

NAMMCO MANAGEMENT COMMITTEE WORKING GROUP ON INSPECTION AND OBSERVATION

REPORT OF MEETING IN COPENHAGEN - 24-25 NOVEMBER 1998

The Working Group met at the offices of the Greenland Home Rule Government in Copenhagen on Tuesday 24 November and Wednesday 25 November 1998. The meeting was attended by: Egil Ole Øen (Chairman) and Kirsti Larsen (Norway); Gísli Runar Gíslason, (Iceland); Amalie Jessen and Jesper Koldborg Jensen (Greenland); Jústines Olsen and Regin Jespersen (Faroe Islands); Tine Richardsen (Secretariat) and Kate Sanderson (former General Secretary).

1. – 3. OPENING PROCEDURES

The Chairman of the Working Group, Egil Ole Øen, convened the meeting and welcomed participants. He referred to the mandate of the Working Group, which had been re-established by the Management Committee at its meeting in September 1998 in order to:

“...review in detail the implementation of the Observation Scheme in 1998 and to review a proposal for the scope and range of observation activities in 1999, as well as to examine other practical and administrative matters requiring further consideration and development, and to propose any amendments to the administrative guidelines to the Scheme which may be necessary.” (NAMMCO/8/7 - Report of the Management Committee, 2 September 1998).

Øen drew attention to the fact that the Management Committee had received a preliminary report of observation activities in 1998, as one observer was still on duty at the time of its meeting. It was noted, therefore, that as the report of the present meeting of the Working Group would be submitted to the Management Committee, that this would at the same time supplement the preliminary report on observation activities prepared by the Secretariat in September (NAMMCO/8/MC/5), which is contained in Appendix 3 - see also below under 4.2.1.

Sanderson agreed to act as rapporteur, in collaboration with members of the Working Group and the Secretariat. The draft agenda, as amended and contained in Appendix 1, was adopted.

4. REVIEW OF IMPLEMENTATION OF THE OBSERVATION SCHEME IN 1998

4.1 Practical implementation & administrative procedures

The Secretariat outlined experiences in implementing the Scheme in 1998 in relation to the Guidelines to Section B of the Joint NAMMCO Control Scheme. A number of questions were raised in relation to specific articles in the Guidelines, for which clarification from the Working Group was requested. In addition, the Secretariat had requested all observers in 1998 to comment in general on the administrative and practical aspects of the Scheme. Their feedback on these matters was also discussed in relation to the review of practical implementation and administrative procedures.

4.1.1 Proposal for scope and range of observation

In relation to article 14 of the Guidelines, which outlines procedures for developing a proposal for the scope and range of observation activities for the following year, it was clarified that this proposal should not normally specify the type of observation activities (i.e. whether land-based or onboard). The Management Committee formally approves the proposal for scope and range of observation by 1 January, the intention of which is to allow member countries the opportunity to propose amendments.

The Working Group noted that in 1998, being the first year of implementation of the Scheme, it had been decided by the Management Committee that observation in all areas should be confined to land-based activities only, and this had therefore been specified in the proposal for 1998.

4.1.1 Appointment of observers

Deadlines (Guidelines article 11)

In relation to procedures for appointing observers, the Working Group underlined the importance of maintaining the stipulated deadline for the nomination of candidates (15 November). This was designed to allow adequate time for all Management Committee members to review the nominations and lodge any reservations by 15 December, prior to the final appointment of observers by 1 January.

Letter of appointment (Guidelines article 15)

The Secretariat drew the Working Group's attention to the need to revise the wording of article 15 of the Guidelines in order to bring it into line with practice in administering the Scheme. Only observers who are actually employed to undertake observation activities receive an employment contract from the Secretariat. All appointed observers initially receive a letter of appointment together with a copy of the Control Scheme. The letter of appointment informs them that they will be notified at a later date if their services as observer will be required (i.e. once a detailed plan of observation activities has been developed). Appointed observers who will not be employed for specific activities that year are notified as soon as possible in writing by the Secretariat.

The Working Group **recommended** that article 15 of the Guidelines be reworded as follows:

Appointed observers receive a letter of appointment and a copy of the provisions of the Joint NAMMCO Control Scheme from the Secretariat. When a detailed plan of observation activities for the year is finalised, those observers who will be called upon for active observation will receive an employment contract from the Secretariat. When this is signed by both parties, the observer will receive an identification card, as well as other relevant documentation necessary for his/her duties. The observer shall return his/her identification card to the Secretariat together with the final report of activities, and shall then receive a letter from the Secretariat confirming his/her completion of duties according to the Scheme.

Qualifications

The Working Group noted article B.4.2 of the Control Scheme, which states:

“As a general rule, observers must have at least the same level of professional competence as that required of inspectors in the country where the observations are to take place. In special circumstances, exemption from this requirement can be given.”

The Working Group stressed the need for member countries to provide sufficiently detailed information on the qualifications of observer candidates in order to allow a thorough assessment of their suitability according to the requirements of the Scheme.

Jessen (Greenland) and Olsen (Faroe Islands) pointed out that in relation to the present requirements for professional competence of national inspectors in whaling and sealing in Norway (veterinary qualifications), it would in practice be difficult for Greenland and the Faroe Islands to provide available observer candidates to fulfil these requirements.

It was noted, however, that article B.4.2 allowed for exemption from these requirements, although in such cases, priority should be given to the following qualifications: experience with similar inspection activities; hunting experience; experience with administration of hunting and biological studies, with an emphasis on the killing of animals and/or management (see also article 12 of the Guidelines to the Section B of the Control Scheme).

Sanderson (Secretariat) stressed the need for any exemptions to the requirements for qualifications to be confirmed in relation to the appointment of observers by 1 January, so that the Secretariat can proceed with its detailed planning of observation activities according to Article 14 of the Guidelines (see also article B.3 and associated notes).

Residency/citizenship

The Working Group noted article B.2.8 of the Control Scheme which states:

“An observer shall only in exceptional circumstances be appointed to observe in the country - or on a vessel registered in the country - of which he or she is resident.”

The Working Group noted that an exception had been made to this in 1998, as one of the employed observers is a resident, although not a national, of the country in which his observation activities were carried out. However, it was also noted that citizenship was also a factor behind the intention of article B.2.8 of the Control Scheme.

The Working Group also noted that there was no requirement according to the Scheme that observers should be residents or citizens of NAMMCO member countries.

4.1.3 Reporting forms

Based on comments made by observers who used the reporting schemes for the first time in 1998, the Working Group **agreed** to some amendments of reporting form CS/98/OR-2, in order to make its use more flexible in relation to all types of observation activities, whether onboard or land-based.

The revised form is contained in Appendix 2 and is identified as CS/99/OR-2.

4.1.4 Instructions & conditions of employment for observers

The Working Group discussed the need for the Secretariat to prepare clear written instructions for observers. It was noted that, although all active observers in 1998 had received a thorough

briefing of their duties and responsibilities by the Secretariat prior to their observation activities, it was important that these be set out clearly in writing and related directly to the employment contract with each observer.

The Working Group also stressed the importance for appointed observers to be free from other employment commitments during their contract period as observers for NAMMCO, without causing them any disadvantages in terms of employment status in their home country.

4.1.5 General information on the Scheme

The Working Group noted the importance of having the full text of the Joint NAMMCO Control Scheme and all relevant associated information available in the respective languages of member countries. It was further noted that it was the responsibility of member countries to provide for translation and ensure that all necessary information was available to national control authorities and hunters.

4.1.6 Financial matters

The Secretariat drew the Working Group's attention to the procedures for payment of salaries and daily expenses for observers which were developed and applied in 1998, as well as the administrative consequences of these in relation to taxation regulations in Norway.

The Working Group **recommended** that these matters be forwarded to the Committee on Finance and Administration for further review.

4.2 Observers' reports

The Working Group reviewed in detail the reports of all three active NAMMCO observers in 1998, in particular in relation to the general review of the implementation of the Observation Scheme (see also above under 4.1.). The final report of observation in Greenland was now also available, and the Working Group's review of this report (4.2.1) provides a supplement to the Secretariat's Preliminary Report of Observation Activities in 1998 (NAMMCO/8/MC/5), as contained in Appendix 3.

4.2.1 Observation in Greenland 1998

The Working Group reviewed the report of observation in Greenland in 1998.

Land-based observation of grenade harpoon hunting of minke whales and fin whales was carried out in September 1998. The observer was employed for a period of two weeks from late August to mid-September and was based in Nuuk. During this period, observation of the landing/flensing and sale on the open market of one minke whale and one fin whale was carried out in the Nuuk area. No infringements were reported and observation activities were carried out in accordance with the provisions of the Scheme.

The Working Group noted that it had not been possible for the observer in Greenland to check all items required for inclusion in whaling logbooks according to article A.2.1 and Appendix 1 of the Control Scheme, as some of these items had not yet been incorporated into reporting procedures in Greenland.

4.2.2 Other matters

The Working Group noted comments in the report of observation of Norwegian minke whaling concerning logbooks. The observer noted that there was some degree of variation between vessels in the quality of recordings in whaling logbooks, especially with respect to the recording of cetacean sightings. As a result, some of the whaling logbooks might not be reliable with respect of this information.

5. Plans for observation in 1999

The Chairman referred to the draft proposal for the scope and range of activities in 1999, which had been circulated to the Management Committee on 27 October. Øen (Norway) and Jessen (Greenland) reiterated the views expressed by Norway and Greenland, respectively, at the meeting of the Management Committee that observation activities in 1999 could also be conducted, where appropriate, onboard vessels. Olsen (Faroe Islands) also recalled the views expressed in the Management Committee that there was an interest in the Faroe Islands to apply the observation scheme to pilot whaling in 1999, and that local authorities would be fully prepared to assist wherever possible with the Secretariat's co-ordination of activities for the coming year.

It was noted that the correct amount of budgeted funds for the Observation Scheme in 1999 was 250,000 and that this should be corrected in the proposal.

6. Adoption of report

The report of the Working Group was adopted by correspondence after the meeting.

AGENDA

1. Chairman's opening remarks
2. Appointment of rapporteur
3. Adoption of agenda
4. Review of implementation of the Observation Scheme in 1998
 - 4.1 Review of practical implementation
 - 4.2 Review of administrative procedures
 - 4.3 Observers' reports
5. Plans for observation in 1999
6. Any other business
7. Adoption of report

INTERNATIONAL OBSERVATION SCHEME

REPORT OF OBSERVATION - CS/99/OR-2

1. a) Observation object (vessel name and call sign).....
b) Flensing place (locality or position).....
c) Production plant (name and address).....
.....
 2. Type of hunting.....
 3. Observation period: Date/Time: From To.....
 4. Observation area (ICES-/NAFO- or IWC-codes).....
 5. Catch area (if different from observation area).....
.....
 6. Name of person in charge
 7. Name of national inspector
 8. Infringements (attach completed form CS/98/OR-3)
 9. Could observation be carried out in accordance with the provisions of Section B of the
Joint NAMMCO Control Scheme for the Hunting of Marine Mammals?
 Yes No
If no, specify.....
.....
.....
 10. Comments.....
.....
.....
- Name of observer
- Date and signature.....