

TERMS OF REFERENCE

Committee on Enforcement (ENFO)

Amended July 24, 2015

The terms of reference for the committee are addressed in Articles III, IV, V, VI and IX of the Convention. Other matters may be referred to it by the Commission.

TOR-ENFO

The committee shall exchange information on:

- (1) enforcement and inspection efforts, strategies and plans;
- (2) trade and suspected trafficking in anadromous fish taken in violation of the provisions of the Convention, and actions, if any, taken by Contracting Parties to deter such trade;
- (3) attempts by fishing vessels to avoid compliance with the Convention and actions taken by the flag State and the port State to prevent such attempts;
- (4) unauthorized fishing activities, as set forth under Article III of the Convention, conducted by fishing vessels of Parties and non-Parties in the Convention Area;
- (5) flag State enforcement actions and port State inspection actions taken against vessels violating the provisions of the Convention;
- (6) domestic measures, including penalties, with respect to unauthorized fishing in the Convention Area and on the disposition of cases;
- (7) unauthorized fishing activities conducted by vessels without nationality in the Convention Area and actions, if any, taken by Contracting Parties to prevent, deter, prosecute and eliminate such activities by vessels without nationality; and
- (8) other matters, as appropriate.

Enforcement duties could also include:

- (9) receiving, from the Committee on Scientific Research and Statistics “cruise schedules” for scientific research in the Convention Area when such schedules become available;

- (10) providing to Contracting Parties current times and corresponding locations of research vessels operating in the Convention Area through liaison between enforcement contact persons designated by the Contracting Parties;
- (11) conducting work, as necessary, on a Certificate of Origin program and/or developing methods of compiling and using trade information to monitor unauthorized fishing;
- (12) creating any sub-committees as necessary to carry out the functions of the committee;
- (13) developing recommendations for the Commission to make proposals to the Parties for the enactment of schedules of equivalent penalties for fishing activities contrary to the Convention;
- (14) considering possible means to relieve the damage which may be suffered by a State of origin as a result of fishing activities in violation of this Convention;
- (15) developing recommendations to the Commission for additional action to be taken by the Parties to ensure effective and diligent enforcement and inspection;
- (16) making recommendations to the Commission to encourage any State or entity not party to the Convention to adopt laws and regulations that allow fishing consistent with this Convention and to consult with respect to enforcement matters relating to the conservation of anadromous stocks and ecologically-related species;
- (17) making recommendations to the Commission to avoid or reduce incidental taking of anadromous fish in the Convention Area;
- (18) holding annual joint patrol schedule meetings, sufficiently in advance of historical high threat periods, to coordinate seasonal patrol and enforcement efforts;
- (19) communicating, particularly during heightened enforcement periods, to ensure that all Parties remain informed of current and planned enforcement efforts, share best practices, evaluate enforcement efforts, and exchange information;
- (20) holding enforcement symposia as needed to comprehensively share and develop up-to-date enforcement techniques, to review IUU fishing, fishing related activity, and vessel trends/behavior, and to maximize effectiveness and efficiency of enforcement activity; and
- (21) other duties, as appropriate.