vessels and with respect to their nationals;

Acknowledging that Article 13 of the Convention obliges Members of the Commission to take the necessary measures to ensure that fishing vessels flying their flag comply with the provisions of the Convention and the conservation and management measures adopted pursuant thereto;

Recognizing the responsibility of Members and Cooperating Non-Contracting Parties to fully and effectively implement the provisions of the Convention and the conservation and management measures adopted by the Commission, and the need to improve such implementation and ensure compliance with these commitments;

Adopts the following conservation and management measure in accordance with Article 7 of the Convention:

I. Purpose

1. The purpose of the NPFC Compliance Monitoring Scheme (CMS) is to ensure that Members and Cooperating Non-Contracting Parties (CNCPs) implement and comply with obligations

under the Convention and conservation and management measures (CMMs) adopted by the Commission. The purpose of the CMS is also to assess Members' and CNCPs' actions in relation to alleged violations by their flagged vessels or nationals, not to assess compliance by individual vessels or persons.

2. The CMS is designed to:
 - (a) Identify non-compliance by Members and CNCPs with their obligations under the Convention and CMMs;
 - (b) Identify areas in which technical assistance or capacity building may be needed to assist Members or CNCPs to attain compliance;
 - (c) Identify trends in compliance, including aspects of CMMs which may require amendment for effective implementation;
 - (d) Determine responses to non-compliance by Members or CNCPs; and,
 - (e) Monitor and verify corrective actions taken by a Member or CNCP to resolve outstanding instances of non-compliance.

II. Scope and Application

3. The Commission, with the assistance of the Technical and Compliance Committee (TCC), shall assess Members' and CNCPs' compliance with the obligations arising under the Convention and the CMMs adopted by the Commission and identify trends in and instances of non-compliance.
4. For obligations relating to fishing activities, unless otherwise specified in the relevant CMM, the compliance assessment shall apply to those activities occurring in the Convention area.
5. The CMS shall not prejudice the rights, jurisdiction and duties of any Member or CNCP to enforce its domestic laws or to take more stringent measures in accordance with its domestic laws, consistent with that Member's or CNCP's international obligations.
6. The compliance assessment period shall be the previous calendar year.
7. The Commission, with the assistance of TCC, shall determine responses to non-compliance in accordance with Annex I.

III. Draft Compliance Report

8. Prior to TCC, the Secretariat shall compile information received from Members and CNCPs including through their Annual Reports, any data collections of the Commission (e.g., reports from observers, Vessel Monitoring Systems, High Seas Boarding and Inspections, high seas

transshipments), and, where appropriate, any other relevant information relating to the performance of NPFC CMMs available to the Secretariat, and shall prepare a Draft Compliance Report. The Draft Compliance Report shall:

- (a) Present all available information relating to each Member's or CNCP's implementation of each obligation arising from the Convention or CMMs;
 - (b) Report on any compliance issues that were identified from the previous year's Final Compliance Report (i.e., Resolved Non-Compliance, Non-Compliant, or Flag State Investigation) and any corrective actions reported by the Member or CNCP; and,
 - (c) Identify the potential areas of non-compliance for each Member and CNCP and, as appropriate, request any follow-up information relating to the previous year's compliance issues.
9. No later than 60 days before the TCC meeting, the Secretariat shall provide each Member and CNCP its section of the Draft Compliance Report.
 10. No later than 35 days before the TCC meeting, each Member and CNCP shall provide additional information on its section of the Draft Compliance Report to the Secretariat. This information shall, as appropriate:
 - (a) Provide information, clarifications, amendments, or corrections necessary to address the potential compliance issues identified or respond to any request for additional information;
 - (b) Propose future corrective actions to be taken, along with time frames, to come into compliance;
 - (c) Identify any causes of the potential compliance issues or mitigating circumstances; and,
 - (d) Identify any technical assistance or capacity building needed.
 11. The Secretariat shall compile a revised Draft Compliance Report containing all information provided pursuant to paragraph 10 above.
 12. No later than 15 days before TCC, the Secretariat shall circulate the revised Draft Compliance Report to Members and CNCPs and make it available on the non-public section of the Commission website. For instances of non-compliance identified in Annex II as having an associated automatic response, the Secretariat shall automatically assign the appropriate status and response. Members and CNCPs may request review of automatically assigned statuses and responses when the Draft Compliance Report is considered by TCC.

IV. Provisional Compliance Report

13. TCC shall consider the Draft Compliance Report and any additional, readily verifiable information provided by Members, CNCPs, and the Commission, and, where appropriate, by non-governmental organizations or other organizations concerned with matters relevant to the implementation of the Convention.
14. TCC shall develop a Provisional Compliance Report, which shall include a compliance assessment for each Member or CNCP obligation and identify response(s) to non-compliance, in accordance with Annex I. For an issue of non-compliance assigned an automatic response in accordance Annex II, TCC may consider additional responses as warranted, consistent with Annex I.
15. Each compliance assessment shall be decided by consensus. If consensus cannot be reached, the Provisional Compliance Report shall indicate majority and minority views. A Member or CNCP may not block agreement on its own compliance assessment.
16. The Provisional Compliance Report shall also include an Executive Summary with recommendations regarding, as appropriate:
 - (a) Proposals to address compliance trends, and amend or improve existing CMMs;
 - (b) Identified obstacles to implementation, including recommendations for capacity building assistance; and,
 - (c) Revisions to the obligations to be assessed identified in Annex II.
17. TCC shall forward the Provisional Compliance Report to the Commission for consideration at the annual meeting.

V. Final Compliance Report

18. The Commission shall consider the Provisional Compliance Report recommended by TCC and adopt a Final Compliance Report.
19. The Final Compliance Report shall include:
 - (a) A final compliance status for each Member and CNCP against each assessed obligation;
 - (b) All responses to be taken to address instances of non-compliance; and,
 - (c) An Executive Summary addressing the issues listed in paragraph 16.
20. Within 30 days following the adoption of the Final Compliance Report, the Chair of the Commission shall send a Letter of Concern to each Member or CNCP assessed a status of Non-

Compliant. Such letters shall describe the relevant compliance issue(s) and the required response(s) identified in the Final Compliance Report.

VI. Data Protection

21. The Draft and Provisional Compliance Reports, and all associated documentation, shall constitute non-public domain data, but the Final Compliance Report and the executive summary shall be public domain data.

VII. Identification of Compliance Measures to be Assessed

22. Annex II includes the list of obligations to be assessed as part of the CMS. Annex II will be reviewed annually and may be amended, as appropriate, taking into account factors such as:

- (a) The needs and priorities of the Commission;
- (b) Evidence of high percentages of non-compliance or repeated non-compliance with a particular obligation;
- (c) The risks posed by non-compliance to achievement of the objectives of the Convention; and,
- (d) Whether sufficient verifiable information is available to determine compliance.

VIII. Review of this Conservation Measure

23. This conservation and management measure shall expire at the conclusion of COM 08.

24. Prior to expiration, the Commission should consider adopting a lasting compliance monitoring scheme.

ANNEXES

- Annex I – Compliance Status Table
- Annex II – Obligations to be Assessed

Compliance Status Table

Compliance Status	Criteria	Potential Responses
Compliant	Member or CNCP fully compliant with obligation	None
Delayed Submission	Member or CNCP rectified non-compliance for a missed report deadline in advance of TCC and it is not a repeated case of non-compliance	Member or CNCP to include in its Annual Report all actions taken
Non-Compliant	Non-compliance with obligation identified in Annex II that does not meet the criteria of Delayed Submission or Flag State Investigation	<ol style="list-style-type: none"> 1) Member or CNCP to rectify non-compliance and include in its Annual Report all actions taken, 2) Application of automatic response, as applicable (Annex II), and 3) Consideration of further responses.
Not Assessed	Ambiguity of relevant obligation	Review and potentially amend relevant provision(s)
Flag State Investigation	Currently undergoing investigation	<ol style="list-style-type: none"> 1) Review by TCC and Commission and deadline(s) placed on Member or CNCP to provide further information to the Secretariat and/or take action(s), and 2) Member or CNCP to report progress in its Annual Report

Obligations to be Assessed

Obligation No.	Paragraph to be Assessed	OBLIGATION
CMM 2023-01 INFORMATION REQUIREMENTS FOR VESSEL REGISTRATION		
For the purpose of the effective implementation of the Convention, each Commission member or Cooperating non-Contracting Party shall:		
1	2	Update pertinent information required from paragraph 1 in the NPFC Vessel Registry established under Article 13, paragraph 10 of the Convention, noting that vessel submissions which do not include the initial data elements as indicated in the Annex will not be accepted by the database.
2	3	<p>Promptly update the NPFC Vessel Registry with:</p> <ul style="list-style-type: none"> (a) any additions to the record; e.g., new vessel authorizations; (b) any modifications to this information with dates of such modifications; and (c) any deletions from the record, specifying which of the following reasons is applicable: <ul style="list-style-type: none"> (i) the voluntary relinquishment of the fishing by the fishing vessel owner or operator; (ii) the withdrawal or non-renewal of the Article 13 paragraph 2 of the Convention; (iii) the fact that the fishing vessel concerned is no longer entitled to fly its flag; (iv) the scrapping, decommissioning or loss of the fishing vessel concerned; or (v) any other grounds, with a specific explanation provided.
3	4	Provide to the Commission, as part of the annual report required pursuant to Article 16 of the Convention, the names of the fishing vessels entered in the record that conducted fishing activities during the previous calendar year.
4	5	Each Commission Member and Cooperating non Contracting Party shall ensure that every fishing vessel authorized to fly its flag bear markings that are readily identified in accordance with the <i>FAO Standard Specifications</i>

Obligation No.	Paragraph to be Assessed	OBLIGATION
		<i>for the Marking and Identification of Fishing Vessels</i> , and recognize that non-compliance with these standards shall be considered a serious violation according to Article 17, paragraph 5 of the NPFC Convention and Article 21 Paragraph 11(f) of the United Nations Fish Stocks Agreement.
5	6	Commission Members and Cooperating non-Contracting Parties shall ensure they have maintained the NPFC Vessel Registry of the vessels based on the information provided to it and make the record publicly available as appropriate and subject to any legal confidentiality regulations of the individual Commission member and Cooperating non-Contracting Party.
6	7	<p>The Commission member or Cooperating non-Contracting Parties entering vessels identified in paragraph 2 on the NPFC Vessel Registry established under paragraph 1 shall attest that the vessel or vessels being added recommended are not vessels:</p> <p>(a) with a history of illegal, unreported or unregulated (IUU) fishing, unless the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no legal, beneficial or financial interest in, or control of the vessels, or Commission members or Cooperating non-Contracting Parties concerned is satisfied that, having taken into account all relevant facts, the vessel is no longer engaged in or associated with IUU fishing; or</p> <p>(b) that are currently listed on any of the IUU vessel lists adopted by regional fishery management organizations (RFMOs)</p>
<p>CMM 2019-02</p> <p>TO ESTABLISH A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT ILLEGAL, UNREPORTED AND UNREGULATED ACTIVITIES IN THE CONVENTION AREA</p>		
<p>24. Members/CNCPs shall take all necessary non-discriminatory measures under their applicable legislation, international law and each Members/CNCPs' international obligations, and pursuant to paras 56 and 66 of the IPOA-IUU to:</p>		
7	24 (a)	remove or withdraw vessels on the NPFC IUU Vessel List from the NPFC Vessel Registry;
8	24 (e)	Refuse to grant their flag to vessels on the NPFC IUU Vessel List, unless the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner has

Obligation No.	Paragraph to be Assessed	OBLIGATION
		no legal, beneficial or financial interest in, or control of the vessels, or the member concerned is satisfied that that, having taken into account all relevant facts, the vessel is no longer engaged in or associated with IUU fishing activities.
CMM 2023-09 HIGH SEAS BOARDING AND INSPECTION PROCEDURES		
9	7	Each Member of the Commission shall ensure that vessels flying its flag accept boarding and inspection by authorized inspectors in accordance with these procedures. Such authorized inspectors shall comply with these procedures in the conduct of any such activities.
14. Each Contracting Party that intends to carry out boarding and inspection activities pursuant to these procedures shall so notify the Commission, through the Executive Secretary, and shall provide the following:		
10	14 (a)	<p>with respect to each inspection vessel it assigns to boarding and inspection activities under these procedures:</p> <ul style="list-style-type: none"> (i) details of the vessel (name, description, photograph, registration number, port of registry (and, if different from the port of registry, port marked on the vessel hull), international radio call sign and communication capability); (ii) An example of the credentials issued to the inspectors by its authorities; (iii) notification that the inspection vessel is clearly marked and identifiable as being on government service; (iv) notification that the crew has received and completed training in carrying out boarding and inspection activities at sea in accordance with any standards and procedures as may be adopted by the Commission.
11	14 (b)	<p>with respect to inspectors it assigns pursuant to these procedures:</p> <ul style="list-style-type: none"> (i) the names of the authorities responsible for boarding and inspection; (ii) notification that such authorities' inspectors are fully familiar with the fishing activities to be inspected and the provisions of the Convention and conservation and management measures in force; and (iii) notification that such authorities' inspectors have received and completed training in carrying out boarding and inspection activities

Obligation No.	Paragraph to be Assessed	OBLIGATION
		at sea in accordance with any standards and procedures as may be adopted by the Commission.
12	15	Where military vessels are used as a platform for the conduct of boarding and inspection, the authorities of the inspection vessel shall ensure that the boarding and inspection is carried out by inspectors fully trained in fisheries enforcement procedures and duly authorized for this purpose under national laws, and that boardings from such military vessels and inspectors conform to the procedures contained within these Boarding and Inspection Procedures.
13	26	<p>During the conduct of a boarding and inspection, the master of the fishing vessel shall:</p> <ul style="list-style-type: none"> (a) follow internationally accepted principles of good seamanship so as to avoid risks to the safety of authorized inspection vessels and inspectors; (b) accept and facilitate prompt and safe boarding by the authorized inspectors; (c) be encouraged to provide a boarding ladder in accordance with Annex A; (d) cooperate with and assist in the inspection of the vessel pursuant to these procedures; (e) not assault, resist, intimidate, interfere with, or unduly obstruct or delay the inspectors in the performance of their duties; (f) allow the inspectors to communicate with the crew of the inspection vessel, the authorities of the inspection vessel, any embarked observers, as well as with the authorities of the fishing vessel being inspected; (g) provide the inspectors onboard with reasonable facilities, including, where appropriate, food and accommodation; and (h) facilitate safe disembarkation by the inspectors
14	28	The authorities of the fishing vessel, unless generally accepted international regulations, procedures and practices relating to safety at sea make it necessary to delay the boarding and inspection, shall direct the master to accept the boarding and inspection. If the master does not comply with such direction, the Member shall suspend the vessel's authorization to fish and order the vessel to return immediately to port. The Member shall

Obligation No.	Paragraph to be Assessed	OBLIGATION
		immediately notify the authorities of the inspection vessel and the Commission of the action it has taken in these circumstances.
15	31	Authorized inspectors shall prepare a full report on each boarding and inspection they carry out pursuant to these procedures in accordance with a format specified by the Commission. The authorities of the inspection vessel from which the boarding and inspection was carried out shall transmit a copy of the boarding and inspection report to the authorities of the fishing vessel being inspected, as well as the Secretariat, within 3 (three) full working days of the completion of the boarding and inspection.
16	32	Such report shall include the names and authority of the inspectors and clearly identify any observed activity or condition that the authorized inspectors believe to be a violation of the Convention or conservation and management measures in force and indicate the nature of specific factual evidence of such violation.
17	41	Contracting Parties that authorize inspection vessels to operate under these procedures shall report annually to the Commission on the boarding and inspections carried out by its authorized inspection vessels, as well as upon possible violations observed.
18	42	Contracting Parties shall include in their annual statement of compliance within their Annual Report to the Commission under Article 16 of the Convention action that they have taken in response to boarding and inspections of their fishing vessels that resulted in observation of alleged violations, including any proceedings instituted and sanctions applied.
CMM 2023-05 BOTTOM FISHERIES AND PROTECTION OF VULNERABLE MARINE ECOSYSTEMS IN THE NORTHWESTERN PACIFIC OCEAN		
4. Members of the Commission shall take the following measures in order to achieve sustainable management of fish stocks and protection of VMEs in the western part of the Convention Area:		
19	4 A.	Limit fishing effort in bottom fisheries on the western part of the Convention Area to the level agreed in February 2007 in terms of the number of fishing vessels and other parameters which reflect the level of fishing effort, fishing capacity or potential impacts on marine ecosystems.

Obligation No.	Paragraph to be Assessed	OBLIGATION
20	4 G.	A. Further, considering accumulated information regarding fishing activities in the western part of the Convention Area, in areas where, in the course of fishing operations, cold water corals more than 50Kg, or sponges more than 500 Kg are encountered in one gear retrieval, Members of the Commission shall require vessels flying their flag to cease bottom fishing activities in that location. In such cases, the vessel shall not resume fishing activities until it has relocated a sufficient distance, which shall be no less than 1 nautical mile, so that additional encounters with VMEs are unlikely. All such encounters, including the location, gear type, date, time and name and weight of the VME indicator species, shall be reported to the Secretariat. The Executive Secretary shall, within one business day, notify the other Members of the Commission, and at the same time implement a temporary closure in the area to prohibit bottom fishing vessels from contacting the sea floor with their trawl nets. Members shall inform their fleets and enforcement operations within one business day of the receipt of the notification from the Executive secretary. It is agreed that the VME indicator taxa include cold water corals: <i>Alcyonacea</i> , <i>Antipatharia</i> , <i>Gorgonacea</i> , and <i>Scleractinia</i> and the classes of <i>Hexactinellida</i> , <i>Demospongiae</i> in the phylum Porifera.
21	4 K.	Limit annual catch of North Pacific armorhead to 15,000 tons for Japan.
22	5	Members of the Commission shall submit to the SC their assessments of the impacts of fishing activity on marine species or any VMEs, including the proposed management measures to prevent such impact. Such submissions shall include all relevant data and information in support of any such assessment.
<p>6. Scientific Information</p> <p>To facilitate the scientific work associated with the implementation of these measures, each Member of the Commission shall undertake:</p>		
23	6 A.	<p>C. Reporting of information for purposes of defining the footprint</p> <p>In implementing paragraphs 4A and 4B, the Members of the Commission shall provide for each year, the number of vessels by gear type, size of vessels (tons), number of fishing days or days on the fishing grounds, total catch by species, and areas fished (names of seamounts) to the Secretariat. The Secretariat shall circulate the information received to the other Members consistent with the approved Regulations for</p>

Obligation No.	Paragraph to be Assessed	OBLIGATION
		Management of Scientific Data and Information,
24	6 B.	<p>Collection of information</p> <p>(i) Collection of scientific information from each bottom fishing vessel operating in the western part of the Convention Area.</p> <p>(a) Catch and effort data</p> <p>(b) Related information such as time, location, depth, temperature, etc.</p> <p>(ii) As appropriate the collection of information from research vessels operating in the western part of the Convention Area.</p> <p>(a) Physical, chemical, biological, oceanographic, meteorological, etc.</p> <p>(b) Ecosystem surveys,</p> <p>(c) Seabed mapping (e.g. multibeam or other echosounder); seafloor images by drop camera, remotely operated underwater vehicle (ROV) and/or autonomous underwater vehicle (AUV).</p> <p>(iii) Collection of observer data</p> <p>Duly designated observers from the flag member shall collect information from bottom fishing vessels operating in the western part of the Convention Area. Observers shall collect data in accordance with Annex 5. Each Member of the Commission shall submit the reports to the Secretariat in accordance with Annex 4. The Secretariat shall compile this information on an annual basis and make it available to the Members of the Commission.</p>
25	8	All vessels authorized to bottom fishing in the western part of the Convention Area shall carry an observer on board.
CMM 2023-06 BOTTOM FISHERIES AND PROTECTION OF VULNERABLE MARINE ECOSYSTEMS IN THE NORTHEASTERN PACIFIC OCEAN		
26	8	The Members shall provide all available information as required by the Commission for any current or historical fishing activity by their flag vessels, including the number of vessels by gear type, size of vessels (tons), number of fishing days or days on the fishing grounds, total catch by species, areas fished (names or coordinates of seamounts), and information from scientific observer programmes (see Annexes 4 and 5) to the NPFC Secretariat as soon as possible and no later than one month prior to SC meeting. The Secretariat will make such information available to SC.

Obligation No.	Paragraph to be Assessed	OBLIGATION
CMM 2023-07 CHUB MACKEREL		
27	1	Members of the Commission and Cooperating non-Contracting Parties (CNCPS) with substantial harvest of chub mackerel in the Convention Area shall refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for chub mackerel from the historical existing level until the stock assessment by the SC has been completed.
28	6	Members of the Commission and CNCPS shall provide their data on chub mackerel separated by the Convention Area and the areas under national jurisdiction adjacent to the Convention Area in accordance with the data requirements adopted by the Commission in the Annual Report by the end of February, every year. The Commission shall review such information at the annual meeting of every year.
CMM 2023-08 PACIFIC SAURY		
29	1	Members of the Commission, not described under Paragraph 2, and that are currently fishing for Pacific saury shall refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for Pacific saury from the historical existing level.
30	2	Members fishing for Pacific saury in areas of their jurisdiction that are adjacent to the Convention Area <i>shall refrain from rapid expansion</i> , in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for Pacific saury from the historical existing level.
31	5	In 2023 and 2024 the annual total allowable catch (TAC) of Pacific saury in the Convention Area shall be limited to 150,000 metric tons.
32	6	As a provisional measure until the Commission decides allocation of the TAC, each Member of the Commission shall reduce the annual total catch of Pacific saury by the fishing vessels entitled to fly its flag in 203 and 2024 by 55% from its reported catch in 2018 so that the total catch in the Convention Area will not exceed the TAC set out in Paragraph 5.

Obligation No.	Paragraph to be Assessed	OBLIGATION
33	7	To comply with the provisional measures above, Members of the Commission shall report to the Executive Secretary in the electronic format, weekly catches of Pacific saury in the Convention Area by fishing vessels flying their flags by Wednesday of the next week. The Executive Secretary shall make publicly available the compiled catch of Pacific saury in the Convention Area on the Commission’s website without delay.
34	8	In the event that a Member reaches 70% of its catch limit set out in paragraph 6, the Executive Secretary shall inform that Member of that fact, with a copy to all other Members. That Member shall close the fishery for its flagged vessels when the total catch of its flagged vessels is equivalent to 100% of its catch limit. Such Member shall notify promptly the Executive Secretary of the date of the closure, except as described in paragraph 9.
2019-10 SABLEFISH		
35	5	Members referenced in paragraph 2 and Members fishing for Sablefish in areas of their jurisdiction that are adjacent to the eastern part of the Convention Area shall adhere to the exploratory fishing protocol as set out in Annex 1 of CMM 2023-06 for Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northeastern Pacific Ocean when considering new and exploratory bottom fishing activities in the Convention Area.
36	8	All vessels authorized to fish sablefish in the eastern part of the Convention Area shall have 100% observer coverage.
CMM 2023-11 JAPANESE SARDINE, NEON FLYING SQUID AND JAPANESE FLYING SQUID		
37	1	Members of the Commission and Cooperating non-Contracting Parties (CNCs) with substantial harvest of any of Japanese sardine, neon flying squid and Japanese flying squid (hereinafter referred to as “the three Pelagic Species”) in the Convention Area shall refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for such species from the historical existing level until the stock assessment for such species by the SC has been completed.

Obligation No.	Paragraph to be Assessed	OBLIGATION
38	6	Members of the Commission and CNCPs shall provide their data on the three Pelagic Species in accordance with the data requirements adopted by the Commission in the Annual Report by the end of February, every year. The Commission shall review such information at the annual meeting of every year.
CMM 2023-12 VESSEL MONITORING SYSTEM		
39	8	All Members or CNCPs shall ensure that its flagged vessels that are authorized under NPFC and present in the Convention Area transmit VMS data every hour to their FMC.
40	10	Each Member or CNCP shall ensure that their FMC automatically transmits VMS data to the Secretariat, which shall be received no later than 60 minutes upon receipt of the data at their FMC.
41	11	Each Member or CNCP shall ensure that their FMC can automatically receive VMS data and transmit VMS data to the Secretariat.
42	12	Each Member or CNCP shall provide the Secretariat with VMS contact points in their FMCs including the name, position, email address and phone number of their VMS contact points. The Secretariat will make a list of VMS contact points available to all Members and Cooperating non-Contracting Parties.
43	21	If a failure to transmit occurs more than two times within a period of one year, the flag Member or CNCP of the fishing vessel shall investigate the matter, including having an authorized official examine the MTU on board the vessel. The outcome of this investigation shall be forwarded to the Secretariat within fifteen (15) days of its completion.
CMM 2023-13 COMPLIANCE MONITORING SCHEME		
44	10	No later than 35 days before the TCC meeting, each Member and CNCP shall provide additional information on its section of the Draft Compliance Report to the Secretariat. This information shall, as appropriate: (a) Provide information, clarifications, amendments, or corrections necessary to address the potential compliance issues identified or

Obligation No.	Paragraph to be Assessed	OBLIGATION
		<p>respond to any request for additional information;</p> <p>(b) Propose future corrective actions to be taken, along with time frames, to come into compliance;</p> <p>(c) Identify any causes of the potential compliance issues or mitigating circumstances; and,</p> <p>(d) Identify any technical assistance or capacity building needed.</p>

Article 22 – Enhancements and Clarifications from the Commission

Article 23 – CMM Transshipment

CMM 2023-03

(Entered into force 26 July 2023)

(Note: observer coverage obligations enter into force 1 September 2023)

CONSERVATION AND MANAGEMENT MEASURE ON TRANSSHIPMENTS

The North Pacific Fisheries Commission (NPFC),

Deeply concerned about the negative impacts of illegal, unreported, and unregulated (IUU) fishing and its detrimental effect upon fish stocks, marine ecosystems, and the livelihoods of legitimate fishers, and the increasing need for food security on a global basis;

Aware of the need to conduct transshipments of fisheries resources and products of fisheries resources taken in the Convention Area;

Recognizing that while transshipment is an important global commercial fishing practice, if not adequately managed, it may increase IUU fishing of NPFC fisheries resources in the North Pacific Ocean;

Acknowledging that effective conservation and management of NPFC fisheries resources is dependent on accurate, timely, and shared reporting of catches;

Recognizing that effective monitoring, control, and surveillance activities in the high seas require access to information about transshipments and other transfer activities before they occur;

Noting Article 7(2)(a) of the Convention which states that the Commission shall establish procedures for the regulation and monitoring of transshipment of fisheries resources and products of fisheries resources taken in the Convention Area, including notification to the Commission of the location and quantity of any transshipment; and

Desiring to establish the necessary rules and procedures to monitor, report, and verify transshipments to support monitoring, control, and surveillance activities, enhance science and compliance efforts, and fulfill the objective of the Convention;

Adopts the following:

Definitions

1. This measure shall be interpreted, unless a contrary intention appears, in accordance with the Convention.¹
2. The following definitions apply:
 - (a) “landing” means all transfers of any quantity of fish onboard from a vessel, other than a transshipment, including transfers of fish to a port facility, transfers of fish from one vessel to another through a port facility, or other means of transportation, and transfers of fish from a vessel to a container, truck, train, or another means of transportation;
 - (b) “other transfer activity” means a transfer of fuel, gear, materials, or other supplies, or a transfer of at least one person, from one fishing vessel to another fishing vessel in the Convention Area;
 - (c) “port” means any harbour, marine terminal, shore-side facility, or other shore-side place used for landing, loading and unloading, transshipping, packaging, or processing of fisheries resources and products thereof or the refuelling or resupplying of fishing vessels in waters of national jurisdiction;
 - (d) “product of fisheries resources” means any article that is produced from or composed of, in whole or in part, any fisheries resource; and
 - (e) “trip” means a voyage commencing at the time a fishing vessel leaves a port to engage in a fishing activity and terminates at the time the fishing vessel enters a port.

Scope

3. This measure applies to:
 - (a) any transshipment, either at sea or in port, of any NPFC fisheries resources, or product thereof, taken in the Convention Area, except those that have been previously landed;
 - (b) any transshipment that occurs in the Convention Area involving a fishing vessel included in the NPFC Vessel Registry; or,

¹ For this measure, an auxiliary tender boat is regarded as part of its parent receiving vessel under the following circumstances: it is used to transport unprocessed fish from the offloading vessel to the parent receiving vessel; it is loaded onboard the parent receiving vessel on navigation; it operates in the line of sight of the parent receiving vessel; and it is dependent on the parent receiving vessel for transportation to the Convention Area.

- (c) any other transfer activity in the Convention Area involving a fishing vessel intending to engage in, or having engaged in, a fishing activity in the Convention Area.

Fishing Vessels Authorized to Engage in Transshipments

Rules for Engaging in Transshipments

4. A fishing vessel shall only engage in a transshipment, or other transfer activity in the Convention Area, if both the offloading and receiving vessel are duly authorized by its Flag State and included in the NPFC Vessel Registry.
5. A fishing vessel is prohibited from operating as both an offloading vessel and a receiving vessel in the same trip.

Authorization from Relevant Coastal or Port State

6. If a fishing vessel intends to engage in a transshipment in an area under national jurisdiction, including a port, the fishing vessel shall receive an authorization from the relevant coastal or port State before engaging in the transshipment.

General Reporting Requirements

Reporting

7. All reporting to the Secretariat related to a transshipment, or other transfer activity, shall be provided electronically (e.g. email, facsimile, etc.). This includes advance notifications, transshipment declarations, and observer transshipment reports.
8. All reporting shall comply with the procedures to be adopted by the Commission.

Reporting of Bycatch and Unregulated Species

9. All reporting related to a transshipment shall include all marine species, including bycatch and unregulated species, taken in the Convention Area.

Record of Transshipment Declarations

10. A fishing vessel shall maintain an electronic or physical record on board the fishing vessel of each transshipment it has engaged in during the current trip. The record shall include each transshipment declaration.

11. A Commission Member, or Cooperating non-Contracting Party, shall maintain an electronic or physical record of each transshipment engaged in by each of its fishing vessels for the current year. The record shall include each transshipment declaration.

Advance Notifications

Advance Notifications for Transshipments

12. A fishing vessel, or a Commission Member or Cooperating non-Contracting Party on behalf of the vessel, shall provide an advance notification to the authorities listed in paragraph 13 as soon as possible, and at least 24 hours in advance of the intended transshipment. The advance notification form is included in Annex I.
13. The fishing vessel, or Commission Member or Cooperating non-Contracting Party, shall provide the advance notification to:
 - (a) the Commission Member, or Cooperating non-Contracting Party, of its flag, if the advance notification is provided by the fishing vessel; and
 - (b) the Secretariat.

Advance Notification of Other Transfer Activities

14. A receiving vessel, or a Commission Member or Cooperating non-Contracting Party on behalf of the receiving vessel, shall provide an advance notification to the authorities listed in paragraph 13 as soon as possible, and at least 24 hours in advance of the intended other transfer activity. The advance notification form is included in Annex I.

Modifications to the Advance Notification

15. If the transshipment does not start after 24 hours of the estimated start time, or within 20 nautical miles of the estimated start location, as contained in the advance notification, the fishing vessels involved in the transshipment, or Commission Members or Cooperating non-Contracting Parties on their behalf shall modify the submitted advance notification.
16. If the other transfer activity does not start after 24 hours of the estimated start time, or within 20 nautical miles of the estimated start location, as contained in the advance notification, the receiving vessel, or Commission Member or Cooperating non-Contracting Party of the receiving vessel, shall modify the submitted advance notification.

Provision of Authorization from Relevant Flag and Coastal or Port State

17. If a fishing vessel intends to engage in a transshipment in an area under national jurisdiction, including in a port, it shall not start the operation unless an authorization from the relevant flag and coastal or port State has been provided following the receipt of the transshipment advance notification.

Cancellation of Transshipment

18. If a transshipment is cancelled before it is undertaken, a fishing vessel intending to engage in the transshipment, or the Commission Member or Cooperating non-Contracting Party whose fishing vessel intended to engage in the transshipment, shall notify the Secretariat of the cancellation as soon as possible.

Other At-Sea Requirements

Commission Member and Cooperating non-Contracting Party Responsibility

19. After receiving an advance notification for a transshipment, a Commission Member, or Cooperating non-Contracting Party, shall verify that their fishing vessel complies with the Convention and all conservation and management measures.
20. If a Commission Member, or Cooperating non-Contracting Party, receives suitably documented information that its flagged fishing vessel is, or appears to be, non-compliant with the Convention, or a conservation and management measure, the Commission Member, or Cooperating non-Contracting Party, shall conduct an investigation.
21. The investigating Commission Member, or Cooperating non-Contracting Party, shall provide a report on the progress of the investigation, including an attestation of the fishing vessel's status under paragraph 19, no later than 60 days after receiving the information, to:
- (a) the Secretariat; and
 - (b) the Commission Member, or Cooperating non-Contracting Party that provided the information.

Following the investigation process, information shall be provided about any appropriate enforcement action taken in line with its national laws.

22. If a fishing vessel receives catch from more than one offloading vessel, the fishing vessel shall ensure that the catch from each offloading vessel is stored separately and readily identifiable. The receiving vessel shall have a stowage plan available on board at all times.

Mobile Transmitting Unit Failure

23. In the event of mobile transmitting unit failure, the transshipment shall be suspended, and only resume once the fishing vessel complies with the relevant procedures in *CMM on the Vessel Monitoring Systems (VMS)*.

Transshipment Declaration

24. A fishing vessel having engaged in, or a Commission Member or Cooperating non-Contracting Party whose fishing vessel has engaged in, a transshipment shall provide a transshipment declaration to the authorities listed in paragraph 25 as soon as possible, and no later than 10 days after the transshipment. The transshipment declaration form is included in Annex II.
25. A fishing vessel, or a Commission Member or a Cooperating non-Contracting Party, shall provide the transshipment declaration to:
- (a) the Commission Member, or Cooperating non-Contracting Party, of its flag; and
 - (b) the Secretariat.

Independent Monitoring and Reporting

Responsibility for Observers

26. The Commission shall establish a regional observer and/or electronic monitoring program no later than its 9th Commission meeting. Until the Commission establishes an observer and/or electronic monitoring program, a Commission Member, or Cooperating non-Contracting Party, is responsible for the deployment of independent, impartial, and qualified observers to fulfill the requirements of this measure.
27. An observer is deemed to be independent, impartial, and qualified if the observer:
- (a) is deployed from a Commission Member's, or Cooperating non-Contracting Party's, national observer program, and familiar with NPFC fisheries resources, fishing activities, and CMMs;
 - (b) is neither part of the crew, nor has any employment or family relationship to the ownership or operator of the fishing vessel; and
 - (c) does not have any shared business interests with the owner or operator of the fishing vessel.
28. An observer shall be provisioned, accommodated, including access to independent communications, and provided safe working conditions by the receiving vessel in accordance

with the Commission Member's, or Cooperating non-Contracting Party's, domestic laws and regulations.

Deployment of Observers

29. A Commission Member, or Cooperating non-Contracting Party, shall ensure that its receiving vessels engaging in a transshipment have an observer on board.
30. A fishing vessel may only engage in one transshipment at a time for each observer that is available to monitor and report on the transshipment.

Access to Fishing Vessels

31. An observer shall have:
 - (a) full, unobstructed, and safe access to each fishing vessel involved in the transshipment, including, *inter alia*, access to crew, gear, equipment, records, electronic means of communication, and fish holds; and
 - (b) adequate and appropriate space to undertake their responsibilities pursuant to this measure.

Monitoring and Reporting by Observers

32. An observer shall monitor and report on, to the greatest extent possible, that the transshipment is conducted in a manner consistent with the advance notification and other information available to the observer, and in particular, verify the consistency of transshipped quantities of fisheries resources, or products of fisheries resources.
33. An observer shall record an observer report immediately after each transshipment and keep the report onboard, and provide an observer transshipment report, as specified in Annex III, as soon as possible, but no later than 10 days from the disembarkation of the observer, to:
 - (a) the Commission Member, or Cooperating non-Contracting Party, of the flags of the receiving vessel and the offloading vessel; and
 - (b) the Secretariat.
34. In the case where an observer observes an activity or condition that is not consistent with this conservation and management measure, the observer shall notify the finding, as well as documented evidence, to the extent possible, without delay to the Secretariat and the authorities of the Commission Member or Cooperating non-Contracting Party of the flags of the receiving and offloading vessels.

35. The Commission Member or Cooperating non-Contracting Party of the flag of the vessel whose violation has been observed and notified shall make the best effort to respond to this notification through the Secretariat without delay and undertake investigation on the observed violation. The Commission Member or Cooperating non-Contracting Party shall report any finding and/or relevant actions taken in their Annual Report.
36. The obligations related to observer coverage included in this measure will come into effect as of September 1, 2023.

Data and Information Sharing

Establishment of a Transshipment Record

37. The Commission hereby establishes a record of transshipments, and other transfer activities, hereinafter named the NPFC Transshipment Record, to make all data and information, including all reporting related to, transshipments, and other transfer activities, available to Commission Members and Cooperating non-Contracting Parties, in accordance with the NPFC Data Sharing and Data Security Protocol.
38. The data and information on the NPFC Transshipment Record may be used for either scientific or compliance purposes by:
 - (a) a Commission Member, or Cooperating non-Contracting Party; or
 - (b) the Commission.
39. The Secretariat shall maintain the NPFC Transshipment Record in accordance with Annex IV.

Public Availability of Data and Information

40. The Secretariat shall make aggregated anonymized data and information related to transshipments publicly available on the NPFC website, in accordance with the NPFC Data Sharing and Data Security Protocol.

Sharing Data and Information with Authorized In-Port Inspectors and Port Authorities

41. An authorized in-port inspector, or port State authority, may request from the Secretariat, and the Secretariat may provide, data or information related to a fishing vessel's transshipments for in-port inspection purposes, in accordance with the NPFC Data Sharing and Data Security Protocol.

Sharing Data and Information with Other RFMOs

42. The NPFC may share data and information related to transshipments with another regional fisheries management organization (RFMO) if the NPFC has entered into a Memorandum of Understanding with that RFMO and if the RFMO agrees to comply with the NPFC Data Sharing and Data Security Protocol.

Compliance Monitoring

43. Compliance monitoring of all transshipments shall be undertaken in accordance with the CMM *for the Compliance Monitoring Scheme*.
44. The assessment of compliance shall encompass all transshipments within the scope of this measure.

Force Majeure

45. Nothing in this measure prevents a fishing vessel from engaging in a transshipment, or other transfer activity, with another fishing vessel in cases of *force majeure* that threaten the safety of the crew or result in a significant financial loss through fish or fish product spoilage.
46. In the case of *force majeure*, the fishing vessel, or Commission Member or Cooperating non-Contracting Party, shall:
- (a) notify the Secretariat prior to the completion of the transshipment, or other transfer activity, as well as the circumstances giving rise to the *force majeure*; and
 - (b) provide a transshipment declaration on the transshipment as soon as possible, but within 10 days of the transshipment.
47. The Secretariat shall inform the Commission of each incident of *force majeure* upon receiving notification from the fishing vessel, Commission Member, or Cooperating non-Contracting Party.

Annual Reporting and Review

Annual Reporting

48. Each Commission Member, and Cooperating non-Contracting Party, shall provide an annual summary of the data and information collected from all authorized fishing vessels having undertaken a transshipment, including each year's transshipment declarations, to the

Commission at the Technical and Compliance Committee meeting. The summary shall be included in the Annual Report, as per Article 16(3) of the Convention. The template for this summary is included in Annex V.

49. A Commission Member, or Cooperating non-Contracting Party, shall take all reasonable steps to verify the information received from fishing vessels having engaged in a transshipment.
50. Each year, the Secretariat shall produce and present a summary report on the implementation of this measure to the annual meeting of the Technical and Compliance Committee for review. This report shall include summarized information collected from observers, offloading vessels and receiving vessels, and responses from Commission Members and Cooperating non-Contracting Parties on their observer transshipment reports.
51. Commission Members and Cooperating non-Contracting Parties shall investigate instances of potential non-compliance with this measure, and report the results of those investigations to the Commission.

Review of Measure

52. This measure will be reviewed regularly at the Annual Session of the Commission. This review will take into account, *inter alia*:
 - (a) the latest advice from the Technical and Compliance Committee regarding the effectiveness of this measure in:
 - (i) providing the Commission with information about transshipments; and
 - (ii) supporting effective monitoring, control, and surveillance activities in line with the obligations of the Convention and conservation and management measures;
 - (b) required levels of observer coverage and the potential use of electronic monitoring; and,
 - (c) the scope and provisions of this measure.

ADVANCE NOTIFICATION

INSTRUCTIONS

In completing the advance notification, the fishing vessel shall ensure that:

1. the information is as **accurate** as possible, and legible; and
2. the information is provided in **clear, legible print** in accordance with the clarifications below (either by hand or electronically).

CLARIFICATIONS

To assist in the accurate and clear completion of the advance notification:

- use the DD-MM-YYYY format to specify the date (e.g. 01-11-2022);
- use the HH:MM format, and the 24-hour clock (UTC, or specify time zone) to specify the time (e.g. 23:15);
- “NW” is an abbreviation for “national waters”;
- “OTA” is an abbreviation for “other transfer activities”;
- use the Degrees (°) Minutes (′) format to specify the latitude and longitude (e.g. 40° 26′ N, 79° 58′ W);
- for “FAO CODE”, utilize the FAO 3-alpha codes found at www.npfc.int/priority-species, or Fisheries and Aquaculture - All Information Collections - ASFIS List of Species for Fishery Statistics Purposes (fao.org);
 - the Codes for major NPFC species are; SAP (Pacific saury), MAS (chub mackerel), MAA (blue mackerel), JAP (Japanese sardine), OFJ (neon flying squid) and SQJ (Japanese flying squid).
- for “GEOGRAPHIC LOCATION”, state where the fisheries resource (or fisheries resource processed into a product) was taken; and
- for “STATE OF FISH”, state whether the fisheries resource, or product of fisheries resource, is: (1) fresh (FRS), or (2) frozen (FRZ).

ADVANCE NOTIFICATION FOR TRANSSHIPMENTS (1/2)

PART I – VESSEL INFORMATION

	INFORMATION	OFFLOADING VESSEL	RECEIVING VESSEL
1	Vessel Name		
2	Flag State		
3	IMO number		
4	IRCS, if eligible, or registration number		
5	Start of Trip		
	Port Name		
	Date of Departure		
6	End of Trip (if known)		
	Port Name		
	Date of Entry		

PART II – INFORMATION ON ANTICIPATED TRANSSHIPMENT

7	Transshipment Location	<input type="checkbox"/> High Seas, In Convention Area <input type="checkbox"/> In Port <input type="checkbox"/> High Seas, Outside Convention Area <input type="checkbox"/> NW	
	Port Name (if applicable)		
	NW (if applicable)		
	Latitude and Longitude (estimated)	Latitude:	Longitude:
8	Transshipment Start Date (estimated)		
9	Transshipment Start Time (estimated)		

PART III – VERIFICATION

10	Vessel Master / Vessel Owner or Company		
	Name		
	Nationality		
	Email address (as applicable)		
	Telephone number (as applicable)		
	Signature		
11	Observer (for the receiving vessel only, if applicable)		
	Name		
	Nationality		
	Signature		

ADVANCE NOTIFICATION FOR TRANSSHIPMENTS (2/2)

In completing this form, ensure the estimated information is as accurate as reasonably possible.

Weight (kg) or unit used (e.g. box, basket), and the estimated total weight in kg:

FAO Code	Geographic Location	State of Fish	Type of product (whole, G&G, etc.)	Unit	Kg per unit	Number of Units	TOTAL (kg)

ADVANCE NOTIFICATION FOR OTHER TRANSFER ACTIVITIES

PART I – VESSEL INFORMATION

	INFORMATION	OFFLOADING VESSEL	RECEIVING VESSEL
1	Vessel Name		
2	Flag State		
3	IMO Number		
4	IRCS, if eligible, or registration number		

PART II – INFORMATION ON ANTICIPATED OTA

5	OTA Location	<input type="checkbox"/> High Seas, In Convention Area	
	Latitude and Longitude <small>(estimated)</small>	Latitude:	Longitude:
6	OTA Start Date <small>(estimated)</small>		
7	OTA Start Time <small>(estimated)</small>		

PART III – VERIFICATION

8	Vessel Master		
	Name		
	Nationality		
	Signature		

TRANSSHIPMENT DECLARATION

INSTRUCTIONS

In completing the transshipment declaration, the fishing vessel shall ensure that:

1. the information is as **accurate** as possible, and legible; and
2. the information is provided in **clear, legible print** in accordance with the clarifications below (either by hand or electronically).

CLARIFICATIONS

To assist in the accurate completion of the transshipment declaration:

- use the DD-MM-YYYY format to specify the date (e.g. 01-11-2022);
- use the HH:MM format, and the 24-hour clock (UTC, or specify time zone) to specify the time (e.g. 23:15);
- “NW” is an abbreviation for “national waters”;
- use the Degrees (°) Minutes (′) format to specify the latitude and longitude (e.g. 40° 26′ N, 79° 58′ W);
- for “FAO CODE”, utilize the FAO 3-alpha codes found at www.npfc.int/priority-species, or Fisheries and Aquaculture - All Information Collections - ASFIS List of Species for Fishery Statistics Purposes (fao.org);
 - the Codes for major NPFC species are; SAP (Pacific saury), MAS (chub mackerel), MAA (blue mackerel), JAP (Japanese sardine), OFJ (neon flying squid) and SQJ (Japanese flying squid).
- for “GEOGRAPHIC LOCATION”, state where the fisheries resource (or fisheries resource processed into a product) was taken; and
- for “STATE OF FISH”, state whether the fisheries resource, or product of fisheries resource, is: (1) fresh (FRS), or (2) frozen (FRZ).

TRANSSHIPMENT DECLARATION (1/2)

PART I – VESSEL INFORMATION

	INFORMATION	OFFLOADING VESSEL	RECEIVING VESSEL
1	Vessel Name		
2	Flag State		
3	IMO number		
4	IRCS, if eligible, or registration number		
5	Vessel Owner or Company (if different from Vessel Master)		
	Name		
	Nationality		
	Phone Number		
	Email		
6	Start of Trip		
	Port Name		
	Date of Departure		
7	End of Trip (if known)		
	Port Name		
	Date of Entry		

PART II – TRANSSHIPMENT INFORMATION

	INFORMATION	COMMENCEMENT	COMPLETION
8	Transshipment Location	<input type="checkbox"/> High Seas, In Convention Area <input type="checkbox"/> High Seas, Outside CA <input type="checkbox"/> In NW <input type="checkbox"/> In Port	<input type="checkbox"/> High Seas, In Convention Area <input type="checkbox"/> High Seas, Outside CA <input type="checkbox"/> In NW <input type="checkbox"/> In Port
	Port Name (if applicable)		
	NW (if applicable)		
	Latitude		
	Longitude		
9	Transshipment Date		
10	Transshipment Time		

PART III - VERIFICATION

	INFORMATION	OFFLOADING VESSEL	RECEIVING VESSEL
11	Vessel Master / Vessel Owner or Company		
	Name		
	Nationality		
	Signature		
12	Observer		
	Name		
	Nationality		
	Signature		

TRANSSHIPMENT DECLARATION (2/2)

PART I – FISHERIES RESOURCES OR PRODUCTS TRANSSHIPPED

Weight (kg) or unit used (e.g. box, basket) and the estimated total weight in kg:

FAO Code	Geographic Location	State of Fish	Type of product (whole, G&G, etc.)	Unit	Kg per unit	Number of Units	TOTAL (kg)

PART II – FISHERIES RESOURCES OR PRODUCTS STILL ON OFFLOADING VESSEL (for offloading vessel)

FAO Code	Geographic Location	State of Fish	Type of product (whole, G&G, etc.)	Unit	Kg per unit	Number of Units	TOTAL (kg)

PART III – FISHERIES RESOURCES OR PRODUCTS CURRENTLY ON RECEIVING VESSEL (for receiving vessel)

FAO Code	Geographic Location	State of Fish	Type of product (whole, G&G, etc.)	Unit	Kg per unit	Number of Units	TOTAL (kg)

OBSERVER TRANSSHIPMENT REPORTINSTRUCTIONS

In completing the observer transshipment report, the fishing vessel shall ensure that:

1. the information is as **accurate** as possible, and legible; and
2. the information is provided in **clear, legible print** in accordance with the clarifications below (either by hand or electronically).

The observer must provide (e.g. as an attachment) the completed transshipment declaration with the completed observer transshipment report. It is the responsibility of the observer to provide sufficient reasoning in order to effectively explain any non-compliance.

CLARIFICATIONS

To assist in the accurate completion of the observer transshipment report:

- use the DD-MM-YYYY format to specify the date (e.g. 01-11-2022);
- use the HH:MM format, and the 24-hour clock (UTC, or specify time zone) to specify the time (e.g. 23:15);
- “NW” is an abbreviation for “national waters”;
- use the Degrees (°) Minutes (′) format to specify the latitude and longitude (e.g. 40° 26′ N, 79° 58′ W);
- for “FAO CODE”, utilize the FAO 3-alpha codes found at www.npfc.int/priority-species, or Fisheries and Aquaculture - All Information Collections - ASFIS List of Species for Fishery Statistics Purposes (fao.org);
- for “GEOGRAPHIC LOCATION”, state where the fisheries resource (or fisheries resource processed into a product) was taken;
- for “STATE OF FISH”, state whether the fisheries resource, or product of fisheries resource, is: (1) fresh (FRS), or (2) frozen (FRZ); and
- “Interruptions” refers to any stoppage in observation of the transshipment by the observer.

OBSERVER TRANSSHIPMENT REPORT (1/1)

Please ensure that the completed transshipment declaration is attached/provided.

PART I – OBSERVED TRANSSHIPMENT INFORMATION

1	Observed (Y/N)	
2	Total Hours Observed	
3	Interruption(s) in Observation (Y/N)	
4	Number of Interruptions	
5	Total Time Interrupted	

PART II - COMMENTARY

In this section, the observer shall note any observed non-compliance with CMM 2023-03 *on Transshipments*, including the verification of the consistency of the transshipped quantities (by species) of fisheries resources, or products of fisheries resources.

PART III - VERIFICATION

6	Observer	
	Name	
	Nationality	
	Signature	

NPFC TRANSSHIPMENT RECORD

In order to facilitate the availability of reporting data and information on transshipments, the following shall be implemented:

Objective

1. The Secretariat shall ensure that all data and information related to transshipments and other transfer activities, including all reporting, is immediately available through the NPFC Transshipment Record to all Commission Members, and Cooperating non-Contracting Parties, upon reception.

General Specifications

2. The NPFC Transshipment Record shall be maintained on, and be accessible through, the secure NPFC website.
3. The NPFC Transshipment Record shall record each transshipment, and other transfer activity, conducted pursuant to this measure.
4. Each transshipment, and other transfer activity, shall be recorded through a profile for the transshipment, or other transfer activity. The profile shall contain:
 - a) the advance notification for each fishing vessel involved;
 - b) the authorization from the relevant coastal or port State authority for each fishing vessel involved, if applicable;
 - c) the transshipment declaration for each fishing vessel involved; and
 - d) if a transshipment, the observer transshipment report.

Specifications for the Record in the Event of Force Majeure

5. If a transshipment, or other transfer activity, is conducted because of *force majeure*, a profile shall be generated and it shall contain:
 - a) the notification of the transshipment, or other transfer activity, and the circumstances giving rise to the *force majeure*; and
 - b) the transshipment declaration.

Direct Entry Scheme

6. The NPFC Transshipment Record shall have a secure direct entry submission webpage to receive:

- a) advance notifications;
 - b) authorizations from relevant coastal or port States;
 - c) transshipment declarations; and
 - d) observer transshipment reports.
7. The NPFC Transshipment Record shall not accept for submission any advance notification, transshipment declaration, or observer transshipment report that does not satisfy the required data and information.

Integration with the NPFC Vessel Registry

8. Each profile in the NPFC Transshipment Record shall have a link to the NPFC Vessel Registry for each fishing vessel involved in the transshipment, or other transfer activity.
9. Each profile for a fishing vessel in the NPFC Vessel Registry shall have a link to the NPFC Transshipment Record profile of each transshipment, or other transfer activity, that the fishing vessel was involved in.

**INFORMATION TO BE INCLUDED IN THE ANNUAL SUMMARY OF
TRANSSHIPMENT**

Each Commission Member and Cooperating non-Contracting Party shall include in Part 1 of its Annual Report to the Commission:

1. The total quantities, by weight, of fish stocks covered by this measure that were transhipped by fishing vessels the Commission Member or Cooperating non-Contracting Party is responsible for reporting against, with those quantities broken down by:
 - a) offloaded and received;
 - b) transhipped inside the Convention Area, within an EEZ, in port and high seas outside the Convention Area;
 - c) caught inside the Convention Area and caught outside the Convention Area;
 - d) species; and,
 - e) product form.
2. The number of transshipments covered by this measure by fishing vessels that it is responsible for reporting against, broken down by:
 - a) offloaded and received;
 - b) transhipped inside the Convention Area, within an EEZ, in port and outside the Convention Area; and
 - c) caught inside the Convention Area and caught outside the Convention Area.

Article 24 – Enhancements and Clarifications from the Commission

CHAPTER V: AT-SEA INSPECTION AND SURVEILLANCE SCHEME

Article 25 – CMM High Seas Boarding and Inspection Procedures

CMM 2023-09

(Entered into force 26 July 2023)

CONSERVATION AND MANAGEMENT MEASURE FOR HIGH SEAS BOARDING AND INSPECTION PROCEDURES FOR THE NORTH PACIFIC FISHERIES COMMISSION

1. The following procedures are established by the North Pacific Fisheries Commission, in accordance with Article 7, paragraph 2-c of its Convention, to govern high seas boarding and inspection of fishing vessels in the Convention Area.

Definitions

2. For the purposes of interpreting and implementing these procedures, the following definitions shall apply:
 - (a) “Convention” means the Convention on the Conservation and Management of High Seas Fisheries resources in the North Pacific Ocean;
 - (b) “Commission” means the North Pacific Fisheries Commission (NPFC) established under Article 5 of the Convention;
 - (c) “Authorities of the Inspection Vessel” means the authorities of the Contracting Party under whose jurisdiction the inspection vessel is operating;
 - (d) “Authorities of the Fishing Vessel” means the authorities of the Member of the Commission under whose jurisdiction the fishing vessel is operating;
 - (e) “Authorized inspection vessel” means any vessel included in the Commission’s register of vessels as authorized to engage in boarding and inspection activities pursuant to these procedures;
 - (f) “Authorized inspector” means inspectors employed by the authorities responsible for boarding and inspection included in the Commission register and authorized to conduct boarding and inspection activities pursuant to these procedures;
 - (g) “Fishing activity” means the activities established under Article 1 (i) of the Convention;
 - (h) “Fishing vessels” means any vessel described under Article 1 (j) of the Convention.

Purpose

3. Boarding and inspection and related activities conducted pursuant to these procedures shall be for the purpose of ensuring compliance with the provisions of the Convention and conservation and management measures adopted by the Commission and in force.

Area of Application

4. These procedures shall apply throughout the Convention Area, which consists of the high seas areas of the North Pacific Ocean as specified in Article 4 of the Convention.

General Rights and Obligations

5. Each Contracting Party may, subject to the provisions of these procedures, carry out boarding and inspection on the high seas of fishing vessels engaged in or reported to have engaged in a fishery regulated pursuant to the Convention.
6. These procedures shall also apply in their entirety as between a Contracting Party and a Fishing Entity, subject to a notification to that effect to the Commission from the parties concerned.
7. Each Member of the Commission shall ensure that vessels flying its flag accept boarding and inspection by authorized inspectors in accordance with these procedures. Such authorized inspectors shall comply with these procedures in the conduct of any such activities.

General Principles

8. These procedures are intended to implement and give effect to, and are to be read consistently with, Article 7.2.c and Article 17.6 of the Convention.
9. These procedures shall be implemented in a transparent and non-discriminatory manner, taking into account, inter alia:
 - (a) such factors as the presence of observers on board a vessel and the frequency and results of past inspections; and
 - (b) the full range of measures to monitor compliance with the provisions of the Convention and agreed conservation and management measures, including inspection activities carried out by the authorities of Members of the Commission in respect of their own flag vessels.

(c) that NPFC Member inspectors are at risk of serious injury during the boarding process and that minimum standards for boarding ladders are to be implemented to the extent possible minimize this risk.

10. While not limiting efforts to ensure compliance by all vessels, priority for boarding and inspection efforts pursuant to these procedures may be given to:

(a) fishing vessels that are not on the NPFC Record of Fishing Vessels and are flagged to Members of the Commission;

(b) fishing vessels reasonably believed to engage or to have been engaged in any activity in contravention of the Convention or any conservation and management measure adopted thereunder;

(c) fishing vessels that are entitled to fly the flag of a Member of the Commission that does not dispatch patrol vessels to the area of application to monitor its own fishing vessels;

(d) fishing vessels without observers on board if so required by the Convention, Article 7.2b;

(e) fishing vessels with a known history of violating conservation and management measures adopted by international agreement or any domestic laws and regulations.

11. The Commission shall keep the implementation of these procedures under review.

12. The interpretation of these procedures shall rest with the Commission.

Participation

13. The Commission shall maintain a register of all authorized inspection vessels and authorities or inspectors. Only vessels and authorities or inspectors listed on the Commission's register are authorized under these procedures to board and inspect fishing vessels of Commission Members and Cooperating Non-Contracting Parties on the high seas within the Convention Area.

14. Each Contracting Party that intends to carry out boarding and inspection activities pursuant to these procedures shall so notify the Commission, through the Executive Secretary, and shall provide the following:

(a) with respect to each inspection vessel it assigns to boarding and inspection activities under these procedures:

(i) details of the vessel (name, description, photograph, registration number, port of registry (and, if different from the port of registry, port marked on the vessel hull), international radio call sign and communication capability);

- (ii) An example of the credentials issued to the inspectors by its authorities;
 - (iii) notification that the inspection vessel is clearly marked and identifiable as being on government service;
 - (iv) notification that the crew has received and completed training in carrying out boarding and inspection activities at sea in accordance with any standards and procedures as may be adopted by the Commission.
- (b) with respect to inspectors it assigns pursuant to these procedures:
- (i) the names of the authorities responsible for boarding and inspection;
 - (ii) notification that such authorities' inspectors are fully familiar with the fishing activities to be inspected and the provisions of the Convention and conservation and management measures in force; and
 - (iii) notification that such authorities' inspectors have received and completed training in carrying out boarding and inspection activities at sea in accordance with any standards and procedures as may be adopted by the Commission.
15. Where military vessels are used as a platform for the conduct of boarding and inspection, the authorities of the inspection vessel shall ensure that the boarding and inspection is carried out by inspectors fully trained in fisheries enforcement procedures and duly authorized for this purpose under national laws, and that boardings from such military vessels and inspectors conform to the procedures contained within these Boarding and Inspection Procedures.
16. Authorized inspection vessels and inspectors notified by Contracting Parties pursuant to paragraph 14 shall be included on the Commission register once the Executive Secretary confirms that they meet the requirements of that paragraph.
17. To enhance the effectiveness of the Commission's boarding and inspection procedures, and to maximize the use of trained inspectors, Contracting Parties may identify opportunities to place authorized inspectors on inspection vessels of another Contracting Party. Where appropriate, Contracting Parties should seek to conclude bilateral arrangements to this end or otherwise facilitate communication and coordination between them for the purpose of implementing these procedures.
18. The Executive Secretary shall ensure that the register of authorized inspection vessels and authorities or inspectors is at all times available to all Members of the Commission and shall immediately circulate any changes therein. Updated lists shall be posted on the Commission website. Each Member of the Commission shall take necessary measures to ensure that these lists are circulated in a timely manner to each of its fishing vessels operating in the Convention Area.

Procedures

19. The Commission shall develop an NPFC inspection flag, which shall be flown by authorized inspection vessels, in clearly visible fashion.
20. Authorized inspectors shall carry an approved identity card identifying the inspector as authorized to carry out boarding and inspection procedures under the auspices of the Commission and in accordance with these procedures.
21. An authorized inspection vessel that intends to board and inspect a fishing vessel on the high seas that is engaged in or reported to have engaged in a fishery regulated pursuant to the Convention shall, prior to initiating the boarding and inspection:
 - (a) make best efforts to establish contact with the fishing vessel by radio, by the appropriate International Code of Signals or by other accepted means of alerting the vessel;
 - (b) provide the information to identify itself as an authorized inspection vessel - name, registration number, international radio call sign and contact frequency;
 - (c) communicate to the master of the vessel its intention to board and inspect the vessel under the authority of the Commission and pursuant to these procedures; and
 - (d) initiate notice through the authorities of the inspection vessel of the boarding and inspection to the authorities of the fishing vessel.
22. In carrying out boarding and inspection pursuant to these procedures, the authorized inspection vessel and authorized inspectors shall make their best efforts to communicate with the master of the fishing vessels in a language that the master can understand. In order to facilitate communications between the inspectors and the master of the vessel, the Commission shall develop a standardized multi-language questionnaire, which shall be circulated to all Contracting Parties with authorized inspection vessels.
23. Authorized inspectors shall have the authority to inspect the vessel, its license, gear, equipment, records, facilities, fish and fish products and any relevant documents necessary to verify compliance with the conservation and management measures in force pursuant to the Convention.
24. Boarding and inspection pursuant to these procedures shall:
 - (a) be carried out in accordance with internationally accepted principles of good seamanship so as to avoid risks to the safety of fishing vessels and crews;
 - (b) be conducted as much as possible in a manner so as not to interfere unduly with the lawful operation of the fishing vessel;

- (c) take reasonable care to avoid action that would adversely affect the quality of the catch; and
- (d) not be conducted in such manner as to constitute harassment of a fishing vessel, its officers or crew.

25. In the conduct of a boarding and inspection, the authorized inspectors shall:

- (a) present their identity card to the master of the vessel and a copy of the text of the relevant measures in force pursuant to the Convention in the relevant area of the high seas;
- (b) not interfere with the master's ability to communicate with the authorities of the fishing vessel;
- (c) complete the inspection of the vessel within 4 (four) hours unless evidence of a serious violation is found;
- (d) collect and clearly document any evidence they believe indicates a violation of measures in force pursuant to the Convention;
- (e) provide to the master prior to leaving the vessel a copy of an interim report on the boarding and inspection including any objection or statement which the master wishes to include in the report;
- (f) promptly leave the vessel following completion of the inspection if they find no evidence of a serious violation; and
- (g) provide a full report on the boarding and inspection to the authorities of the fishing vessel, pursuant to paragraph 31, which shall also include any master's statement.

26. During the conduct of a boarding and inspection, the master of the fishing vessel shall:

- (a) follow internationally accepted principles of good seamanship so as to avoid risks to the safety of authorized inspection vessels and inspectors;
- (b) accept and facilitate prompt and safe boarding by the authorized inspectors;
- (c) be encouraged to provide a boarding ladder in accordance with Annex A;
- (d) cooperate with and assist in the inspection of the vessel pursuant to these procedures;
- (e) not assault, resist, intimidate, interfere with, or unduly obstruct or delay the inspectors in the performance of their duties;

- (f) allow the inspectors to communicate with the crew of the inspection vessel, the authorities of the inspection vessel, any embarked observers, as well as with the authorities of the fishing vessel being inspected;
- (g) provide the inspectors onboard with reasonable facilities, including, where appropriate, food and accommodation; and
- (h) facilitate safe disembarkation by the inspectors.

27. If the master of a fishing vessel refuses to allow an authorized inspector to carry out a boarding and inspection in accordance with these procedures, such master shall offer an explanation of the reason for such refusal. The authorities of the inspection vessel shall immediately notify the authorities of the fishing vessel, as well as the Commission, of the master's refusal and any explanation.
28. The authorities of the fishing vessel, unless generally accepted international regulations, procedures and practices relating to safety at sea make it necessary to delay the boarding and inspection, shall direct the master to accept the boarding and inspection. If the master does not comply with such direction, the Member shall suspend the vessel's authorization to fish and order the vessel to return immediately to port. The Member shall immediately notify the authorities of the inspection vessel and the Commission of the action it has taken in these circumstances.

Use of Force

29. The use of force shall be prohibited except when and to the degree necessary to ensure the safety of the inspectors during the conduct of their boarding and inspection activities. The degree of force used shall not exceed that reasonably required in the circumstances.
30. Any incident involving the use of force shall be immediately reported to the authorities of the fishing vessel, as well as to the Executive Secretary for distribution to the Commission.

Inspection Reports

31. Authorized inspectors shall prepare a full report on each boarding and inspection they carry out pursuant to these procedures in accordance with a format specified by the Commission. The authorities of the inspection vessel from which the boarding and inspection was carried out shall transmit a copy of the boarding and inspection report to the authorities of the fishing vessel being inspected, as well as the Secretariat, within 3 (three) full working days of the completion of the boarding and inspection. Where it is not possible for the authorities of the inspection vessel to provide such report to the authorities of the fishing vessel within this timeframe, the

authorities of the inspection vessel shall inform the authorities of the fishing vessel and shall specify the time period within which the report will be provided.

32. Such report shall include the names and authority of the inspectors and clearly identify any observed activity or condition that the authorized inspectors believe to be a violation of the Convention or conservation and management measures in force and indicate the nature of specific factual evidence of such violation.

Serious Violations

33. In the case of any boarding and inspection of a fishing vessel during which the authorized inspectors observe an activity or condition that would constitute a serious violation, as defined in paragraph 38, the authorities of the inspection vessels shall immediately notify the authorities of the fishing vessel, directly as well as through the Commission.
34. Upon receipt of a notification under paragraph 33, the authorities of the fishing vessels shall without delay:
 - (a) assume their obligation to investigate and, if the evidence warrants, take enforcement action against the fishing vessel in question and so notify the authorities of the inspection vessel, as well as the Commission; or
 - (b) authorize the authorities of the inspection vessel to complete investigation of the possible violation and so notify the Commission.
35. In the case of 34(a) above, the authorities of the inspection vessel shall provide, as soon as practicable, the specific evidence collected by the authorized inspectors to the authorities of the fishing vessel.
36. In the case of 34(b) above, the authorities of the inspection vessel shall provide the specific evidence collected by the authorized inspectors, along with the results of their investigation, to the authorities of the fishing vessel immediately upon completion of the investigation.
37. Upon receipt of a notification pursuant to paragraph 33, the authorities of the fishing vessel shall make best effort to respond without delay and in any case no later than within 3 (three) full working days.
38. For the purposes of these procedures, a serious violation means the following violations of the provisions of the Convention or conservation and management measures adopted by the Commission:

- (a) fishing without a valid license, permit or authorization issued by the Member whose flag the fishing vessel is entitled to fly, in accordance with Article 13 of the Convention;
- (b) significant failure to maintain records of catch and catch-related data in accordance with the Commission's reporting requirements or significant misreporting of such catch and/or catch-related data;
- (c) fishing in a closed area;
- (d) fishing during a closed season;
- (e) intentional taking or retention of species in contravention of any applicable conservation and management measure adopted by the Commission;
- (f) significant violation of catch limits or quotas in force pursuant to the Convention;
- (g) using prohibited fishing gear;
- (h) falsifying or intentionally concealing the markings, identity or registration of a fishing vessel;
- (i) concealing, tampering with or disposing of evidence relating to investigation of a violation;
- (j) multiple violations which taken together constitute a serious disregard of measures in force pursuant to the Commission;
- (k) refusal to accept a boarding and inspection, other than as provided in paragraphs 27 and 28;
- (l) assault, resist, intimidate, sexually harass, interfere with, or unduly obstruct or delay an authorized inspector; and
- (m) intentionally tampering with or disabling the vessel monitoring system;
- (n) such other violations as may be determined by the Commission, once these are included and circulated in a revised version of these procedures.

Enforcement

39. Any evidence obtained as a result of a boarding and inspection pursuant to these procedures with respect to violation by a fishing vessel of the Convention or conservation and management measures adopted by the Commission and in force shall be referred to the authorities of the fishing vessel for action in accordance with Article 17 of the Convention.
40. For the purposes of these procedures, the authorities of the fishing vessels shall regard interference by their fishing vessels, captains or crew with an authorized inspector or an

authorized inspection vessel in the same manner as any such interference occurring within its exclusive jurisdiction.

Annual Reports

41. Contracting Parties that authorize inspection vessels to operate under these procedures shall report annually to the Commission on the boarding and inspections carried out by its authorized inspection vessels, as well as upon possible violations observed.
42. Contracting Parties shall include in their annual statement of compliance within their Annual Report to the Commission under Article 16 of the Convention action that they have taken in response to boarding and inspections of their fishing vessels that resulted in observation of alleged violations, including any proceedings instituted and sanctions applied.

Other Provisions

43. Authorized inspection vessels, while carrying out activities to implement these procedures, shall engage in surveillance aimed at identifying fishing vessels of non-Members undertaking fishing activities on the high seas in the Convention area. Any such vessels identified shall be immediately reported to the Executive Secretary for distribution to the Commission.
44. The authorized inspection vessel shall attempt to inform any fishing vessel identified pursuant to paragraph 43 that has been sighted or identified as engaging in fishing activities that are undermining the effectiveness of Convention and that this information will be sent to the Executive Secretary for distribution to the Members of the Commission and the non-Member whose flag the fishing vessel is entitled to fly of the vessel in question.
45. If warranted, the authorized inspectors may request permission from the fishing vessel and/or the non-Member whose flag the vessel is entitled to fly to board a vessel identified pursuant to paragraph 43. If the vessel master or the vessel's non-Member whose flag the vessel is entitled to fly consents to a boarding, the findings of any subsequent inspection shall be transmitted to the Executive Secretary. The Executive Secretary shall distribute this information to all Commission Members as well as to the non-Member whose flag the vessel is entitled to fly.
46. Contracting Parties shall be liable for damage or loss attributable to their action in implementing these procedures when such action is unlawful or exceeds that reasonably required in the light of available information.

Commission Coordination and Oversight

47. Authorized inspection vessels in the same operational area should seek to establish regular contact for the purpose of sharing information on areas in which they are patrolling, on sightings and on boarding and inspections they have carried out, as well as other operational information relevant to carrying out their responsibilities under these procedures.
48. The Commission shall keep under continuous review the implementation and operation of these procedures, including review of annual reports relating to these procedures provided by Members. In applying these procedures, Contracting Parties may seek to promote optimum use of the authorized inspection vessels and authorized inspectors by:
- (a) identifying priorities by area and/or by fishery for boarding and inspections pursuant to these procedures;
 - (b) ensuring that boarding and inspection on the high seas is fully integrated with the other monitoring, compliance and surveillance tools available pursuant to the Convention;
 - (c) ensuring non-discriminatory distribution of boarding and inspections on the high seas among fishing vessels of Members of the Commission without compromising the opportunity of Contracting Parties to investigate possible serious violations; and
 - (d) taking into account high seas enforcement resources assigned by Members of the Commission to monitor and ensure compliance by their own fishing vessels, particularly for small boat fisheries whose operations extend onto the high seas in areas adjacent to waters under their jurisdiction.

Settlement of Disagreements

49. In the event of a disagreement concerning the application or implementation of these procedures, the parties concerned shall consult in an attempt to resolve the disagreement.
50. If the disagreement remains unresolved following the consultations, the Executive Secretary of the Commission shall, at the request of the parties concerned, and with the consent of the Commission, refer the disagreement to the Technical and Compliance Committee (TCC). The TCC shall establish a panel of five representatives, acceptable to the parties to the disagreement, to consider the matter.
51. A report on the disagreement shall be drawn up by the panel and forwarded through the TCC Chair to the Executive Secretary for distribution to the Commission within two months of the TCC meeting at which the case is reviewed.

52. Upon receipt of such report, the Commission may provide appropriate advice with respect to any such disagreement for the consideration of the Members concerned.
53. Application of these provisions for the settlement of disagreements shall be non-binding. These provisions shall not prejudice the rights of any Member to use the dispute settlement procedures provided in the Convention.

Boarding Ladder Guidelines

Commencing on March 1st, 2022, the Master of a fishing vessel with fishing vessel with a registered tonnage greater than or equal to 250 GT (Gross Tonnage) or GRT (Gross Register Tonnage), as registered in the NPFC Vessel Registry, is encouraged to provide a board ladder that meets the following guidelines:

- (a) A boarding ladder shall be provided for the purpose of enabling Authorized Inspectors to safely embark and disembark at-sea pursuant to the provisions of CMM 2023-09.
- (b) The ladder shall be secured in an area that is clear of any possible discharges, lines, or obstructions from the vessel.
- (c) The ladder shall be placed as near to the mid-length of the vessel as practicable.
- (d) Handholds shall be provided to ensure a safe passage from the deck to the head of the ladder and vice versa.
- (e) The rigging of the ladder and the embarkation and disembarkation of an Authorized Inspector shall be overseen by a responsible crew member of the vessel, who shall have communication with the bridge.
- (f) The steps of the ladder shall be:
 - (i) made of hardwood (or of a suitable equivalent material).
 - (ii) free from sharp edges or splinters.
 - (iii) provided with an effective non-slip surface.
 - (iv) not less than 480 mm long, 115 mm wide and 25 mm in depth.
 - (v) equally spaced apart to ensure safe and ergonomic climbing of the ladder by an Authorized Inspector.
 - (vi) secured in such a manner that they will remain horizontal.
- (g) The side ropes of the ladder shall:
 - (i) consist of two uncovered manila ropes not less than 65 mm in circumference on each side.
 - (ii) shall be continuous with no joins.
 - (iii) shall have ends secured to prevent unravelling.
 - (iv) Battens (span boards) made of hardwood or a material of equivalent properties, in one piece, shall be provided to prevent the boarding ladder from twisting.
 - (v) An authorized inspector shall have the discretion to instruct a vessel master to move or reconfigure the boarding ladder if deemed unsafe for use.

Note: A graphic regarding the boarding ladder is attached hereto.

Fisheries and Oceans
Canada

Pêches et Océans
Canada

Boarding Ladder

for Inspector Safety

A boarding ladder shall be provided for the purpose of enabling Inspectors to safely embark and disembark at-sea. The ladder shall be secured so that it is clear of any possible discharges and lines from the vessel. Handholds shall be provided to ensure a safe passage from the deck to the head of the ladder and vice versa.

- The rigging of the ladder and the embarkation and disembarkation of an inspector shall be overseen by a crew member of the vessel, who shall have communication with the bridge.

The steps of the ladder shall be:

- made of hardwood (or of a suitable equivalent material).
- free from sharp edges / splinters.
- provided with an effective non-slip surface.
- not less than 480 mm long, 115 mm wide and 25 mm in depth.
- equally spaced apart to ensure safe and ergonomic climbing of the ladder by an authorized Inspector.
- secured in such a manner that they will remain horizontal.

The side ropes of the ladder shall:

- consist of two uncovered manilla ropes not less than 65 mm in circumference on each side.
- shall be continuous with no joins.
- shall have ends secured to prevent unravelling.

Battens (span boards) made of hardwood or an material of equivalent properties, in one piece, shall be provided to prevent the boarding ladder from twisting.

An authorized inspector shall have the discretion to instruct a vessel master to move or reconfigure the boarding ladder if deemed unsafe for use.

Article 26 – Enhancements and Clarifications from the Commission

CHAPTER VI: NON-CONTRACTING PARTY SCHEME

Article 27 – CMM Vessels without Nationality

CMM 2016-04

(Entered into force 16 January 2017)

CONSERVATION AND MANAGEMENT MEASURE ON VESSELS WITHOUT NATIONALITY

The North Pacific Fisheries Commission (NPFC),

Recognising that vessels without nationality operate without governance and oversight;

Concerned that fishing in the NPFC Area of Application (the Area) by vessels without nationality undermines the objective of the Convention and the work of the Commission;

Noting Article 92 and 94 of the United Nation Convention on the Law of the Sea (UNCLOS) relating to the status of ships and the duties of flag States;

Recalling that the FAO Council has adopted an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated fishing (IUU fishing) and has recommended that States adopt measures consistent with international law in relation to fishing vessels without nationality involved in IUU fishing on the high seas;

Adopts the following conservation and management measure in accordance with Article 7 of the Convention:

1. A vessel without nationality is a vessel that, under international law, is not entitled to fly the flag of any State or, as referred to in Article 92 of UNCLOS, sails under the flag of two or more States, using them according to convenience.
2. Any fishing activities by a fishing vessel without nationality on the high seas of the Area shall be deemed to undermine the Convention and Commission conservation and management measures and shall constitute a serious violation in accordance with Article 17 of the Convention. These activities are deemed to be IUU fishing and therefore its information shall be provided by the Secretariat to the TCC according to para 5 of this CMM and shall constitute an appropriate basis for placement of such vessel on the Commissions Draft IUU List in accordance with the relevant CMM for establishing NPFC IUU Vessel List.

3. Members and Cooperating Non-Contracting Parties (CNCPs) are encouraged to take effective action in accordance with international law, including, where appropriate, enforcement action, against vessels without nationality that are engaging, or have engaged, in fishing activities in the Area, and to prohibit the landing and transshipment of fish and fish products, and access to port services, by such vessels, except where such access is essential to the investigation, safety or health of the crew or the safety of the vessel.
4. Members and CNCPs are encouraged to adopt necessary measures, including, where relevant, domestic legislation, to allow them to take the effective action referred to in paragraph 3 to prevent and deter vessels without nationality from engaging in fishing activities in the Area.
5. Members and CNCPs are encouraged to share information about vessels suspected to be without nationality to assist in clarifying the status of such vessels, and about the activities of vessels without nationality to enable them to make informed decisions about action to prevent and deter such vessels from engaging in fishing activities in the Area. Any sightings of fishing vessels that are suspected of, or confirmed as being, without nationality that may be fishing in the high seas of the Area shall be reported to the Secretariat as soon as possible by the appropriate authorities of the member or CNCP whose vessel or aircraft made the sighting. The Secretariat will circulate such information to all members and CNCPs as soon as practicable, and will provide a report to the next meeting of the Technical and Compliance Committee of all such information provided.
6. For the effectiveness of this measure, the Commission shall cooperate with relevant regional organizations, especially with those regional fisheries management organizations with responsibility for fisheries in marine areas near or adjacent to the Convention Area.

Article 28 – Enhancements and Clarifications from the Commission

Article 29 – CMM Identification of Illegal, Unreported, and Unregulated Activities

CMM 2019-02

(Entered into force 29 November 2019)

CONSERVATION AND MANAGEMENT MEASURE TO ESTABLISH A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT ILLEGAL, UNREPORTED AND UNREGULATED FISHING ACTIVITIES IN THE CONVENTION AREA OF THE NORTH PACIFIC FISHERIES COMMISSION

The North Pacific Fisheries Commission (NPFC):

Recalling that the FAO Council adopted on 23 June 2001 an International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU). This plan stipulates that the identification of the vessels carrying out illegal, unreported and unregulated (IUU) fishing activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way;

Concerned that IUU fishing activities in the Convention Area undermine the effectiveness of the conservation measures adopted by the NPFC;

Further concerned that there is a possibility that vessel owners engaged in such fishing activities may have re-flagged their vessels to avoid compliance with NPFC measures;

Determined to address the challenge of an increase in IUU fishing activities by way of measures to be applied in respect to vessels, without prejudice to further measures adopted in respect of Members, Cooperating Non-Contracting Parties (CNCPs) and non-Contracting Parties under the relevant NPFC instruments;

Considering the action undertaken in other regional fisheries organizations to address this issue;

Conscious of the need to address, as a matter of priority, the issue of vessels conducting IUU fishing activities;

Noting that efforts to prevent, deter and eliminate IUU fishing must be addressed in the light of all relevant international fisheries instruments and in accordance with other international obligations, including the rights and obligations established under the World Trade Organization (WTO) Agreement; and

Recalling Articles 13, 14, 15 and 17 of the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean (hereinafter called the “Convention”)

regarding the flag State duties, port State duties, duties of fishing entities and provisions for compliance and enforcement;

Adopts the following conservation and management measure in accordance with Article 7 of the Convention:

Identification of IUU activities

1. At each meeting, the Commission will identify those vessels which have engaged in fishing activities for species covered by the Convention within the Convention Area in a manner which has undermined the effectiveness of the Convention and the NPFC measures in force, and shall establish, and, as necessary, amend in subsequently, a list of such vessels (the IUU Vessel List), in accordance with the procedures and criteria set out in this conservation measure.
2. This identification shall be suitably documented, *inter alia*, on reports from Members/CNCPs relating to NPFC Conservation measures in force, trade information obtained on the basis of relevant trade statistics such as Food and Agriculture Organization of the United Nations (FAO) data, statistical documents and other national or international verifiable statistics, as well as any other information obtained from port States and/or gathered from the fishing grounds that is suitably documented. Information from Members/CNCPs should be provided in the format approved by the Commission.
3. For the purposes of this conservation measure, vessels fishing for species covered by the Convention are presumed to have carried out IUU fishing activities, as described in the IPOA on IUU fishing, in the Convention Area when a Member/CNCP presents suitably documented information that such vessels, *inter alia*:
 - (a) Harvest species covered by the Convention in the Convention Area and are not on the NPFC record of authorized vessels or
 - (b) Engage in fishing for fishery resources when the Member or CNCP, under whose flag the vessel is sailing, has exhausted or has no quotas, catch limit or effort allocation, including, if applicable, those received from another Member/CNCP under relevant NPFC conservation measures, or
 - (c) Do not record or report their catches made in the Convention Area consistent with NPFC measures, or make false reports, or
 - (d) Take and land undersized fish in contravention of relevant NPFC conservation measures, or
 - (e) Fish in a closed area or during a closed season in contravention of relevant NPFC conservation measures, or

- (f) Use prohibited fishing gear in contravention of relevant NPFC conservation measures, or
 - (g) Transship with, participate in joint fishing operations with, support or re-supply vessels included in the IUU Vessel List, or
 - (h) Are without nationality and harvest species covered by the Convention in the Convention Area, or
 - (i) Engage in any other fishing activities that undermine the provisions of the Convention or any other NPFC conservation measures.
4. If a Member/CNCP has not taken such measures as may be necessary so that fishing vessels entitled to fly its flag avoid conducting unauthorized fishing activities within areas under national jurisdiction of another State adjacent to the Convention Area in accordance with Article 13, the Member/CNCP, within whose areas under national jurisdiction the unauthorized fishing activities were conducted, may submit a proposal for listing the vessels on the draft IUU List if consultation with the Member/CNCP has not resolved the matter. Relevant procedures set out in paragraph 6 below shall apply for proposals under this paragraph.
 5. If a Member/CNCP has information that a vessel is presumed to be carrying out IUU activities in the Convention Area during the years from the previous meeting to the current year, the Member/CNCP with such information is encouraged to provide that information as soon as possible to, and consult with, any Member/CNCP or non-Contracting Party that may have a vessel presumed to be carrying out IUU activities for clarification before providing that information to the Executive Secretary under the provisions of paragraph 6.

Information on alleged IUU fishing activities

6. At least 70 days before the meeting of the Technical and Compliance Committee (TCC), Members/CNCPs shall transmit to the Executive Secretary their list of vessels presumed to be carrying out IUU activities in the Convention Area during the years from the previous meeting to the current year, accompanied by suitably documented information, as provided in para 2, concerning the presumption of this IUU activity.
7. Before or at the same time as transmitting a list of presumed IUU vessels to the Executive Secretary, the Member/CNCP shall notify, either directly or through the Executive Secretary, the relevant Member/CNCP/Non-Contracting Party of a vessel's inclusion on this list and provide a copy of the pertinent suitably documented information. The Member/CNCP/Non-Contracting Party shall promptly acknowledge receipt of the notification. If no acknowledgement is received within 10 days of the date of transmittal, the Executive Secretary, Member/CNCP shall retransmit the notification through an alternative means of communication.

Draft IUU Vessel List

8. The Executive Secretary shall draw up a draft IUU Vessel List incorporating the lists of vessels and suitably documented information received pursuant to para 6, and any other suitably documented information at his disposal, and shall transmit it, together with all the supporting information provided, to all Members/CNCPs, as well as to non-Contracting Parties with vessels on the list, at least 55 days before the TCC's meeting except otherwise decided by the TCC.
9. The Executive Secretary shall request each Member/CNCP/non-Contracting Party with vessels on the draft IUU Vessel List to notify the owner of the vessels of their inclusion in that list, and of the consequences of their inclusion being confirmed in the IUU Vessel List.
10. Upon receipt of the draft IUU Vessel List, Members/CNCPs shall closely monitor the vessels included in that list in order to follow their activities and possible changes of name, flag or registered owner.
11. As appropriate, Members/CNCPs/non-Contracting Parties with vessels on the list should transmit, at least 10 days before the TCC's meeting, their comments to the Executive Secretary, including suitably documented information, showing that the vessels have fished in a manner consistent with NPFC conservation measures or have fished exclusively for species not covered by the Convention.
12. The Executive Secretary shall re-circulate the draft IUU Vessel List, 7 days in advance of the TCC's meeting, to the Members/CNCPs/non-Contracting Parties concerned, together with all the suitably documented information provided pursuant to paras 6 and 11 above.
13. Members/CNCPs/non-Contracting Parties may at any time submit to the Executive Secretary any additional suitably documented information regarding any vessels on the draft IUU Vessel List. The Executive Secretary shall circulate this additional information to all Members/CNCPs and to the non-Contracting Parties concerned immediately upon receipt of such information.

Provisional and current IUU Vessel List

14. The NPFC's IUU Vessel List adopted at the previous meeting of the Commission, as well as any new suitably documented information regarding this list, including intersessional amendments, shall be transmitted to Members/CNCPs and the non-Contracting Parties concerned in conjunction with the draft IUU Vessel List and materials outlined in para 8.
15. Members/CNCPs/non-Contracting Parties with vessels on the current NPFC IUU Vessel List should transmit at least 30 days before the meeting of the TCC, but may submit at any time, to the Executive Secretary suitably documented information regarding any of the vessels on the current NPFC IUU Vessel List, including, where appropriate, suitably documented information

as provided for in paragraph 29. The Executive Secretary shall re-circulate the current NPFC IUU Vessel List two weeks in advance of the meeting of the TCC to the Members/CNCPs and non-Contracting Parties concerned, together with all the information provided pursuant to paragraph 14 and this paragraph.

16. At its meeting, the TCC shall:

- (a) following consideration of the draft IUU Vessel List and the suitably documented information circulated under paras 8, 12 and 13, adopt a Provisional IUU Vessel List; and
- (b) following consideration of the current NPFC IUU Vessel List and the suitably documented information circulated under paras 14 and 15, recommend to the Commission which, if any, vessels should be removed from the current NPFC IUU Vessel List.

17. The TCC shall not include a vessel on the Provisional IUU Vessel List if the Member/CNCP/non-Contracting Party, under whose flag the vessel is sailing, demonstrates that:

- (a) The vessel fished in a manner consistent with the Convention and NPFC Conservation Measures or have fished exclusively for species not covered by the NPFC Convention, or
- (b) Effective action has been taken in response to the IUU fishing activities in question, such as, *inter alia*, prosecution or the imposition of sanctions of adequate severity.

18. The TCC shall not include a vessel on the Provisional IUU Vessel List if the notifying Member/CNCP did not follow the provisions of para 7.

19. The TCC shall recommend removal of a vessel from the current NPFC IUU Vessel List only if the Member/CNCP/Non-Contracting Party, under whose flag the vessel is sailing, submits to the Executive Secretary the information provided in para 29 of this measure.

20. Following the examination referred to in para 16, the TCC shall submit the Provisional IUU Vessel List to the Commission for its consideration, and as appropriate, recommend any proposed changes to the current NPFC IUU Vessel List.

21. The draft IUU Vessel List, Provisional IUU Vessel List, and the NPFC IUU Vessel List shall contain the following details for each vessel:

- (a) name and previous names, if any;
- (b) flag and previous flags, if any;
- (c) owner and previous owners, including beneficial owners, if any;

- (d) operator and previous operators, if any;
- (e) call sign and previous call signs, if any;
- (f) Lloyds/IMO number, if any;
- (g) photographs, where available;
- (h) date first included on the IUU Vessel List;
- (i) CMM and paragraph noting violation;
- (j) summary of activities which justify inclusion of the vessel on the list, together with references to all relevant documents informing of and evidencing those activities; and
- (k) the date(s) and subsequent sightings of the vessels, if any, and any other related activities.

NPFC IUU Vessel List

22. At its meeting, the Commission shall review the Provisional IUU Vessel List, taking into account any new suitably documented information related to vessels on the Provisional IUU Vessel List, and any recommendations to amend the current NPFC IUU Vessel List made pursuant to paragraph 20 above, and adopt a new NPFC IUU Vessel List. To the maximum extent possible Members/CNCs/non-Contracting Parties concerned shall provide any new suitably documented information at least two weeks before the meeting of the Commission.
23. Upon adopting the new NPFC IUU Vessel List, the Commission shall request Members/CNCs/non-Contracting Parties with vessels on the NPFC IUU Vessel List to:
- (a) notify the owner of the vessels of its inclusion on the NPFC IUU Vessel List and the consequences that result from being included in the list, and
 - (b) take all the necessary measures to eliminate these IUU fishing activities, including, if necessary, the withdrawal of the registration or the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect.
24. Members/CNCs shall take all necessary non-discriminatory measures under their applicable legislation, international law and each Members/CNCs' international obligations, and pursuant to paras 56 and 66 of the IPOA-IUU to:
- (a) remove or withdraw vessels on the NPFC IUU Vessel List from the NPFC Vessel Registry;

- (b) ensure that fishing vessels, support vessels, mother ships or cargo vessels flying their flag do not participate in any transshipment or joint fishing operations with, support or re-supply vessels on the NPFC IUU Vessel List;
 - (c) prohibit the entry into their ports of vessels included on the NPFC IUU Vessel List, except in the case of investigation or *force majeure*;
 - (d) prohibit the chartering of a vessel on the NPFC IUU Vessel List;
 - (e) refuse to grant their flag to vessels on the NPFC IUU Vessel List, unless the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no legal, beneficial or financial interest in, or control of the vessels, or the Member concerned is satisfied that, having taken into account all relevant facts, the vessel is no longer engaged in or associated with IUU fishing activities;
 - (f) prohibit commercial transactions, imports, landings and/or transshipment of species covered by the Convention from vessels on the IUU Vessel List;
 - (g) encourage traders, importers, transporters and others involved, to refrain from transactions in, and transshipment of, species covered by the Convention caught by vessels on the NPFC IUU Vessel List;
 - (h) collect, and exchange with other Members/CNCPs, any appropriate information with the aim of searching for, controlling and preventing false import/export certificates for species covered by the Convention from vessels on the NPFC IUU Vessel List.
25. Members/CNCPs should cooperate with each other and other flag States to strengthen their legal, operational and institutional capacity to take action against their flagged vessels that have engaged in IUU fishing in the Area, including the imposition of adequate sanctions, as an alternative to de-flagging such vessels, thereby rendering such vessels without nationality.
26. The Executive Secretary shall take any measure necessary to ensure publicity of the NPFC IUU Vessel List, in a manner consistent with any applicable confidentiality requirements, including placing it on the NPFC website. Furthermore, the Executive Secretary shall transmit the NPFC IUU Vessel List to the FAO and to other regional fisheries organizations for the purposes of enhancing cooperation between the NPFC and these organizations aimed at preventing, deterring and eliminating IUU fishing.
27. Upon receipt of the final IUU vessel list established by another Regional Fisheries Management Organization (RFMO) and any other information regarding the list including its modification, the Executive Secretary shall circulate it to Members/CNCPs and shall place it on the NPFC website.

28. Without prejudice to the rights of Members/CNCPs and coastal states to take proper action, consistent with international law, including applicable WTO obligations, the Members/CNCPs shall not take any unilateral trade measures or other sanctions against vessels on the draft or Provisional IUU Vessel Lists, pursuant to paras 8 or 16, or that have been removed from the NPFC IUU Vessel List, pursuant to paras 19 and 22, on the grounds that such vessels are involved in IUU fishing activities.

Modification of the NPFC IUU Vessel List

29. Member/CNCPs/non-Contracting Parties with a vessel on the NPFC IUU Vessel List may request the removal of the vessel from the list at any time during the intersessional period by submitting to the Executive Secretary suitably documented information demonstrating that:

- (a) it has adopted measures that will seek to ensure that the vessel complies with all NPFC measures; and
- (b) it will be able to assume effectively its duties with regards to the monitoring and control of the vessel's fishing activities in the Convention Area; and
- (c) it has taken effective action in response to the IUU fishing activities that resulted in the vessel's inclusion in the NPFC IUU Vessel List, including prosecution or the imposition of sanctions of adequate severity; or
- (d) the vessel has changed ownership and that the new owner can establish that the previous owner no longer has any legal, financial or real interests in the vessel or exercises control over it, and that the new owner has not participated in IUU fishing activities.

30. The Executive Secretary will transmit the removal request, with all the supporting information, to the Members/CNCPs within 15 days following the receipt of the removal request. Members/CNCPs shall promptly acknowledge receipt of the removal request. If no acknowledgement is received within 10 days of the date of transmittal, the Executive Secretary shall retransmit the removal request and shall use additional means available to ensure the request has been received.

31. Each Commission Member shall examine the removal request and notify the Executive Secretary in writing of its decision, and the rationale therefore, regarding the removal of the vessel within 30 days following the notification by the Executive Secretary. Decisions on the request to remove the vessel shall be made in accordance with Rule 2 of the Rules of Procedure.

32. If Commission Members agree to the removal of the vessel from the NPFC IUU Vessel List within the period stipulated in para 31, the Executive Secretary will inform Members/CNCPs, and non-Contracting Parties concerned, FAO and other regional fisheries management

organizations, and will remove the vessel from the NPFC IUU Vessel List, as published on the NPFC website.

33. If Commission Members disagree with the request for the removal of the vessel from the IUU Vessel List, the vessel will be maintained on the NPFC IUU Vessel List and the Executive Secretary will inform the Members/CNCs/non-Contracting Parties that made the removal request.

34. A Member/CNCP with information indicating a change of name and/or an International Radio Call Sign (IRCS) of a vessel appearing on the NPFC IUU Vessel List shall, as soon as practicable, transmit such information to the Executive Secretary. The Executive Secretary shall communicate such information to all Members/CNCs and, after verification*, update the current NPFC IUU Vessel List on the NPFC website to reflect such information.

* If the Secretariat, after reasonable efforts, is unable to verify the information submitted by the Member/CNCP the vessel name or identifying number will not be updated.

Review

35. This Conservation and Management Measure shall be subject to review and, as appropriate, revision by the TCC and acceptance by the Commission.

NPFC Reporting Form for Illegal Activity

Recalling NPFC CMM 2016 - 02 on *Establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing activities in the Convention Area of North Pacific Fisheries Commission*, attached are details of illegal activity recorded in

Details of Vessel

- a. Name of vessel and previous names, if any;
- b. Flag of vessel and previous flags, if any;
- c. Owner and previous owner, including beneficial owners, if any;
- d. Operator of vessel and previous operators, if any;
- e. Call sign of vessel and previous call sign, if any;
- f. Lloyds/IMO number, if any;
- g. Photographs of the vessel, where available;
- h. Date vessel was first included on the IUU List;
- i. CMM and paragraph noting violation;
- j. Summary of activities which justify inclusion of the vessel on the list, together with references to all relevant documents informing of and evidencing those activities (more detail in section 2);
- k. the date(s) and subsequent sightings of the vessels, if any, and any other related activities.

Details of elements contravened

(Indicate with an "X" the individual elements of CMM contravened, and provide relevant details including date, location, source of information. Additional information can be provided in an attachment, if necessary, and listed under section 3).

Item	Definition	Indicate
a	Harvest species covered by the Convention in the Convention Area and are not on the NPFC record of authorized vessels	

b	Engage in fishing for fishery resources, when the Member or CNCP, under whose flag the vessel is sailing, has exhausted or has no quotas, catch limit or effort allocation, including, if applicable, those received from another Member/CNCP, under relevant NPFC conservation	
c	Do not record or report their catches made in the Convention Area consistent with NPFC Measures, or make false reports	
d	Take and land undersized fish in contravention of relevant NPFC conservation measures	
e	Fish in a closed area or during a closed season in contravention of relevant NPFC conservation measures	
f	Use prohibited fishing gear in contravention of relevant NPFC conservation measures	
g	Transship with, participate in joint fishing operations with, support or re-supply vessels included in the IUU vessels list	
h	Are without nationality and harvest species covered by the Convention in the Convention Area	
i	Engage in any other fishing activities that is in contravention of relevant NPFC conservation measures	
j	Are related to paragraph 4 of this conservation and management measure	

Associated documents

(List here the associated documents that are appended e.g. boarding reports, court proceedings, photographs).

Recommended actions

Item	Recommended actions	Indicate
A	Notification to NPFC Executive Secretary only. No further action is recommended	
B	Notification of illegal activity to NPFC Executive Secretary. Recommend notification of activity to flag Member/CNCP/non-Contracting Party	
C	Recommended for inclusion on NPFC IUU Vessel List	

Annex B

**Information to be included in all NPFC IUU Vessel Lists
(Draft, Provisional and Final)**

The Draft IUU Vessel List, as well as the Provisional and Final IUU Vessel Lists shall contain the following details, where available:

- a. Name of vessel and previous names, if any;
- b. Flag of vessel and previous flags, if any;
- c. Owner and previous owners, including beneficial owners, if any;
- d. Operator of vessel and previous operators, if any;
- e. Call sign of vessel and previous call signs, if any;
- f. Lloyds/IMO number, if any;
- g. Photographs of the vessel, where available;
- h. Date vessel was first included on the IUU Vessel List;
- i. CMM and paragraph noting violation;
- j. Summary of activities which justify inclusion of the vessel on the List, together with references to all relevant documents informing of and evidencing those activities;
- k. the date(s) and subsequent sightings of the vessels, if any, and any other related activities.