

**REPORT OF THE STANDING COMMITTEE ON  
IMPLEMENTATION AND COMPLIANCE (SCIC)**

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## **REPORT OF THE STANDING COMMITTEE ON IMPLEMENTATION AND COMPLIANCE (SCIC)**

### **I. OPENING OF THE MEETING**

1.1 The meeting of the Standing Committee on Implementation and Compliance (SCIC) was held from 25 to 29 October 2004. Due to the resignation of the current SCIC Chair, Mr Y. Becouarn (France), the meeting first considered the election of a new Chair. Ms R. Tuttle (USA) was unanimously elected to serve as Chair for the 2004 meeting of SCIC. Members of SCIC agreed that at the end of the meeting there would be election of a Chair to serve for two years from the end of this meeting to the end of the meeting in 2007.

1.2 Ms Tuttle opened the meeting and all Members of the Commission participated. No Members invoked a ruling in accordance with Rule 32(b) of the Commission Rules of Procedure. Therefore, Observers from Mauritius and Netherlands (Acceding States) and from Indonesia, Mozambique, the Antarctic and Southern Ocean Coalition (ASOC) and the Coalition of Legal Toothfish Operators (COLTO) participated in the meeting.

1.3 The Committee adopted the Agenda as set out in CCAMLR-XXIII/1 and SCIC-04/1. The Agenda and the list of papers considered by the Committee are contained in Appendices I and II respectively.

1.4 The organisation of the meeting was discussed. At the beginning, the meeting considered information papers summarising work of the Secretariat and Members' activities on all aspects of the Committee's terms of reference during the 2003/04 intersessional period. In discussing these papers, a number of recommendations were put forward by Members and agreed by the Committee as general advice to the Commission. The Committee also considered proposals relating to the revision of existing, and the drafting of new, conservation measures. Both matters of general advice and recommendations for revised and new conservation measures are presented in the following sections.

### **II. IUU FISHING IN THE CONVENTION AREA**

#### **Current level of IUU fishing**

2.1 The Committee considered estimates of IUU catches in the Convention Area prepared by the Secretariat (SCIC-04/3) and used by the Working Group on Fish Stock Assessment (WG-FSA) for the estimation of total removals of toothfish (SCIC-04/14). These estimates were prepared using existing methodology as outlined in CCAMLR-XXII, paragraph 6.12.

Table 1: Estimates of IUU toothfish catches (tonnes) in the CCAMLR Convention Area from the 1996/97 to the 2003/04 fishing seasons.

Fishing season	1996/97	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04
Estimated IUU catch	32 673	15 106	5 868	7 644	8 802	11 857	10 070	2 622*
Total reported and IUU catches	45 130	28 518	19 531	25 214	22 598	27 198	26 877	15 929
IUU as % of total catch	72.4	53.0	30.0	30.3	39.0	43.6	37.5	16.5

\* Estimated as of 1 October 2004. The estimation will be revised next year in order to take into account any new compliance-related information received for the period to the end of the 2003/04 fishing season, i.e. to 30 November 2004.

2.2 For the 2003/04 fishing season, the total estimated IUU catch in the Convention Area was 2 622 tonnes. This was approximately one quarter of the estimate for the 2002/03 fishing season (see Table 1). The Committee noted that WG-FSA had not been able to identify possible reasons for the decline in estimates of IUU catches in the Convention Area in respect of the decrease of CDS-reported catches from high seas outside the Convention Area (SC-CAMLR-XXIII, Annex 5, paragraphs 8.7 to 8.13). Among the reasons considered were:

- (i) inadequacy of current level of monitoring, control and surveillance (MCS) activities in the Convention Area;
- (ii) shifting of IUU fishing activity in the Convention Area to areas outside fishing grounds where licensed vessels operate, e.g. BANZARE Bank area;
- (iii) toothfish stocks may have become depleted;
- (iv) reflagging of fishing vessels to flags which are not parties to the CDS, i.e. resulting in fewer CDS reports received;
- (v) impact of CCAMLR conservation measures on the reduction of IUU fishing and continued monitoring of the world trade in toothfish.

2.3 **The Committee agreed** that if additional compliance-related data justifying the revision of the abovementioned estimate were available at the 2005 meeting of WG-FSA, these estimates should be revised by the Secretariat.

2.4 The Committee noted with concern the advice received from the Chair of the Scientific Committee that although the level of seabird by-catch arising from IUU fishing had decreased proportionally to the decrease in IUU catches, it remains unsustainable for some of populations of albatross and petrel species.

#### Procedure for estimation of IUU catches

2.5 The Committee noted the advice of the Chair of the Scientific Committee on proposals made by WG-FSA for future work on the development of a standard methodology for estimating total removals of toothfish, including IUU catches, and that these proposals will be further considered by the Commission. It also noted that, as part of the proposed work of the

development of a standard methodology, the Scientific Committee requested SCIC to develop some measure of the proportion of fishable time and area which could be considered to be under effective monitoring for IUU fishing activity. This is required for testing and practical application of the two proposed mathematical models for estimating IUU catches in the Convention Area (WG-FSA-02/4 and 04/63).

2.6 The Committee reiterated its view that estimation of total removals, including IUU catches, should involve the expertise of both SCIC and the Scientific Committee and noted that the Commission planned to consider organisation of such work (CCAMLR-XXII, paragraph 6.12(vii)).

## IUU Vessel Lists

### IUU Vessel List for 2003

2.7 According to the criteria established in paragraph 10 of Conservation Measures 10-06 and 10-07, no information was made available to the Committee to substantiate removal of any vessel included on the adopted IUU Vessel List for 2003. **The Committee therefore recommended** to the Commission that all vessels included on the adopted IUU Vessel List for 2003 be retained (Appendix III).

2.8 The Committee noted information submitted by France that the vessel *Eternal* has been converted to a transport vessel and would not be able to participate in fishing activities for the next five years. The Committee agreed that the vessel be retained on the IUU Vessel List, but that it should be noted that it has now reflagged to Madagascar.

### IUU Vessel List for 2004

2.9 The Committee noted that, in general, information submitted for consideration in respect of the IUU Vessel Lists for 2004 lacked important details and **the Committee recommended** to the Commission that Members with deflagged or deregistered vessels provide additional information such as new names, flags and call signs and Lloyds/IMO numbers.

2.10 **The Committee recommended** to the Commission that Members be reminded to collect and provide more detailed information in future reports to the Commission on the establishment of IUU Vessel Lists, including provision of more detailed information in respect of owners, where available.

2.11 In respect of the IUU Vessel Lists prepared for 2004, the Secretariat asked for clarification of the deadlines for the submission of information to be included in the Provisional IUU Vessel List and whether information to be included should comprise information from the previous season or information submitted during the previous intersessional period. Nevertheless, consideration of IUU Vessel Lists for 2004 was in accordance with the deadlines established in Conservation Measures 10-06 and 10-07.

2.12 The Committee expressed general support for considering information submitted during the intersessional period but emphasised that, if a shorter deadline was adopted, incidents which were reported during the interval between the deadline and the annual meeting should be considered in the next intersessional period.

2.13 In considering information submitted in respect of each vessel, the Committee also noted the need to include some definitions in Conservation Measures 10-06 and 10-07, including definitions of fishing and transshipment activities, and in particular, a definition of logistical support.

2.14 The Committee noted with concern that a number of vessels on the Proposed List of Non-Contracting Party Vessels were being considered for inclusion on the adopted IUU Vessel List without their Flag States first being notified due to the Secretariat's inability to find appropriate contact details for some Flag States. The Committee requested that every effort be made to contact and inform those States whose flag vessels were being considered for inclusion on the IUU Vessel List.

2.15 The Committee considered the practice of some vessels continuing to fly their former flags after deregistration and noted that such vessels are stateless in accordance with UNCLOS. The Committee urged Members to exchange all relevant information in this respect.

2.16 In accordance with Conservation Measures 10-06 and 10-07, the Committee examined the lists presented by the Secretariat in CCAMLR-XXIII/40 and prepared Proposed IUU Vessel Lists for consideration by the Commission. A summary of the Committee's discussions of vessels included in the Provisional IUU Vessel List for Contracting Parties and the draft IUU Vessel List for Non-Contracting Parties is provided in the following paragraphs.

#### Contracting Party vessels

2.17 **The Committee recommended** to the Commission that the Uruguayan-flagged vessels *Maya V* and *Sherpa Uno* be included on the Proposed List of Contracting Party Vessels.

2.18 *Elqui* (Uruguay) – The Committee noted a report that the *Elqui* had entered the Convention Area to deliver spare parts to another vessel and had subsequently unloaded toothfish in Mauritius accompanied by a catch document. As no new information concerning the incident had been made available, the Committee agreed that this action did not meet the criteria for inclusion in the Proposed List as specified in paragraph 4 of Conservation Measure 10-06.

#### Non-Contracting Party vessels

2.19 *Aldabra* (Kenya) – The Committee could find no information to substantiate the existence of the *Aldabra* which had been reported located inside the Convention Area by a Uruguayan observer. The Committee requested that the Secretariat conduct further investigations in order to ascertain more details regarding the existence of the *Aldabra*.

2.20 **The Committee recommended** to the Commission that the following vessels be included on the Proposed List of Non-Contracting Party Vessels: *Amorinn*, *Hammer*, *Ross*, *Sargo* (flagged to Togo); *Apache 1* (flagged to Honduras); *Champion-1*, *Piscis* (unknown flags); *Golden Sun*, *Lucky Star*, *Thule* (flagged to Equatorial Guinea); and *Koko* (flagged to Georgia).

2.21 In conclusion, the Committee prepared for submission to the Commission a Proposed IUU Vessel List for Contracting Parties and a Proposed IUU Vessel List for Non-Contracting Parties, and recommended them for approval by the Commission according to the comment expressed in the last column of the Proposed Lists. The Lists are provided in Appendix III.

2.22 The European Community noted that all IUU vessels listed in 2003 which were not seized continued to operate and trade in 2004. Members should therefore consider how the provisions set out in paragraph 14 of Conservation Measure 10-06 and paragraph 11 of Conservation Measure 10-07 can be implemented in a more efficient manner.

#### Other vessels discussed

2.23 The Secretariat reported that according to a notification received and licence details submitted, the Vanuatu-flagged vessel *Atlantic Navigator* (COMM CIRC 03/94) fished for krill in Area 48 during the 2003/04 season. According to anecdotal information received, the vessel commenced in Subarea 48.2 in April–May 2004. Despite several reminders from the Secretariat to Vanuatu, no information on the start and end dates of fishing and no reports of monthly catches were received until 27 October 2004, i.e. during CCAMLR-XXIII. The reports submitted by Vanuatu contain haul-by-haul catch and effort data for the period 11 June to 28 September 2004.

2.24 The Committee noted that the catches reported constituted approximately 20% of the total krill harvest for the 2004 fishing season. The Committee also noted with concern that no information on the vessel's fishing activities was made available to WG-EMM and WG-FSA. At the time of the meeting of SCIC, no information was available on planned activities of the vessel in the future.

2.25 At the same time, the Committee noted that the current Conservation Measure 23-06 contained a deadline for the provision of the complete set of fine-scale catch and effort data but no deadline for the provision of monthly catches. The Committee recommended that the Commission seek advice from the Scientific Committee on krill data reporting requirements and review the measure, if required.

2.26 Argentina provided some additional information about the *Atlantic Navigator* and expressed its concern about the use of a new method, which had the potential to change the economic implications of the krill fishery. It also believed that most of the information now available to the Commission was brought up as a consequence of the informal contacts reported. According to other Members, the fishing method did not differ from methods currently in use and pumping krill on board from the hauled trawl represents a modern technology.

2.27 The UK indicated that a report on mitigating measures relevant to all vessels in the krill fishery in Subarea 48.3, including the *Atlantic Navigator*, had been submitted to

WG-FSA (WG-FSA-04/83). In addition, the scientific observer on board the vessel while it fished in Subarea 48.3, had produced a report on incidental mortality and mitigation measures applied by the *Atlantic Navigator*.

2.28 The Committee requested that the Executive Secretary write to Vanuatu and convey the concern of the Committee at the failure to report data in conformity with conservation measures in force for the previous fishing season and request that all such data for the current fishing season be received by April 2005.

2.29 Russia suggested that it would be desirable if Vanuatu also be requested to provide reports on the by-catch of mammals, finfish and incidental mortality of seabirds.

2.30 The Committee expressed the view that Vanuatu should consider applying for membership of the Commission as soon as possible and also inform CCAMLR of its future fishery plans. The Secretariat was requested to communicate with Vanuatu on this matter.

2.31 Chile reserved its position in respect of the ability of Acceding States to continue to fish inside the Convention Area without becoming Members of the Commission. In response, the UK drew the attention of the Committee to Article VII.2(b) of the Convention which explicitly addresses the issue of Acceding States being engaged in harvesting activities.

2.32 The European Community informed the Committee that the vessel *Atlantic 52*, which Members had been requested to pay particular attention to its activities (CCAMLR-XXII, paragraph 8.60), was apparently still authorised to operate in the port of Montevideo.

2.33 Uruguay informed the Committee that the vessel had had its licence revoked, that sanctions had been imposed on the captain and that the vessel had not operated at Montevideo for approximately one year.

2.34 The Committee welcomed information from Chile regarding the Chilean-flagged vessel *Globalpesca I* which had been purchased by a Chilean company on 13 October 2003. It had been brought to the attention of Chile that this vessel was formerly the *Zarya* and that Members had also been requested to pay particular attention to its activities (CCAMLR-XXII, paragraph 8.60). Chile advised that it had investigated the current owner carefully and had found that there were no links between it and the previous owner. Chile advised that it is now a Party to the FAO Compliance Agreement and is accordingly drafting procedures which may make it easier to trace the history of vessels.

2.35 The Committee discussed the need for transparency concerning a vessel's flagging history, fishing activities, owners and beneficial ownership. In particular, the Committee noted the importance of transparency in making fully informed decisions on whether, according to criteria under Conservation Measure 10-06, to recommend the placement, retention or deletion of a vessel on or from the IUU Vessel List and of the participation of a vessel in an exploratory fishery.

2.36 The significance of transparency was illustrated by the recent approval for exploratory fisheries of two vessels with a history of engaging in IUU activities. The circumstances surrounding the reflagging of the vessels *Simeiz* and *Mellas* had been addressed in COMM CIRCs 04/01, 04/04, 04/08, 04/15, 04/17, 04/19 and 04/22, and CCAMLR-XXIII/BG/30 and BG/34.



2.37 As a consequence of this concern, the Committee recommended that the Commission consider proposals submitted by the European Community and Ukraine to amend Conservation Measures 21-01 and 21-02 in order to ensure the necessary level of transparency of the notification process in the future.

2.38 Ukraine reminded the Committee that the vessels *Mellas* and *Simeiz* had been notified to CCAMLR-XXII by Ukraine as intending to participate in the exploratory fishery in Subarea 88.1 during the 2003/04 fishing season. Considering the information concerning the *Mellas* and *Simeiz*, provided by New Zealand in January–February 2004 that these vessels were the former *Eva-1* and the *Florens-1* respectively, Ukraine verified this information and reported to the Commission (COMM CIRCs 04/08 and 04/19). Following concerns expressed by several delegations that the vessels *Eva-1* and *Florens-1* might have been considered at CCAMLR-XXII for inclusion on the IUU Vessel List, if not for an administrative deadline, Ukraine has taken the matter very seriously and committed itself at the meeting of Consultative Parties to the Antarctic Treaty in Cape Town in May 2004, to fully investigate the details of the registration of the *Mellas* and *Simeiz* and report the results at CCAMLR-XXIII. Following the special order of the Ukrainian Government, the Ministry of Agriculture, in cooperation with the Ministry of Transport and Communications of Ukraine, conducted the investigation of the abovementioned matters and submitted the report to CCAMLR (CCAMLR-XXIII/BG/34). The report concluded that the process of registration of the vessels *Mellas* and *Simeiz* was entirely in accordance with Ukrainian legislation harmonised with international law and there are no reasons to doubt that these vessels have legally navigated under the Ukrainian flag since July 2003. Additionally, the report made it clear that Ukraine had not violated any CCAMLR obligation including conservation measures in force (Conservation Measures 10-02, paragraph 3 and 21-02, paragraph 2(vii)) during the notification to CCAMLR-XXII of the vessels *Mellas* and *Simeiz* for access to the exploratory fishery in the Convention Area in 2003/04.

2.39 Ukraine specifically stressed that whilst the vessels' previous names would have been available to the Ukrainian vessel (ship) registrar authority prior to CCAMLR-XXII, the Ukrainian authorities responsible for the notification of participation of vessels flying the Ukrainian flag in the exploratory fishery in the Convention Area had no knowledge of the vessels' histories until after CCAMLR-XXII because of the abovementioned reasons.

2.40 Ukraine assured the Committee of its willingness to continue to cooperate in respect of the matter and noted that whilst the vessels *Mellas* and *Simeiz* had been brought to the attention of the Commission, and since Ukraine as Flag State has exercised the jurisdiction over these vessels, no infraction had been recorded against them.

2.41 The Committee recalled that, in 2003, the vessels would have been considered for inclusion on the IUU Vessel List, if not for an administrative deadline, and that the Commission had requested Members to pay particular attention to their future activities (CCAMLR-XXII, paragraph 8.60).

2.42 New Zealand requested that the Committee note some inconsistencies between information presented in CCAMLR-XXIII/BG/34 and information reported by Ukraine in previous correspondence (COMM CIRCs 04/08, 04/19, 04/22 and 04/33). New Zealand also presented documentation which suggested that the vessels may not have actually changed beneficial ownership since the period when they were engaged in suspected IUU activities.

New Zealand noted that it was evident Ukraine would not have provided information on the true background of the vessels if New Zealand had not presented to the Commission evidence from its inspection and surveillance activities.

2.43 The European Community noted that CCAMLR-XXIII/BG/34 reported a Taiwanese company was the VMS manager for the vessels concerned. However, the European Community advised that the Taiwanese company referred to in its report is the vessel manager and is not a VMS service provider.

2.44 Australia reiterated that vessels which were reported to have engaged in IUU activities should not be eligible to be considered for participation in an exploratory fishery and that CCAMLR Members must take action to ensure the integrity of CCAMLR conservation measures.

2.45 Several other Members agreed with Australia's views and expressed their strong concern that the vessels had been allowed to participate in the exploratory fishery for Subarea 88.1 during the 2003/04 season and believed that the Committee should recommend that the Commission prevent the vessels from participating in exploratory fisheries in future. In response, Ukraine once again reiterated that there are no legal grounds for preventing the vessels *Mellas* and *Simeiz* from participating in exploratory fisheries in the Convention Area, and for the request that Ukraine consider withdrawing the notification for the vessel *Simeiz*.

2.46 Several Members recalled the commitment given by Ukraine at ATCM-XXVII to undertake a full investigation into the circumstances around the vessels *Mellas* and *Simeiz*, and expressed disappointment at the response by Ukraine, including Ukraine's approach towards efforts to cooperate.

2.47 Ukraine responded that it has completely fulfilled its assurance to examine the matter concerning the vessels *Mellas* and *Simeiz*. At the same time, Ukraine noted that since there still exist concerns of several Members relating to the vessels, especially with regard to their so-called 'beneficial ownership', any details which might be available in this respect would be provided to the Commission. Members expressed the view that this information should be made available to SCIC or to the Commission, depending on when it was received.

2.48 In conclusion, the SCIC Chair reminded Ukraine that if any new information concerning ownership as requested by Members was obtained, then this should be made available to the Commission.

2.49 The Committee discussed proposals for amendments to Conservation Measures 10-06 and 10-07 and identified several areas of concern that needed strengthening in order to improve measures to combat IUU fishing. Significant points of discussion were the broadening of the activities in the conservation measure, the lack of mandate of the Secretariat to collect additional information on IUU vessels, and the notification periods of the various forms of the IUU Vessel Lists to Contracting Parties and the Secretariat. In general, the Committee agreed that consideration needs to be given to the practice of some vessels reflagging to prevent from appearing on the Provisional List of Contracting Party Vessels, or to continue to use Contracting Party flags after having been deregistered. Only amendments to paragraphs 3 and 4(e) of Conservation Measure 10-06 were accepted and **the Committee agreed** to forward the draft text to the Commission for review and consideration.

2.50 The issue of the definition of ‘fishing’ in paragraph 10 in the CCAMLR System of Inspection was raised but not concluded. Other issues relating to suggested amendments to Conservation Measures 10-06 and 10-07 were not discussed, and **the Committee agreed** to forward the draft text to the Commission for review and consideration.

### III. REVIEW OF COMPLIANCE AND IMPLEMENTATION-RELATED MEASURES AND POLICIES

#### System of Inspection

3.1 In 2003/04, Members designated 44 inspectors. According to information received by the time of the meeting, 20 inspectors were actually deployed at sea and 11 vessels were inspected. All vessels were inspected in Subarea 48.3 by CCAMLR inspectors designated by the UK.

3.2 Inspection reports of two vessels contained records of non-compliance with certain elements of some conservation measures. The UK advised the Committee that taking into account the inspection report received on the UK-flagged vessel *Jacqueline*, legal proceedings had been initiated. Chile, the Flag State of the second vessel *Globalpesca I*, advised that the inspection report differed substantially from the contents of the international observer report concerning the same vessel but that these differences had yet to be analysed. Results of this matter would be submitted to the Secretariat in due course.

3.3 In accordance with paragraph XII of the System of Inspection, Argentina and South Africa submitted SCIC reports in respect of prosecutions and actions imposed on their flag vessels as a consequence of inspections conducted in the past.

3.4 Argentina informed the Committee that the proceedings carried out in relation to infringements in 1997 of CCAMLR conservation measures were concluded and sanctions imposed on the vessels *Vieirasa Doce*, *Estela*, *Marunaka* and *Magallanes I*. A proceeding in relation to infringements in 2000 of CCAMLR conservation measures by the vessel *Kinsho Maru* had concluded but the sanctions imposed are currently under review.

3.5 The USA and South Africa submitted an information paper on a joint investigation into a fish product dealer unlawfully importing toothfish and other species from its operations in South Africa to associated companies in the USA. The investigation involved significant cooperation between USA and South African enforcement authorities and the resulting prosecutions in both nations resulted in heavy sanctions, including lengthy prison sentences, asset forfeitures and multi-million dollar penalties against the various entities involved in the conspiracy.

3.6 There were no proposals received from Members on the improvement of the System of Inspection.

## Compliance with conservation measures in force

3.7 According to Articles X, XXI, XXII and XXIV of the CAMLR Convention, reports of sightings and/or apprehensions of vessels in the 2003/04 intersessional period were submitted by Australia, France and South Africa. The reports received were used by the Secretariat in the preparation of draft IUU Vessel Lists in accordance with Conservation Measures 10-06 and 10-07. The Committee expressed concern that many IUU vessels, including those listed in the 2003 IUU Vessel List, appeared to have reflagged to Togo and Equatorial Guinea.

3.8 With respect to two sightings reported by international scientific observers working on board fishing vessels in Subarea 88.1, the Committee noted that the vessels reported could indeed be vessels properly licensed by CCAMLR Members. Reports received from other verifiable sources did not indicate IUU fishing activity in the area.

3.9 In accordance with Conservation Measure 10-03, Members are required to conduct port inspections of all vessels carrying toothfish and to submit reports of such inspections. The UK reported that it conducted port inspections of 16 vessels. South Africa reported to the meeting that it conducted port inspections of three vessels. In general, during the 2003/04 intersessional period, no reports of port inspections were received which reported that a vessel was found to have fished in contravention of CCAMLR conservation measures.

3.10 **The Committee recommended** to the Commission that, in future, Members be requested to submit reports of all port inspections conducted irrespective of whether a vessel inspected was found acting in contravention of, or in full compliance with, conservation measures in force.

3.11 During the intersessional period, Members notified the Commission of licences or permits issued to their vessels for fishing in the Convention Area (Conservation Measure 10-02 and System of Inspection, paragraph IV(c)). A list of fishing vessels licensed to fish in the Convention Area in 2003/04 has been made available to Members on the CCAMLR website.

3.12 Members continued to submit, on a voluntary basis, details of their vessels licensed to fish for toothfish outside the Convention Area (CCAMLR-XX, paragraph 5.23). During 2003/04, information was submitted by Australia, Japan, Republic of Korea, South Africa and Uruguay. Uruguay notified that during the 2003/04 season it had withdrawn the high-seas licences of five of its licensed flag vessels.

3.13 Members continued to inform the Secretariat of name changes, reflagging and reregistration of their flag vessels. Information on reflagging during the 2003/04 intersessional period was submitted by Russia, USA and Uruguay. **The Committee** noted the information submitted and **recommended** that Members be reminded of the need to also provide, where possible, details of new vessel flags and names.

3.14 In accordance with Conservation Measure 10-04, Members continued to report details of movements of their flag vessels into, out of and between areas, subareas and divisions of the Convention Area. During the 2003/04 season, Members submitted 140 reports of the movements of 55 individual vessels. Reports were received in respect of all vessels targeting *Dissostichus* spp. in the Convention Area. The Republic of Korea, Poland, Ukraine and the USA also submitted reports of the movements of their krill vessels on a voluntary basis.

Three reports of VMS disruptions were also received. No reports were received in respect of cases where Flag States determined that their vessels had fished in the Convention Area in contravention of conservation measures in force by means of VMS.

3.15 In discussing implementation of conservation measures, New Zealand reported that according to information received, the Russian vessel *Volna* had started fishing in Subarea 88.1 10 days earlier than the deadline of 90 days after the notification of the vessels to the Commission (Conservation Measure 21-02). Russia explained that it interpreted a 90-day limit as a requirement for the vessel to be notified to the Commission but that this did not relate to the start of fishing. After clarification received from New Zealand, Russia asked that a three-day early start of fishing be considered as a genuine mistake on its part which would be avoided in future. **The Committee recommended** to the Commission that Members be requested to assure that vessel licences are consistent with notification dates as contained in SCIC-04/16.

3.16 The Committee noted with concern continued problems with the implementation of data reporting requirements of a number of conservation measures relating to fishery management (CCAMLR-XXIII/BG/8). In particular, the percentage of overdue catch and effort reports (13%) had increased in comparison to two previous seasons, and the percentage of overdue fine-scale datasets (44%) remains as high as it was in the previous two seasons.

3.17 Late submission of catch and effort reports contributed to significant difficulties encountered by the Secretariat this season in monitoring fisheries with a total of 155 catch limits. These resulted in eight instances where total catches exceeded their catch limits (over-runs), including catches in Small-scale Research Units (SSRUs) taken in exploratory fisheries.

3.18 The Committee requested advice from the Chair of the Scientific Committee on the impact of such over-runs in SSRUs on scientific objectives of fishery management. Advice received was that SSRUs were introduced in exploratory fisheries in order to distribute fishing effort over the entire stock area, to collect necessary data on fish abundance and distribution, and to prevent overfishing. Therefore, from the Scientific Committee's point of view, the main problem of over-runs in SSRUs is not scientific but relates to compliance with data reporting.

3.19 An additional factor which was found to contribute to over-runs was related to logistic errors in estimating catches at-sea in comparison to verified catch weight in ports. In particular, the UK reported that during port inspection of the Spanish vessel *Ibsa Quinto*, it was found that the vessel had exceeded its reported catch of toothfish from Subarea 48.3 by an estimated 33 tonnes live weight (CCAMLR-XXIII/BG/8, SCIC-04/13). The Committee recalled that the CDS procedure for verification of landed catch weights was introduced to alleviate this particular problem but that this would not help with matters of fishery monitoring which is based on at-sea catch and effort reports.

3.20 The Committee noted a number of proposals on the improvement of the reporting system prepared by the Secretariat (CCAMLR-XXIII/38). The Committee recalled that in the past such proposals have been submitted by the Scientific Committee directly to the Commission and considered that discussion of some of the proposals submitted this year could be out of the Committee's current remit. It was also noted that any modifications to existing reporting systems should take into account not only difficulties of fishery

management but also their implication for vessels. After discussing the topic, the **Committee decided** not to consider the proposals in detail but found it possible **to express general support** for proposals which were limited to improvements in existing reporting requirements. At the same time, the Committee decided to comment on proposals which relate to the introduction of penalties for overdue catch and effort reports and the limitation of the number of vessels allowed to fish in a designated SSRU (proposals 'D' and 'F' in CCAMLR-XXIII/38).

3.21 While recognising potential difficulties in managing fishing in SSRUs, the Committee expressed concern that proposal 'F' could be construed as the introduction of a catch quota approach to the CCAMLR fishery management system. Therefore, any such proposals should first be discussed by the Commission. Similarly, the Committee felt that a policy of imposing any penalties due to data reporting failure should first be considered by the Commission.

3.22 The Committee's attention was drawn to information contained in the report of WG-FSA that in 28% of cases the required number of research sets were not completed as required under Conservation Measure 41-01 (SC-CAMLR-XXIII, Annex 5, paragraph 5.18). According to the Secretariat's report to WG-FSA, it was not possible to determine from Members' reports whether this was because research sets had not been done or because they contained incomplete or incorrectly recorded information. **The Committee recommended** to the Commission that Members be urged to ensure that the required research sets are completed and data submitted to the Secretariat in a timely and accurate form.

3.23 The Committee recognised the useful work undertaken by the Secretariat and the European Community on the Plan of Action, but believed that further work on the document is needed (CCAMLR-XXIII/39). Therefore, **the Committee recommended** to the Commission that the Plan's contents should be reviewed further intersessionally under terms of reference to be agreed by the Commission.

3.24 The Committee discussed improvements to Conservation Measures 10-02 and 21-02. The Committee agreed that amendments to Conservation Measure 21-02 would be forwarded to the Commission for adoption. Furthermore, **the Committee agreed** on amendments to Conservation Measure 10-02, except for one set of terms that remains to be agreed, and forwarded this text to the Commission for review and consideration.

#### Compliance evaluation procedure

3.25 The Committee discussed possible avenues to produce a compliance evaluation report, based on measurable and specific criteria, for consideration by the Commission, and received the views of the Chair of the Scientific Committee on this matter.

3.26 In presenting his advice to the Committee, the Chair of the Scientific Committee noted that, for a number of years, WG-FSA and ad hoc WG-IMAF have been involved in the analysis and verification of compliance-related information extracted from scientific observer reports and related to the implementation of conservation measures, in particular, on the reduction of seabird and marine mammal by-catch during longline and trawl fisheries as well on the use and disposal of plastic packaging bands on fishing vessels (SC-CAMLR-XXIII, Annex 5, paragraphs 11.56 to 11.60). The Scientific Committee felt that it was inappropriate

for it to carry out this type of analysis. The Scientific Committee recommended that SCIC could take initial responsibility for this function in future given its role and expertise in relation to compliance matters.

3.27 **The Committee recommended** to the Commission that it undertake an annual assessment of compliance in accordance with the principles outlined below. Such an assessment could be considered by the Commission in the light of the Scientific Committee's current consideration of the performance of vessels with regard to conservation measures, specially those involving mitigation.

3.28 The objectives of undertaking the assessment are:

- (i) to ensure that conservation measures are being effectively implemented and objectively monitored;
- (ii) to evaluate the effectiveness of conservation measures in meeting their conservation objective;
- (iii) to identify vessels, areas, sectors or fisheries where compliance with conservation measures is inadequate;
- (iv) to identify specific action points for the Commission and Contracting Parties.

3.29 The preparation of the compliance assessment for consideration by the Commission should involve at least the following steps:

- I. All provisions of a conservation measure must be amenable to monitoring.
- II. SCIC suggested that an appropriate procedure for undertaking the assessment would be:
  - (i) for the Commission to task the Secretariat with collating and analysing the data required for the assessment;
  - (ii) for the Scientific Committee (including WG-FSA) to review these calculations and provide advice to SCIC;
  - (iii) for SCIC, taking into account such comments and advice, as well as other relevant data, to agree a final assessment.
- III. The final assessment report will include a description of any technical difficulties encountered in monitoring compliance, with suggested solutions to these problems, including, where appropriate, recommendations on improvements of conservation measures.

3.30 In the first instance, SCIC recommended that the Secretariat identify the types of monitoring data and the methods of collection that are currently used in the assessment of compliance with conservation measures. SCIC recommended that it and the Scientific Committee comment on these methods and provide recommendations on their modification or adoption by the Commission meeting in 2005.

## C-VMS trial

3.31 The Committee considered a report by the Secretariat on the centralised vessel monitoring system (C-VMS) trial which was conducted during the 2003/04 intersessional period.

3.32 The Committee noted that the trial had successfully tested centralised vessel position reporting to the Secretariat without any significant technical problems.

3.33 The Committee noted that the success of the trial constituted a good basis for consideration of a full C-VMS scheme. The Committee also noted that C-VMS information could be used in conjunction with at-sea inspections and that this should be a clear objective of any C-VMS.

3.34 The Committee noted the concerns of some Members in respect of C-VMS data confidentiality. The Secretariat noted implementation issues, including whether reporting in the North Atlantic format might require upgrading of some Flag State Fisheries Monitoring Centre VMS servers.

3.35 Argentina recalled that the Commission should refrain from legislating for areas beyond the Convention Area.

3.36 The Committee considered a proposal submitted by Australia, New Zealand and the USA for CCAMLR to establish a C-VMS to be operated by the Secretariat (CCAMLR-XXIII/49 and BG/12).

3.37 The proposal was based on the draft Conservation Measure 10-04 text discussed at CCAMLR-XXII and the resulting trial of the C-VMS in the intersessional period in which participation was drawn from 17 vessels flagged to five Contracting Parties. It was noted that the data would be used only for compliance purposes to support the CDS, surveillance and the CCAMLR System of Inspection.

3.38 Discussion of the proposal centred around the required frequency of data reporting to the Secretariat, the security and availability of the data, and a system of generating automatic exception reports.

3.39 The Committee agreed that VMS reports and messages received from a vessel would be forwarded to the Secretariat within four hours for those exploratory longline fisheries subject to conservation measures adopted at CCAMLR-XXIII or on departure from the Convention Area for all other fisheries.

3.40 The Committee agreed that C-VMS data would be provided to Contracting Parties, subject to permission from Flag States, prior to those Parties conducting active surveillance or inspection. It was also agreed that the Secretariat may also provide a Contracting Party with VMS data when verifying a claim on a *Dissostichus* catch document, subject to Flag State permission.

3.41 The Committee did not agree on a proposal to establish a mandatory system of generating automatic exception reports. The exception reports were proposed to compare



vessel data against decision rules and alert any potential violation of those rules where the operations of a vessel may be inconsistent with licensed operations. It was agreed that a voluntary pilot program of exception reporting would be established.

3.42 **The Committee** noted the draft amended Conservation Measure 10-04 presented by Australia, New Zealand and the USA and **agreed to forward** the draft text to the Commission for review and consideration.

#### IV. REVIEW OF THE CATCH DOCUMENTATION SCHEME

##### Operation of the existing CDS with paper-based catch documents

4.1 The Committee considered a report by the Secretariat on the implementation and operation of the CDS (CCAMLR-XXIII/BG/15). The Committee also reviewed the 2004 CDS data summary report submitted in SCIC-04/10.

4.2 The Committee noted that the Republic of Mauritius, which cooperated with CCAMLR in the implementation of the CDS, had become a CCAMLR Contracting Party on 2 October 2004.

4.3 The Committee noted that Canada had reported via CITES that it had implemented the CDS in full since 1 April 2004 but this had not yet been formally conveyed to CCAMLR.

4.4 The Committee also noted that the People's Republic of China had moved towards full implementation of the CDS by appointing its Ministry of Agriculture as the relevant authority to sign landing, export and re-export certificates of CDS documents. The authority of the China Fisheries Association to authorise CDS documents had been terminated.

4.5 In respect of a number of undocumented landings of toothfish in Singapore during the 2003/04 intersessional period, the Committee welcomed information that the Executive Secretary had written to Singapore to request that it review and reconsider its partial implementation of the CDS in that it only authorises re-export documents.

4.6 Poland advised the Committee that, with its membership of the European Community, it has taken steps to develop a legal basis to ensure a more efficient supervision over the trading in toothfish both within and through the territory of the Republic of Poland. The Fisheries Department of the Polish Ministry of Agriculture and Rural Development will also ensure better cooperation between the Ministry and the parties concerned.

4.7 The Committee noted expert consultations initiated in 2002 by FAO on harmonisation of catch documentation schemes amongst RFMOs (CCAMLR-XXIII/BG/11). The work was reviewed in 2004 by the COFI Sub-Committee on Fish Trade. According to the CCAMLR observer at this meeting, progress was limited mainly to standardisation of data reporting requirements. It seems that harmonisation of the schemes' objectives and procedures used to certify catches and verify export and import information, remains a task of future work. **The Committee** noted that another set of RFMO expert consultations was planned by FAO during 2005 and **recommended** to the Commission that the CCAMLR Secretariat be given the opportunity to continue to participate in these consultations.

4.8 The Secretariat introduced results of its evaluation of the use of trade statistics in the evaluation of total removals of toothfish and the performance of CDS (CCAMLR-XXIII/BG/17). A number of shortcomings in current trade statistics have been described in previous sections. It appears that, at present, the impact of these shortcomings cannot be quantified with any degree of certainty. Although trade statistics can provide a general indication that IUU fishing may have occurred, they cannot provide a reliable estimate of the overall level of that fishing as the statistics cannot, on their own, be considered accurate and reliable for the following main reasons:

- double counting, which occurs as a result of a number of factors discussed above
- data reporting failures
- time lapse between landing, export and re-export
- uncertainty in identifying and reporting toothfish products.

4.9 The USA advised the Committee that it undertook a similar review in relation to trade statistics analysis made by the National Environmental Trust in the USA and came to similar conclusions.

4.10 The Committee noted that the abovementioned deficiencies in trade statistics were further compounded by the fact that not all countries engaged in toothfish trade use standard custom tariff codes for toothfish, thus making the toothfish import/export data less accurate. In 2003, the WCO amended its Harmonised Tariff Schedule and incorporated standards for toothfish products. New codes, however, will not come into effect until 2007.

4.11 **The Committee recommended** to the Commission that, in order to improve performance of trade statistics collected via CDS, Members should be encouraged to voluntarily adopt the new codes as soon as practicable and before the established deadline of 1 January 2007.

4.12 The Committee recalled discussions at CCAMLR-XXII concerning the proposal to publish CDS data in the *Statistical Bulletin* and gave further consideration to what data might be published. **The Committee recommended** to the Commission that the format for a standard set of CDS data prepared for publication by the Secretariat (as appended to CCAMLR-XXIII/BG/17) be adopted by the Commission pending the development of a standard procedure for the evaluation of total removals of toothfish based on CDS and trade statistics.

4.13 The Committee discussed definitions of landing, port State, export, re-export, import and transshipment for the purposes of the CDS. **The Committee recommended** to the Commission that the definitions be further discussed intersessionally and at the next meeting of CCAMLR (Appendix IV).

4.14 **The Committee** agreed on improvements to Conservation Measure 10-05 and **recommended** to the Commission that it adopt the non-bracketed text and to review and consider the remaining proposals.

## E-CDS development and trial

4.15 The Committee considered a report by the Secretariat on the continued operation of the E-CDS trial and noted the intention of the Secretariat to conduct E-CDS training sessions during CCAMLR-XXIII.

4.16 The Committee expressed general support for the E-CDS trial but noted the reservations of some Members as to whether full implementation could be achieved. Some Members of the Committee also expressed the view that the existing paper-based documentation should continue indefinitely alongside possible wider implementation of the E-CDS.

4.17 Consequently, **the Committee** agreed a resolution on the implementation of the E-CDS and **recommended** to the Commission that it adopt the resolution.

## V. SCHEME OF INTERNATIONAL SCIENTIFIC OBSERVATION

5.1 During the 2003/04 fishing season, the Scheme of International Scientific Observation provided observer coverage in all finfish fisheries in the Convention Area. In addition, seven international observers worked on board krill fishing vessels. A summary of scientific observation programs undertaken was presented to the Committee in SC-CAMLR-XXIII/BG/6.

5.2 The Committee received and discussed advice from the Chair of the Scientific Committee on those aspects relating to the operation of the scheme and the use by the Committee of data collected by observers. These include assessment of compliance with conservation measures (see paragraphs 3.25 to 3.30 above); collection of factual data on sightings of fishing vessels other than licensed by CCAMLR Members and the need for deploying of international scientific observers on board krill fishing vessels.

5.3 With respect to deployment of international scientific observers on krill vessels, the Committee noted that the Commission should receive advice from the Scientific Committee on the matter which would present scientific observation objectives and urgency attached to the deployment of observers.

## VI. ELECTION OF THE CHAIR AND VICE-CHAIR OF THE COMMITTEE

6.1 The Committee elected Ms V. Carvajal (Chile) as the Chair of the Committee. She was proposed by South Africa and seconded by Argentina, Australia and the USA.

6.2 The Committee agreed that the next Chair of SCIC would consult with Members in order to consider and elect a Vice-Chair at the meeting of the Committee in 2005.

## VII. OTHER BUSINESS

7.1 With regard to incorrect references to the territorial status of the Malvinas (Falkland), South Georgia and the South Sandwich Islands made in documents prepared by the Secretariat for consideration by SCIC, Argentina rejected the pretension to refer to those islands as a separate entity of its territory, as well as of giving them an international status that they do not have. In addition, Argentina rejected references to an alleged and illegitimate Government of the Malvinas Islands (Falkland) and of South Georgia and the South Sandwich Islands. Argentina recalled that the Malvinas Islands (Falkland), South Georgia and the South Sandwich Islands and surrounding waters are an integral part of the Argentine National Territory.

7.2 In response, the UK reiterated its well-known position that it has no doubt about its sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and their surrounding maritime areas. Furthermore, the UK believed it regrettable that Argentina had objected to generic terms such as 'UK (Overseas Territories)' which had featured commonly in previous reports of the Commission without attracting any adverse comment. This was an unhelpful and unwelcome development.

7.3 Argentina did not share the UK's views, rejected the UK's statement and reiterated its position.

## VIII. ADVICE TO THE COMMISSION

8.1 A summary of advice to the Commission is given below. It should be read in conjunction with the report.

8.2 The Committee made the following recommendations to the Commission:

### Implementation and compliance –

- (i) request Members to submit annually reports of all port inspections (paragraph 3.10);
- (ii) request Members to assure that vessel licences are consistent with notification dates as contained in SCIC-04/16 (paragraph 3.15);
- (iii) note general support for proposals made by the Secretariat on improving the existing reporting requirements (paragraph 3.20);
- (iv) urge Members to ensure that the required research sets required under Conservation Measure 41-01 are completed and data submitted to the Secretariat in a timely and accurate form;
- (v) review intersessionally the proposed draft of the CCAMLR Plan of Action in support of IPOA-IUU (paragraph 3.23);

- (vi) adopt revisions to Conservation Measures 10-02 and 21-02 and consider revisions proposed but not yet agreed (paragraph 3.24);
- (vii) undertake an annual assessment of compliance with conservation measures in accordance with outlined principles (paragraphs 3.27 to 3.30);
- (viii) review and consider the draft amended Conservation Measure 10-04 (paragraph 3.42).

Catch Documentation Scheme for *Dissostichus* spp. –

- (ix) note FAO initiative on harmonisation of catch documentation schemes amongst RFMOs and give opportunity to the CCAMLR Secretariat to continue to participate in these consultations including a meeting scheduled for 2005 (paragraph 4.7);
- (x) encourage Members to voluntarily adopt the new WCO customs tariff codes for *Dissostichus* spp. as soon as practicable and before the established deadline of 1 January 2007 (paragraph 4.11);
- (xi) adopt the format prepared by the Secretariat for publication of CDS data in the CCAMLR *Statistical Bulletin* (paragraph 4.12);
- (xii) discuss further intersessionally and at CCAMLR-XXIV, definitions of landing, Port State, export, re-export, import and transshipment for the purposes of the CDS (paragraph 4.13);
- (xiii) adopt agreed text of Conservation Measure 10-05 and review text not yet agreed (paragraph 4.14);
- (xiv) adopt resolution on the implementation of E-CDS (paragraph 4.16).

IUU fishing in the Convention Area –

- (xv) note estimates of IUU catches prepared by the Secretariat as reviewed and commented by the Scientific Committee (paragraphs 2.1 to 2.4);
- (xvi) retain all vessels on the IUU Vessel Lists as adopted in 2003 (paragraph 2.7 and Appendix III);
- (xvii) urge Members with deflagged or deregistered vessels to provide additional information on such vessels (paragraphs 2.9 and 3.13);
- (xviii) remind Members to collect and provide more detailed information in future reports related to the establishment of IUU Vessel Lists (paragraph 2.10);
- (xix) include vessels in the lists for 2004 as recommended in paragraphs 2.17, 2.20 and 2.21 (Appendix III);

- (xx) review and consider proposed revisions to Conservation measures 10-06 and 10-07 (paragraphs 2.49 and 2.50).

## IX. ADOPTION OF THE REPORT AND CLOSE OF MEETING

9.1 The report of SCIC was adopted and the meeting closed. The Chair thanked the Committee and, in particular, the leads of the drafting groups for their efforts and hard work. The Committee thanked the Chair for her outstanding work in ensuring a well-organised meeting. The Committee and Chair also thanked the Secretariat for its excellent work.

**AGENDA**

Standing Committee on Implementation and Compliance (SCIC)  
(Hobart, Australia, 25 to 29 October 2004)

1. Opening of the meeting
  - (i) Adoption of the agenda
  - (ii) Organisation of the meeting
  - (iii) Review of submitted papers, reports and other presentations
2. IUU fishing in the Convention Area
  - (i) Current level of IUU fishing
  - (ii) Procedure for estimation of IUU catches
  - (iii) IUU Vessel Lists
3. Review of compliance and implementation-related measures and policies
  - (i) System of Inspection
  - (ii) Compliance with conservation measures in force
  - (iii) Compliance evaluation procedure
  - (iv) C-VMS development and trial
  - (v) Proposals for new and revised measures
4. Review of the Catch Documentation Scheme (CDS)
  - (i) Operation of the existing CDS with paper-based catch documents
  - (ii) E-CDS development and trial
5. Scheme of International Scientific Observation
6. Election of the Chair of the Committee
7. Other business
8. Advice to the Commission
9. Adoption of the report
10. Close of the meeting.

**LIST OF DOCUMENTS**

Standing Committee on Implementation and Compliance (SCIC)  
(Hobart, Australia, 25 to 29 October 2004)

SCIC-04/1	Provisional Agenda for the 2004 Meeting of the CCAMLR Standing Committee on Implementation and Compliance (SCIC)
SCIC-04/2	List of documents
SCIC-04/3 Rev. 2	Estimation of IUU catches of toothfish inside the Convention Area during the 2003/04 fishing season Secretariat
SCIC-04/4	Provisional and proposed IUU vessel lists: supplementary information Secretariat
SCIC-04/5	Proposals for the revision of Conservation Measures 10-06 and 10-07 (CCAMLR-XXII, Annexes 7 and 8) Secretariat
SCIC-04/6	Reports of at-sea inspections submitted in accordance with the CCAMLR System of Inspection 2003/04 Secretariat
SCIC-04/7	Developing methods for estimating total removals of toothfish and assessing compliance with conservation measures (Extracts from the reports of CCAMLR-XXII and SC-CAMLR-XXII) Secretariat
SCIC-04/8	Draft Conservation Measure 10-04 'Automated Satellite-Linked Vessel Monitoring System (VMS)' (CCAMLR-XXII, Annex 9) Secretariat
SCIC-04/9	Aplicación del Sistema de Documentación de capturas de <i>Dissostichus</i> spp. en Chile Aplicación de la MC 10-05 de la CCAMLR Chile
SCIC-04/10	Catch Documentation Scheme (CDS) annual summary reports 2004 Secretariat



SCIC-04/11	Rules for Access and Use of CCAMLR Data Secretariat
SCIC-04/12	Report on calls of toothfish fishing vessels and transshipment of toothfish in Mauritius (September 2003 to August 2004) Mauritius
SCIC-04/13 Rev. 1	Inspection report for <i>Ibsa Quinto</i> Secretariat
SCIC-04/14	Extracts from Sections 3 and 8 of the Report of WG-FSA-04 (IUU fishing) Secretariat
SCIC-04/15	Discharge of sea products in Mozambican ports from fishing vessels operating in international waters Mozambique
SCIC-04/16	Notifications of vessels for new and exploratory fisheries Secretariat

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#### Other Documents

CCAMLR-XXIII/1	Provisional Agenda for the Twenty-Third Meeting of the Commission for the Conservation of Antarctic Marine Living Resources
CCAMLR-XXIII/2	Provisional Annotated Agenda for the Twenty-Third Meeting of the Commission for the Conservation of Antarctic Marine Living Resources
CCAMLR-XXIII/39	Draft CCAMLR Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing Delegation of the European Community and CCAMLR Secretariat
CCAMLR-XXIII/40	Implementation of Conservation Measures 10-06 and 10-07 Draft List of IUU Vessels, 2004 Secretariat
CCAMLR-XXIII/43	Ukraine's proposals to amend certain provisions of conservation measures in order to increase the 'Transparency' of the information submitted and to prevent IUU fishing (category 'general fishery matters', subcategory 'notifications') Delegation of Ukraine

CCAMLR-XXIII/44	E-CDS trial Delegation of France
CCAMLR-XXIII/46	EC Proposal Amendments to Conservation Measure 10-02 Licensing and Inspection Obligations of Contracting Parties with regard to their Flag Vessels Operating in the Convention Area Delegation of the European Community
CCAMLR-XXIII/48	Improvements to the CCAMLR Illegal, Unreported and Unregulated (IUU) Vessel Lists Delegation of Australia
CCAMLR-XXIII/49	A proposal to establish a CCAMLR Centralised Vessel Monitoring System (C-VMS) Delegations of Australia, New Zealand and the USA
CCAMLR-XXIII/BG/3	Attendance at OECD workshop on IUU fishing (Paris, France, 19–20 April 2004) Executive Secretary
CCAMLR-XXIII/BG/5	Cooperation between CCAMLR and CITES Secretariat
CCAMLR-XXIII/BG/8	Implementation of fishery conservation measures in 2003/04 Secretariat
CCAMLR-XXIII/BG/11	Report on the Ninth Session of the COFI Sub-Committee on Fish Trade (10 to 14 February 2004, Bremen, Germany) CCAMLR Observer (H. Pott, Germany)
CCAMLR-XXIII/BG/12	Observer Report on FAO Technical Consultation on Fishing Capacity/IUU Fishing (Rome, Italy, 19 to 24 June 2004) CCAMLR Observer (Japan)
CCAMLR-XXIII/BG/13	Implementation of the System of Inspection and other CCAMLR enforcement provisions in 2003/04 Secretariat
CCAMLR-XXIII/BG/14	Report of the C-VMS trial Secretariat
CCAMLR-XXIII/BG/15	Implementation and operation of the Catch Documentation Scheme in 2003/04 Secretariat
CCAMLR-XXIII/BG/16	Report of the E-CDS trial Secretariat

CCAMLR-XXIII/BG/17	The use of trade statistics in the evaluation of total removals of toothfish and the performance of the CDS Secretariat
CCAMLR-XXIII/BG/19	Évaluation de la pêche illicite dans les eaux françaises adjacentes aux îles Kerguelen et Crozet pour la saison 2003/04 (1 <sup>er</sup> juillet 2003 – 30 juin 2004) Informations générales sur la zone 58 de la CCAMLR Délégation française
CCAMLR-XXIII/BG/20	Mise en œuvre du C-VMS Délégation française
CCAMLR-XXIII/BG/24	Illegal, unreported and unregulated Patagonian toothfish catch estimate for the Australian EEZ around Heard Island and McDonald Islands Delegation of Australia
CCAMLR-XXIII/BG/26	Further clarification and standardisation of Catch Documentation Scheme procedures Delegation of the USA
CCAMLR-XXIII/BG/27	Illegal toothfish trade: introducing illegal catches into the markets Submitted by ASOC Available in English and Spanish
CCAMLR-XXIII/BG/28	Report on the FAO technical consultation to review Port State measures to combat illegal, unreported and unregulated fishing CCAMLR Observer (Norway)
CCAMLR-XXIII/BG/34	Regarding the circumstances of registration of vessels <i>Simeiz</i> , <i>Mellas</i> and <i>Sonriza</i> in Ukraine and issuing to them permissions to fish in the Convention Area Delegation of Ukraine (Submitted in Russian and English)
SC-CAMLR-XXIII/BG/6	Summary of scientific observation programs undertaken during the 2003/04 season Secretariat
WG-FSA-02/4	A statistical method for analysing the extent of IUU fishing in CCAMLR waters: application to Subarea 48.3 Delegation of the United Kingdom

WG-FSA-04/63

An alternative method for estimating the level of illegal  
fishing using scaling methods on detected effort  
Delegation of Australia

Information Documents

Informe de causas en tramite en Argentina por infracciones a la normativa CCRVMA a  
Octubre de 2004

Information submitted by South Africa on inspections and prosecutions

Information submitted by France in COMM CIRC 04/68

**IUU VESSEL LISTS**

**PROPOSED LIST OF CONTRACTING PARTIES VESSELS (CONSERVATION MEASURE 10-06)**

Current name	Current Flag	Lloyds/IMO number	Name at time of incident (if different)	Reported Flag at time of incident	Call sign at time of incident	Previous name(s) if known	Nature of activity	Date(s) of incident	Conservation measure applied	SCIC deliberations
<i>Elqui</i>	Uruguay	6622654			CXBH		Supporting IUU activities of <i>Aldabra</i>	22 Jan 04	10-06	Delete
<i>Maya V</i>	Uruguay	8882818			CXCI		Fishing Division 58.5.2. Apprehended.	23 Jan 04	10-06	Retain
<i>Sherpa Uno</i>	Uruguay	7322926		Uruguay	CXZN		(i) Undocumented transshipment (ii) Sighted Division 58.5.1	20 Dec 03 3 Feb 04	10-06	Retain

**PROPOSED LIST OF NON-CONTRACTING PARTY VESSELS (CONSERVATION MEASURE 10-07)**

Current name	Current Flag	Lloyds/IMO number	Name at time of incident (if different)	Reported Flag at time of incident	Call sign at time of incident	Previous name(s) if known	Nature of activity	Date(s) of incident	Conservation measure applied	SCIC deliberations
<i>Aldabra</i>	Kenya	unknown			unknown	unknown	Inside Division 58.7	22 Jan 04	10-07	Delete
<i>Amorinn</i>	Togo	7036345	<i>Lome*/Iceberg II?</i>		unknown	<i>Lome*/Noemi</i>	Inside Division 58.4.2	23 Jan 04	10-07	Retain
<i>Apache I</i>	Honduras	9142693			HQWPS	<i>America I</i>	Fishing Division 58.5.1 Apprehended	25 Jun 04	10-07	Retain
<i>Champion I</i>	unknown	9230660			UFIS	<i>Champion</i>	Fishing inside Division 58.4.3	22 Apr 04	10-06	Retain
<i>Golden Sun</i>	Equatorial Guinea	5225851			3CM2150	<i>Notre Dame*</i>	Fishing inside Division 58.4.3	22 Apr 04	10-07	Retain
<i>Hammer</i>	Togo	unknown			unknown	<i>Carran</i>	Undocumented landing, Malaysia	Aug 04	10-07	Retain
<i>Koko</i>	Georgia	unknown			4LON	<i>Austin-I</i>	Inside Division 58.4.3	24 Apr 04	10-07	Retain
<i>Lucky Star*</i>	Equatorial Guinea	7930034			3CM2149	<i>Praslin/Big Star</i>	Fishing inside Division 58.4.3	22 Apr 04	10-07	Retain
<i>Piscis</i>	unknown	unknown		Uruguay	CXCM		Supporting IUU activities of <i>Thule</i>	5 Apr 04	10-06	Retain
<i>Ross</i>	Togo	unknown			unknown	<i>Alos*/Lena</i>	Fishing Division 58.7	Mar–Apr 04	10-07	Retain
<i>Sargo</i>	Togo	unknown	<i>Lugalpesca*</i>	Uruguay	CXYT	<i>Lugalpesca*</i>	(i) Undocumented landing/ transshipment  (ii) Sighted Division 58.4.2  (iii) Undocumented landing, Malaysia	28 Dec 03  21 Jan 04  Aug 04	10-07	Retain
<i>Thule</i>	Equatorial Guinea	unknown			unknown	<i>Magnus*/Dorita</i>	Inside Division 58.5.2	31 Jan 04	10-07	Retain

\* Vessels which appear on the IUU Vessel List for 2003/04.

## IUU VESSEL LISTS FOR THE 2003/04 FISHING SEASON

### Contracting Party Vessels (Conservation Measure 10-06)

Current name	Current Flag	Lloyds/IMO number	Vessel name at time of incident	Flag at time of incident	Call sign at time of incident	Nature of activity	Date of incident	Conservation measure applied
<i>Eternal</i>	Madagascar	8608470	<i>Eternal</i>	Netherlands (Netherlands Antilles)	unknown	Reported 58.4.2 Apprehended 58.5.1	10 Jan 01 19 Jul 02	10-06
<i>Lugalpesca</i>	Uruguay	unknown	<i>Lugalpesca</i>	Uruguay	CXYT	Reported 58.5.1 Sighted in 58.5.1	1 Dec 02 4 Jun 03	10-06
<i>Viarsa I</i>	Uruguay	8011335	<i>Viarsa I</i>	Uruguay	CXYU	Apprehended 58.5.2	7 Aug 03	10-06

### Non-Contracting Party Vessels (Conservation Measure 10-07)

Current name	Current Flag	Lloyds/IMO number	Vessel name at time of incident	Flag at time of incident	Call sign at time of incident	Nature of activity	Date of incident	Conservation measure applied
<i>Alos</i>	Ghana	7388267	<i>Lena Alos</i>	Seychelles/ Ghana	Possibly S7PM	Reported 58.6/58.5.1 Sighted 58.5.2	21 Dec 02 21 Sep 03	10-07
<i>Magnus</i>	St Vincent and the Grenadines	7322897?	<i>Dorita</i>	Uruguay	CXMX	Sighted 58.4.2	9 Jan 02	10-06
<i>Lucky Star</i>	Ghana	7930034	Praslin	Seychelles	unknown (ex S7ME)	Sighted 58.5.1 Undocumented landing	21 Dec 02 24 Feb 03	10-07
<i>Lome</i>	Togo	7036345	<i>Lome/ Noemi</i>	Belize	V3QW2	Sighted 58.5.1 Undocumented landing, had been inside 58.5.1	21 Oct 03 24 Sep 02	10-07
<i>Notre Dame</i>	Bolivia	unknown	<i>Notre Dame</i>	Bolivia	CDB-536	Undocumented landing	14 Mar 02	10-07



**DEFINITIONS FOR THE PURPOSES OF THE  
CATCH DOCUMENTATION SCHEME**

Proposed preamble to definitions:

The following definitions are intended only for the purposes of the CDS and must be applied as stated regardless of whether such actions as landings, transshipments, imports, exports or re-exports constitute the same under any CDS participants' customs law or other domestic legislation.

Proposed definitions:

1. Port State: The State that has jurisdiction over a particular port area or free trade zone for the purposes of landing, transshipment, importing, exporting and re-exporting and whose authority serves as the authority for landing certification.
2. Landing: The initial transfer of catch in its harvested or processed form from a vessel to dockside or to another vessel in a port or free trade zone where the catch is certified by an authority of the Port State as landed.
3. Export: Any movement of a catch in its harvested or processed form from the State or free trade zone of landing, or, where that State or free trade zone forms part of a customs union, any other Member State of that customs union.
4. Import: The placing of a catch under the control of the importing State following its export or re-export.
- (5. Re-export: Any movement of a catch in its harvested or processed form from a State, free trade zone, or Member State of a customs union of import.)
6. Transshipment: The unloading of catch in its harvested or processed form from a vessel to mother vessel or means of transport, other than under the authority of the Port State.