

**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 23 to 27 October 2006.

1.2 The Chair of SCIC, Ms V. Carvajal (Chile) 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, all observers were invited to participate in the meeting as appropriate. Observers from Cambodia, Mauritius, Mozambique, Netherlands and Peru, ASOC, CCSBT, COLTO, FAO, IUCN and IWC were welcomed. In particular, the Committee welcomed the People's Republic of China as a new Contracting Party observer.

1.3 The Committee adopted the Agenda as provided in Appendix I. The List of Documents is provided in Appendix II.

1.4 The Secretariat had continued the practice of the pre-meeting distribution of SCIC papers via the CCAMLR website. As required, a list of all papers submitted for consideration to SCIC and grouped by agenda item was prepared by the Secretariat. The UK requested that this list, together with all SCIC papers, be submitted as far in advance of the start of the meeting as possible.

1.5 The Committee noted that some papers on matters of substance had been submitted immediately prior to and after the beginning of the meeting. The Committee also noted that as a general rule proposals should not be discussed unless advanced copies had been distributed, but it was also noted that Rule 22 gave the Chair discretion in this regard.

1.6 The Committee urged Members to follow the CCAMLR paper submission guidelines which required that all working papers, i.e. papers submitted in support of taking decisions, be translated in the four official languages. Members were reminded that in order to facilitate the translation of working papers they should be submitted to the Secretariat 45 days prior to the beginning of the meeting.

II. IUU FISHING IN THE CONVENTION AREA

Current level of IUU fishing

2.1 The Secretariat presented WG-FSA-06/11 Rev. 2 with estimates of IUU catches in the Convention Area. The estimation of IUU catches for the 2005/06 season was accomplished using the current compliance-based methodology (SCIC-06/7). The estimates were considered and approved by WG-FSA and used for stock assessment purposes (SC-CAMLR-XXV, Annex 5, paragraph 3.18).

2.2 The Committee noted that estimates of IUU catches for the past three years continued to be lower than in previous years. The estimated total IUU catch of *Dissostichus* spp. in the

Convention Area for the 2005/06 season (to 5 October 2006) was 3 080 tonnes (SC-CAMLR-XXV, Annex 5, Table 3) which is approximately a 70% reduction from the 2001/02 and 2002/03 seasons.

2.3 Australia reported on its evaluation of IUU fishing in its EEZ around Heard and McDonald Islands. This resulted in an IUU catch estimate that ranged from 0 to 250 tonnes (CCAMLR-XXV/BG/32). France reported that its evaluation of IUU fishing activities in the Kerguelen and Crozet Islands EEZ was the lowest in the past 10 years (CCAMLR-XXV/BG/21). This was achieved as a result of continued year-round presence of fisheries patrol vessels and inspectors as well as extensive use of satellite-based surveillance technologies. Australia and France also attributed the decreased level of IUU activities in their EEZs to the success of their joint surveillance program.

2.4 However, the Committee noted with serious concern that in the 2005/06 season almost 90% of all IUU catches came from Divisions 58.4.1, 58.4.2 and 58.4.3 in the Indian Ocean sector of the Southern Ocean south of 50°–60°S. These divisions are located outside areas traditionally subject to extensive surveillance by CCAMLR Members. An estimate of IUU fishing made by France and based on sighting reports of approximately 13 IUU vessels regularly operating on BANZARE Bank (Division 58.4.3b) comprised a total of 1 200 fishing days with estimated catches of around 2 400 tonnes.

2.5 France advised the Committee that information collected from various sources indicated that IUU fishing operators are increasingly conducting at-sea transshipments of fish to cargo vessels or to licensed fishing vessels. This practice requires the Commission to strengthen measures aimed at the control of both at-sea and in-port transshipments.

2.6 The Committee agreed that measures were required to address at-sea transshipments, the involvement of CCAMLR Member nationals in IUU fishing operations, enforcement of Port State controls and measures to prevent all IUU activities in the Convention Area. This and other proposals submitted by the European Community which referred to nationals and the involvement of non-Contracting Parties in the trade of toothfish (SCIC-06/12, 06/13 and 06/14) were considered and submitted for further consideration by the Commission.

2.7 The Committee noted ASOC's views on further CCAMLR measures to prevent and deter IUU fishing (CCAMLR-XXV/BG/28) and on the use of Port State measures to improve compliance with conservation measures at an international level (CCAMLR-XXV/BG/29).

2.8 Russia requested that ASOC refrain, in future, from making such unsubstantiated statements in its submissions to CCAMLR as made in ASOC's recommendations in CCAMLR-XXV/BG/28.

2.9 The Republic of Korea presented information on proceedings resulting from the seizure of IUU toothfish which had been transhipped between the Panamanian-flagged cargo vessel *Seed Leaf* and the North Korean-flagged fishing vessel *Chilbo San 33* (ex *Hammer/Carran*). The latter vessel is included on the NCP-IUU Vessel List.

2.10 The Republic of Korea also advised the Committee that many nationalities were involved in the harvest, transportation and trade of the seized toothfish, including individuals

and companies connected with CCAMLR Members. It therefore urged the Committee to consider measures aimed at prohibiting the involvement of Members' nationals in the international trade of undocumented toothfish.

2.11 The Secretariat, France and Australia informed the Committee of evidence indicating an increase in the use of gillnets by IUU operators (CCAMLR-XXV/BG/16, SCIC-06/3 and WG-FSA-06/46). The evidence reported by the Secretariat had already been considered by the Joint Assessment Group (JAG) which requested that WG-FSA review information available on shark stocks in the Convention Area (Annex 6, paragraphs 5.12 to 5.15). The Chair of the Scientific Committee advised SCIC that WG-FSA reported that five species of sharks were known to occur around South Georgia, Crozet and Kerguelen Islands. No shark species had been reported within Division 58.4.3.

2.12 Australia noted that it had conducted a boarding, inspection and apprehension of the vessel *Taruman* for suspected illegal fishing in Australia's EEZ off Macquarie Island based on a bilateral agreement with the vessel Flag State, Cambodia. Australia thanked Cambodia for its cooperation, noting that it had acted in a manner that went beyond its obligations under international law.

2.13 Although IUU gillnet fishing vessels were reported to be targeting sharks as well as toothfish, the Committee noted that no commercial stocks of sharks had previously been reported from within the Convention Area (SC-CAMLR-XXV, Annex 5, paragraphs 9.18 to 9.20). Nevertheless, SCIC concluded that the introduction of a new fishing technique in the Convention Area, suggesting further evolution of the scope of IUU fishing, should be prohibited. Consequently, SCIC considered new measures to deal with gillnet fishing and recommended that the Commission adopt a draft conservation measure (see paragraph 3.52).

Procedure for the estimation of IUU catches

2.14 In accordance with a decision taken by the Commission (CCAMLR-XXIV, paragraphs 8.3 to 8.6), a meeting of JAG was held from 17 to 19 July 2006, in Namibia. The meeting was co-convened by Ms R. Tuttle (USA) and Dr D. Agnew (UK). The Committee noted that JAG is a joint group of the Commission and the Scientific Committee and its report will be considered by both bodies. The report of JAG (CCAMLR-XXV/7) is annexed to the Commission's report (Annex 6).

2.15 Ms Tuttle presented a convener's report of JAG, outlining its conclusions and recommendations (SCIC-06/17). Some of JAG's recommendations and requests had already been considered by WG-FSA. The Convener of WG-FSA, Dr S. Hanchet (New Zealand) also advised SCIC on WG-FSA's work on estimating IUU catches, including its plan for future work.

2.16 The European Community commented on the report of JAG (CCAMLR-XXV/BG/39) noting that current limitations inherent in monitoring, control and surveillance measures will continue to restrict the availability and reliability of information required for estimating IUU catches. These limitations relate to restricted access to information on various aspects of illegal activity, particularly in terms of knowledge gaps on vessel operators and owners, sellers and buyers, and service providers. The European Community suggested that a binding

instrument could be considered to address the issue of nationals and operators which is currently only referred to in Resolution 19/XXI (see paragraph 3.54). The European Community also offered to provide advice for the purpose of trade analysis as suggested by JAG.

2.17 The Committee noted that the new methodology proposed by JAG, when fully developed and tested, would provide WG-FSA with estimates of IUU catches that accounted for the range of uncertainties attached to such estimates. Two particular improvements to the current CCAMLR IUU assessment methodology were suggested:

- (i) the inclusion of a factor expressing the confidence that various types of sightings represent actual IUU activity;
- (ii) the introduction of distributions rather than point estimates for some of the parameters used in the assessment (Annex 6, paragraphs 4.1 to 4.11).

2.18 The WG-FSA Convener advised the Committee that both improvements mentioned above had been briefly tested, i.e. application of the proposed matrix for confidence ranking of IUU event data and the use of available data (catch per day and days per trip) to calculate a statistical description of uncertainty of IUU catch estimates in the form of a distribution of likely catch rates of IUU vessels (SC-CAMLR-XXV, Annex 5, paragraphs 8.4 and 8.5). The Convener of WG-FSA suggested that further work was required in order to understand the relationship of confirmed sightings to unsighted IUU activity.

2.19 The Committee considered a request from JAG as endorsed by WG-FSA and noted by the Scientific Committee (Annex 6, paragraph 4.14; SC-CAMLR-XXV, Annex 5, paragraph 8.14) regarding:

- (i) JAG's proposed matrix for confidence ranking of IUU event data;
- (ii) the vulnerability of different areas to IUU fishing, including the level of surveillance of the fishery, fishable grounds available, ice coverage, access to ports, presence of legal vessels and recorded presence of IUU fishing vessels.

2.20 The Committee also noted that the Secretariat had tested the matrix and proposed a number of changes (SCIC-06/9). Additional evaluation categories and other changes were proposed by Members at the meeting and a revised matrix is provided in Appendix III.

2.21 The Committee recommended that the Commission request the Secretariat to test the matrix intersessionally in order to categorise, in consultation with Members, the vulnerability of different areas in the Convention Area to IUU fishing. In addition, Members were requested to advise the Secretariat of the current levels of surveillance by areas, for example, in terms of days per year or per fishing season. It was noted that the vulnerability of each Convention subarea and division to IUU fishing could vary over time and that the weightings used in the matrix may require adjustment. Therefore SCIC recommended that the Commission request that the Secretariat use both the JAG model matrix and the revised matrix and compare the results.

2.22 The Committee noted the need for estimates of IUU catches to be developed prior to the WG-FSA annual meeting and recommended that the Secretariat prepare IUU estimates by 1 September each year. The estimates would then be circulated to WG-FSA and Commission

Members. The Committee also noted that any comments, additional information or verification by Commission Members should be received by the Secretariat significantly prior to the annual meeting of WG-FSA.

2.23 The Committee noted the need for improved surveillance coverage, especially in those areas which presently have low levels of surveillance.

2.24 In response to a request from JAG to increase surveillance coverage (Annex 6, paragraph 5.9), SCIC recommended that options could include active reporting and surveillance by Member States' licensed fishing vessels in areas of higher vulnerability to IUU fishing.

2.25 SCIC recommendations on reporting and surveillance by Member States' licensed fishing vessels in areas of higher vulnerability to IUU fishing are described in paragraph 3.37.

2.26 Chile informed the Committee of an incident involving the Chilean-flagged vessel *Globalpesca I* that occurred within the Convention Area where an injured crew-member was transhipped at sea to a fishing vessel that was described by the scientific observer as a vessel with no flag and with the name blacked out. Chilean authorities launched an investigation into this incident and, as a result, the vessel was identified as the Togolese-flagged vessel *Sargo*, which is included on the NCP-IUU Vessel List. Uruguay stated that this was a case that clearly demonstrated the value of the Scheme of International Scientific Observation as well as the value of cooperation between Contracting Parties in the framework of CCAMLR.

2.27 The Committee considered that this report illustrated the limited abilities of scientific observers to correctly collect and record factual data on fishing vessel sightings. The Secretariat confirmed that, since the addition of the requirement to report vessel sightings to the list of scientific observer tasks, very little reliable and verifiable information has been collected and reported by observers. The Committee concluded that this was as a result of scientific observers having to complete many other priority tasks as well as a lack of experience in describing details of observed vessels and by limitations in acquiring essential information from the vessel.

IUU Vessel Lists

2.28 In considering the IUU Vessel Lists, on request of the European Community, the Committee discussed possible improvements to the decision-making process for listing IUU vessels.

2.29 Some Members noted that some regional fisheries management organisations followed the practice whereby Members whose flag vessels were being considered for inclusion on an IUU vessel list voluntarily abstained from the decision-making process. Several Members expressed the view that adopting such a practice was important to the credibility of CCAMLR because conservation measures, including those relating to IUU vessel lists, should be implemented by all Members in good faith. These Members believed that such a practice would not undermine the concept of consensus-based decision-making as consensus would be served in the context of decisions being taken in the absence of objection.

2.30 Other Members recalled that the principle of consensus was of fundamental importance to CCAMLR, particularly in the context of the Antarctic Treaty System which promoted the concept of mutual cooperation. Therefore, consensus-based decision-making should not be undermined under any circumstances. These Members were of the view that decisions should only be made on consensus of all CCAMLR Members in keeping with the highest objectives of the Antarctic Treaty System.

2.31 The UK supported this notion but indicated that in its view consensus meant the absence of any expressed objection at the time of adoption of a decision.

2.32 The Committee considered the Provisional CP-IUU and NCP-IUU Vessel Lists for 2006. It also reviewed the IUU vessel lists adopted in 2003, 2004 and 2005 (CCAMLR-XXV/38 Rev. 1). This review covered all evidentiary and supporting information submitted by Members, Flag States and the Secretariat, and was summarised in SCIC-06/6.

2.33 The Committee decided to:

- (i) adopt a Proposed NCP-IUU Vessel List (Appendix IV);
- (ii) recommend to the Commission that the Russian-flagged *Muravyev Amurskiy* (ex Equatorial Guinea-flagged *Sea Storm*) be removed from the NCP-IUU Vessel Lists adopted at the previous annual meeting (Appendix V) in accordance with Conservation Measure 10-07, paragraph 18, as ownership of the vessel has changed and it is documented. The vessel is effectively withdrawn from IUU activity in the Southern Ocean and was now operating in waters under Russian jurisdiction. Australia noted that Russia's registration of this vessel was inconsistent with paragraph 22(v) of Conservation Measure 10-07;
- (iii) move three vessels, *North Ocean*, *East Ocean* and *South Ocean*, included on the NCP-IUU Vessel List adopted at the previous annual meeting to the CP-IUU Vessel List, in light of the fact that they are now flagged to the People's Republic of China which became a Contracting Party to CCAMLR on 19 October 2006;
- (iv) refer the Provisional CP-IUU Vessel List to the Commission for its consideration (Appendix IV).

2.34 The People's Republic of China made the following statement:

'It was proved by the Delegation of the People's Republic of China at the SCIC meeting that the *South Ocean*, *North Ocean*, *East Ocean* and *West Ocean* have no further legal, financial and business links with their previous owners and they are now the property of the China National Fisheries Corporation. In view of the above facts, the Delegation of the People's Republic of China reiterates its appeal to the Commission to consider not to include the above four vessels on the CP-IUU Vessels Lists.'

2.35 France reported that the trial of the Honduras-flagged *Apache I* is still pending in its Supreme Court and recommended that the vessel be retained on the adopted NCP-IUU Vessel List.

2.36 In considering the Russian-flagged vessel *Volna* for inclusion on the Proposed CP-IUU Vessel List, the Committee reviewed correspondence and reports submitted by Russia, New Zealand and the UK in relation to the circumstances which resulted in that vessel being included on the Draft CP-IUU Vessel List for 2006.

2.37 The UK reported that, on 1 February 2006, the UK-flagged *Argos Georgia*, whilst undertaking licensed research fishing, reported sighting the *Volna* inside Subarea 88.2 small-scale research unit (SSRU) A, which was, at that time, closed for fishing. The *Volna* was reported to be actively hauling a longline and was seen to be dumping by-catch of grenadiers overboard. The UK report on this sighting was circulated in COMM CIRC 06/14 on 1 March 2006, in accordance with Conservation Measure 10-06.

2.38 Russia responded in COMM CIRC 06/51 that it had conducted a full investigation into the incident and concluded that the *Volna* was fishing inside Subarea 88.1 in SSRU L which was open for fishing at the time. One of the longlines deployed in SSRU 881L had been torn apart and a part of it had been lost and later encountered in SSRU 882A. The captain decided to haul the part of the longline in SSRU 882A that was closed for fishing. In respect of the reported discarding of by-catch, Russia noted that disciplinary action had been taken against a fisher who had discarded a few grenadiers overboard during the encounter with the *Argos Georgia*.

2.39 The UK had submitted a paper (SCIC-06/11) 'Drift analysis of a longline set from the Russian fishing vessel *Volna* in the Ross Sea' prepared by New Zealand's Institute of Water and Atmospheric Research (NIWA). This analysis indicated that the current was likely to have been flowing in the opposite direction. Consequently, it would not be possible for lines bearing the weight of those set by the *Volna* to have drifted from Subarea 88.1 to SSRU A in Subarea 88.2.

2.40 In response, Russia suggested that the broken longline could drift in a westerly direction from SSRU 881L to SSRU 882A. The possible reasons why the line might drift in a westerly direction may include counter-flowing bottom currents, tide currents or the movement of ice.

2.41 New Zealand noted that the drift analysis paper had been prepared by experts at NIWA who were very familiar with the Ross Sea. It also noted that the sea-ice chart provided by the American National Ice Centre for the period indicated that the area was free of sea-ice.

2.42 Russia insisted that the drift analysis report could not be considered by the Committee for the following reasons:

- (i) it had not been submitted to WG-FSA for consideration so that its reliability could be assessed by experts;
- (ii) it presented conclusions based on large-scale numerical models lacking factual data from Subareas 88.1 and 88.2;
- (iii) it was submitted as a SCIC paper in contravention of the procedures for the submission of papers to meetings of the Commission (CCAMLR-XXII, paragraph 3.6).

2.43 The UK's paper (CCAMLR-XXV/27) also indicated that fresh toothfish offal had been found in the stomachs of fish subsequently caught by the *Argos Georgia*. This indicated that another vessel had recently been discharging offal.

2.44 The Committee noted the Secretariat's information that no other legal fishing vessels apart from the *Argos Georgia* had been reported to be in the immediate vicinity at that time. The view of some Members was that this indicated that the offal could only have been discharged by the *Volna*. Russia responded that, similarly, the offal could have been discharged by the *Argos Georgia* or an undetected IUU vessel.

2.45 The UK also drew the Committee's attention to the reported by-catch rates for the *Volna* which, when compared with by-catch rates reported by other vessels fishing in Subareas 88.1 and 88.2, appeared to lack credibility because of their consistently low level.

2.46 Russia reported that the deployment of longlines by the *Volna* with modified rigging had resulted in much lower levels of by-catch and that full details of the deployment of the new longline gear had been made available to WG-FSA in WG-FSA-06/5 and to SCIC in SCIC-06/16.

2.47 Russia approved the release of VMS positions and haul-by-haul data for the *Volna* exactly for the period 22 January to 4 February 2006 in the format requested by Australia and the UK for consideration by the Committee. In considering this information, Members noted that the VMS positions confirmed that the *Volna* had entered SSRU 882A on a number of occasions during these dates.

2.48 The UK noted that whilst WG-FSA-06/5 provided methodological information on the design of the Russian longlines, no data had been presented in that paper on the efficacy of this fishing technique compared with traditional Spanish longlines.

2.49 Australia, New Zealand and the UK pointed out that the VMS positions indicated active fishing within the closed area throughout the period between 22 January and 1 February 2006 when the *Volna* was detected by the *Argos Georgia* and were inconsistent with haul-by-haul data reported for the same period.

2.50 Russia pointed out that the VMS positions showed that the vessel had only entered SSRU 882A by 9 n miles and that the vessel had been present in SSRU 882A for less than 24 hours at a time which indicated that it was entering the area for the purposes of retrieving a line.

2.51 Australia noted that the VMS data indicated that the *Volna* had produced 49 VMS polls over a 10-day period in the closed area. This compared to 53 polls over a 12-day period in an adjacent portion of equal area in Subarea 88.1.

2.52 New Zealand noted that analysis of the VMS positions provided by the Secretariat for the *Volna* during the period from 22 January to 4 February 2006 strongly reinforced the view that the *Volna* had been engaged in illegal fishing operations in SSRU 882A. It provided examples from this analysis which indicated the setting and hauling of longlines by the *Volna* in SSRU 882A. New Zealand requested that the VMS positions for the *Volna* be made available to the Committee in Excel spreadsheet format, including latitude and longitude coordinates, to enable a comprehensive analysis.

2.53 Russia pointed out that it had cooperated openly with SCIC and provided all data requested by Members. Russia noted that there has never been a case in the practice of CCAMLR where such comprehensive data had been provided by a Flag State. The data provided did not indicate any violation of measures currently in force. However, New Zealand and the UK continued to request the same sets of data in different formats. In this regard, Russia denied the request from New Zealand on the basis that further discussions on the same data would not shed any new light on the case under consideration. Russia found no grounds for providing VMS position coordinates in Excel format.

2.54 New Zealand expressed regret at the denial of its request. New Zealand, UK and Australia proposed that the *Volna* be included on the Proposed CP-IUU Vessel List 2006 for IUU fishing in SSRU 882A for consideration by the Commission.

2.55 Russia stated that VMS and haul-by-haul data presented by Russia clearly indicated that the *Volna* had set longlines exclusively in SSRU 881L and that only one line had unpredictably drifted into SSRU 882A. No factual evidence proving otherwise was submitted by New Zealand and the UK. Russia reminded the Committee that, as a result of the investigation of the *Volna* case by Russian authorities (COMM CIRC 06/51), captains of Russian vessels had been given strict instructions to take all necessary steps to prevent the setting of fishing gear in close proximity to closed areas.

2.56 Russia noted that other vessels had contravened conservation measures in force during the current season and were not being considered for inclusion on the IUU vessel lists.

2.57 The Chair expressed her concern and recognised that, although the discussion had been lengthy and that all the information provided by Russia had been considered by the Committee, it did not seem possible for the Committee to reach a conclusion on the matter, and concluded that it be forwarded to the Commission for resolution.

2.58 The Committee noted that the vessel *Maya V*, which had been included on the CP-IUU Vessel List after being apprehended by Australia, had been deregistered by Uruguay and was currently in the possession of the Australian Government as a deregistered flagless vessel.

2.59 In considering the Provisional NCP-IUU Vessel Lists, the Committee's attention was drawn to diplomatic demarches made to Equatorial Guinea by European Community, France and South Africa, and to Togo by Australia, European Community, France and South Africa. The Committee noted that no responses had yet been received to any of these demarches or to any correspondence from the Secretariat in respect of the Draft IUU Vessel Lists.

2.60 In relation to Contracting Party nationals involved in IUU activities under the jurisdiction of non-Contracting Party States, Spain reiterated that it has a national legislation which provides for action to be taken against such nationals. The first step of this process is for the government to send letters to the authorities of the concerned States. The second step is to institute legal proceedings when there is sufficient admissible evidence.

2.61 In recent years, Spain has sent a number of letters to non-Contracting Party governments, but up to now no replies have been forthcoming, nor has sufficient admissible evidence been obtainable for the institution of legal proceedings.

2.62 Norway reported that the Panamanian-flagged cargo vessel *Seed Leaf* had a Norwegian owner on a bare-boat charter to a company in the Republic of Korea, who had been unaware that the vessel had contravened CCAMLR measures. The European Community reported that the vessel was operated by a Netherlands company based in the Netherlands Antilles which also operates another vessel which had participated in transshipment activities in contravention of the measures of the North East Atlantic Fisheries Commission (NEAFC).

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

System of Inspection

3.1 In 2005/06 Members designated 46 inspectors, of which four were reported to have been deployed and to have conducted 14 at-sea inspections of vessels. Three UK-designated CCAMLR inspectors conducted 13 inspections in Subarea 48.3 and one Australian-designated CCAMLR inspector conducted one inspection in Division 58.4.3b.

3.2 Australia submitted a proposal for improvements to the System of Inspection (CCAMLR-XXV/43). The proposal was considered by the Committee but was not agreed due to lack of time and the proposal was forwarded to the Commission for further consideration (see paragraph 3.48).

3.3 The Committee agreed with the proposal made by the Secretariat that full copies of inspectors' reports would continue to be circulated via the CCAMLR website but would only be provided in summary format to SCIC unless they contained a report of a case of non-compliance.

Reports on compliance with conservation measures

3.4 The Committee noted that reports of inspections conducted in ports on fishing vessels during the 2005/06 intersessional period had been submitted only by Namibia, New Zealand, South Africa and the UK.

3.5 The Committee noted that many Members still failed to submit reports of port inspections conducted despite the obligation under Conservation Measure 10-03. The Secretariat was requested to increase its efforts to remind Members to submit a report on each occasion where the Secretariat was able to determine that a vessel had unloaded toothfish in a particular Member port.

3.6 The Committee reviewed reports from South Africa and Namibia regarding port inspections conducted on the vessels *Aldabra*, *Black Moon*, *Chilbo San 33*, *Perseverance*, *Ross* and *Tropic*, three of which were on the NCP-IUU Vessel List. *Aldabra*, *Black Moon* and *Chilbo San 33* had called at the port of Durban, South Africa, and *Perseverance*, *Ross* and *Tropic* had called at Walvis Bay, Namibia, during 2006. All vessels were found to have no fish on board upon arrival in port.

3.7 The European Community noted that such reports should have been made available to Members in order to facilitate the implementation of Conservation Measures 10-06 and 10-07 and support diplomatic demarches. It requested that such reports be communicated in the future.

3.8 Namibia indicated the difficulties in circulating inspection reports to Contracting Parties in the absence of such provision in current conservation measures.

3.9 South Africa noted the difficulties involved with the inspection of cargo vessels and reefers and requested advice from any Members with experience in the matter.

3.10 Several Members noted that Conservation Measure 10-03 only applies to vessels carrying toothfish and that consideration needed to be given to measures which addressed IUU-listed vessels calling at Member ports for purposes other than *force majeure*.

3.11 Some Members expressed concern at vessels on the Commission's IUU Vessel Lists gaining access to Parties' ports. The Committee considered some proposals to amend a number of conservation measures to prevent any future non-emergency access. No final text was agreed on these measures and the proposals were passed to the Commission for its consideration (see paragraph 3.43).

3.12 The Secretariat reported on the implementation and operation of the Centralised Vessel Monitoring System (C-VMS) during the 2005/06 season and advised the Committee that, whilst no particular problems had been experienced, some Members could improve the quality and formatting of C-VMS data submitted.

3.13 Spain reported that it continued to cooperate and apply the C-VMS despite the inability to send encrypted messages due to the incompatibility of the software used by the Secretariat and Members. A solution should be put in place so as to secure the confidentiality of such data.

3.14 Several Members endorsed the Secretariat's comment that direct reporting, i.e. where position data are transmitted to the Secretariat directly from the satellite service provider to the Secretariat, was generally found to be a more efficient method of data submission, both in terms of data quality and cost effectiveness. These Members recommended that all other Members consider using the direct method of reporting.

3.15 Other Members noted that indirect reporting was not inefficient as such and this was confirmed by the Secretariat.

3.16 The Secretariat also reported that it had released C-VMS data in accordance with Conservation Measure 10-04, paragraph 20, in support of a surveillance operation conducted by New Zealand.

3.17 The Secretariat reported that, whilst it had not released C-VMS data in order to verify claims made on *Dissostichus* catch documents (DCDs), some CDS Contact Officers had contacted the Secretariat in the course of authorising CDS documentation in order to confirm that certain vessels were participating in the C-VMS.

3.18 The Committee noted that the Secretariat had continued subscribing to the web-based Lloyds database 'Seaweb' and had trialled another Lloyds product, 'Seasearcher'. The

Committee noted the Secretariat's comments that a subscription to 'Seasearcher' was expensive but nevertheless expressed the view that it might be of value and requested that the Secretariat approach Lloyds with a view to obtaining a reduced rate for a subscription limited to fishing and cargo vessels.

3.19 Russia made the following statement:

'SSRUs 882A and 882B can be considered ecologically sensitive areas which are closed for commercial fishing. According to Conservation Measure 24-01 it is possible to conduct scientific research in such areas on condition that the amount of catch in each area cannot exceed 10 tonnes. The notification of the UK for 2005/06 that the *Argos Georgia* managed to catch 17 tonnes in SSRU 882A, that is direct violation of the catch limit set by the said conservation measure and constitutes a fishing activity falling under the category dealt with by Conservation Measure 10-06, paragraph 5(iii), i.e. fishing in a closed area in contravention of CCAMLR measures.

We would like to mention that scientific research is essential for the prediction of possible development of marine resources in the area. In connection therewith the provisions of the abovementioned measures allow the conduct of scientific research in the closed area. It should be noted that as a result of this infringement the UK failed to conduct any research inside SSRU 881B.

Haul-by-haul data provided by the UK in its notification (CCAMLR-XXV/27, Figure 2) indicate that the *Argos Georgia* had four longlines deployed at the time. Deployment of this set for the first time resulted in a catch of five tonnes that comprised 50% of the allowable catch limit. The second hauling of the line resulted in some 12 tonnes of toothfish. As a result, the catch limit was exceeded by 70% and the research plan for SSRU 881B was abandoned.

We would like to draw the Committee's attention to another piece of information contained in the UK's notification. It is said that the fact of overfishing depended on the occasion and was connected with the reality of unpredictable fishing. In the case of the *Volna* we have a similar situation when fishing gear unpredictably drifted outside the open fishing SSRU 881L.

We are wondering whether we should talk in a manner of non-discriminating approach and consider the questions according to the idea of conservation and rational exploitation of marine living resources.'

3.20 The UK acknowledged that the *Argos Georgia* had exceeded the allowable catch limit. However, the vessel had not anticipated its catch rate increasing so suddenly and, when this occurred, the vessel immediately ceased fishing. The UK was of the view that the initial low CPUE of the *Argos Georgia* was due to IUU activities in the immediate vicinity just prior to the *Argos Georgia* setting its longlines. The UK expressed the view that it had reported the incident in a completely transparent manner and referred the Committee to CCAMLR-XXV/BG/3. This set out a detailed account of the research fishing of the *Argos Georgia*. The UK, whilst regretting the minor overshoot of the catch, did not consider this to be a case of deliberate non-compliance. Several Members had expressed satisfaction with the UK's explanation of the situation.

3.21 Russia made the following statement:

‘Prior to conservation measures on listing IUU vessels were adopted, all responsibilities for imposing sanctions and prosecutions of vessels found in violation of conservation measures resided with Flag States.

The current listing of IUU vessels now follows a procedure by which any vessel of a Contracting Party could be included, *a priori*, in the draft IUU vessel list based on evidence reported by a Member that that vessel was engaged in one or a number of fishing activities listed in that conservation measure. The list of such activities concludes with a final provision stating that evidence required could relate to fishing activities contrary to any other measures in a manner that undermines the attainment of the Convention objectives (Conservation Measure 10-06, paragraph 5(viii)).

The Flag State of the vessel alleged with a report of evidence has only rights to comment on the evidence report received. The vessel, despite the substance of comments received, will be moved from the Draft to the Provisional IUU Vessel List. The provisional list with comments of Flag States should then be distributed to all Contracting and non-Contracting Parties participating in CDS with a request not to register or deregister the vessel until such time as the Commission has made its determination.

Despite the work initiated by the Commission on the compliance evaluation procedure, the procedure has not yet been developed and, consequently, the Commission has no current means to evaluate objectively the level of non-compliance of vessels reported in breach of conservation measures, by any meaningful and agreed criteria. Likewise, the Commission has no agreed means on defining or recommending the level of sanctions which might be imposed on such vessels by their Flag States.

In the absence of a compliance evaluation procedure, the Commission currently decides to list a vessel solely on the evidence report received and comments from the Flag State. Without the required compliance evaluation procedure, it leaves the IUU-listing decision-making process open to potentially biased evidence and motivations of Parties involved.

Therefore, in the opinion of the Russian Delegation it is beneficial to elaborate a system categorising all possible kinds of infringements and an appropriate level of sanctions to be imposed on such vessels by SCIC and/or Flag State. We strongly believe that appropriate penalty shall follow any infringement without any exception of selectiveness. The offending vessels could be included in the Draft IUU Vessel List only in case of substantial gravity and/or repetition of the offence.’

3.22 Russia suggested that the issues should be discussed on the basis of transparency and equality. However, the documentary evidence of the obvious violations by other States’ flag vessels had not been appropriately considered and evaluated. In particular, Russia reiterated the issue of the violation by the UK-flagged *Argos Georgia* which had fished 70% in excess of the catch limit in SSRU 882A (CCAMLR-XXV/27 and BG/3).

3.23 Russia also reminded the Committee that a Maltese-flagged vessel, *Dalmor II*, had fished for krill inside the Convention Area during the 2005/06 season under a licence issued by Poland. The European Community recalled that correspondence regarding this vessel had been distributed to Members by the Secretariat. Australia's view on the status of the *Dalmor II* had been expressed in COMM CIRCs 06/25 and 06/26.

3.24 Russia believed that both cases were to be deemed as obvious IUU activity. Russia believed that the Committee should address all cases of infringement or non-compliance in an objective manner. Russia expressed the view that no Member should be exempt from a review of non-compliance by SCIC and the Commission.

3.25 The UK noted that no other Member had spoken in support of Russia's position.

Compliance evaluation procedure

3.26 Following a request from the Commission (CCAMLR-XXIV, paragraph 6.11; CCAMLR-XXIII, Annex 5, paragraph 3.28) the Secretariat has analysed compliance-related information currently submitted by Members in accordance with conservation measures in force and identified the key compliance elements.

3.27 As requested, the Secretariat circulated the results of its analysis in April 2006 (COMM CIRC 06/40) and invited Members to comment, which Russia and New Zealand had subsequently done. These comments were used in preparing a background paper on key compliance elements and a summary of compliance information for the 2005/06 season which were presented to SCIC for consideration (CCAMLR-XXV/37 and SCIC-06/10).

3.28 All compliance-related information currently submitted by Members was divided into three groups:

- (i) reports on alleged infringements of conservation measures received from inspectors, port and customs officials made in accordance with the System of Inspection, port inspections, CDS and IUU conservation measures as well as reports made in accordance with Articles X and XXII of the Convention;
- (ii) various notifications and data submissions from Flag States made in accordance with conservation measures regulating fishing activities in the Convention Area;
- (iii) compliance-related data collected by scientific observers designated in accordance with the CCAMLR Scheme of International Scientific Observation.

3.29 Information for group (i) requires consideration of alleged infringements of conservation measures on a case-by-case basis and does not require additional identification of key compliance elements. Groups (ii) and (iii) comprise information for which key compliance elements could be identified to evaluate compliance with conservation measures in accordance with the procedure proposed by the Commission (CCAMLR-XXIII, paragraph 6.7).

3.30 The Secretariat noted that it had identified key compliance elements for the above groups of information taking into account the nature of the impact(s) associated with possible

infringements. Such impacts, in part, were categorised in terms of fisheries administration and resource management in respect of targeted, dependent and related species, and the environment. Consequently the risk associated with these impact categories could be described as technical and related directly to the sustainability of fisheries in the context of Article II of the Convention.

3.31 In addition to general key compliance elements ‘deadline’ and ‘completeness’, the Secretariat proposed to consider an additional element ‘amendments’ and apply this to submission of catch and effort reports (e.g. five-day catch and effort reports). It also proposed to take account of occasional and sometimes substantial amendments to original catch and effort reports. Such amendments, when made close to, or after, the fishery closure date, could lead to an overrun of the total catch limit (CCAMLR-XXV/BG/3, paragraphs 25 to 29).

3.32 The Committee thanked the Science/Compliance Officer for a very thorough and well-structured analysis and recommendations.

3.33 There was a brief discussion of papers presented and Members made a number of observations. In general, Members expressed caution that the application of the proposed compliance assessment procedure could result in an annual identification of ‘penalties’ and ‘rewards’. Members also believed that the procedure should include an annual review of vessel performance in relation to compliance with conservation measures using main compliance categories such as critical compliance infringements and minor non-compliance with technical elements. The results of such annual reviews could assist the Commission in taking decisions on the provision of vessel access to each fishery. As an example, it was proposed that the Commission may consider applying a rule by which, if a vessel has been found to exhibit a low level of compliance with key compliance measures over several seasons, it could be disqualified from further participation in a fishery until such time as the Flag State of the vessel concerned had conducted further investigation and applied, if required, sanctions to enforce full compliance.

3.34 The Committee agreed that further examination of key-compliance elements and development of evaluation criteria could best be advanced intersessionally by a group of experts nominated by Members and that this group should be convened by the SCIC Vice-Chair, Ms T. Akkers (South Africa). Initially the group will work via email and the Secretariat was requested to set up a webpage for its use. It was also proposed that the group should attempt to meet in Hobart on the Friday or Saturday immediately preceding CCAMLR-XXVI. Members were requested to nominate experts to the group by April 2007.

3.35 SCIC adopted the following terms of reference for the intersessional group:

- (i) Develop a model of a standard evaluation procedure that can consistently be used to evaluate performance of vessels with conservation measures in force.
- (ii) Select and prioritise key compliance elements.
- (iii) Identify evaluation criteria.
- (iv) Clarify issues of responsibilities and deadlines as identified by the Secretariat in SCIC-06/10.

- (v) Identify amendments to conservation measures which could be required to enable more effective evaluation of compliance with these measures.
- (vi) Provide an example of compliance evaluation using summaries of compliance information for the 2005/06 season (SCIC-06/10).

Proposals for new and revised measures

3.36 SCIC considered a wide range of proposals from Members and the Secretariat for new and revised measures.

3.37 In response to the report of the JAG meeting, the Committee considered an amendment to Conservation Measure 10-02 requiring licensed fishing vessels to report sightings of other fishing and support vessels within the Convention Area (SCIC-06/8 and CCAMLR-XXV/BG/25). It is intended that information on sightings will be used by the Secretariat to estimate IUU catches in the Convention Area. SCIC recommended to the Commission that it amend Conservation Measure 10-02 in accordance with the revised text provided in CCAMLR-XXV/BG/48.

3.38 The Committee considered proposals by the Secretariat to amend Conservation Measure 10-04 to clarify the requirements for reporting exits from the Convention Area and a format for indirect reporting of VMS positions by email (CCAMLR-XXV/BG/13). In general discussion, it was noted that VMS data could be used by the Secretariat to monitor the entry of licensed fishing vessels into areas closed to fishing, or into areas for which the vessel is not licensed to fish. SCIC agreed to recommend that the Commission amend Conservation Measure 10-04 to clarify reporting requirements in accordance with the revised text provided in CCAMLR-XXV/BG/48.

3.39 Australia proposed to amend Conservation Measure 10-05 to make it explicit that the CDS be administered by government officials acting under the direction of the government authority (CCAMLR-XXV/41). SCIC agreed that this was the intent of the existing conservation measure and recommended minor changes to Conservation Measure 10-05 to affirm this.

3.40 A further proposal was made by the European Community to amend Conservation Measure 10-05 to include a process for CCAMLR to officially recognise non-Contracting Parties cooperating in the implementation of the CDS (SCIC-06/14). The proposed annex to Conservation Measure 10-05 was amended so that the process included in the annex was linked explicitly within the text of Conservation Measure 10-05.

3.41 SCIC agreed to recommend that the Commission amend Conservation Measure 10-05 in accordance with the revised text provided in CCAMLR-XXV/BG/48.

3.42 Argentina reserved its position expressing that the term 'non-Contracting Parties' only refers to non-Contracting State Parties.

3.43 Members of the Committee were generally supportive of proposals by Australia to tighten controls on port access by vessels listed on the CP-IUU and NCP-IUU Vessel Lists (CCAMLR-XXV/44). Some Members expressed a need to seek advice from other

government officials regarding the enforcement actions they could take should they permit access to ports by such vessels. Russia expressed concern over the breadth and certain coercive nature of the proposed changes to the conservation measure and whilst responses from capitals were still pending it would be untimely and premature to take this question to the Commission for adoption. Russia welcomed intersessional work to resolve the remaining questions. Argentina expressed concern with regard to some of the proposed changes. SCIC agreed to forward an amended draft of Conservation Measures 10-06 and 10-07 to the Commission for further consideration (CCAMLR-XXV/BG/49).

3.44 Australia proposed an amendment to Conservation Measure 10-07 to establish a list of non-Contracting Party States with IUU listed vessels (CCAMLR-XXV/44). The proposal also included a number of measures that Members could take in respect of those States. SCIC agreed to forward the text to the Commission for further consideration to give Parties time to consult with capitals (CCAMLR-XXV/BG/49).

3.45 Russia was not convinced that it would be productive to recommend the existing draft to the Commission for adoption as more time was needed for examination of the broadly changed text.

3.46 During general discussion on the implementation of the System of Inspection, Spain raised concern that its ability to act on the content of CCAMLR inspection reports issued by other Members' inspectors was limited. Members considered a proposal to amend the System of Inspection so as to enable Contracting Parties to treat the reports from inspectors of Designating Members under this scheme on the same basis as reports from its own inspectors. SCIC agreed to forward the text to the Commission for further consideration to give Parties time to consult with capitals (CCAMLR-XXV/BG/49).

3.47 In considering this issue, the Committee noted that the terms 'Designating State' and 'Designating Member' had been used interchangeably within the System of Inspection. SCIC agreed that the term 'Designating Member' should be used and recommended that the Commission adopt the amended clarification (CCAMLR-XXV/BG/49).

3.48 Australia proposed that it was timely to review and, in some places, strengthen the System of Inspection (CCAMLR-XXV/43). The Committee welcomed the considerable efforts of Australia to review the system. Several Members expressed their desire to consider the proposal intersessionally. SCIC therefore agreed to recommend to the Commission that it establish an intersessional working group to consider the proposal further. Australia offered to lead this group.

3.49 Australia proposed an addition to the existing CCAMLR Cooperation Policy (Resolution 24/XXIV) of an annex establishing a CCAMLR cooperation enhancement program (CCAMLR-XXV/40). The Committee welcomed the additional direction the annex provided to the existing policy, amending the proposal to provide for the establishment of a special fund from which cooperation activities could be funded. The Committee also considered that the existing cooperation policy be better publicised to Contracting Parties and non-Contracting Parties alike. SCIC agreed to amend the CCAMLR Cooperation Policy and recommended that the Commission adopt the amended annex (CCAMLR-XXV/BG/48).

3.50 Several proposals to establish new conservation measures were considered by the Committee. Within these discussions, Argentina made clear its view that unless otherwise provided for within a conservation measure, conservation measures applied only to activities within the Convention Area.

3.51 Australia proposed a measure establishing an interim prohibition of deep-water gillnet fishing in the Convention Area (WG-FSA-06/46 and CCAMLR-XXV/45). The Committee agreed that such a fishery should be prohibited until such time as the Commission has agreed, on the basis of advice from the Scientific Committee, that such a method may be used in the Convention Area. The Committee agreed to a draft conservation measure establishing such a prohibition and recommended that the Commission adopt the draft measure (CCAMLR-XXV/BG/48).

3.52 France proposed a measure on the conservation of shark stocks (SCIC-06/3 and CCAMLR-XXV/35). This proposal arose from concerns raised in the report of the JAG meeting and international concern for the status of shark stocks. The Committee agreed to a draft conservation measure establishing a prohibition on directed fishing for shark in the Convention Area and recommended that the Commission adopt the draft measure (CCAMLR-XXV/BG/48).

3.53 In addition, the Committee requested advice from the Scientific Committee including on the following elements:

- (i) the ratio of by-catch of sharks which could be allowed in any SSRU or combination of SSRUs;
- (ii) the ratio of fins-to-body weight of sharks;
- (iii) the ratio of livers-to-body weight of sharks;
- (iv) the ways and means to improve the selectivity of fishing gear to reduce by-catches of shark as far as possible;
- (v) to the greatest extent possible, the identification of shark breeding areas.

3.54 A proposal by the European Community to adopt a scheme to promote compliance by Contracting Party nationals with CCAMLR conservation measures which had already been adopted by other international fora was also considered by the Committee (SCIC-06/12). Concerns were raised by some Members as to, *inter alia*, the ability to domestically implement and enforce aspects of the proposed conservation measure. The draft was amended to take account of some Members' concerns and SCIC agreed to forward it to the Commission for further consideration (CCAMLR-XXV/BG/49).

3.55 The European Community also proposed a new measure adopting trade measures to promote compliance (SCIC-06/13). The European Community stressed that similar measures are already in force in other fora. Members noted a link between the proposed measure and a related proposal by Australia (CCAMLR-XXV/44) and the current provisions within Conservation Measures 10-06 and 10-07 to take trade measures. Again, Members raised concerns, *inter alia*, as to the ability to domestically implement and enforce aspects of the

proposed conservation measure. The draft was amended to take account of some Members' concerns and SCIC agreed to forward it to the Commission for further consideration (CCAMLR-XXV/BG/49).

3.56 Australia proposed a new measure to combat IUU fishing in the Convention Area by non-Contracting Parties (CCAMLR-XXV/44). Some Members remained concerned, *inter alia*, about their ability to domestically implement and enforce aspects of the proposed conservation measure. The draft was amended to take account of some Members' concerns and SCIC agreed to forward it to the Commission for further consideration (CCAMLR-XXV/BG/49).

3.57 The Committee did not feel that it was within its competence to consider proposals for ice-strengthening requirements for fishing vessels (CCAMLR-XXV/BG/14) and a general measure on environmental protection during fishing (CCAMLR-XXV/10). SCIC recommended that the Commission examine these proposed measures at its earliest opportunity.

IV. CATCH DOCUMENTATION SCHEME (CDS)

Implementation and operation of the CDS

4.1 The Committee reviewed implementation of the CDS during the 2005/06 intersessional period and noted that although Singapore and Seychelles were still implementing the CDS as non-Contracting Parties, Singapore only implemented the CDS in respect of authorising re-export documents and Seychelles was no longer reported to be involved in the harvest or trade of toothfish.

4.2 The Committee noted the People's Republic of China as a new Acceding State to CCAMLR and expressed the hope that it would be able to facilitate the future participation in the CDS of the Hong Kong Special Administrative Region in the near future.

4.3 The People's Republic of China assured the Committee that it would give positive consideration to initiate its internal consultation in this regard. In the meantime, the People's Republic of China advised that any concerns regarding the trade of toothfish to or from the Hong Kong Special Administrative Region could be referred to the People's Republic of China authorities in Beijing.

4.4 The European Community confirmed that the appropriate CDS data were communicated to the Secretariat in a timely manner to support the deliberation of its annual report. The fact that the European Community's annual report, for which no deadline existed, was made available after the preparation of the Secretariat report does not affect the implementation of the CDS.

E-CDS trial

4.5 The Committee reviewed the successful implementation of the ongoing E-CDS trial and noted that the majority of Members were now using electronic documentation exclusively and all other Members had used it to some extent.

4.6 The Committee considered a number of modifications and improvements proposed to the website software contained in CCAMLR-XXV/34 which also contained a proposal to the CDS Fund Review Panel to approve expenditure from the CDS Fund.

4.7 The Committee noted a number of additional suggestions submitted by France in CCAMLR-XXV/20, many of which could be accommodated within the scope of the existing proposal. The remaining suggestions would be further investigated by the Secretariat during the 2006/07 intersessional period.

V. SCHEME OF INTERNATIONAL SCIENTIFIC OBSERVATION

5.1 SC-CAMLR-XXV/BG/10 provided a summary of scientific observation programs undertaken in accordance with the CCAMLR Scheme of International Scientific Observation for the 2005/06 season. Scientific observers designated under the scheme and national scientific observers were deployed on all vessels in all finfish fisheries in the Convention Area. A total of 54 observation programs were undertaken (37 longline, 9 finfish trawl, 5 krill trawl and 3 pot cruises). All data collection and reporting were undertaken in accordance with the scheme.

5.2 The Committee received and discussed the advice from the Chair of the Scientific Committee relating to the need for the deployment of scientific observers on board krill fishing vessels to facilitate the collection of important data on by-catch, mitigation measures, krill and juvenile fish biology. Such data would enable a more complete understanding of the impact of this fishery on the ecosystem. The current observer priorities identified by the Scientific Committee were to collect data to: (i) compare different krill fishing methods; (ii) determine the level of by-catch of larval finfish; and (iii) better understand and document the incidence of warp-strike by seabirds.

5.3 The Committee also noted a proposal from Ukraine addressing scientific observations on krill vessels which required amendments to Conservation Measures 51-01, 51-02 and 51-03 (SC-CAMLR-XXV/BG/17).

5.4 In general, advice received from the Scientific Committee was supported by most Members. However, Japan and the Republic of Korea were not in a position to support the 100% observer coverage for the krill fishery due to the following considerations:

- (i) although the need for scientists to obtain the necessary data for analysis is understood, it does not justify that 100% observer coverage is necessary in light of the healthy conditions of krill resources;
- (ii) as the krill fishery was not a fishery like the toothfish fishery which targets depleted resources, there was no justification to treat it the same way and apply the same strict requirements for observers;

- (iii) the issue of by-catch of fish larvae, birds and seals was not a problem as reported in the past, in particular, for Japanese krill fishing vessels mainly due to low towing speed and short duration of hauls.

5.5 Australia stated that it did not share Japan's views about these matters and considered that, amongst other elements, increased observer coverage was required on vessels harvesting krill.

5.6 Japan also advised that it was ready to accept international scientific observers on board krill fishing vessels to be designated in accordance with bilateral agreements.

5.7 Due to the lack of consensus on this issue, the Committee was unable to recommend to the Commission that the use of scientific observers on board krill vessels should become mandatory.

5.8 The Chair of the Scientific Committee also drew the Committee's attention to the fact that in 2005/06, all but five vessels achieved a tagging rate of more than one toothfish per one tonne of toothfish caught. The vessels which failed to achieve the required tagging rate during fisheries in Subareas 88.1 and 88.2 were *Antartic II* (Argentina), *Frøyanes* (Norway), *Volna* and *Yantar* (Russia) and *Viking Sur* (Uruguay) (SC-CAMLR-XXV, Table 5).

5.9 The Flag States concerned commented that the vessels experienced problems either in relation to the division of responsibilities between the vessels and scientific observers or due to an inability of some vessel operators to secure the required number of tags prior to undertaking fishing.

5.10 Regarding the question of the division of responsibilities, the Committee supported the Scientific Committee's recommendation that Conservation Measure 41-01, Annex C, be amended to clarify the roles and responsibilities of the vessel and observers in relation to the tagging program. It emphasised that responsibility for tagging, tag recovery and correct reporting rests with the Flag State; and the CCAMLR scientific observer, in cooperation with the fishing vessel, is normally expected to undertake the tagging program.

5.11 In terms of compliance with the tagging requirements in exploratory fisheries, some Members generally recommended that access to exploratory fisheries be denied to those fishing vessels that failed to achieve the required fish tagging rates in the previous three successive seasons.

5.12 The Chair of the Scientific Committee also advised SCIC of the Scientific Committee's recommendation that the Commission authorise the Secretariat to routinely use VMS data to validate positions reported in fine-scale and observer data, including tagging data. SCIC viewed the recommendations as requiring substantial consideration before it could fully evaluate all aspects of the proposal's implications in terms of access and use of VMS data, required validation procedures, development of an automated set of C-VMS database queries to perform this task, as well as any additional Secretariat workload along with the potential costs involved.

5.13 The Committee therefore recommended that the Commission request the Secretariat to conduct a feasibility study of the proposal, to evaluate the costs involved and to report the results to SCIC next year.

5.14 The Committee noted advice from the Chair of the Scientific Committee that CCAMLR-XXV/10 'General environmental protection during fishing' had been discussed by the Scientific Committee which had found the paper worthy of further discussion. The Scientific Committee, however, found that it did not have the mandate to consider the matter. Finding merit in the paper, the Committee also generally agreed that it required further consideration by the Commission (paragraph 3.57).

VI. ELECTION OF THE CHAIR OF THE COMMITTEE

6.1 The Committee unanimously re-elected Ms Carvajal as the Chair of SCIC for the next two years (2007 and 2008). The Committee congratulated Ms Carvajal on her reappointment and commended her for her excellent work during the past two meetings.

VII. OTHER BUSINESS

7.1 The Committee noted with general concern that Vanuatu had advised the Secretariat that it intended to harvest krill in the Convention Area with five super-trawlers (CCAMLR-XXV/46). Vanuatu had indicated that it wished to do this in a manner which would not undermine the effectiveness of CCAMLR conservation measures.

7.2 The Committee noted that Acceding States are bound by all conservation measures and notification procedures and requirements, including the required consideration of all applications by the Scientific Committee.

7.3 Therefore, Vanuatu was required to provide all information as requested by the Secretariat. In addition, the USA also suggested that Vanuatu be asked to respond to a questionnaire on krill fishery dynamics as circulated to Members in SC CIRC 06/39 of 7 September 2006.

7.4 In particular, in respect to Vanuatu's intention to apply for krill fishing in the Convention Area, Members had the following questions:

- (i) Which of Vanuatu's two ship registers was used to register the five super-trawlers mentioned in the correspondence received from Vanuatu: the register for domestic vessels or the register for foreign-owned vessels?
- (ii) Does Vanuatu exercise full Flag State control over activities of these vessels and where are the vessels located or fishing now?
- (iii) What ports would be used for landing the catch?

7.5 The UK noted problems the Commission has experienced with the Vanuatu-flagged vessel *Atlantic Navigator* fishing for two seasons in Subarea 48.3 in terms of its submission of fine-scale haul-by-haul data. The UK further noted that although Vanuatu is entitled and has agreed to become a Member of the Commission, Vanuatu has taken no appropriate steps to

achieve this. Therefore, CCAMLR should consider the intention of Vanuatu to continue fishing for krill in the light of its obligation to become a Member of the Commission and pay the required annual fee.

7.6 Following consultation with the European Community, the Secretariat suggested that cover pages of any document submitted to the Commission to be considered by SCIC, should contain the appropriate agenda item under which it will be considered by SCIC. Marking SCIC agenda items on Commission papers would assist delegates in preparing for SCIC debates in advance of the meeting. The proposal was agreed.

7.7 Argentina made the following statement:

‘With reference to port inspections as well as to inspections carried out in the CCAMLR area and further unilateral action taken by the UK, such as imposing licences on other Members’ vessels wishing to fish in waters surrounding the South Georgia and South Sandwich Islands, Argentina reserved its well-known legal position, including in this regard, also action taken by vessels in and operating off the Malvinas Islands, South Georgia and the South Sandwich Islands. These and the surrounding waters are an integral part of the Argentine National Territory and are subject to the illegitimate occupation by the UK. According to the Convention and the Chairman’s Statement, only the multilateral system of the Convention is applicable in those waters. Argentina recalled its position which remains unvaried and was already expressed on the occasion of the illegal arrest and further prosecution of the Chilean vessel *Antonio Lorenzo* in 1996.’

7.8 In response, the UK made the following statement:

‘In response to Argentina’s statement the UK reiterates that it has no doubts about its sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and their surrounding maritime areas.

The port inspections undertaken by the Port authorities of the respective governments of the UK’s Overseas Territories of South Georgia and the South Sandwich Islands and the Falkland Islands were conducted pursuant to the UK’s obligations under CCAMLR Conservation Measure 10-03 and were reported to the Commission as such.

Furthermore the UK has the right, as provided for under paragraph 5 of the 1980 Chairman’s Statement to undertake inspections within those of its jurisdictional waters that lie within Subareas 48.2, 48.3 and 48.4 in the way that it sees fit. In addition, the UK remains committed to the implementation of the System of Observation and Inspection of CCAMLR and our record of doing so is clearly apparent in this Commission.

Argentina’s references to the vessel *Antonio Lorenzo* are somewhat perverse. The vessel was clearly fishing illegally when it was apprehended and fined in Subarea 48.3 in 1992. The vessel’s illegal status was subsequently substantiated by the fact that the vessel was also fined by its national authorities in 1997 for contravening CCAMLR

conservation measures. The vessel was again apprehended for fishing illegally by the French authorities in 1998 following which it was convicted and scuttled in 1999. Given the circumstances, the criticism by Argentina is misplaced.

The UK would reiterate its views expressed previously that we remain wholly committed to the principles and objectives of CCAMLR. We intend to ensure that the highest standards of fisheries management will be implemented in our jurisdictional waters – through licensing and inspections, and also through the imposition of tough measures that are in line with, and back-up, the provisions of CCAMLR.’

7.9 Argentina made the following statement:

‘While rejecting the statement by the UK and reaffirming Argentine sovereignty over the Malvinas, South Georgia and the South Sandwich Islands and the surrounding waters, Argentina reminded that, in the case of the Chilean vessel *Antonio Lorenzo*, immediately following a CCAMLR inspection carried out by a UK-designated CCAMLR inspector, this inspector imposed an illegal procedure reported in CCAMLR-XV, Annex 5, paragraphs 1.73 and 1.74. As stated by Argentina at that time, such dual procedure erodes the multilateral system of the Convention.

In response to the references by the UK to subsequent illegal developments involving the vessel Argentina indicated that in no way such later behaviour is able to justify the illegality of the previous UK actions.

With respect to the UK statement that it remains “wholly committed to the principles and objectives of CCAMLR” Argentina noted that the UK seems not to feel bound by CCAMLR conservation measures. See WG-EMM-06/7 and WG-FSA-06/51 according to which the illegitimate administration of the South Georgia and South Sandwich Islands is described as operating either “following advice” or “under the auspices” of CCAMLR.

This situation deriving from an untenable interpretation of the Convention and the Chairman’s Statement 1980 serves the purpose of further carrying out unilateral action by the UK in CCAMLR waters.’

7.10 The UK indicated that it reserved its right to respond to the Argentine intervention in the Commission.

VIII. ADVICE TO SCAF

8.1 The following matters considered by the Committee have financial implications:

- (i) proposed modifications to the E-CDS web software for expenditure from the CDS Fund;
- (ii) development of an automated database for comparing C-VMS and haul-by-haul and observer data. The Secretariat is to prepare a feasibility study on the work and costs involved prior to the CCAMLR-XXVI meeting;

- (iii) a possible future subscription to the Lloyds 'Seasearcher' database. The Secretariat is to negotiate with Lloyds for a reduction in the full cost of US\$7 750 per annum.

IX. ADOPTION OF THE REPORT AND CLOSE OF THE MEETING

9.1 The report of SCIC was adopted and the meeting closed. The Chair thanked the Secretariat and the Committee, and Mr M. Bartholomew (New Zealand) for his excellent work convening the task group on conservation measures. The Committee thanked the Chair.

AGENDA

Standing Committee on Implementation and Compliance (SCIC)
(Hobart, Australia, 23 to 27 October 2006)

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) Compliance with conservation measures in force
 - (ii) Compliance evaluation procedure
 - (iii) Proposals for new and revised measures
4. Catch Documentation Scheme (CDS)
5. Scheme of International Scientific Observation
6. Election of the Chair of the Committee
7. Other business
8. Advice to the Commission
9. Advice to SCAF
10. Adoption of the report
11. Close of the meeting.

LIST OF DOCUMENTS

Standing Committee on Implementation and Compliance (SCIC)
(Hobart, Australia, 23 to 27 October 2006)

SCIC-06/1	Provisional Agenda for the 2006 Meeting of the CCAMLR Standing Committee on Implementation and Compliance (SCIC)
SCIC-06/2 Rev. 1	List of documents
SCIC-06/3	Evolution des comportements de pêche dans l'exploitation des ressources halieutiques dans la zone des Terres australes et antarctiques françaises (TAAF) : vers un nouveau type de pêche illicite France
SCIC-06/4 Rev. 1	Vessels notified to participate in exploratory fisheries in the 2006/07 season Secretariat
SCIC-06/5 Rev. 1	Catch Documentation Scheme (CDS) annual summary reports, 2006 Secretariat
SCIC-06/6	Supplementary information for consideration under Conservation Measures 10-06 and 10-07 Secretariat
SCIC-06/7	Extracts from the reports of the Working Group on Fish Stock Assessment (total removals of <i>Dissostichus</i> spp. including IUU catches in the Convention Area) Secretariat
SCIC-06/8	Current requirements for reporting IUU activity Secretariat
SCIC-06/9	New methodology for estimating IUU catches Secretariat
SCIC-06/10	Identification of key compliance elements: summary of compliance information for 2005/06 season Secretariat

SCIC-06/11	Drift analysis of a longline set from the Russian fishing vessel <i>Volna</i> in the Ross Sea Delegation of the United Kingdom
SCIC-06/12	EC draft proposal on a scheme to promote compliance by Contracting Party Nationals with CCAMLR conservation measures Delegation of the European Community
SCIC-06/13	EC draft proposal for a conservation measure concerning the adoption of trade measures to promote compliance Delegation of the European Community
SCIC-06/14	EC draft proposal on criteria for attaining the status of cooperating non party related to the implementation of the Catch Documentation Scheme for <i>Dissostichus</i> spp. by amendment of Conservation Measure 10-05 Delegation of the European Community
SCIC-06/15	Legal proceedings plan on transshipment prohibition of illegal catches (toothfish) Delegation of the Republic of Korea
SCIC-06/16	Correspondence from Russia in response to COMM CIRC 06/111 of 10 October 2006 Russian Federation
SCIC-06/17	Report to SCIC on the Meeting of the Joint Assessment Group Submitted by JAG Co-convener

Other Documents	
CCAMLR-XXV/7	Report of the Meeting of the Joint Assessment Group (Walvis Bay, Namibia, 17 to 19 July 2006)
CCAMLR-XXV/10	General environmental protection during fishing Secretariat
CCAMLR-XXV/34	CDS Fund Panel proposal Secretariat
CCAMLR-XXV/35	An upsurge in directed fishing for or by-catch of sharks in the Convention Area – draft conservation measure for the conservation of sharks catches associated with fisheries managed by CCAMLR Delegation of France

CCAMLR-XXV/37	Evaluation of compliance with conservation measures: identification of key compliance elements Secretariat
CCAMLR-XXV/38	Implementation of Conservation Measures 10-06 and 10-07: Provisional Lists of IUU vessels, 2006 Secretariat
CCAMLR-XXV/40	A proposal that CCAMLR adopt and implement a cooperation enhancement program Delegation of Australia
CCAMLR-XXV/41	A proposal that CCAMLR clarify Catch Documentation Scheme (CDS) definitions Delegation of Australia
CCAMLR-XXV/43	A proposal to review and strengthen the CCAMLR vessel inspection system Delegation of Australia
CCAMLR-XXV/44	A draft conservation measure on combatting illegal, unreported and unregulated fishing in the Convention Area by the vessels of non-Contracting parties Delegation of Australia
CCAMLR-XXV/BG/3	Implementation of fishery conservation measures in 2005/06 Secretariat
CCAMLR-XXV/BG/3 CORRIGENDUM	Implementation of fishery conservation measures in 2005/06 Secretariat
CCAMLR-XXV/BG/9 Rev. 1	Implementation of the System of Inspection and other CCAMLR enforcement provisions in 2005/06 Secretariat
CCAMLR-XXV/BG/10	Implementation and operation of the Catch Documentation Scheme in 2005/06 Secretariat
CCAMLR-XXV/BG/13	Implementation and operation of the Centralised Vessel Monitoring System (C-VMS) in 2005/06 Secretariat
CCAMLR-XXV/BG/14	Ice-strengthening classification of fishing vessels Secretariat
CCAMLR-XXV/BG/15	Introduction of gillnet fishing in the Convention Area Secretariat

CCAMLR-XXV/BG/17	Scientific observation on krill fishing vessels: proposal to amend Conservation Measures 51-01, 51-02 and 51-03 Delegation of Ukraine
CCAMLR-XXV/BG/20	Point de situation faisant suite au travail intersessionnel sur l'E-CDS Délégation française
CCAMLR-XXV/BG/21	Assessment of IUU fishing in the French waters bordering Kerguelen and Crozet Islands for season 2005/06 (1 July 2005 to 30 June 2006) General information concerning CCAMLR Area 58 Delegation of France (available in English and French)
CCAMLR-XXV/BG/25	Report on the transfer of a crew member from the vessel <i>Globalpesca I</i> during exploratory fishing in the area of CCAMLR Delegation of Chile (available in English and Spanish)
CCAMLR-XXV/BG/28	Measures to prevent and deter illegal, unreported and unregulated fishing Submitted by ASOC
CCAMLR-XXV/BG/29	The use of Port State measures to improve fisheries compliance at the international level Issues and instruments – the CCAMLR case Submitted by ASOC
CCAMLR-XXV/BG/32	Heard Island and McDonald Islands Exclusive Economic Zone – 2005/06 IUU catch estimate for Patagonian toothfish Delegation of Australia
CCAMLR-XXV/BG/38	IUU catch in the Convention Area by the <i>Taruman</i> during 2004/05 season Delegation of Australia
CCAMLR-XXV/BG/39	Meeting of the Joint Assessment Group (17 to 19 July 2006) Comments of DG FISH Delegation of the European Community
CCAMLR-XXV/BG/44	Report on port inspections of vessels on IUU list Delegation of South Africa
CCAMLR-XXV/BG/48	New and revised conservation measures recommended by SCIC for adoption by the Commission

CCAMLR-XXV/BG/49	Proposals for new and revised measures submitted by SCIC to the Commission for further consideration
SC-CAMLR-XXV/BG/10	Summary of scientific observation programmes undertaken during the 2005/06 season Secretariat
WG-FSA-06/11 Rev. 2	Estimation of IUU catches in the Convention Area in the 2005/06 fishing season Secretariat
WG-FSA-06/38	A summary of scientific observations related to Conservation Measures 25-01 (1996), 25-02 (2005) and 25-03 (2003) Secretariat

**CRITERIA FOR ASSIGNING WEIGHTS
TO OBSERVATIONS OF IUU ACTIVITY**

Table 1: Criteria for assigning weights to observations of IUU activity as approved by JAG.

Category	Weighting factor				
	High 5	4	3	2	Low 1
Sighting	Longline fishing vessel sighted in CCAMLR waters		Gillnet fishing vessel sighted in CCAMLR waters	Fishing gear detected in CCAMLR waters	Fisheries support vessel (fish carrier, refuel) detected in CCAMLR waters
Identification	ID confirmed and unlicensed for CCAMLR waters				ID unconfirmed
Information source	Surveillance platform, at-sea inspection	Multiple legal fishing vessels	Legal fishing vessel		Other
Vessel activity	Gear deployed and fishing	Vessel in area on known fishing grounds		Vessel in area on unlikely fishing grounds and not fishing	Unknown
Vulnerability	History of extensive IUU activity		History of limited IUU activity		Area unlikely to support IUU activity (e.g. depth, ice constraints, extensive surveillance)

Table 2: Criteria for assigning weights to observations of IUU activity as amended and approved by SCIC.

Category	Weighting factor				
	High 5	4	3	2	Low 1
Sighting	Longline fishing vessel sighted in CCAMLR waters	Fishing vessel sighted in CCAMLR waters, gear unknown	Fishing gear detected in CCAMLR waters	Fisheries support vessel (fish carrier, refuel) detected in CCAMLR waters	
Identification	ID confirmed and unlicensed for CCAMLR waters		ID unconfirmed		
Information source	Surveillance platform, at-sea inspection	Multiple vessels verified by two or more sources	Single vessel		Informal, unverifiable source
Vessel activity	Gear deployed and fishing	Vessel in area on known fishing grounds, gear not deployed but sighted in close proximity	Vessel in area on known fishing grounds but not fishing, no gear in proximity	Vessel in area on unlikely fishing grounds and not fishing	Unknown
Vulnerability	Known fishing grounds, low surveillance/enforcement deterrent factor (e.g. unpatrolled high seas)		New/developing fishery, some surveillance/enforcement deterrent factor		Area unlikely to support IUU activity (e.g. depth, ice constraints, extensive surveillance)

**PROVISIONAL LIST OF CONTRACTING PARTY IUU VESSELS
(CONSERVATION MEASURE 10-06)**

AND

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

PROVISIONAL LIST OF CONTRACTING PARTY IUU VESSELS 2006 (CONSERVATION MEASURE 10-06)

Current name	Current flag	Lloyds/IMO no.	Call sign	Previous name(s) if known	Previous flag(s)	Nature of activity	Date(s) of incident	Ownership history ¹ (last reported is underlined)	Flag State comments
<i>Volna</i>	Russia	9262833	UEEH	<i>Isabel</i>	Bolivia	Unlicensed fishing and dumping of by-catch, SSRU 882A.	01 Feb 06	Sun Hope Investments <u>LLC Laguna</u>	Comm Circs 06/51 and 06/77 from Russia
<i>West Ocean</i> ²	People's Republic of China	9230646	BZTX8	1. <i>Darwin</i> 2. <i>Darwin-1</i> 3. <i>Kiev</i>	1. Bolivia 2. Russia 3. Georgia	Fishing inside Division 58.4.1	09 Dec 05 21 Feb 06	- Sun Hope Investments - Pacific Andes Enterprises - Profit Peak <u>- China National Fisheries Corporation</u>	From People's Republic of China

¹ People's Republic of China advised that the vessel was reported to have engaged in IUU activities prior to People's Republic of China becoming a Contracting Party.

² Ownership history is sourced mainly from Lloyds Registry and only records dating back to 1980 have been listed here. The date in parenthesis is the date on which the ownership was reported to have come into effect. The latest reported owner is underlined. However, this information may not necessarily be current or correct.

PROPOSED LIST OF NON-CONTRACTING PARTY IUU VESSELS 2006 (CONSERVATION MEASURE 10-07)

Current name	Current flag	Lloyds/IMO no.	Call sign	Previous name(s) if known	Previous flag(s)	Nature of activity	Date(s) of incident	Ownership history ¹ (last reported is underlined)	Flag State comments
<i>Comet</i> (originally included on the Provisional NCP-IUU List as <i>Odin</i>)	Togo	8324139	XUFX9	1. <i>Esperance, Anyo</i> 2. <i>Anyo Maru No. 23</i> 3. <i>Aldebaran I</i> 4. <i>Odin</i>	1. France 2. Japan 3. France 4. Cambodia	Fishing inside Division 58.4.3b	10 Dec 05 23 May 06	- Peche Avenir S.A. <u>- Credraf Associates SA,</u> <u>c- Jose Manuel</u> <u>Salgueiro, Spain</u>	Not received
<i>Perseverance</i>	Equatorial Guinea	6622642	3CM2190	<i>Mila</i>	UK	Sighted inside Division 58.4.3b	22 May 06	- Prion Ltd - Mercury Ltd <u>- Ocean Fishing SA,</u> <u>Spain</u>	Not received
<i>Seed Leaf</i>	Panama	8913992	3ENS8	n/a	n/a	Undocumented transshipment	23 Feb 06	<u>- Sandnes Dampskibs,</u> <u>Norway</u>	Not received
<i>Tropic</i>	Equatorial Guinea	6607666	3CM2191	<i>Isla Graciosa</i>	South Africa	Fishing inside Division 58.4.3b	23 May 06	- Arniston Fish Processors (Pty) Ltd - Pesca Antartida, South Africa <u>- Nalanza S.A., Canary Islands</u>	Not received
<i>Typhoon I</i>	Togo	6905408	5VTN6	1. <i>Arctic Ranger</i> 2. <i>Rubin</i>	1. UK 2. Seychelles	Fishing inside Division 58.4.2	05 Feb 06	- Southern Shipping Ltd <u>- Vistasur Holding Inc.,</u> <u>Spain</u>	Not received

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IUU VESSEL LISTS FOR 2003, 2004 AND 2005 COMBINED

COMBINED IUU VESSEL LISTS ADOPTED IN 2003, 2004 AND 2005

Contracting Party IUU Vessel List (Conservation Measure 10-06)

Names and flags under which the vessels were originally listed are underlined.

Current name	Current flag	Lloyds/IMO no.	Current call sign	Previous name(s)	Previous flag(s)	Ownership history ¹ (last reported is underlined)	Nature of activity	Date(s) of incident	Year listed
<i>Viarsa I</i>	Uruguay	8001335	CXYU	<i>Starlet No. 901</i>		- Viarsa Fishing Co. (Jan 02) - Operator: Navalmar SA	Sighted inside Division 58.5.1 Apprehended 58.5.2	7 Aug 03 3 Feb 04	2003
<i>Maya V</i>	Flagless	8882818			Uruguay	- Globe Fishers (98) - Campopesca (99) - Rainbow Fisheries (Feb 03)	Fishing inside Division 58.5.2 Apprehended	23 Jan 04	2004
<i>North Ocean</i> ^{*2}	People's Republic of China*	9230658	BZZW5	1. <i>Boston</i> 2. <i>Boston-1</i> 3. <u><i>Jian Yuan</i></u>	1. Bolivia 2. Russia 3. <u>Georgia</u>	- Sunhope Investment (00) - Great Feat Inc. (c/- Sunhope Investment) (Oct 04) - <u>China National Fisheries Corporation</u>	Fishing inside Division 58.4.3b	25 Feb 05	2005
<i>East Ocean</i> ^{*2}	People's Republic of China*	9230660	BZZW6	1. <i>Champion</i> 2. <u><i>Champion-1</i></u> 3. <i>Kang Yuan</i>	1. Bolivia 2. <u>Russia</u> 3. Georgia	- Sunhope Investments (01) - <u>Profit Peak (Oct 04)</u> (Operator: Kando Maritime)	Fishing inside Division 58.4.3	22 Apr 04	2004
<i>South Ocean</i> ²	People's Republic of China	9230646	Unknown	1. <i>Austin</i> 2. <i>Austin-1</i> 3. <u><i>Koko</i></u>	1. Bolivia 2. Russia 3. <u>Georgia</u>	- Sunhope Investment (00) - Koko Fishery (Feb 03) - <u>Great Feat Inc., c/- Sunhope Investment (Sep 05)</u> China National Fisheries Corporation	Inside Division 58.4.3	24 Apr 04	2004

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² People's Republic of China advised that the vessels participated in IUU activity prior to People's Republic of China becoming a Contracting Party.

* Names and/or flags which have changed since 2005 are marked with * in the 'current name' and 'current flag' columns.

Vessel proposed for deletion from the adopted IUU Vessel List

Names and flags under which the vessels were originally listed are underlined.

Current name	Current flag	Lloyds/ IMO no.	Current call sign	Previous name(s)	Previous flag(s)	Ownership history ¹ (last reported is underlined)	Year included on list	Reason for deletion
<i>Muravyev Amurskiy</i> *	Russia*	9146352	UESA	1. <i>Christina Glacial</i> 2. <i>American Warrior</i> 3. <i>Mohicano</i> 4. <u><i>Sea Storm</i></u>	1. Panama 2. USA 3. Honduras 4. <u>Equatorial Guinea</u>	- Glacial Shipping (97) - Staplefield Investments SA(04) - Derime (Aug 05) <u>- Tymbokombinat</u>	2005	Change of ownership. Now operating exclusively under Russian jurisdiction.

¹ Ownership history is sourced mainly from Lloyds Registry and only records dating back to 1980 have been listed here. The date in parenthesis is the date on which the ownership was reported to have come into effect. The latest reported owner is underlined. However, this information may not necessarily be current or correct.

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Non-Contracting Party IUU Vessel List (Conservation Measure 10-07)

Names and flags under which the vessels were originally listed are underlined.

Current name	Current flag	Lloyds/IMO no.	Current call sign	Previous name(s)	Previous flag(s)	Ownership history ¹ (last reported is underlined)	Nature of activity	Date(s) of incident	Year listed
<i>Amorinn</i>	Togo	7036345	5VAN9	1. <i>Noemi</i> 2. <i>Lome</i> 3. <i>Iceberg II</i>	1. Belize 2-3. Togo	- Infitco (1998) - Seric Business SA (unknown) - Sold to undisclosed interests (Jul 03)	Inside Division 58.4.2	23 Jan 04	2003
<i>Apache I</i>	Honduras	9142693	unknown	1. <i>Caroline Glacial</i> 2. <i>America I</i>	1. Panama 2. USA	- Kongshawn Shipping (01) - Long Liners (03) - Staplefield Investments SA (Apr 04)	Fishing Division 58.5.1 Apprehended	25 Jun 04	2004
<i>Black Moon*</i>	Democratic People's Republic of Korea*	7322897	HO3746	1. <i>Dorita</i> 2. <i>Magnus</i> 3. <i>Thule</i> 4. <i>Eolo</i> 5. <i>Red Moon</i>	1. Uruguay 2. St Vincent & Grenadines 3-4. Equatorial Guinea 5. Democratic People's Republic of Korea	- Meteora Development Inc (Feb 04) (Operator: Vidal Armadores)	Inside Division 58.5.2	31 Jan 04	2003
<i>Chilbo San 33*</i>	Democratic People's Republic of Korea*	9042001	HMWM5	1. <i>Carran</i> 2. <i>Hammer</i>	1. Uruguay 2. <u>Togo</u>	- Fadilur SA (Aug 04) - Global Intercontinental Services (05) (Operator: Vidal Armadores)	Undocumented landing, Malaysia	Aug 04	2004
<i>Gold Dragon*</i>	Equatorial Guinea	6803961	3CM2150	1. <i>Mare</i> 2. <i>Notre Dame</i> 3. <i>Golden Sun</i>	1. Namibia 2. Bolivia 3. Equatorial Guinea	- Monteco Shipping (Feb 03), (Operator: Capensis)	Fishing inside Division 58.4.3	22 Apr 04	2003
<i>Duero*</i>	Panama*	7322926	unknown	1. <i>Sherpa Uno</i> 2. <i>Keta</i>	1. Uruguay 2. <u>Unknown</u>	- C&S Fisheries (Sep 96) - Muner SA (00)	Sighted Division 58.5.1	20 Dec 02 3 Feb 04	2004
<i>Red Lion 22</i>	Equatorial Guinea	7930034	3CM2149	1. <i>Big Star</i> 2. <i>Praslin</i> 3. <i>Lucky Star</i>	1. Honduras 2. Seychelles 3. Ghana 3. Equatorial Guinea	- Big Star International (Oct 98) - Praslin Corporation (Nov 00) - Transglove Investment Inc.(Sep 03)	Fishing inside Division 58.4.3	22 Apr 04	2003
<i>Rex*</i>	Togo	6818930	SVCR8	1. <i>Cisne Azul</i> 2. <i>Viking</i> 3. <i>Inca</i> 4. <i>Condor</i>	1. Belize 2. Seychelles 3-4. Togo	- Arcosmar Fisheries (99) - Lopez JMS (01) - Premier Business (03) (Operator: Jose Manuel Salgueiro)	Fishing inside Division 58.4.3b Fishing inside Division 58.4.4a	25 Feb 05 2 Aug 05	2005
<i>Sargo</i>	Togo	5428908	5VSO3	1. <i>Lugalpesca</i> 2. <i>Hoking</i>	1. <u>Uruguay</u> 2. Togo	- Jose Lorenzo SL (80) - Vibu Pesquera (Oct 05)	Inside Division 58.5.1	1 Dec 02 4 Jun 03	2003

(continued)

Non-Contracting Party IUU Vessel List (Conservation Measure 10-07) (continued)

Names and flags under which the vessels were originally listed are underlined.

Current name	Current flag	Lloyds/ IMO no.	Current call sign	Previous name(s)	Previous flag(s)	Ownership history ¹ (last reported is underlined)	Nature of activity	Date(s) of incident	Year listed
<i>Gale</i> *	Democratic People's Republic of Korea*	8713392	HMWM7	1. <i>Piscis</i> <u>2. <i>South Boy</i></u>	1. Uruguay <u>2. <i>Equatorial Guinea</i></u>	- Cazenove International SA (03) (Operator: Insuabela)	Supporting IUU activities of <i>Thule</i>	5 Apr 04	2004
<i>Ross</i>	Togo	7388267	5VR54	1. <i>Lena</i> <u>2. <i>Alos</i></u>	1. Seychelles <u>2. <i>Ghana</i></u>	- Lena Enterprises (01) <u>- Grupo Ova Perez SL (Aug 03)</u>	Fishing Subarea 58.7	Mar–Apr 04	2003
<i>Taruman</i>	Cambodia	7235733	XUGW9	1. <i>Sora</i>	1. Panama	<u>- Rulfend Corporation (05)</u> (Operator: Rivadulla MD)	Sighted fishing in Subarea 88.1.	15 Jun 05	2005

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