

REPUBLIC OF PANAMA
PANAMA WATER RESOURCES AUTHORITY
ADM / ARAP RESOLUTION N ° 050
(From October 05, 2021)

That adopts the conservation and management measures of the North Pacific Fisheries Commission
(NPFC)

THE GENERAL ADMINISTRATOR
in use of their legal powers,

CONSIDERING:

That Law 44 of November 23, 2006, created the Panama Water Resources Authority, hereinafter "the Authority", as the governing entity of the State to ensure compliance and application of national laws and policies on fishing and aquaculture.

That according to numerals 2 and 3 of Article 4 of Law 44 of 2006, the Authority has among its functions to regulate, promote and apply measures and technical and administrative processes for the national, sustainable and responsible use of aquatic resources, in order to protect the national aquatic heritage and to contribute to the protection of the environment, and to comply with and enforce the international agreements and conventions to which the Panamanian State is a signatory in matters of its competence.

That numeral 15 of Article 21 of Law 44 of 2006, provides that it is the function of the General Administrator of the Authority, to adopt the measures that he deems appropriate for the organization and operation of the fishing and aquaculture sector.

That the participation of the Republic of Panama as a Cooperating Member, not a Contracting Party before the North Pacific Fisheries Commission (NPFC), was approved initially during the annual meeting of the Commission, that took place from 16 to 18 July 2019 in Tokyo, Japan and has been renewed every year to the present.

That the area of application of the NPFC Convention, hereinafter "the Convention area", encompasses all the waters of the North Pacific Ocean.

That the Agreement on the Application of the Provisions of the United Nations Convention on Maritime Law of December 10, 1982, relative to the Conservation and Management of Straddling Fish Populations and Highly Migratory Fish Populations, adopted in New York, on August 4, 1995 and approved by the Republic of Panama through Law 64 of October 29, 2008, in Article 18 on the duties of the flag State establishes in numeral 1 that every State whose vessels fish on the high seas will adopt the necessary measures so that they comply with the subregional or regional conservation and management measures and do not carry out any activity that may be detrimental to the effectiveness of those measures.


That Article 1 of Law 204 of March 18, 2021, which regulates fishing and aquaculture in the Republic of Panama and dictates other provisions, establishes that the scope of application of said Law also applies in marine areas located beyond the jurisdiction of Panama to all nationals or foreigners on board a Panamanian vessel and to all Panamanian flag vessels engaged in fishing, activities related to fishing or related activities.

That the Authority recognizes that the vessels that appear registered in the NPFC Regional Ship Registry, under the Panama chapter are those authorized to carry out activities related to fishing in the Convention area.

That in order to be in accordance with the measures of the North Pacific Fisheries Commission (NPFC), this Authority considers it essential to adopt the conservation and management measures issued by it, which will be mandatory; in consequence,

RESOLVES:

Article 1. Adopt in all its parts the following conservation and management measures of the North Pacific Fisheries Commission (NPFC)


Lic. Minerva Gonzalez Bernal
Traductor Publico Autorizado
Resuelto: TP 572 de 24 de Octubre 2005
Ingles al Español y Viceversa
Panamá, Rep. de Panamá.

12 / 30 / 2021

Action No.	Title	Entry into Force
CMM 2021-01	On the information requirements for the registration of ships	July 10th, 2021
CMM 2019-02	Establish a list of vessels that have allegedly carried out IUU activities in the area of the NPFC Convention	November 29th, 2019
CMM 2016-03	About interim transshipment procedures for the NPFC	January 16th, 2017
CMM 2016-04	In boats without nationality	January 16th, 2017
CMM 2021-05	For bottom fishing and the protection of VMEs in the Northwest Pacific Ocean	July 10th, 2021
CMM 2019-06	For bottom fishing and EMV protection in the Northwest Pacific Ocean	November 29th, 2019
CMM 2019-07	For Mackerel	November 29th, 2019
CMM 2021-08	For Pacific Saury	May 1st, 2021
CMM 2021-09	For boarding and inspection procedures on the high seas for the NPFC	July 1st, 2021
CMM 2019-10	For Sablefish in the Northeast Pacific Ocean	November 29th, 2019
CMM 2021-11	For Japanese sardines, neon flying squid and Japanese flying squid	July 10th, 2021
CMM 2021-12	In the Vessel Monitoring System (VMS)	It will be implemented with notice from the President of TCC
CMM 2019-13	For the compliance monitoring scheme	November 29th, 2019

Article 2. The conservation and management measures adopted by this resolution, as well as any other measure adopted by the North Pacific Pacific Commission (NPFC) are mandatory for all nationals or foreigners on board of a Panamanian vessel and any Panamanian border vessel engaged in fishing, fishing-related activities or copex activities operating in the Convention area.

Article 3. Any measure adopted by the North Pacific Fisheries Commission (NPFC) in the future, that modifies or replaces any current management and conservation measure, shall be considered automatically adopted by the Republic of Panama.

Article 4. Only vessels that have a fishing license authorized to fish in the Convention area and are duly registered in the NPFC regional vessel register are authorized to carry out fishing activities in that area.

Article 5. The Authority is the institution with exclusive competence in the Republic of Panama, to take the registrations of the vessels before the Commission and communicate the changes that the present conservation and management measures undergo.

Article 6. Failure to comply with the conservation and management measures adopted through this highlight will be sanctioned in accordance with the provisions of Law 204 of March 18, 2020.

Article 7. This resolution will come into force as of its promulgation in the Official Gazette.

LEGAL BASIS: Law 44 of November 23, 2006, Executive Decree 131 of April 14, 2020, Law 204 of March 18, 2021.

LET IT BE PUBLISHED AND ENFORCED

[stamp]
Republic of Panama
General Secretary's Office
Water Resources Authority

[SIGNATURE]
FLOR TORRIJOS ORO
General Administrator [stamp]
PANAMA WATER RESOURCES AUTHORITY

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Republic of Panama
General Secretary's Office
Water Resources Authority

Minerva González Bernal
Lic. Minerva González Bernal
Traductor Público Autorizado
Resuelto: TP 572 de 24 de Octubre 2005
Inglés al Español y Viceversa
Panamá, Rep. de Panamá.

True copy to the original
[signature]
General Secretary Date: 11/10/21

12130/2021