



## PROVISIONS OF THE NAMMCO OBSERVATION SCHEME



© Fernando Ugarte

© North Atlantic Marine Mammal Commission

**Please cite this report as:**

NAMMCO-North Atlantic Marine Mammal Commission (2021). Provisions of the NAMMCO Observation Scheme

Adopted in 2019 (COUNCIL 27) with final adoption of guidelines in 2021 (Council 28). This replaced the former Provisions of the Joint NAMMCO Control Scheme for the hunting of marine mammals in member countries.

## TABLE OF CONTENTS

<b>NAMMCO OBSERVATION SCHEME</b> .....	<b>4</b>
General provisions.....	4
The Observer .....	4
Duties of the Member Countries.....	4
Duties of the Observer.....	5
Duties of the Observation Subject.....	5
Duties of the Secretariat .....	5
<b>APPENDIX 1 – Guidelines</b> .....	<b>6</b>
<b>CV Template for NAMMCO Observer Candidates</b> .....	<b>8</b>

## NAMMCO OBSERVATION SCHEME

### GENERAL PROVISIONS

1. The purpose of this Observation Scheme is to collect reliable information on all kinds of hunting activities in the NAMMCO Member Countries. The objectives are to
  - a) provide a mechanism for NAMMCO to oversee whether recommendations made by NAMMCO are implemented and national regulations are adhered to
  - b) provide a foundation for the member states to evaluate whether a recommendation is serving its purpose or not
  - c) contribute to the improvement of the national regulation of hunting activities in the Member Countries
2. These objectives will be reached by NAMMCO appointing observers to observe hunting and inspection activities in NAMMCO member countries and the Committee on Inspection and Observation reviewing the observation activities and the implementation of NAMMCO recommendations in national legislations (see section 1).
3. The information collected through the Observation Scheme shall be made available to any NAMMCO body requesting it.
4. Observations of hunting activities can take place on board a vessel or on shore, including flensing, storage, landing or delivering of the catch.
5. NAMMCO decides the scope of observation priorities. The Secretariat is responsible for the practical administration and coordination of these activities.
6. Deployment of observers according to this Scheme cannot be refused.

### THE OBSERVER

7. "Observer" means a person who is authorized and certified by the NAMMCO member countries to observe, monitor and collect information on all hunting related activities. The observer shall be independent and impartial, and have the knowledge, skills and abilities to perform all of the duties, functions and requirements specified in this Scheme.

### DUTIES OF THE MEMBER COUNTRIES

8. Member countries shall take appropriate measures to ensure that observation of the relevant hunting activities can be carried out properly and efficiently. They shall require its hunters (cf. section 4) to permit observers appointed by NAMMCO to perform their tasks and duties according to this Scheme.
9. Member countries, together with NAMMCO, will concur to take appropriate action to ensure safe working conditions, the protection, security and welfare of observers in the performance of their duties, consistent with international standards and guidelines.
10. Member countries shall ensure that their observers have no financial or beneficial interest in and, are paid in a manner that demonstrates financial independence from, the subject being monitored.

### **DUTIES OF THE OBSERVER**

11. The observer shall perform such work, including for scientific purposes, as NAMMCO may request.
12. The observer shall execute their duties and functions in an unbiased manner on the basis of the guidelines adopted by NAMMCO (appendix 1). Observers are responsible to NAMMCO and can neither seek nor receive instructions from any other authority.
13. The observer has no authority of jurisdiction and cannot intervene in any activities connected with the hunting activities.
14. The observer shall check licences and relevant certificates, logbooks, all rooms on board or on land, hunting equipment and communication equipment which are relevant for the work. If an electronic monitoring system is mandatory the observer shall check the system certificates, that the seals of amplifiers and control boxes are not broken, and that the system is activated. Sealed components shall not be broken by the observer.
15. If a national inspector is present at the time of the observation, the observer shall also oversee whether the inspection is done according to national regulations.
16. The observer shall no later than 8 days after the end of the employment period submit a written report to NAMMCO on a NAMMCO observer report form.
17. The observer shall ensure confidentiality of information collected under this Scheme.
18. The observer shall introduce themselves to inspectors at sea, or in port upon arrival of the vessel.

### **DUTIES OF THE OBSERVATION SUBJECT**

19. Each hunter (cf. section 4 and 13) shall extend such cooperation and assistance as may be required to enable the observers to carry out their duties. This cooperation shall include providing the observer with such access as may be required to the hunting operation and catch, including storage, flensing site, landing or delivering site.
20. The observer is to be provided food and accommodations of a standard no less than provided to the hunters/crew.
21. The observer is to be included in all emergency drills conducted.
22. The master of a vessel shall notify the observer when an inspection party has signalled their intent to board the vessel.
23. Masters of hunting activities (cf. section 4) shall not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

### **DUTIES OF THE SECRETARIAT**

24. The Observer Scheme is administered by the Secretariat, in accordance with guidelines set down by NAMMCO.
25. The Secretariat prepares an annual report of the Observation Scheme for the review of NAMMCO. The report shall include all relevant information and comments.
26. The Secretariat shall send a copy of the observer's reports to the member country in which the observations have taken place.

## APPENDIX 1 – GUIDELINES

### OBSERVERS

#### **Appointment of observers**

The NAMMCO Council approves and appoints observers. An approved observer will continue to function in the role until his/her services are withdrawn/cancelled by either personal notification or notification by the (nominating) member country.

Member countries are required to contribute a minimum of two candidates to the corps of observers.

#### **Nomination and approval process for observers**

Member countries nominate observer candidates by notifying the Secretariat and sending their names and qualifications. The Secretariat subsequently forwards the list of nominees together with information on the qualifications of the candidates to all member countries for their approval.

The member countries have one month to consider the nominations, after which the candidates are deemed approved unless direct objections or reservations are raised.

A reservation regarding a candidate must be communicated to the Secretariat and all member countries within the month following notification of the nomination. It is understood that a reservation to the appointment of a candidate is a reservation to his/her appointment as a NAMMCO observer in any area of activity.

Candidates for whom a reservation has been expressed will not be included in the observer corps.

#### **Competence and training of observers**

The requirements for the qualifications of the observers (professional, linguistic and safety at sea) are defined in the attached standardised CV-form for observers.

For safety reasons, the language competency of observers must be taken into consideration. An observer on board a hunting vessel must be able to communicate spontaneously with the crew. For communication on land, a translator may be used.

To ensure that observers are sufficiently informed about the relevant hunting regulations and the duties of national control personnel, observers shall receive all necessary documentation and relevant training before going into the field. Before being deployed in the field, a meeting will be held between the observer and the national authorities in question or NAMMCO to review legislation and information on how the hunt is carried out.

#### **Duties of the observer**

Observation activities can be carried out in five areas:

- observation of hunting and/or flensing of whales
- observation of hunting and/or flensing of seals
- observation of hunting and/or flensing of walrus
- observation of the landing/delivery of marine mammal catches;
- observations of national marine mammal inspection activities

Hunt specific check lists are available for all the hunts to be observed and the observer is required to report on all the items listed.

### REPORTS

No later than eight days after the end of the deployment period, the observer must submit a written report to the NAMMCO Secretariat. The report shall consist of the hunt specific check lists completed

during the observation period and a completed standardised report form. The language of the report shall be either English or a Scandinavian language.

The Secretariat will compile an annual report for the consideration of the Council based on the check lists and the standardised report from the observers.

#### **GENERAL CONDUCT OF OBSERVERS**

During the exercise of their duties, observers shall conduct themselves with appropriate tact and respect. Upon arrival at a vessel, a landing/receiving station or other place where observation duties are carried out, the observer shall always display their authorisation and identification card to the person in charge.

#### **CONFIDENTIALITY**

Observers shall ensure the confidentiality of their duties and shall not report on observations carried out under the NAMMCO Observation Scheme to any other parties than the Secretariat.

#### **ADMINISTRATION OF THE SCHEME**

##### **Plans for observation and activities**

The Secretariat, in cooperation with the Committee on Inspection and Observation (CIO) develops a proposal for the scope and range of observation priorities (including budget) by 1 May for the following year. The Council shall approve this proposal by 1 June. This is to facilitate the possibility of observing hunts at the start of the year. The Secretariat, in co-operation with control authorities in respective member countries, then develops a specific plan for observation activities. This plan shall, among other things, define the time frame for observation activities and shall specify the observation areas for each observer.

The Secretariat may for practical reasons, and in co-operation with the authorities of the relevant member countries, make changes in the plan if necessary. The detailed plan of observation activities will only be known to the authorities in the relevant member countries and the Secretariat.

##### **Employment of observers**

When a detailed plan for the of observation activities is finalized, those observers who are called upon for active observation duties that year will receive an employment contract from the Secretariat. When both parties sign this contract, 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.

**CV TEMPLATE FOR NAMMCO OBSERVER CANDIDATES**

Full name/navn  
 Address/adresse  
 Telephone number/telefon  
 Email address/epost  
 Date of birth/fødselsdato  
 Nationality/nasjonalitet

**Overview of candidate's education and courses of relevance/oversikt over kandidatens utdanning og relevante kurs**

<b>Education/Utdannelse</b>	<b>Graduated/employment, yes/no, year Uteksaminert/ansatt ja/nei, årstall</b>	<b>Courses/certificates, yes/no, year Kurs/sertifikater, ja/nei, årstall</b>
Veterinarian / veterinær		
Wildlife officer / jaktbetjent		
Fisheries inspector / fiskeri inspektør		
Biologist / biolog		
Safety course in handling of whale grenade-99 Sikkerhetskurs i behandling av hvalgranat-99		
Hunting license / fangstlisens		
Sea safety course Sikkerhet på sjøen*1		
Health certificate *2		
Other, specify / annet angi hva		

**Further description of education and courses of relevance/ytterligere beskrivelse av utdanning og relevante kurser**

- \*1 Nominated observers shall have a minimum standard of survival at sea, meeting the requirements of STCW section A-VI/1 and being based on the guidelines of IMO Model Courses. **The nominating Party is responsible that these minimum standards are met.**

Reference to IMO: <http://www.adrialibar.com/tecajevi/basic-safety-training-stcw-a-vi-1/18.html>

\*2: GL: Beskiget til å bli søfarende. FO: Balbo fra søfartslege, IS and NO: coming



**Work experience of relevance/relevant arbeidserfaring**

<b>Work experience Arbeidserfaring</b>	<b>Yes, year, duties – jay, årstall, oppgaver</b>	<b>No/Nei</b>
Observed hunts on marine mammals – if yes, which species Observerte fangst av sjøpattedyr – hvis ja, hvilke arter		
Participated in hunts of marine mammals – if yes, which species Deltakelse i fangst av sjøpattedyr – hvis ja, hvilke arter		
Collected data from seal or whale hunts Innsamling av data fra sel eller hvalfangst		
Other, specify / annet, angi hva		

**Further description of work experience of relevance – ytterligere beskrivelse av relevant arbeidserfaring:****Language skills: non, little, good, excellent – Språkkunnskap: ingen, litt, god, eksellent**

<b>Language/språk</b>	<b>Oral - muntlig</b>	<b>Written - skriftlig</b>
Danish/dansk		
Greenlandic/grønlandsk		
Icelandic/islandsk		
Faroese/færøysk		
Norwegian/norsk		
English/engelsk		

**Other matters of relevance – andre ting med relevans for oppdraget:****References- referanser:**