

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

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

OPENING OF THE MEETING

1.1 The meeting of the Standing Committee on Implementation and Compliance (SCIC) was held in Hobart, Australia, from 26 to 30 October 2009.

1.2 The Chair of SCIC, Ms K. Dawson-Guynn (USA), opened the meeting and all Members of the Commission participated. Observers invited by the Commission to participate at CCAMLR-XXVIII were welcomed and invited to participate in the meeting of SCIC as appropriate.

1.3 The Committee considered and adopted the Provisional Agenda. The adopted Agenda and the List of Documents are provided in Appendices I and II respectively.

REVIEW OF COMPLIANCE AND IMPLEMENTATION-RELATED MEASURES AND POLICIES

System of Inspection

2.1 During the 2008/09 intersessional period, a total of 62 inspectors were designated by Australia, Chile, France, New Zealand and the UK. A total of nine at-sea inspections were conducted; six by UK-designated CCAMLR inspectors in Subarea 48.3, two by Australian-designated inspectors in Division 58.4.3b and one by French-designated inspectors in Division 58.5.1. The reports submitted by inspectors cited no contraventions with CCAMLR measures.

2.2 The UK indicated that a combination of poor weather and other operational priorities were the reason for the reduced number of inspections when compared to previous seasons. The UK indicated that it remained committed to the CCAMLR System of Inspection, that it would endeavour to undertake more inspections in future seasons and it encouraged other CCAMLR Contracting Parties to undertake inspections under the System of Inspection.

2.3 The Committee considered a proposal to update the System of Inspection submitted by the USA (CCAMLR-XXVIII/40 Rev. 1). The USA reminded Members that the matter had been discussed over the past three years and that its proposal was not intended to make radical changes to the existing system, but rather to build on previous efforts to provide a comprehensive modernisation of this 20-year old scheme. The USA felt that the System of Inspection was relevant to several parties other than inspectors and so the rights and obligations of all parties should be explicit in the text.

2.4 Several Members expressed support for the proposal, noting that the existing text of the System of Inspection was more than 20 years old and that an update to the text was overdue, whilst several other Members expressed some concerns.

2.5 The Committee extensively considered and discussed details of the proposed changes, including its practical implications for inspectors, fishing vessels, Flag States and the Designating Member. The Committee was, however, unable to reach agreement on the proposal.

2.6 The USA advised SCIC that it regretfully withdrew the proposal. The USA expressed its appreciation for the efforts made by many delegations to reach consensus on the proposed amendments but noted that the deliberations had revealed entrenched positions on several key issues. In light of this, the USA advised that it would consider submitting a revised proposal in future.

2.7 Noting that this was the fourth consecutive year that SCIC had considered a revision to the System of Inspection, several Members thanked the USA for submitting the proposal and expressed their disappointment. These Members hoped that the proposal would be reconsidered in the future.

2.8 Whilst thanking all Members participating in the deliberations, Argentina agreed that clear regulations were desirable but noted that inspections conducted in the Convention Area could be regarded as contact between two States within the Antarctic Treaty System and that this contact requires regulations in order that it be constructive for all parties concerned. Argentina believed that the current System of Inspection offered the benefit of flexibility to all parties and recommended that Members seek other ways to address the issue by means of approaching it with imagination and creativity. These views were also shared by other Members.

2.9 The UK also thanked the USA and expressed disappointment that the proposal had been unable to proceed. The UK also pointed out that inspectors in the Southern Ocean were performing a very important and difficult job and expressed its gratitude to all individuals undertaking this work. The UK trusted, however, that the lack of progress in no way demonstrated any lack of commitment by the Commission to the existing System of Inspection. Australia endorsed the comments made by the UK.

Reports on compliance with conservation measures

Conservation Measure 10-08 – control of nationals

2.10 Spain reported progress on actions taken in accordance with Conservation Measure 10-08 against its nationals, or companies, connected with IUU activities. Fines of €60 000 were imposed on the captains and owners of the *Galaecia* and *Perseverance* for participating in, or supporting, IUU activities. Spain also reported that actions in respect of the owners of the *Paloma V* are under way.

Notifications of exploratory and krill fisheries

2.11 The Committee considered notifications for krill and exploratory fisheries as provided in CCAMLR-XXVIII/12 Rev. 1 and CCAMLR-XXVIII/13 respectively.

2.12 The Committee noted the Secretariat's report on the completeness of krill and exploratory notifications which had been presented in CCAMLR-XXVIII/BG/7 and that some notifications were incomplete.

2.13 The Committee also noted advice from the Scientific Committee regarding a krill notification from Chile which had been submitted after the deadline and had therefore not been considered by WG-EMM or the Scientific Committee.

2.14 Chile advised the Committee that, as a result of the late notification, it would not participate in a krill fishery in the 2009/10 season. Chile advised that it intended to fish in the 2010/11 season and assured Members that it would submit its notification for that season in good time.

2.15 Several Members thanked Chile and expressed their appreciation for its stance.

Tagging protocol

2.16 The Committee considered information from scientific observer reports on the tagging program during the 2008/09 season as well Scientific Committee advice on the matter.

2.17 SCIC noted that the overall rate of tagging was generally high and that only one vessel had failed to achieve the required tagging rate in Subareas 88.1 and 88.2 during the 2008/09 season.

2.18 Spain noted that the vessel *Tronio* had been identified in the WG-FSA report as displaying a low overlap between the catch-weighted length frequency of tagged and released *Dissostichus* spp. (SC-CAMLR-XXVIII, Annex 5, Table 11). Spain advised that scientific advice had not indicated any non-compliance but that it would provide additional information as it became available.

2.19 Whilst welcoming the improvement in the overall tagging rate, SCIC also noted advice from the Scientific Committee that some vessels had not tagged *Dissostichus* spp. continuously whilst fishing, and some vessels had only tagged small specimens of *Dissostichus* spp. and had not tagged sufficient fish in proportion to the size distribution of the catch, as required by Annex C of Conservation Measure 41-01.

2.20 The Committee therefore concluded that the full requirements of Conservation Measure 41-01 were not being met by several vessels fishing in the Convention Area. This was seen to be jeopardising the quality of information for use in future stock assessments. Members were urged to ensure that their flag vessels fully complied with the requirements of Conservation Measure 41-01 in future. This issue was referred to the Workshop on the Development of a Compliance Evaluation Procedure (DOCEP) for further consideration in its work.

Mitigation and environmental protection measures

2.21 The Committee considered summaries of information provided by the Scientific Committee and the Secretariat regarding international scientific observer reports on vessels' implementation of Conservation Measures 25-02, 25-03, 26-01 and 51-01.

2.22 The Committee noted advice from the Scientific Committee that a number of vessels appeared not to have complied with mitigation and environmental measures during the 2008/09 fishing season.

2.23 Vessels which were reported to have not fully implemented the requirements of Conservation Measure 25-02 during the 2008/09 season were:

- (i) *Jung Woo No. 2*, which exceeded the maximum spacing between weights on longlines;
- (ii) *Shinsei Maru No. 3*, due to the discharge of hooks in offal;
- (iii) *Insung No. 1*, which used streamers that did not meet the minimum length specified;
- (iv) *Austral Leader II*, which did not use a streamer line during one night set due to a technical problem;
- (v) *Koryo Maru No. 11* and *Austral Leader II*, which did not use haul-scaring devices on all hauls.

2.24 Vessels which were reported to have not fully implemented the requirements of Conservation Measure 26-01 during the 2008/09 season were:

- (i) *Antarctic Chieftain* and *Jung Woo No. 3*, which had plastic packaging bands to secure bait boxes on board during cruises in the Convention Area;
- (ii) *Argos Froyanes*, which discharged oil.

2.25 A vessel which was reported to have not fully implemented the requirements of Conservation Measure 25-03 during the 2008/09 season was:

- (i) *Dongsan Ho*, which discharged offal during net shooting while trawling.

2.26 A vessel which was reported to have not fully implemented the requirements of Conservation Measure 51-01 was:

- (i) *Dalmor II*, which did not use a marine mammal exclusion device.

2.27 The Republic of Korea advised that *Jung Woo No. 3*'s plastic packaging band issue was due to a miscommunication between the observer and the master.

2.28 The UK advised SCIC that it had investigated the report of the discharge of oil from the *Argos Froyanes* and found that the oil being discharged was hydraulic oil escaping through the hauling room. Whilst the vessel had made every attempt to address the problem

whilst at sea, it had been unable to completely prevent the discharge because the problem was external to the vessel. The amount of oil discharged was reported to be minor and its impact on the marine environment was believed to be negligible. The defective seal had been replaced and the problem had been resolved. The UK therefore considered that no further action was required.

2.29 The Republic of Korea advised SCIC that the *Jung Woo No. 2*'s minimum line length spacing was 37 m according to the report from the company concerned.

2.30 Poland advised that it had taken steps to verify the report that the *Dalmor II* had failed to use a marine mammal exclusion device during all hauls. Poland hoped to be able to provide a full report in due course.

2.31 Australia provided advice to SCIC in relation to the report that the *Austral Leader II* had not deployed streamer lines during all sets. Australia advised that twin streamer lines complying with the requirements of Conservation Measure 25-02 had been deployed on all longline sets. Australia referred SCIC to the WG-IMAF report (SC-CAMLR-XXVIII, Annex 7), paragraph 3.38, which stated that, during one night setting of an integrated weighted line, the streamer line became entangled with the main fishing line and subsequently broke. It was impractical and unsafe for the crew to attempt to retrieve or replace the broken streamer line during the night set. The broken streamer lines were retrieved during hauling on the following day. There was a minimal risk of seabird by-catch and no seabird by-catch was recorded during the setting of gear whilst the streamer line had broken. Australia therefore believed that this did not constitute an incident of non-compliance.

2.32 Australia also provided advice to SCIC in relation to the report that the *Austral Leader II* had not used haul-scaring devices on all hauls. Australia advised that a haul mitigation device had not been deployed during one longline haul due to adverse weather conditions which had caused waves to wash over the vessel's hauling bay. Australia advised that, in such conditions, haul mitigation devices could become entangled with the hauling winches or fishing line and posed a safety risk to crew, and noted that WG-IMAF had recognised that weather can affect the performance of haul mitigation devices. Given the adverse weather conditions at the time, there was minimal risk of seabird by-catch and again Australia confirmed that no seabird by-catch had been recorded during hauling whilst the mitigation device had not been deployed. Australia therefore believed that this did not constitute an incident of non-compliance.

2.33 South Africa advised that haul mitigation measures were used 98% of the time by the *Koryo Maru No. 11*. The remaining 2% of the time that they were not used was during four hauls due to poor weather.

2.34 Australia advised SCIC that it had investigated the report that the *Antarctic Chieftain* had used plastic packaging bands to secure bait boxes. Australia advised that observer coordinators from Australia and South Africa had both confirmed that an error had been made in the observer report and that bait box packaging bands had not been present on board the *Antarctic Chieftain*. The discrepancy had been resolved and an amended observer report had been submitted to the Secretariat.

2.35 New Zealand thanked Australia for its advice and invited other Members whose vessels had been identified and who had not provided information to comment on these reports.

Preliminary assessments of proposed bottom fishing

2.36 SCIC considered summaries of preliminary assessments submitted in accordance with Conservation Measure 22-06, Annex 22-06/A.

2.37 The UK recalled that there had been some ambiguity in 2008 as to whether preliminary assessments were required prior to the commencement of fishing. The UK reminded Members that Conservation Measure 22-06 had therefore been revised to clearly state that preliminary assessments must be provided no later than three months in advance of the Commission meeting.

2.38 The Republic of Korea noted that it had submitted its exploratory fishery notification in time and that its preliminary assessment had been submitted after the deadline. Several Members also noted that Korea's preliminary assessment had been submitted after the deadline and that Russia had submitted an exploratory notification which had not included a preliminary assessment.

2.39 Members also noted the Scientific Committee's advice as to the variable quality of preliminary bottom fishing assessments. Some Members asked the Chair of the Scientific Committee about the potential impact of this on the Scientific Committee's role.

2.40 The Chair of the Scientific Committee advised that progress had been made despite the variability of assessments.

2.41 Several Members noted that the Scientific Committee did not consider the late assessment from the Republic of Korea and the missing assessment from Russia. These Members also pointed out that the Members concerned should therefore be regarded as having failed to comply with the requirements of Conservation Measure 22-06. SCIC requested those Members which had not submitted a preliminary assessment to inform SCIC as to how they intended to proceed.

2.42 The Republic of Korea advised SCIC that its failure to submit a preliminary assessment in accordance with the deadline had been an error. It also advised SCIC that it would improve its internal checking procedures and fully submit all required information next year. It also advised Members that it had required the companies concerned to withdraw one vessel notification in Subarea 88.1 and another in Subarea 88.2. The Republic of Korea further recognised that several of its flag vessels had not fully implemented the requirements of several measures and advised that, if the vessels continued to exhibit non-compliance in 2010, stronger sanctions would be applied.

2.43 New Zealand and the UK recalled that there was an onus on all Members to check and verify information submitted as part of assessments rather than simply forwarding information provided by fishing companies. The UK acknowledged that meeting deadlines was often difficult but stressed that the rules existed in order to create a level playing field and that any erosion of existing benchmarks should be avoided.

2.44 Russia circulated a preliminary assessment during the meeting of SCIC. Russia advised the Committee that it had been unable to provide a full assessment due to unforeseen circumstances but reminded Members that it had submitted its exploratory notification in good time and that the preliminary assessment should be regarded as supplementary information. Russia noted that Conservation Measure 22-06, in particular its pro forma, was a relatively new requirement. A few Members also pointed out that other incomplete notifications had been submitted to CCAMLR over the years and that there was a case of such incomplete notifications this year. The Republic of Korea and Russia therefore urged all Members to accept their preliminary assessments in the spirit of cooperation under which CCAMLR worked.

2.45 Australia noted that, while the pro forma had only been adopted at last year's meeting, the requirement to provide preliminary assessments had been in place for two years.

2.46 The USA noted that SCIC was not the appropriate body to review the document to determine whether the activities would contribute to having a significant adverse impact on VMEs in the Convention Area. Several Members reminded SCIC of the importance of submitting preliminary assessments in good time in order that they could be fully assessed by the Scientific Committee in terms of both their individual and collective impacts on the Antarctic marine environment. These Members believed that the Scientific Committee's ability to perform this important task was undermined if not all assessments were available.

2.47 New Zealand noted that under Conservation Measure 22-06 Contracting Parties which proposed to take part in bottom fishing activities were obliged to submit to the Scientific Committee and the Commission a preliminary assessment no less than three months in advance of the next Commission meeting. New Zealand recalled that the Secretariat had reminded Members of this requirement in COMM CIRC 09/66 of 16 June 2009, which set out the notification procedures for the 2009/10 season. New Zealand also drew attention to the fact that the Commission, at its Twenty-fourth Meeting, had agreed that future notifications for exploratory fisheries would not be considered if they were incomplete. Several Members endorsed the statement of New Zealand.

2.48 Some Members furthermore expressed the view that late notifications could not be considered by the Commission and, consequently, that fishing could not occur.

2.49 Russia, Ukraine and the Republic of Korea urged Members to take a unified approach to all documents submitted by all delegations. Russia reserved the right to raise the matter in the Commission and advised Members that it may find itself in a position where it had no option but to block decisions this year in respect of all notifications.

2.50 Russia also pointed out that the Scientific Committee had drawn to SCIC's attention reports that a number of vessels had been reported to have discharged skates in Divisions 58.4.3a and 58.4.3b and Subarea 88.1. Russia urged SCIC to examine this issue more closely in order that CCAMLR could ensure that discards of skates were controlled.

2.51 New Zealand advised that one of the four vessels referred to by the Scientific Committee was a New Zealand-flagged vessel. New Zealand had investigated the matter and found a data-entry error on one haul in the observer logbook.

2.52 South Africa confirmed that its international observer on board the New Zealand vessel had not observed any discard of skates during the voyage.

2.53 Ukraine reminded SCIC that the 2008/09 season was the Year-of-the-Skate and requested Members to take more care to implement the requirements of skate measures in future.

Closure of fisheries

2.54 New Zealand noted that in accordance with the requirements of Conservation Measure 31-02, paragraph 6, it had submitted a report (CCAMLR-XXVIII/BG/20) on its investigation of the *San Aspiring* which had fishing gear in the water at the time of closure of SSRUs B, C and G in Subarea 88.1 of the Convention Area on 22 December 2008. New Zealand recalled that other Members had notified the Secretariat that their vessels had not been able to remove all fishing gear by the notified closure date and time. New Zealand invited these other Members to submit their reports as required under paragraph 6 of Conservation Measure 31-02.

2.55 The UK reported that it had submitted two reports to the Secretariat in respect of the *Argos Froyanes* and *Argos Helena* which had been unable to remove all gear and exit closed areas on 22 January and 8 February 2009 due to hazardous weather and ice conditions. The UK noted that, on the first occasion, all gear had been hauled within 35 minutes of the closure notice and on the second occasion, all gear had been removed prior to the deadline contained in the closure notice. Gear had not been set after the closure notification was received on either occasion. The UK therefore believed that the vessels had made every reasonable effort to remove their gear and depart the closed areas and that no further action against the vessels was required.

2.56 SCIC requested that, in future, the Secretariat's report on the implementation of conservation measures include Conservation Measure 31-02.

2.57 In considering its advice to the Commission regarding compliance with conservation measure, SCIC reiterated that it took all cases of non-compliance with CCAMLR measures in force seriously and urged all Members to address any reported instances of non-compliance as a matter of priority.

Compliance Evaluation Procedure

2.58 The Convener of the DOCEP Workshop, Ms Dawson-Guynn, presented the report of DOCEP, held in Norway in July 2009. The full Report of DOCEP is in Annex 6.

2.59 In presenting the work of DOCEP to SCIC, the Convener of DOCEP explained that DOCEP was proposing the adoption of a matrix to review compliance with conservation measures on a vessel-by-vessel basis. The matrix would be applied to individual cases of non-compliance to provide each case with a score which reflected the severity of the

non-compliance. DOCEP had also produced a list of suggested responses to identified non-compliance, as well as a number of issues which required further consideration and scientific advice.

2.60 Members considered the work of DOCEP to be very useful and valuable and thanked the Convener of DOCEP and participants for their efforts.

2.61 The Convener of DOCEP advised SCIC that DOCEP had considered the use of data collected by international scientific observers. SCIC noted DOCEP's advice that it had restricted its recommendations on the use of observer data to those data already being reviewed by WG-IMAF and presented to SCIC for consideration by the latter in reviewing compliance with conservation measures in force.

2.62 Ukraine expressed the view that the data collected by international scientific observers could not be used as a reliable source in reviewing compliance with conservation measures in force.

2.63 Whilst noting that there is a growing trend in fisheries management to use observers for more compliance-related work, the UK was of the opinion that the role of the observer must not shift from science-related activity and that the workload of the observers is already significant. The UK was of the opinion that if more compliance data are required, additional compliance-related resources would need to be found.

2.64 In particular, Members were urged to obtain views from their Scientific Committee representatives in respect of DOCEP's proposed questionnaire intended to determine impact categories for all conservation measures relating to vessel activity.

2.65 In considering a recommendation of DOCEP that it continue to meet in person over the next three years, SCIC considered a range of options as to how future work of DOCEP might be conducted. It acknowledged that the progress achieved at the five-day DOCEP workshop in Norway far exceeded progress made via email over the preceding two years.

2.66 Whilst agreeing that face-to-face meetings were the most desirable option, Members generally agreed that the cost of attending such meetings precluded the participation of many Members. The USA noted that there may be some specific and concrete tasks that could be carried out intersessionally and recommended that the Convener of DOCEP compile a list of such tasks so that work could begin via correspondence. SCIC therefore decided to defer the proposed DOCEP Workshop in 2010 and instead to instruct DOCEP to begin to address recommendations and issues contained in the DOCEP report via an intersessional email contact group to include all Members of SCIC. The progress of this group would be reviewed at the 2010 SCIC meeting with the possibility that a recommendation be made that another DOCEP Workshop be convened in 2011.

2.67 The Convener of DOCEP urged those Members who had not been able to take part in the DOCEP Workshop to participate in future intersessional work.

Proposals for new and revised measures

2.68 A number of proposals for new and revised measures were submitted by Members and considered by the Committee. The Committee agreed to forward a number of proposals to the Commission together with a recommendation that they be adopted.

Ratification of the Salvage Convention

2.69 The UK reported that the Korean-flagged *Insung No. 22* had caught fire in Subarea 48.3 on 16 June 2009 and required the assistance of UK-flagged vessels. Consequently, the UK recommended the adoption of a new resolution urging Members to ratify the Salvage Convention (The IMO International Convention on Salvage, 1989) in order to ensure swift intervention in the event of a maritime accident without undue delay due to concern about the process to recover costs (CCAMLR-XXVIII/30).

2.70 The Republic of Korea expressed its thanks to the UK for its assistance.

2.71 SCIC considered the proposed resolution and agreed to forward it as revised to the Commission together with a recommendation that it be adopted.

Information on IUU vessels

2.72 France submitted a proposal that Conservation Measure 10-07 be amended in order to include information on the IUU Vessel Lists as to whether Flag States of IUU vessels had granted permission for CCAMLR Members to board and inspect these vessels on previous occasions (CCAMLR-XXVIII/35). France's proposal also recommended that Contracting Parties would notify CCAMLR of any responses received from non-Contracting Parties, particularly information on measures taken by non-Contracting Parties to improve the effectiveness of CCAMLR measures. France proposed that the Secretariat would place all such information on a password-protected section of the CCAMLR website. France believed that this information would be beneficial to all Members.

2.73 SCIC considered the proposal and agreed to forward it to the Commission with a recommendation that it be adopted.

E-CDS format

2.74 Australia presented a proposal to amend Conservation Measure 10-05 to adopt the E-CDS format as a mandatory requirement (CCAMLR-XXVIII/41). Australia reminded SCIC that all CDS Parties had been using the E-CDS format for nearly two years and that it had proven to be an efficient and effective system.

2.75 The proposal was modified to take the concerns of some Members into consideration and SCIC agreed to forward it to the Commission with a recommendation that it be adopted.

Transshipment notifications

2.76 New Zealand and Australia presented a proposal to amend Conservation Measure 10-09 (CCAMLR-XXVIII/44) to change the time frame for notifications of transshipments of products other than harvested marine living resources, bait or fuel. The USA noted that the issue of transshipment had been taken up by some RFMOs and recommended that Members reflect on the work of those RFMOs next year in the review of the implementation of Conservation Measure 10-09 in accordance with paragraph 7 of that conservation measure.

2.77 Several Members expressed general support for this proposal but felt that an advance notification of the presence of cargo vessels in the Convention Area may be a useful enforcement tool. The proposal was amended to take the concerns of these Members into consideration. The Committee decided to forward a revised version of the proposal to the Commission with a recommendation that it be adopted.

Prohibition of fishing for *Dissostichus* spp. in depths shallower than 550 m

2.78 New Zealand presented a proposal to cover paragraph references across several exploratory measures which prohibited fishing for *Dissostichus* spp. in depths shallower than 550 m in CCAMLR's exploratory fisheries (CCAMLR-XXVIII/45).

2.79 The Committee decided to forward a revised version of New Zealand's proposal to the Commission with a recommendation that it be adopted.

Daily reporting

2.80 New Zealand and the UK presented a proposal to adopt a daily reporting system for CCAMLR exploratory fisheries (CCAMLR-XXVIII/43).

2.81 The Committee decided to forward a revised version of the proposal to the Commission with a recommendation that it be adopted.

2.82 The Committee referred a number of other proposals to the Commission for further consideration:

- (i) a proposal to revise Conservation Measure 10-08 to deter IUU fishing and to promote compliance of CCAMLR conservation objectives (Argentina, CCAMLR-XXVIII/33);
- (ii) a proposal to amend Conservation Measure 10-03 to adopt a standard reporting format for port inspections (Australia, New Zealand and the European Community, CCAMLR-XXVIII/42);
- (iii) a proposal for the adoption of a conservation measure concerning the adoption of market-related measures to promote compliance (European Community, CCAMLR-XXVIII/46);

- (iv) a proposal for the adoption of a conservation measure to require systematic observer coverage and biological data reporting for krill vessels (European Community, CCAMLR-XXVIII/47).

Conservation Measure 10-08

2.83 Argentina presented a proposal to expand the scope of Conservation Measure 10-08 to include provision for taking action against beneficiaries of IUU fishing, including beneficial owners, and an explicit mechanism for the exchange of information which would provide a basis for Members to take action against their nationals as appropriate. Argentina explained that those who enjoyed the economic benefits are the basis of IUU fishing. It also noted that this proposal is in agreement with the recommendations of the Performance Review Panel.

2.84 In considering the proposal, several Members expressed their thanks to Argentina for the proposal and indicated general support for the objectives it was seeking to deliver. However, the European Community felt that the current version of Conservation Measure 10-08 was sufficient but that progress also needed to be made in other areas. This is due to the fact that Conservation Measure 10-08 represents only one instrument necessary for addressing IUU fishing and a more complete arsenal of tools, such as market-related measures, are indispensable to comprehensively combat IUU fishing.

2.85 The Committee agreed to forward the proposal to the Commission for further consideration.

Port inspection reports

2.86 Australia, New Zealand and the European Community presented a proposal to provide further clarification on the information sought and the timing of submission of CCAMLR port inspection reports (CCAMLR-XXVIII/42). The proposed amendments would ensure consistent and timely submission of port inspection reports and assist Contracting Parties to meet their CCAMLR obligations. Most Members expressed their support for the proposal. One Member requested further time to consider the proposal. The Committee agreed to forward the proposal to the Commission for further consideration.

Market-related measures

2.87 The European Community re-presented a proposal for the adoption of market-related measures to promote compliance (CCAMLR-XXVIII/46). The European Community reminded SCIC that Article VIII of the Convention bestows legal personality upon CCAMLR and, consequently, CCAMLR has the right to take such measures. The European Community equally reiterated that the adoption of market-related measures is compatible with WTO rules as it falls under Article XX(g) of GATT. The European Community urged Members to support the adoption of a trade measure in order to demonstrate their full cooperation with the objectives of the Convention.

2.88 Most Members thanked the European Community for its proposal and expressed support for it. These Members were of the view that market-related measures were an invaluable addition to measures already adopted by CCAMLR to combat IUU fishing.

2.89 Argentina recalled its presentation at CCAMLR-XXVII and noted that therefore it could not support the imposition by an organisation such as CCAMLR, although it enjoys legal personality, of measures on States, including States which are not party to CCAMLR. Argentina reiterated that CCAMLR should observe the cooperative principles of the Antarctic Treaty System.

2.90 The USA noted that there was no legal problem with adopting the proposal made by the European Community.

2.91 Namibia advised that it was involved in ongoing consultations in relation to market-related measures with other fora and, until these had concluded, it was not in a position to support the proposal at this time.

2.92 SCIC agreed to defer discussion on the matter and forward the proposal to the Commission for further consideration. Members which had supported the proposal consistently since it was first introduced in 2006, expressed their disappointment.

Krill measure

2.93 In considering Japan's proposal to revise Conservation Measure 21-03 to make vessels, which had submitted a krill notification for three, subsequently reduced to two, consecutive years but had not subsequently fished, ineligible to submit a notification for the following season, several Members queried the impact that this approach might have. It was pointed out that this constituted a penalty for vessels which did not fish, which seemed disproportionate compared with the lack of penalties for vessels which fished in a non-compliant manner.

2.94 Japan's initial proposal had also included a proposed revision to the formula for calculating Members' contributions (CCAMLR-XXVIII/29).

2.95 Other Members suggested alternative proposals for reducing the number of notifications which were not subsequently followed by fishing, including the introduction of a fee to accompany krill notifications, an approach that would be consistent with the approach taken in other CCAMLR fisheries. These Members also noted that this was not the first time the Commission had considered the issue of fees in the krill fishery. Japan subsequently withdrew its proposal and advised Members that it may revisit the issue next year.

VMS reporting

2.96 France had submitted a proposal to amend Conservation Measure 10-04 to introduce uniform real-time reporting and require that all C-VMS data submitted for vessels fishing inside the Convention Area be reported on a real-time basis (CCAMLR-XXVIII/36). Several Members supported this proposal.

2.97 France regretfully informed the Committee that political problems had prevented it from pursuing its proposal. France noted that C-VMS is an important tool and that its use has placed CCAMLR at the forefront of the fight against IUU fishing. France considered that its proposal was very much in accordance with the objectives of the Commission and would have been beneficial to both France and other Members which had supported it.

IUU FISHING IN THE CONVENTION AREA

Current level of IUU fishing

3.1 The Committee reviewed Scientific Committee and Secretariat reports on estimates of IUU catches in the Convention Area during the current season. It noted, in particular, that the IUU fleet now most likely exclusively comprises gillnet vessels.

3.2 The Committee expressed its deep concern at the use of gillnets by IUU vessels in the Convention Area. The Committee recalled that the use of gillnets was prohibited, highly destructive and that their potential impact on the Antarctic marine environment should not be underestimated.

3.3 Whilst concern remained about the impact of gillnet fishing on marine living resources in the Convention Area, SCIC noted a number of reports that indicated that the IUU fleet operating inside the Convention Area appeared to have decreased and welcomed this development.

3.4 SCIC noted that patrols undertaken in the Convention Area during 2008/09 had, for the first time, gathered more information on the likely catch rates and trip duration of gillnet vessels and that this information had been used in the 2008/09 estimate of IUU catches in the Convention Area.

3.5 SCIC considered information submitted by France (CCAMLR-XXVIII/37) on IUU activity in Area 58 of the Convention Area which reported a considerable reduction in IUU fishing, although all vessels appeared to be deploying gillnets. France also advised that IUU activity had again commenced during the austral summer but that minimal activity had been observed to be occurring during the austral winter.

3.6 France recommended that all information collected on CCAMLR Member nationals reported to be on board IUU fishing vessels be disseminated as widely as possible in order for Members to be able to take effective action in accordance with Conservation Measure 10-08.

3.7 In relation to the hauling of an abandoned gillnet in Division 58.4.3b (CCAMLR-XXVIII/BG/22), Australia advised SCIC that an Australian patrol had sighted gillnet buoys on 23 April 2009. Australia had contacted vessels in the area in order to determine ownership of the gillnet. As no vessels in the vicinity had claimed ownership, the gillnet was deemed to be abandoned. Australia advised that a known IUU vessel, *Trosky* (formerly *Paloma V*) had been present in the area and that the vessel had been photographed with discoloured water discharging from its hull which suggested that it may have been processing fish at the time.

3.8 Australia estimated that the gillnet was a total length of 130 km of which 8 km were able to be retrieved. The remaining net was collapsed to minimise environmental damage.

The majority of catch was *Dissostichus mawsoni* but a number of other species were also identified. Australia advised that many of the *D. mawsoni* retrieved were large specimens.

3.9 SCIC noted that this had been an expensive and hazardous exercise. It expressed its appreciation for the efforts of Australia and recommended that Australia's efforts be conveyed to the Commission together with SCIC's recommendation that the Commission commend these efforts.

3.10 SCIC also noted the Scientific Committee's advice that gillnets were less selective than longlines and potentially had an extremely serious impact on Antarctic marine living resources, particularly in relation to levels of by-catch. The Scientific Committee had also advised that levels of incidental mortality of marine mammals and diving seabirds as a result of gillnet fishing were largely unknown.

IUU Vessel Lists

3.11 The Committee noted that all vessels sighted reported engaged in IUU activities in the Convention Area during 2008/09 were already included on the NCP-IUU Vessel List and that no reports relating to other relevant criteria under paragraphs 14 and 18 of Conservation Measures 10-06 and 10-07 respectively had been received. Consequently, there was no Provisional CP or NCP-IUU Vessel List for 2009.

3.12 The Committee reviewed the CP and NCP-IUU Vessel Lists adopted in previous years. In so doing, the Committee considered information from Australia and the Secretariat in respect of vessels included on the NCP-IUU Vessel List.

3.13 The Committee agreed to recommend to the Commission that:

- (i) *Taruman* (Cambodia) be deleted from the NCP-IUU Vessel List as it had been deconstructed by Australia in January 2009 and that this deconstruction had been sufficiently documented;
- (ii) *Sibley* (Panama) be deleted from the NCP-IUU Vessel List as various reports submitted to the Secretariat, as well as in the media, had reported the vessel to have caught fire and sunk off the coast of Kenya in March 2009. The Secretariat had also advised that Lloyds had recorded the vessel as a total loss.

3.14 China provided information on *North Ocean*, *East Ocean*, *West Ocean* and *South Ocean* to SCIC. SCIC recalled that the Commission agreed in CCAMLR-XXVII, paragraph 10.10, that the vessels *North Ocean*, *East Ocean*, *West Ocean* and *South Ocean* 'shall be deemed removed from the adopted CP-IUU Vessel List once China informs the Commission via a Commission Circular that the vessels have been sold to Insung Corp. of Korea and that the sales are final'.

3.15 China informed SCIC that in accordance with CCAMLR-XXVII, paragraph 10.10, China sent a letter to the Secretariat dated 16 October informing that *East Ocean* and *South Ocean* had been sold to Insung Corp. of Korea by China National Fisheries Corporation and included documentation that indicated that the sales agreement had been signed and the deposit had been paid. China believed that implementing the arrangement by

CCAMLR-XXVII, paragraph 10.10, the two vessels should be removed automatically from the CP-IUU Vessel List. Regarding the other two vessels, *West Ocean* and *North Ocean*, the Government of China would continue to request the Chinese company to finalise the sale access as soon as possible.

3.16 The Secretariat circulated China's correspondence to all Members on 21 October in COMM CIRC 09/119.

3.17 China asked the Secretariat to clarify why in the document CCAMLR-XXVIII/15 Rev. 2, *East Ocean* and *South Ocean* reappeared in the CP-IUU Vessel List while in the document CCAMLR-XXVIII/15 Rev. 1, the two vessels had been removed. China expressed its disappointment about the Secretariat's document preparation work and explanation about it. China asked the Commission to remove these two vessels from the CP-IUU Vessel List taking into account that the sale is irreversible.

3.18 In support of China's position, the Republic of Korea confirmed that the sale of the *East Ocean* and *South Ocean* was irreversible, and asked the Commission to remove the two vessels from the CP-IUU Vessel List.

3.19 On reviewing documentation contained in the attachments to COMM CIRC 09/119, some Members felt that the documentation provided by China did not prove the sale of the vessels was final. The documents indicated that full payment had not been made, the vessels' titles had not been transferred and that the contract appeared to contain a cancellation clause. These Members believed that the vessels should remain on the CP-IUU Vessel List until adequate documentation had been submitted in order that the sale could be deemed to be final.

3.20 Namibia indicated that the information submitted by China met the conditions of CCAMLR-XXVII, paragraph 10.10. In this regard, Namibia was of the opinion that SCIC should consider to recommend to the Commission the deletion of the two vessels from the CP-IUU Vessel List, in accordance with paragraph 12(ii) of Conservation Measure 10-06.

3.21 Other Members believed that the conditions of CCAMLR-XXVII, paragraph 10.10, had been met and that China and the Republic of Korea had presented sufficient guarantees that the sale would be fully completed. These Members pointed out that the vessels had had their licenses revoked, had been inactive in port for a period of three years on orders of the Government of China and had consequently foregone considerable revenue. Therefore, these Members were of the view that the vessels had already been adequately sanctioned.

3.22 South Africa pointed out that sales contracts varied between countries, and Members should not necessarily view the conditions of sale in a similar context to practises in their own countries. South Africa was also of the view that China and the Republic of Korea had provided a commitment to Members that the sale was final and this commitment should be taken by Members in good faith.

3.23 Argentina believed that it was unhelpful to take into account details which were not pertinent to the objectives of Conservation Measure 10-06. Argentina also believed that assurances by China and the Republic of Korea that the sale was final should be accepted by CCAMLR Members in good faith.

3.24 China added that the four vessels were included on the IUU Vessel List before China's accession to the CAMLR Convention. China also indicated that great efforts had been made by the Government of China in implementing CCAMLR conservation measures and severe sanctions imposed on the vessels had been maintained for three consecutive years. China held that it was in the interests of the Commission and all Members to remove these two vessels from the CP-IUU Vessel List, and hoped that its efforts in implementing the conservation measures could be recognised by Members and that the progress of the work of the Commission on this issue could be recorded rightfully.

3.25 The Committee agreed that it was highly desirable to find a solution during the current meeting. The Committee was, however, unable to reach consensus on the issue and decided to refer the matter to the Commission for further consideration.

3.26 In respect of the remaining two vessels, *North Ocean* and *West Ocean*, China proposed that they could be sold to any CCAMLR Member with an active commercial toothfish fishery under the same conditions as in CCAMLR-XXVII, paragraph 10.10. Some Members disagreed, noting that such conditions would not satisfy the criteria for delisting established by Conservation Measure 10-06, paragraph 14(iii).

3.27 Members recalled that in CCAMLR-XXVII, paragraph 10.10, the Commission had agreed to delist the *North Ocean*, *East Ocean*, *South Ocean* and *West Ocean*, once the vessels had been sold to Insung Corp. of Korea and the sales were final. Some Members noted that this decision was made with the understanding that such final sales would meet the requirements of Conservation Measure 10-06, paragraph 14(iii).

Diplomatic demarches

3.28 New Zealand advised the Committee of diplomatic demarches following the sighting of the *Bigaro* in Division 58.4.1 by a New Zealand patrol. New Zealand had subsequently drawn the matter to the attention of Spain as a Spanish company had been implicated as a possible owner. New Zealand had also approached Togo as the Flag State of the vessel but had not received any response.

3.29 The European Community informed the Committee of diplomatic demarches extended to Equatorial Guinea and Togo in respect of IUU vessels during the 2008/09 intersessional period but had not made any significant progress to date. The European Community advised that it would keep the Commission informed of any progress reported by its delegations in those countries.

CATCH DOCUMENTATION SCHEME (CDS)

4.1 The Secretariat reported on the implementation and operation of the CDS during the 2008/09 intersessional period contained in CCAMLR-XXVIII/BG/8 Rev. 1.

4.2 The Committee noted that Lithuania and Cayman Islands were now implementing the CDS as part of the European Community and the UK respectively.

4.3 The Committee also noted that the CDS was being implemented only partially by Singapore via the issue of re-export documents but that Singapore did not exert any control over landings or imports of toothfish. The Committee further noted that IUU vessels in the Convention Area had reported to patrol operations that Singapore had been their last port of call.

4.4 The Committee noted that the Hong Kong Special Administrative Region (SAR) was reported to have imported significant quantities of toothfish during 2008/09 and asked China if it had made any progress on the voluntary implementation of the CDS by Hong Kong SAR.

4.5 China reminded Members that Hong Kong SAR was exempt from the provisions of the CAMLR Convention but that it had nevertheless consulted with Hong Kong SAR regarding the CDS. In contradiction to reports of exports submitted by CCAMLR Members under the CDS, Hong Kong SAR had reported that the volume of toothfish it imported was low. China advised that Hong Kong SAR had an existing system of control on the import and export of fish products and that it would continue to implement this and to further consider the necessity of implementation of the CDS.

4.6 The Secretariat reported on work undertaken in accordance with enhancing cooperation with non-Contracting Parties under Conservation Measure 10-05, Annex 10-05/C. The Secretariat reported that, during the 2008/09 intersessional period, it had contacted Cambodia, Equatorial Guinea, Nigeria, Democratic People's Republic of Korea, Panama, Sierra Leone, Togo, Kenya, Mozambique, Malaysia, Columbia, Mexico, Morocco, Philippines, Thailand, United Arab Emirates and Vietnam and invited them to consider cooperation with CCAMLR and voluntary implementation of the CDS.

4.7 The USA referred to the use in CCAMLR-XXVIII/BG/8 of ISO code 'TW', which refers to 'Taiwan, Province of China.' The USA indicated that, as noted in CCAMLR-XXVII, paragraphs 20.13 to 20.15, it and other Members did not support references to 'Taiwan, Province of China' in CCAMLR documents, and the USA asked that the Secretariat avoid the code 'TW' in the future.

4.8 China asked the Secretariat to objectively quote the ISO codes without any change when referring to Taiwan, Province of China. China complained about the change that had been made by the Secretariat in CCAMLR-XXVIII/BG/8. China also expressed its strong opposition to any reference to 'Chinese Taipei' in any CCAMLR documents. As noted in CCAMLR-XXVII, paragraphs 20.14 and 20.15, China and other Members were of the view that the use of 'Taiwan, Province of China' in CCAMLR documents is appropriate. China asked the Secretariat to consult with China on any reference to Taiwan, Province of China, in preparing CCAMLR documents in the future.

4.9 In response, the USA asked the Secretariat to consult with the USA on any reference to Taiwan, Province of China, in preparing CCAMLR documents in the future.

4.10 The UK and Australia noted that they held the same position as the USA.

4.11 SCIC thanked the UK for submitting CCAMLR-XXVIII/BG/13 which included an Identification Guide and Fact Sheet to assist port and customs officers to identify and handle *Dissostichus* spp. It was suggested that this might be helpful for the development of CDS training materials by the Secretariat.

SCHEME OF INTERNATIONAL SCIENTIFIC OBSERVATION

5.1 All scientific observation programs undertaken in 2008/09 are summarised in SC-CAMLR-XXVIII/BG/2.

5.2 The Committee noted that scientific observers appointed under the CCAMLR Scheme of International Scientific Observation were deployed on all vessels in all finfish fisheries in the Convention Area. A total of 59 observation programs were undertaken of which 38 were conducted in longline finfish fisheries, 11 in finfish trawl and two in pot fishing. Eight observation programs were undertaken on krill vessels.

ADVICE FROM THE SCIENTIFIC COMMITTEE

6.1 The Chair of the Scientific Committee, Mr S. Iversen (Norway), presented the Scientific Committee's preliminary advice on topics relevant to the work of SCIC (SC-CAMLR-XXVIII, paragraphs 12.2 to 12.4). SCIC considered this advice and made a number of comments recorded in paragraphs 6.3 to 6.6.

6.2 Advice from the Scientific Committee in respect of krill and exploratory notifications is provided in paragraph 2.13. Advice from the Scientific Committee on mitigation and environmental measures is included in paragraphs 2.21 to 2.26, on bottom fishing in paragraphs 2.39 to 2.41, and in respect of IUU fishing in paragraph 3.10.

6.3 The Chair of the Scientific Committee advised that several Members had not fully implemented the research requirements of Conservation Measure 41-01 and that this had limited WG-FSA's ability to develop assessments in some exploratory fisheries.

6.4 The Scientific Committee clarified that information prepared by WG-IMAF on vessels' conformity with conservation measures reported by scientific observers did not necessarily constitute compliance information until such time as these reports had been reviewed by SCIC and endorsed by the Commission as compliance issues that required action.

6.5 SCIC also noted that the Scientific Committee had decided that WG-IMAF would meet on a biennial basis in future and that the next meeting of WG-IMAF would not be convened until 2011. As a result, the annual summaries of scientific observations would be forwarded directly to SCIC for evaluation in those years when WG-IMAF did not meet.

6.6 Several Members enquired as to the procedures involved in this evaluation and were advised by the Secretariat that the process normally took one to two full working days. The Secretariat also advised that it was not in a position to make any pronouncements on the compliance with conservation measures in force by vessels.

Performance Review

7.1 The Committee recalled that it had agreed in 2008 that the Performance Review should remain on the agenda of SCIC until such time as SCIC felt that outstanding matters had been fully addressed.

7.2 SCIC therefore revisited recommendations contained in Chapter 4 of the Performance Review Panel (PRP) Report¹ which were identified by SCIC at CCAMLR-XXVII. SCIC recorded the following actions taken to address these items:

- (i) *Monitoring Control and Surveillance (PRP Report, paragraph 4.3), especially formally linking the CDS with daily catch reports (PRP Report, paragraph 4.3.1(1)) and real-time C-VMS reporting (PRP Report, paragraph 4.3.1(2)):*
 - (a) SCIC adopted a proposal to implement daily catch reporting in several CCAMLR exploratory fisheries.
- (ii) *Market-related measures (PRP Report, paragraph 4.6), especially the E-CDS becoming mandatory with immediate effect (PRP Report, paragraph 4.6.1(1)):*
 - (a) SCIC adopted a proposal to amend Conservation Measure 10-05 to adopt the E-CDS format as a mandatory requirement.

7.3 At CCAMLR-XXVII, SCIC had agreed that a number of items from other chapters of the PRP Report were also relevant to the work of SCIC, and SCIC noted progress made in respect of these items. These were:

- (i) *Further mechanisms for enhanced surveillance and enforcement (PRP Report, paragraph 3.1.2(1)):*
 - (a) SCIC noted that Spain had submitted a report on actions taken in respect of Spanish nationals in accordance with Conservation Measure 10-08 (SCIC-09/3). Spain's actions were assisted, in part, by information submitted by CCAMLR Members, particularly New Zealand.
- (ii) *CCAMLR's relationships with non-cooperating non-Contracting Parties (PRP Report, paragraph 6.3.1):*
 - (a) SCIC endorsed two proposals in support of the Cooperation Enhancement Program for a regional training and capacity-building project in southern Africa in 2010 and the development of key CDS-related training materials and a toothfish identification poster and fact sheet designed to assist non-Contracting Parties.
- (iii) *Cooperation with other international organisations (PRP Report, paragraph 6.4):*

¹ Available on the CCAMLR website – www.ccamlr.org/pu/E/revpanrep.htm.

- (a) SCIC noted that in 2009, CCAMLR had invited ACAP, CCSBT, CEP, CITES, CPPS, FAO, FFA, IATTC, ICCAT, IOC, IUCN, IWC, SCAR, SCOR, SEAFO, SPC and WCPFC to attend CCAMLR-XXVIII as observers. CCAMLR had also sent observers to the meetings of ICCAT, NAFO and SEAFO. The CCAMLR Secretariat had also cooperated with the Secretariats of other organisations on an ongoing basis as appropriate.

7.4 Australia informed SCIC that addressing the priority recommendations from the Performance Review was a key priority for Australia and considered that proposals submitted to CCAMLR-XXVIII reflected this. Australia announced that it was pleased with the progress made by SCIC to date and hoped that SCIC and the Commission would be in a position to move forward and adopt proposals submitted which reflect the recommendations of the Performance Review.

7.5 In regard to Chapter 8 of the executive summary report of the Performance Review, France drew the attention of SCIC to the paper presented by France relating to the evaluation of the conformity of French law and practice with CCAMLR conservation measures (CCAMLR-XXVIII/34).

7.6 The USA expressed strong support for progress made in relation to recommendations contained in the Performance Review. It acknowledged that addressing all recommendations was a long-term project and thanked all Members that had submitted proposals to date.

OTHER BUSINESS

Additional space for SCIC meetings

8.1 SCIC considered a proposal submitted by the Secretariat to extend the Wombat Room in 2010 (CCAMLR-XXVIII/11). Whilst SCIC recognised that the proposal was ultimately a matter for SCAF and the Commission to decide, it noted that over-crowding in the SCIC room was a serious impediment to the efficient work and orderly conduct of SCIC. SCIC therefore expressed its enthusiasm for a proposal to increase the size of the Wombat Room and conveyed this endorsement to SCAF.

ADVICE TO THE COMMISSION

9.1 The Committee prepared a summary of advice to be considered by the Commission (CCAMLR-XXVIII/BG/39). Proposals for new measures recommended by SCIC for adoption by the Commission were provided to the Commission in CCAMLR-XXVIII/BG/40. Proposals for new and revised measures forwarded by SCIC for further consideration by the Commission were provided to the Commission in CCAMLR-XXVIII/BG/41.

ADVICE TO SCAF

10.1 SCIC did not make any decisions with financial implications which needed to be brought to the attention of SCAF. However, it advised SCAF that:

- (i) SCIC had decided, in the interests of economy, to defer a DOCEP Workshop in 2010, but that it would instead direct DOCEP to work intersessionally via email. SCIC would, however, review DOCEP intersessional progress in 2010 and advised SCAF that it was possible that SCIC would recommend that another DOCEP Workshop be convened in 2011;
- (ii) it wished to convey its support for the proposal to expand the SCIC room;
- (iii) it had considered two proposals to access the CDS Fund and, whilst recognising that the proposals were a matter for the Commission to decide, it nevertheless wished to indicate its general support for both proposals.

ADOPTION OF THE REPORT AND CLOSE OF THE MEETING

11.1 The Committee thanked the Chair for her excellent work in chairing the 2009 meeting of SCIC. The Chair thanked the Committee for its work and commended it for the progress it had made. The Chair thanked Ms G. Slocum (Australia) for her outstanding work as convener of the Conservation Measures Drafting Group. The Chair also thanked the Secretariat, particularly Ms N. Slicer, for support provided to the meeting of SCIC.

11.2 The Report of SCIC was adopted and the meeting was closed.

AGENDA

Standing Committee on Implementation and Compliance (SCIC)
(Hobart, Australia, 26 to 30 October 2009)

1. Opening of meeting
 - (i) Adoption of agenda
 - (ii) Organisation of meeting
 - (iii) Review of submitted papers, reports and other presentations
2. 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
3. IUU fishing in Convention Area
 - (i) Current level of IUU fishing
 - (ii) IUU Vessel Lists
4. Catch Documentation Scheme (CDS)
5. Scheme of International Scientific Observation
6. Advice from the Scientific Committee
7. Performance Review
8. Other business
9. Advice to the Commission
10. Advice to SCAF
11. Adoption of report
12. Close of meeting.

LIST OF DOCUMENTS

Standing Committee on Implementation and Compliance (SCIC)
(Hobart, Australia, 26 to 30 October 2009)

| | |
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| SCIC-09/1 | Provisional Agenda for the 2009 Meeting of the CCAMLR Standing Committee on Implementation and Compliance (SCIC) |
| SCIC-09/2 | List of documents (includes List of Documents by agenda item) |
| SCIC-09/3 | Report on the measures taken by the maritime authority in relation to specific ships implicated in illegal fishing in waters under the control of the Commission for the Conservation of the Antarctic Marine Living Resources (CCAMLR) Spain |
| SCIC-09/4 | Extracts from the Report of the Working Group on Fish Stock Assessment (total removals of <i>Dissostichus</i> spp. including IUU catches in the Convention Area) Secretariat |
| SCIC-09/5 | Progress report on the proceedings initiated against the <i>Paloma V</i> Spain |
| Other Documents | |
| CCAMLR-XXVIII/11 | Additional space for SCIC meetings Executive Secretary |
| CCAMLR-XXVIII/12 Rev. 1 | Summary of notifications of krill fisheries for 2009/10 Secretariat |
| CCAMLR-XXVIII/13 | Summary of notifications for new and exploratory fisheries in 2009/10 Secretariat |
| CCAMLR-XXVIII/15 Rev. 2 | Implementation of Conservation Measures 10-06 and 10-07 IUU Vessel Lists 2009 Secretariat |

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| CCAMLR-XXVIII/16 | Report of the Workshop for the Development of a Compliance Evaluation Procedure (DOCEP) (Bergen, Norway, 6 to 10 July 2009) |
| CCAMLR-XXVIII/17 | CDS Fund panel proposal – CDS training materials Secretariat |
| CCAMLR-XXVIII/29 | Proposal for revising Conservation Measure 21-03 (2008) as well as revising the calculation formula for Members' financial contributions Delegation of Japan |
| CCAMLR-XXVIII/30 | Fire on board the <i>In Sung 22</i> in CCAMLR Statistical Subarea 48.3 Delegation of the United Kingdom |
| CCAMLR-XXVIII/33 | Draft conservation measure to deter illegal, unreported and unregulated fishing and to promote compliance of CCAMLR conservation objectives Delegation of Argentina |
| CCAMLR-XXVIII/34 | Evaluation of the conformity of French law and practice with CCAMLR conservation measures Delegation of France |
| CCAMLR-XXVIII/35 | Proposal to amend Conservation Measure 10-07 to improve the dissemination of available information on Flag States of IUU-NCP vessels Delegation of France |
| CCAMLR-XXVIII/36 | Amendment of Conservation Measure 10-04 'Automated Satellite-linked Vessel Monitoring Systems' Delegation of France |
| CCAMLR-XXVIII/37 | Information on illegal fishing in Statistical Area 58 Report of observations and inspections in the CCAMLR Area 2008/09 season (1 July 2008 – 15 August 2009) Delegation of France |
| CCAMLR-XXVIII/38 | Catch Documentation Scheme (CDS) Fund proposal – illegal, unregulated and unreported (IUU) fishing in the CCAMLR Convention Area – African Capacity Building Training Event Delegations of Australia, South Africa, the United Kingdom and the Secretariat |

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| CCAMLR-XXVIII/40 Rev. 1 | Revision of CCAMLR's System of Inspection Delegation of the USA |
| CCAMLR-XXVIII/41 | Proposal to amend Conservation Measure 10-05 Catch Documentation Scheme for <i>Dissostichus</i> spp. to reflect current reporting practises Delegation of Australia |
| CCAMLR-XXVIII/42 | Proposal for improvements to CCAMLR port inspections Delegations of Australia, New Zealand and the European Community |
| CCAMLR-XXVIII/43 | Daily reporting system for CCAMLR exploratory fisheries Delegations of New Zealand and the United Kingdom |
| CCAMLR-XXVIII/44 | Proposed amendment to Conservation Measure 10-09 (2008) Notification system for transshipments within the Convention Area Delegations of New Zealand and Australia |
| CCAMLR-XXVIII/45 | Proposed conservation measure: prohibition of fishing for <i>Dissostichus</i> spp. in depths shallower than 550 m in CCAMLR's exploratory fisheries Delegation of New Zealand |
| CCAMLR-XXVIII/46 | EC proposal for a conservation measure concerning the adoption of market-related measures to promote compliance Delegation of the European Community |
| CCAMLR-XXVIII/47 | EC proposal for a CCAMLR conservation measure for krill fisheries Delegation of the European Community |
| CCAMLR-XXVIII/BG/6 | Implementation of fishery conservation measures in 2008/09 Secretariat |
| CCAMLR-XXVIII/BG/7 | Implementation of the System of Inspection and other CCAMLR enforcement provisions in 2008/09 Secretariat |
| CCAMLR-XXVIII/BG/8 | Implementation and operation of the Catch Documentation Scheme in 2008/09 Secretariat |

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| CCAMLR-XXVIII/BG/13 | Identification guide and fact sheet for toothfish Delegation of the United Kingdom |
| CCAMLR-XXVIII/BG/20 | Flag State Report – General measure for the closure of all fisheries (Conservation Measure 31-02, paragraph 6) Delegation of New Zealand |
| CCAMLR-XXVIII/BG/22 | Report on the abandoned gillnet retrieval operation conducted by Australia in CCAMLR Statistical Division 58.4.3b (BANZARE Bank) Delegation of Australia |
| CCAMLR-XXVIII/BG/23 | Heard Island and McDonald Islands Exclusive Economic Zone 2008/09 IUU Catch Estimate for Patagonian toothfish Delegation of Australia |
| CCAMLR-XXVIII/BG/37 | Implementation of Conservation Measure 10-08 (2006) Delegation of Australia |
| SC-CAMLR-XXVIII/BG/2 | Summary of scientific observation programs undertaken during the 2008/09 season Secretariat |
| WG-FSA-09/5 Rev. 1 | Estimation of IUU catches of toothfish inside the Convention Area during the 2008/09 fishing season Secretariat |
| WG-IMAF-09/6 Rev. 2 | A summary of scientific observations related to Conservation Measures 25-02 (2008), 25-03 (2003), 26-01 (2008) Secretariat |