

**Report of the Standing Committee on
Implementation and Compliance (SCIC)**

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**Report of the Meeting of the Standing Committee
on Implementation and Compliance (SCIC)**
(Hobart, Australia, 16 to 20 October 2017)

Opening of meeting

1. The Meeting of the Standing Committee on Implementation and Compliance (SCIC) was held in Hobart, Australia, from 16 to 20 October 2017.
2. The Chair of SCIC, Ms J. Kim (Republic of Korea) opened the Meeting, welcomed participants and thanked the Secretariat for its support so far. The Chair expressed appreciation for SCIC's confidence in her and looked forward to a successful meeting.
3. SCIC considered the SCIC Agenda as adopted by the Commission.

Implementation and compliance

Review of compliance and implementation-related measures and policies

Training on CCAMLR and its current conservation measures

4. SCIC considered the paper from Chile regarding training on CCAMLR and its current conservation measures (CCAMLR-XXXVI/BG/08). Chile reported on a training course conducted for vessel owners and crew members of Chilean-flagged vessels which operate in the Convention Area held on 29 December 2016 in Valparaiso, Chile.
5. Chile noted that such workshops allow stakeholders to engage and become more familiar with CCAMLR conservation measures, that is reflected this year where there was no incidence of non-compliance for Chile against current conservation measures.
6. The workshop was rated as a success by both attendees and organisers. SCIC commended Chile for its initiative. The UK encouraged the Coalition of Legal Toothfish Operators (COLTO) and the Association of Responsible Krill harvesting companies (ARK) to also consider how they might develop peer-to-peer training on best practice among their members.

Offal management e-group

7. At CCAMLR-XXXV, the Commission endorsed SCIC's advice to further discuss measures to improve the management of offal by vessels and potentially to develop standards for the management of offal. This work was to be done intersessionally through an e-group (CCAMLR-XXXV, Annex 6, paragraphs 37 and 90 to 92).
8. The purpose of the Offal management e-group was to provide a forum for all Members to discuss ways to improve the management of offal in CCAMLR toothfish fisheries and to provide advice to SCIC on how Conservation Measure (CM) 26-01 could be improved to provide guidance on offal management to reduce fishing mortality on seabird populations.

9. New Zealand thanked the Secretariat for establishing the e-group, and thanked Australia for engaging in the e-group.

10. It was noted that the effectiveness of work done intersessionally depended on engagement from Members. Given the low level of engagement, New Zealand believed the Secretariat would instead be better placed to take the work of the Offal management e-group forward and the Secretariat agreed to assist with the management of the e-group.

11. SCIC thanked New Zealand and agreed that the Secretariat would prepare a paper for the ongoing work of the offal management e-group to include:

- (i) a summary of the offal management techniques that vessels currently use to comply with CM 26-01
- (ii) providing recommendations to SCIC on potential ways to improve the implementation of CM 26-01, particularly around best practice on offal management
- (iii) liaising with other organisations to summarise international best practice with respect to offal management.

CCAMLR Compliance Evaluation Procedure (CCEP)

12. In accordance with CM 10-10, paragraph 3(i), SCIC considered the Summary CCAMLR Compliance Report (CCAMLR-XXXVI/09). SCIC considered 18 issues identified in the Summary Report. CM 10-10 provides that each issue be assigned with one of the six compliance statuses contained in CM 10-10, Annex 10-10/B, including two non-compliant categories: *minor non-compliant* and *seriously, frequently or persistently non-compliant*. SCIC identified that there were some cases that did not clearly fit either category and agreed that the status of *non-compliant* be applied to issues considered by SCIC to be non-compliant, regardless of the nature or severity of the issue.

13. SCIC made progress regarding 14 of the 18 issues but could not reach agreement in respect of four issues. SCIC could not adopt a Provisional CCAMLR Compliance Report as required by CM 10-10, paragraph 3(iii), for consideration by the Commission.

14. Agenda Item 3.1 was referred to the Commission as no consensus could be reached on the matters considered under this item.

Catch Documentation Scheme for *Dissostichus* spp. (CDS)

Implementation of the CDS

15. SCIC reviewed the implementation of the Catch Documentation Scheme for *Dissostichus* spp. (CDS) in 2015/16 (CCAMLR-XXXVI/BG/18) and noted that 25 Contracting Parties and two non-Contracting Parties (NCPs) currently participate in the CDS. Singapore and Ecuador were the only NCPs cooperating with CCAMLR by monitoring toothfish trade through limited access to the electronic web-based CDS (e-CDS).

16. SCIC noted that the NCPs that may be involved in the harvest and/or trade of *Dissostichus* spp. while not cooperating with CCAMLR by participating in the CDS for the last five years include Antigua and Barbuda, Belize, Bolivia, Colombia, Costa Rica, Cuba, Brunei Darussalam, Dominican Republic, Democratic People's Republic of Korea, Honduras, Indonesia, Iran, Libya, Maldives, Malaysia, Mexico, Mongolia, Nigeria, Philippines, St Kitts and Nevis, Thailand, Togo, Trinidad and Tobago, United Arab Emirates and Viet Nam.
17. For 2017, SCIC noted that the NCPs that may be involved in the harvest and/or trade of *Dissostichus* spp. while not cooperating with CCAMLR by participating in the CDS include Antigua and Barbuda, Bolivia, Colombia, Dominican Republic, Malaysia, Maldives, Mexico, Philippines, Thailand, Trinidad and Tobago, United Arab Emirates and Viet Nam.
18. SCIC noted the efforts to engage NCPs, including letters sent by the Secretariat in accordance with CM 10-05, Annex 10-05/C and the NCP Engagement Strategy.
19. SCIC recalled that at CCAMLR-XXXV, China advised that Hong Kong Special Administrative Region (Hong Kong SAR) was undertaking the preparatory work to support the implementation of the CDS and that Hong Kong SAR will continue to monitor the trade statistics of toothfish imported into and re-exported through Hong Kong SAR. China also advised that it would continue to provide the Secretariat and other Members with necessary assistance under appropriate mechanisms. Toothfish reported through the CDS to have been imported into Hong Kong SAR was 503 tonnes for 2017.
20. SCIC noted that the Secretariat had been liaising with Hong Kong SAR throughout 2016 and 2017 and had been asked to provide advice on several aspects of CDS implementation.
21. SCIC recalled that at CCAMLR-XXXV, it had considered Seychelles' status as an NCP cooperating with CCAMLR by participating in the CDS (CCAMLR-XXXV, Annex 6, paragraphs 108 to 111). It was agreed that the Seychelles be given until 31 January 2017 to fulfil its obligations in respect of CM 10-05, Annex 10-05/C, paragraphs C8(i) and (ii), including nominating a CDS Contact Officer. At the time, SCIC agreed that the Seychelles' status as an NCP cooperating with CCAMLR by participating in the CDS be revoked if a response is not received (CCAMLR-XXXV, Annex 6, paragraph 112).
22. SCIC noted the Secretariat's efforts to communicate with the Seychelles, that no response was received and a letter was sent from the Chair of the Commission to advise the Seychelles that the decision of the Commission to revoke the status of an NCP cooperating with CCAMLR by participating in the CDS was in effect.
23. The EU offered to raise the issue of the Seychelles' cooperation with CCAMLR in relevant bilateral talks. SCIC thanked the EU and noted that it looked forward to updates arising from those discussions.
24. SCIC considered Singapore and Ecuador's cooperation with CCAMLR by monitoring toothfish trade through limited access to the e-CDS and thanked Singapore for its efforts to support the implementation of the NCP Engagement Strategy.
25. SCIC agreed to review the NCP Engagement Strategy, noting there would be value in identifying areas of strength as well as any remaining challenges.

26. SCIC noted that no reports had been received by the Secretariat from Contracting Parties in respect of CM 10-05/C, paragraphs C11 and C12.

27. SCIC welcomed the Secretariat's overview of the new e-CDS and thanked the Secretariat for its efforts in this regard.

28. SCIC noted that two Specially Validated *Dissostichus* Catch Documents (SVDCDs) had been issued in 2017:

- (i) SVDCD CN-17-0001-E in respect toothfish catch from the illegal, unreported and unregulated (IUU)-listed vessel *Sea Breeze* that was seized by China in the port of Yantai, China
- (ii) SVDCD ES-17-0006-E in respect of toothfish caught by the Spanish-flagged *Tronio* in the Food and Agriculture Organization of the United Nations (FAO) Area 87.

29. China informed SCIC that, following an investigation from various government agencies, the catch from the IUU-listed vessel *Sea Breeze* was to be publicly auctioned through appropriate procedures, and the proceeds to be dealt with under the relevant provisions of the Commission.

30. Spain informed SCIC that it had provided all information, including the inspection list and *Dissostichus* Catch Documents (DCDs). SCIC was advised that Spain had communicated with South African authorities on the landing of the vessel on 14 and 20 February 2017. It was reported that the catches were not able to be traded and that the South African inspection report indicated that the fish were to be consumed on board.

31. SCIC noted that one undocumented landing and six transshipments had been identified in 2017:

- (i) Ecuador reported that the Bolivian-flagged *Cape Flower* landed 101.3 tonnes of toothfish caught outside the Convention Area in Ecuador to be exported to the Port of Kaohsiung, Taiwan
- (ii) Mauritius advised that the Liberian-flagged reefer *Bao Reefer* was carrying toothfish transhipped from six Chinese-flagged vessels fishing in the southwest Atlantic Ocean.

32. The EU noted its concern that the *Cape Flower* continued to hold authorisation to fish in the Convention Area despite Bolivia not being a Member. Some Members further highlighted the issue that fishing in areas adjacent to the Convention Area may have the potential to undermine the conservation work undertaken by CCAMLR and supported by the CDS. These Members encouraged the Secretariat to support the engagement of NCPs with the CDS. Members were also encouraged to engage with NCPs to actively promote the wider adoption of the CDS.

33. China advised that an initial investigation had been undertaken and informed the Commission that the reported catch was meant to be in kilograms rather than tonnes as reported in CCAMLR-XXXVI/BG/18. China reported that it had organised experts to conduct an inspection of the vessel, and it was reported that catches were of escolar, a kind of snake mackerel, and not toothfish.

34. SCIC considered the Secretariat's advice that at the 17th Meeting of the Conference of the Parties (CoP17) on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) two decisions regarding cooperation with CCAMLR had been taken:

(i) Decision 17.50

The CITES Secretariat shall issue a Notification to the Parties requesting Parties that are involved in the harvest of or trade in toothfish, *Dissostichus* spp., and that are not cooperating with the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), to submit to the Secretariat a report on their implementation of Resolution Conf. 12.4 on Cooperation between CITES and the Commission for the Conservation of Antarctic Marine Living Resources regarding trade in toothfish. The Secretariat shall forward to the Secretariat of CCAMLR any information received in response to the Notification.

(ii) Decision 17.51

The CITES Secretariat shall consult with the Secretariat of CCAMLR and with relevant organizations regarding the provisions of Resolution Conf. 12.4, in particular those concerning the exchange of information between CITES and CCAMLR, and present its recommendations, including any proposals to amend the Resolution, to the Conference of the Parties at its 18th meeting.

35. CITES is also considering revising Resolution Conf. 12.4 for the Cooperation between CITES and CCAMLR regarding trade in toothfish and would welcome CCAMLR's contribution.

NCP Engagement Strategy

36. SCIC considered CCAMLR-XXXVI/BG/03 Rev. 1, reporting on the second year of implementation of the NCP Engagement Strategy adopted at CCAMLR-XXXIV (CCAMLR-XXXIV/09, Appendix III).

37. SCIC noted that in 2016 and 2017, the Secretariat engaged with several NCPs and Contracting Parties to support the implementation of the NCP Engagement Strategy. This work focused on Southeast Asia and included promoting cooperation with Brunei Darussalam, Cambodia, Indonesia, Malaysia, the Philippines, Thailand and Viet Nam.

38. SCIC noted that the Secretariat, with support from Australia, Japan and Singapore, held a workshop in Singapore in August to further promote cooperation between CCAMLR and Southeast Asian States, including Cambodia, Indonesia, Malaysia, the Philippines, Thailand and Viet Nam. Many Members expressed their appreciation to the Secretariat for its efforts, as well as to Singapore for hosting.

39. The workshop focused on CCAMLR, the CDS and the e-CDS and provided specific information on the ways States could cooperate with CCAMLR, including by monitoring toothfish trade through limited access to the e-CDS.

40. Cambodia, Indonesia, Malaysia, the Philippines, Thailand and Viet Nam are continuing efforts to apply for the status of an NCP cooperating with CCAMLR by participating in the CDS, but, in the first instance, are focussing on obtaining limited access to the e-CDS. Thailand and Viet Nam are in the final stages of drafting their applications.

41. Australia noted that providing NCPs with limited access to the e-CDS was important in understanding key gateways for the illegal trade of toothfish products and emphasised that broad participation of all States that trade in toothfish was critical to the success of the CDS. SCIC agreed to adopt an intersessional mechanism to grant limited access to the e-CDS whereby the Secretariat would provide circulars to Members if a request for limited access to the e-CDS was received. If no objections were raised within a defined period, then access could be provided by the Secretariat.

42. Japan noted the hard work of the Secretariat and the success of the workshop. Japan noted that participants were largely aware of the existence and role of CCAMLR and the CDS, but not fully aware of how to best cooperate and the workshop had been important to raise this awareness.

43. Members were encouraged to further engage with NCPs at bilateral and regional levels to prevent any illegal products from entering the market and hence combat IUU fishing in the Convention Area and improve traceability of toothfish products.

44. SCIC noted the work to be undertaken in 2018 (CCAMLR-XXXVI/BG/03 Rev. 1), including:

- (i) continued efforts to encourage cooperation with Brunei Darussalam, Cambodia, Indonesia, Malaysia, the Philippines, Thailand and Viet Nam
- (ii) hosting workshops to promote cooperation in South America and the Middle East
- (iii) the continued evaluation of CDS and trade data to determine priority NCPs and Contracting Parties with direct trade relationships with NCPs
- (iv) the review of the NCP Engagement Strategy
- (v) continued support to Singapore, Ecuador and Columbia.

45. Australia thanked the Secretariat for its efforts to engage with Southeast Asian States through the Regional Plan of Action to Promote Responsible Fishing Practices Including Combating IUU Fishing in South East Asia (RPOA-IUU), and looked forward to working with the Secretariat in 2018.

46. SCIC thanked the Secretariat for its work and looked forward to the report by the Secretariat on the outcomes of this work at CCAMLR-XXXVII.

47. SCIC noted that Mauritius was an Acceding State and was a major port for toothfish landings and exports and that better efforts could be made to support Mauritius. SCIC noted that Mauritius regularly engaged with the Secretariat on CDS and port inspection matters but may benefit from greater support from CCAMLR, including for participation at CCAMLR meetings.

48. Although not NCPs, SCIC also noted that several regional fishery management organisation (RFMO) areas adjacent to the Convention Area (including the Southern Indian Ocean Fisheries Agreement (SIOFA) and the South Pacific Regional Fisheries Management Organisation (SPRFMO)) have been established and encouraged the Secretariat to continue its efforts to work with these organisations to improve traceability of toothfish products.

Trade data analysis

49. SCIC considered CCAMLR-XXXVI/06 and BG/05 Rev. 1, which reported on the analysis of the FAO GLOBEFISH trade data, to assess its utility to provide an accurate overview of the global trade of toothfish.

50. SCIC noted that the objectives of the trade data analysis work in 2017 were:

- (i) developing an understanding of the conversion factors for product types used in toothfish trade
- (ii) undertaking an analysis of the classification and application by States of the terms landing, transshipment, import, export and re-export
- (iii) undertaking an analysis of the Harmonised System (HS) codes as they relate to toothfish trade
- (iv) undertaking a further data quality assessment of trade data reported in the CCAMLR-XXXV/BG/12 Rev. 1 and BG/35, including reported volumes, values and trade relationships
- (v) undertaking a further analysis of landing (production), import and export differentials in trade data and CDS data, including volume and unit value
- (vi) undertaking a comparison of trade data with CDS data
- (vii) supporting the implementation of the NCP Engagement Strategy
- (viii) providing greater detail of the co-mingling scenario
- (ix) providing information on the size or grade categories used by industry globally.

51. SCIC noted that the GLOBEFISH analysis compiled trade data for the national databases of 75 countries, including all major traders of toothfish except for Viet Nam. Viet Nam's trade was estimated by examining the trade statistics of its trading partners.

52. SCIC noted that the analysis used the Max of Partner Pair (MPP) estimation methodology. It was recognised that the MPP is considered reliable given that the incentive is almost always to under-report volumes, particularly in the case of a high-value and heavily regulated species such as toothfish.

53. In addition to the trade data analysis provided in CCAMLR-XXXVI/BG/05 Rev. 1, SCIC noted that the analysis had made a significant contribution to the implementation of the NCP Engagement Strategy, the development of the e-CDS and the evaluation of the effectiveness of the CDS.

54. SCIC expressed general appreciation for the work done by the Secretariat in the analysis of trade data for toothfish. SCIC highlighted the importance of value and supply chain analysis and the need for an understanding of where the catch is landed, and relationship between processing and consuming states.

55. SCIC recommended that the Commission extend the position of the Trade Data Analyst for a further 24 months and suggested this position be funded through the CDS Fund, noting this would not constitute routine work of the Secretariat. There was considerable discussion on the benefits of a supply chain analysis and SCIC agreed the scope of this work should concentrate on trade patterns of legitimate catch beyond what the CDS currently captures, as well as IUU catch, with a focus on how and where it is traded, consumed and processed, to inform an overall picture of how toothfish travels through trade.

56. On advice of the CDS Panel, SCIC agreed it would be appropriate to use the CDS Fund for this purpose and agreed to propose Terms of Reference to the Commission to support this work (Appendix I).

57. SCIC considered CCAMLR-XXXVI/BG/20 reporting on the consideration of measures to address a co-mingling scenario in the toothfish fishery. SCIC acknowledged the excessive burden that would result from changes to the DCD and further noted it was not convinced that such changes would address the issues identified.

System of Inspection

58. SCIC considered CCAMLR-XXXVI/15 on CCAMLR inspections undertaken by Chile's OPV-83 *Marinero Fuentealba* and AP-46 *Almirante Oscar Viel* in the 2016/17 season. Chile informed SCIC that it carried out boarding and inspection activities in Subarea 48.1. During the patrol, seven inspections and one sighting were recorded. Chile noted the length and complexity of the inspection report form and suggested more efficiently structuring these by differentiating between general conservation measures and those specifically relating to fisheries. Chile also noted the benefits of joint inspections for the diversity of expertise and enhancement of international cooperation these provided.

59. SCIC welcomed the paper by Chile and gave general support to the suggestion to improve the System of Inspection, including amendments to the current provisions to make the system a truly joint effort. Members thanked Chile for its efforts in conducting inspections, and noted the expense and logistical challenges involved with such patrols.

60. Russia thanked Chile for its work and recalled the discussion on joint patrols and inspections from CCAMLR-XXXV (CCAMLR-XXXV, Annex 6, paragraph 142). Russia stated it would agree to discuss these amendments, but sought clarification on the provisions of the current System of Inspection (paragraph 3(a)) which provides for inspections carried out by designated inspectors from vessels of the Designating Members.

61. SCIC considered the paper submitted by New Zealand (CCAMLR-XXXVI/BG/24) that reported on CCAMLR inspections undertaken in the Ross Sea region by the New Zealand vessel HMNZS *Wellington*. During the 2016/17 fishing season the HMNZS *Wellington* conducted 10 boardings and inspections of vessels flagged to CCAMLR Members. Two potential

compliance breaches of CM 26-01 were identified and reported to the Flag States, Ukraine and Spain, and to the Secretariat. New Zealand noted it would continue in its work to enhance the compliance levels of the fishing fleet.

62. SCIC thanked New Zealand for its paper. Members commended New Zealand for its efforts and expertise, and noted their appreciation for all Members who contributed to the achievements of the common goals of the Convention through these patrol and inspection activities, particularly in the ongoing efforts against IUU fishing.

63. SCIC considered the paper submitted by the UK, Australia and New Zealand (CCAMLR-XXXVI/14) proposing changes to the System of Inspection report form and the introduction of a standardised radio inspection form. The paper proposed amendments to update language to ensure consistency with conservation measures, including reference to Automatic Location Communicators (ALCs), remove duplication from the existing report form and to streamline the current form with conservation measures.

64. Many Members noted that the proposed changes would streamline the existing arrangements and assist designated inspectors to do their jobs. Australia noted it was eager to see the Commission adopt improvements to the System of Inspection over time to ensure that it keeps pace with contemporary, best-practice boarding and inspection procedures.

65. The proposal suggested the adoption of a standardised radio inspection report form to maximise the information that could be gathered from the fishing fleet when it was not possible to perform a physical inspection, for example in bad weather. The UK emphasised that the suggested amendments were not new obligations but would allow for more consistent communications between the fishing vessel and inspectors.

66. SCIC thanked the UK, New Zealand and Australia for their paper, and acknowledged that the paper did not introduce any new requirements into the System of Inspection or new data collection requirements during CCAMLR vessel inspections. Many Members noted that the procedures proposed constitute another tool for monitoring compliance with CCAMLR conservation measures.

67. The UK and Australia noted that physical inspections would remain the preferred method of inspection over any proposed 'Inspection for Radio Transmission'. Some Members asked how the inspection vessel and the fishing vessel would verify each other's identity in such cases. The UK and Chile clarified that in cases where the Inspection for Radio Transmission was used due to poor weather, that there was still a requirement for the inspection vessel to visibly be flying both the CCAMLR pennant and their State Flag, therefore, it would necessarily require reliable, visual and photographic identification between both vessels.

68. Argentina, Russia and Japan raised concerns of how the Flag State could verify the identity of the inspector via radio and pointed out the necessity to accommodate a mechanism for cross-checking of the inspection results by the vessel master and/or the Flag State. Chile and the UK noted that the inspector's identification was already available on the CCAMLR website, and in cases of doubt, that the inspector could potentially send verification via electronic means. Amendments to Annex C to the inspection report form to provide a process for verifying the identity of inspectors was presented. The UK and New Zealand highlighted the fact that radio communications were already a common and successful part of at-sea

inspections, and that information collected by the inspector can easily be provided to the Flag State of the inspected vessel. Australia emphasised that the proposal would increase the suite of tools available to collect information about activities in the Convention Area.

69. Russia queried the reliability and utility of data collected via the Inspection for Radio Transmission, given there would be no physical inspection. The UK and New Zealand reiterated that the data collected during the inspection will be made available to the CCAMLR Secretariat, to the Flag State of the vessel, the master of the vessel, and to CCAMLR Members, to ensure the reliability of the data. Australia also noted that such data could be used to assist with targeting monitoring, control and surveillance (MCS) activities, including to inform whether subsequent physical inspections or port inspections should be undertaken.

70. Russia queried whether the Inspection for Radio Transmission was an accurate descriptor of the procedure. The term Inspection for Radio Transmission was revised to 'information gathering via radio transmission' to better reflect the process of collecting information.

71. China indicated that the CCAMLR System of Inspection, paragraph I(d), provided that 'inspectors shall be able to communicate in the language of the Flag State of the vessels on which they carry out their activities' and advised that a radio inspection should follow the above requirement. SCIC noted that the forms would be made available in the CCAMLR languages and encouraged Flag States to prepare the form in multiple languages and the radio inspections would still follow this requirement.

72. Japan, while appreciating the preparation of the form in multiple languages, raised a concern about the miscommunication between the inspector and vessel master that could occur due to language problems and requested that radio inspection should be conducted in the language of the Flag State. While China shared the view of Japan, New Zealand was of the understanding that the Secretariat would only provide the inspection forms in the four official languages and asked the Secretariat if it had the capacity to provide the form in all Flag State languages. As a compromise, Japan proposed that the inspection form for this purpose be submitted by the vessel master responding to the request by the inspector through email. For this purpose, Japan further requested the preparation of the list of all inspection vessels with their contact email accounts. SCIC did not resolve this matter.

73. China queried the relationships between the vessel monitoring system (VMS) information in radio transmissions and CM 10-04, and a photograph requirement and visual verification by fishing vessels of the identity of inspectors. China also expressed concern about the requirement of a photograph of the VMS unit. New Zealand advised that images can be cross-referenced against images supplied in notifications and can validate VMS data, ensuring the systems are working correctly.

74. China indicated that in accordance with CM 10-03, the definition of fishing vessels does not include marine scientific research vessels of Members. Australia reiterated that radio inspections will be only conducted on fishing vessels.

75. Russia expressed the concern that there would be a duplication of a pre-existing process. New Zealand reiterated that the use of standardised radio communications would mean that

both inspectors and fishing vessels would have copies of the approved transcript of questions which could be translated into multiple languages for efficient communication and was not duplicating or replacing a pre-existing process but supporting it.

76. SCIC agreed to the need to streamline the inspection form and to refer the matter of information gathering via radio transmission to the Commission for further discussion.

Vessel Monitoring System (VMS)

77. SCIC considered CCAMLR-XXXVI/07, a proposal that presented a review of the Arrangement for the Access and Use of CCAMLR VMS Data for Maritime Search and Rescue between CCAMLR Secretariat and Competent Maritime Rescue Coordination Centres (MRCCs) (the Arrangement). The paper outlined the findings of the review and proposed an amended Arrangement which was prepared by the Secretariat in consultation with the five MRCCs, Argentina, Australia, Chile, New Zealand and South Africa.

78. SCIC expressed its support for amendments, and thanked the Secretariat and the five MRCCs for their work and agreed the matter should be further considered by the Commission.

79. SCIC considered the US proposal for options to ensure the effective and efficient monitoring of vessel traffic in the Ross Sea region marine protected area (MPA) (CCAMLR-XXXVI/23). The USA proposed options related to the implementation of CM 91-05, paragraph 24. The USA suggested the creation of an automated VMS alert when a fishing vessel enters the MPA and, for vessels that conduct scientific research on Antarctic marine living resources in the MPA, or transiting through the MPA, the creation of an easily accessible mechanism to allow vessels to voluntarily provide plans of their intended passage through the MPA. The USA welcomed a discussion with Members on these and other options for collecting vessel information.

80. The Russian Federation highlighted the voluntary character of the US proposal about vessels conducting scientific research on Antarctic marine living resources. Russia expressed a preference that the proposal only refers to fishing vessels.

81. SCIC noted that the obligations in CM 91-05, paragraph 24, were clear and that the Secretariat would manage this data as it currently does for notifications submitted under CM 10-04, paragraph 13. China indicated that the implementation of the automatic alert system is inconsistent with CM 10-04, paragraph 13. SCIC noted that the implementation of the automatic alert system can only be done in consistency with CM 10-04. SCIC noted that for those vessels required to report VMS data under CM 10-04, paragraph 11(i), an automatic alert could be implemented, and that the Secretariat would implement an automated alert for vessels entering the Ross Sea region MPA. SCIC recommended that the Secretariat provide information, including an email address, for other vessels that wish to report their entry and exit of the Ross Sea region MPA.

82. SCIC noted that in the Spanish and Russian versions of CM 91-05, the first sentence of paragraph 24 omitted the word 'fishing' and that the text should be revised to align with the English and French translations. SCIC noted the advice of the Secretariat that the original version of CM 91-05 had included 'fishing' and that this had remained the same throughout

drafting, adoption and publication. SCIC agreed that ‘fishing’ should be included in the translations of the first sentence of paragraph 24 and recommended that CM 91-05 be revised.

83. SCIC considered the proposal by the Secretariat for a project to use satellite imagery to supplement other methods for detecting possible IUU fishing in the Convention Area between December 2018 and May 2019 (CCAMLR-XXXVI/08). The proposal noted significant changes in satellite image surveillance in the Antarctic region since the 2015 project and suggested these be taken into account for the 2019 project. During 2017, the Secretariat examined options for a project to use satellite imagery, including satellite trial runs by Norway and the Pacific Islands Forum Fisheries Agency (FFA) and services provided by CLS in France, Kongsberg Satellite Services (KSAT) in Norway and the Copernicus Programme of the European Commission. The outcomes of the project are to be reported to CCAMLR-XXXVII.

84. SCIC noted that the Copernicus Programme of the European Commission, based on several Sentinel satellites designed by the European Space Agency (ESA), had now reached its operational phase. France elaborated on the Copernicus Programme and noted that the services provided by the program could help to strengthen the surveillance of IUU fishing in the Convention Area. France noted that CCAMLR can request satellite images from ESA and that these images are made available at no cost. France offered its experience and expertise in developing an ESA proposal and in the analysis of satellite images to support the project.

85. SCIC noted that the pre-treatment phase of satellite imagery incurs large costs and that financial support will be needed by the Members for this phase and that France was willing to assist in the second analysis phase (CCAMLR-XXXVI/19). Some Members noted they also had experience in the analysis of satellite image and would welcome the opportunity to share best practices. Some Members recognised the benefits of a satellite program to enhancing vessel monitoring, control and surveillance in the Convention Area.

86. SCIC welcomed the proposals by the Secretariat and France and noted that they would work together with other interested Members to develop a proposal for CCAMLR-XXXVII.

Fishery notifications

87. SCIC considered CCAMLR-XXXVI/BG/02 Rev. 2 summarising fishery notifications submitted by Members in accordance with CMs 21-02 and 21-03 for exploratory toothfish fisheries and established krill fisheries for 2017/18. SCIC noted that all fishery notifications were submitted by the deadline of 1 June 2017.

88. SCIC noted that all exploratory toothfish fishery notifications submitted by Members in accordance with CM 21-02 included:

- (i) the information required by paragraph 6(i)
- (ii) a fisheries operation plan required paragraph 6(ii)
- (iii) a fishery notification fee paid by the deadline of 1 July 2017 as required by paragraphs 8 and 15

- (iv) research plans for exploratory fishery notifications for fisheries in Subarea 48.6 and Divisions 58.4.1, 58.4.2 and 58.4.3a submitted to WG-SAM as required by paragraph 6(iii) in the format prescribed in CM 24-01, Annex 24-01/A, format 2, by the deadline of 1 June 2017.

89. In respect to the Ukrainian-flagged *Marigolds*, the UK provided the following statement:

‘The UK noted the more recent information provided by Ukraine (in COMM CIRC 17/66) about the beneficial ownership of the fishing vessel *Marigolds*. However, the address notified for the “Taurus Logistic Group LP” is an address being used by foreign individuals and groups based in the UK acting for organised crime groups to set up UK registered companies, which are subsequently used for criminal activities. Recalling the statement made last year (CCAMLR-XXXV, Annex 6, paragraph 86), the UK notes that the beneficial owners of the Taurus Logistic Group LP are not UK nationals and are not based in the UK; and that they are therefore not required to provide any information to UK authorities. The UK, however, noted the reassurances provided by Ukraine that in its view, there are no grounds to connect the fishing vessel *Marigolds* to any criminal activity.’

90. SCIC noted that for vessels proposed by Members to undertake bottom fishing activities and required to submit preliminary assessments of the potential for proposed bottom fishing activities to have significant adverse impacts on VMEs, these assessments were submitted as required by CM 22-06, paragraph 7(i) except for the Korean-flagged vessel *Southern Ocean* (SC-CAMLR-XXXVI/BG/36), the French-flagged *Mascareignes III* (SC-CAMLR-XXXVI/BG/39) and the Ukrainian-flagged vessel *Calipso* (SC-CAMLR-XXXVI/BG/37) which were received late.

91. SCIC noted that CM 21-02, paragraph 12, requires that where a proposed exploratory fishery includes bottom fishing activities, the Member shall not authorise, under CM 10-02, vessels flying their flag to participate in the proposed bottom fishing activities if the procedures outlined in CM 22-06, paragraph 7, have not been fully complied with.

92. SCIC noted that in the three cases the Member had submitted their fishery notifications and fees by the due dates and that only the preliminary assessments were outstanding in each case.

93. Ukraine explained that the fisheries notification and the fishery notification fee were submitted by the required deadlines and the delayed preliminary assessment for the fishing vessel *Calipso* was due to the change in fishing gear type from Spanish bottom longline to trotline by the vessel owner after the due date. The USA noted that CM 22-01, paragraph 13, requires Members to prohibit their vessels from using fishing gear types other than those which were notified for a fishing season. Ukraine specified that in the case of the vessel *Calipso* there was no proposal to use fishing gear apart from that specified in the notification, in this case the subject was the substitution of proposed fishing gear before the beginning of the work of the bodies of the Commission.

94. The Republic of Korea explained that the vessel had submitted the preliminary assessment to the Korean government on 24 May 2017, but an oversight by the Korean government resulted in a late submission by Korea to the Commission, however, the fisheries notification and the fishery notification fee were submitted by the required deadlines.

95. France explained that due to an oversight in submitting the preliminary assessment based on a previously submitted preliminary assessment utilised for the same area from a vessel using the same gear, it did not consider it was necessary to update the former preliminary assessment. On receiving contact from the Secretariat that the assessment had not been registered for the *Mascareignes III*, France immediately provided an updated preliminary assessment.

96. Some Members suggested that, to prevent this issue in the future, to amend CM 21-02 and 22-06 to specify the exact date that the preliminary assessments are required to be submitted.

97. Some Members queried the benefit of amending CM 22-06 to clarify the obligations for submitting preliminary assessments, whereas other Members considered that the obligations were clear. SCIC noted that fulfilling these obligations rested with Members, however, that further awareness of deadlines would be welcomed.

98. SCIC did not reach a conclusion in respect of the status of the late preliminary assessments but welcomed the advice of the Chair of the Scientific Committee in this respect (paragraphs 175 to 176).

99. SCIC noted that all established krill fishery notifications submitted by Members in accordance with CM 21-03 included:

- (i) the information required by paragraph 2 and Annex 21-03/A
- (ii) vessel gear descriptions and specifications, including net diagrams and mammal exclusion devices required by paragraph 2 and Annex 21-03/A
- (iii) a fishery notification fee paid by the deadline of 1 July 2017 as required by paragraph 4.

100. SCIC noted that all fishery notifications are available on the CCAMLR website and that several fishery notifications were withdrawn formally by a Member or due to non-payment of fishery notification fees and are identified as such on the CCAMLR website with a 'W'.

Proposals for new and revised measures

Conservation Measure 10-05

101. SCIC considered the US proposal to modify CM 10-05 to improve transparency related to the total catch, transshipment and landing of toothfish (CCAMLR-XXXVI/24). The USA suggested amendments to CM 10-05, Annex 10-05/A, and related changes to the main text of CM 10-05 to require the inclusion of a *Dissostichus* transshipment/landing document (DTLD) in the e-CDS.

102. The USA noted that while the e-CDS was successful in tracking toothfish from the point of landing to the point of import for consumption, it does not effectively track fish from the point of harvest. The USA highlighted that, in the prevention of IUU fishing, it is important that the e-CDS can trace all toothfish in trade back to the fishing trip and the reported catch for that trip.

103. SCIC noted the importance of using e-CDS to track the catch of toothfish from harvest to the point of sale, including in cases of transshipment and multiple port landings. Some Members queried the administrative burden of the proposed alterations, and whether the information could easily be incorporated into the recently redeveloped e-CDS system. Japan raised concern of the possible discrepancy between the registered date and due date of port entry, but it was confirmed that the change of the date of port of entry would not constitute an infringement.

104. The USA highlighted the value of moving to the e-CDS in terms of adopting flexibility in such processes, as opposed to relying on a paper-based system.

105. SCIC agreed to establish a CDS Technical Working Group as an e-group with the aim of increasing transparency within the CDS, particularly with respect to transshipment and multiple landings and to explore ways of more clearly documenting total catch. SCIC agreed to the terms of reference for the CDS technical working group and recommended that these be adopted (Appendix II).

106. The EU expressed its disappointment that the original US proposal could not be adopted. SCIC agreed to amend the DCD to better accommodate transshipment information, including intended port of unloading and the subsequent landing. SCIC recommended that CM 10-05 be revised.

Conservation Measure 10-08

107. SCIC considered the EU's proposal to amend CM 10-08 to address the role of insurance providers in supporting or engaging in IUU activities (CCAMLR-XXXVI/12). The EU emphasised that the minor changes to the wording in CM 10-08 made specific reference to financial arrangements and insurance to clarify its application.

108. Members noted the importance of the reference to the insurance and financial sectors in closing links between these services and IUU fishing operations. The UK reported that it had conducted workshops and other types of engagement with London-based companies to ensure the sector understood their due diligence obligations in the context of IUU fishing operations.

109. SCIC agreed that the explicit inclusion of insurance companies and other financial arrangements, alongside international corporate structures, in CM 10-08 would assist in the application of domestic legislation to these sectors.

110. SCIC thanked the EU for its proposal, and supported the proposed amendments to CM 10-08.

Conservation Measure 10-09

111. SCIC considered the background paper by the USA regarding the gaps in the monitoring and control of transshipments (CCAMLR-XXXVI/BG/17).

112. The USA invited Members to continue discussions on the revision of CM 10-09 intersessionally to develop a strong proposal for CCAMLR-XXXVII and to consider the results of the study by UN FAO on the monitoring, control and surveillance of transshipments when it becomes available, as well as the recommendations from the Second Performance Review related to transshipments.

113. Many Members agreed that monitoring transshipment was an important issue, and believed that better management and control of transshipping was possible. The Republic of Korea noted that while difficulties prevented this, the small number of companies that currently transhipped in the Convention Area could be encouraged to take part in research and surveys to better understand the operations for exploring a possibility of future cooperation mechanisms.

114. Members thanked the USA for its background paper and supported the development of a transshipment vessel register and that discussions continue intersessionally in an e-group.

Conservation Measures 21-02 and 24-01

115. SCIC considered the summary of intersessional discussion by the Secretariat regarding harmonising CCAMLR's approach to activities targeting toothfish (CCAMLR-XXXVI/27). The paper described how the e-group considered changes to CMs 21-02 and 24-01 to harmonise the nomenclature used for activities targeting toothfish, to clarify the definition of exploratory fisheries, and strengthen the linkage between the two conservation measures. The e-group discussion also included complementary approaches to improve transparency and documentation in relation to research activities targeting toothfish in closed areas. Options included:

- (i) a new conservation measure reclassifying activities targeting toothfish in accordance with CM 24-01 as exploratory fisheries
- (ii) a single interim conservation measure that records the endorsed activities for research activities targeting toothfish consistent with CM 24-01
- (iii) an annex to CM 24-01 that provides a list of the research approved by the Commission for which the catch limit required for that research exceeds the thresholds specified in CM 24-01, Annex 24-01/B.

116. In respect of the options provided in CCAMLR-XXXVI/27, SCIC noted that option one was used in CCAMLR-XXXVI/29, option 2 was addressed in CCAMLR-XXXVI/22 and option 3 was included in CCAMLR-XXXVI/27.

117. SCIC considered the proposal by the USA to increase the transparency and documentation of research activities conducted under CM 24-01 (CCAMLR-XXXVI/22).

118. The USA proposed to revise CM 24-01 to have clearly defined deadlines for research plan submissions to the Secretariat. The proposal also requires the Commission to consider, on an annual basis, adoption of a conservation measure that provides for documentation of certain information from all research plans that are endorsed by the Commission for *Dissostichus* spp. research to be carried out under CM 24-01, paragraph 3.

119. SCIC noted that CCAMLR-XXXVI/22 and XXXVI/27 should be considered together as they seek to achieve similar objectives. Some Members noted that these proposals provide a mechanism for a consistent approach to activities targeting toothfish, improve transparency and accountability in research fishing and strengthen the link between CMs 21-02 and 24-01. The UK noted that it would prefer that all research proposals be considered consistently and not just those relating to *Dissostichus* spp.

120. A number of Members expressed support for the proposal. Russia raised concern about the policy intent and the technical application. Japan queried the implications of the proposal to currently submitted research plans. Australia reiterated that the revised conservation measures, if adopted, would only apply after the conservation measures come into force and therefore to fishery notifications and research proposals submitted by 1 June 2018. China expressed concern about the implementation of option 1 listed in CCAMLR-XXXVI/27 for CM 24-01.

121. Russia queried the inclusion of the deadline of 1 June when the conservation measure already states the deadline of at least six months in advance of the planned starting date for the research and the inclusion of SCIC advice in terms of exploratory fishing. A number of Members reiterated that the inclusion of a deadline date and the advice of SCIC would provide a better understanding of the requirements of intended exploratory fishing. SCIC noted that the proposed amendment text of ‘taking into account the advice provided by the Scientific Committee’ was to be removed from the proposal.

122. China expressed concern about the implications of the proposed change by the US proposal for the Ross Sea region MPA and other conservation measures. The USA clarified that in the context of the Ross Sea region MPA, the proposal will allow for research fishing in the general protection zone and would not allow exploratory fishing.

123. These two working papers were referred to the Commission.

Conservation Measure 32-18

124. SCIC considered the proposal submitted by Argentina, Australia, Brazil, Chile, the EU, Norway, South Africa, Uruguay and the USA to prohibit the finning of sharks caught in the CAMLR Convention Area (CCAMLR-XXXVI/26). The paper noted that CM 32-18 prohibits direct fishing of shark species and encouraged the return of incidentally caught sharks where possible, but was silent on the practice of shark finning. The paper highlighted that CCAMLR is lagging behind the UN FAO and RFMOs such as the North East Atlantic Fisheries Commission (NEAFC) in addressing this issue, and that a requirement to leave fins naturally attached would further contribute to the conservation of sharks in the Convention Area.

125. SCIC considered the background paper provided by the USA on landing shark species with fins naturally attached (CCAMLR-XXXVI/BG/14), which contains a publicly available guide to landing sharks with their fins naturally attached. The guide shows the ease and effectiveness of at-sea processing and storage of sharks with their fins attached and is available in Spanish, French and Chinese.

126. Many Members expressed strong support for the proposal and highlighted that the proposed revision to CM 32-18 was important to stop the wasteful practice of shark finning at sea.

127. The EU recognised CCAMLR's similarity to NEAFC and the Northwest Atlantic Fisheries Organization (NAFO) regarding shark occurrence in the Convention Area and encouraged CCAMLR to adopt the proposal.

128. Japan opposed the proposal, highlighting the same reasons it has continuously expressed at SCIC. These reasons included: that the direct fishery targeting sharks in the Convention Area has been already prohibited; that shark species that were caught as by-catch in the Convention Area are not associated with shark finning practice, and there has never been shark finning observed in the Convention Area; that the total catch of sharks caught as by-catch was very small and taken by a few States; and that the word 'finning' used in the proposal was misleading. Japan noted that finning meant an activity to remove fins from a shark's body, with the retention of all the fins while the body is thrown away. Japan emphasised the fact that it should not be regarded as finning to remove fins from a shark's body and retain both the fins and body for food and other uses. Japan reiterated that it has been strongly opposed to the illegal finning practice which totally contradicts sustainable use, and was disappointed that the proposal intentionally mixed the two practices.

129. Japan cited various statistics of shark catch from the CCAMLR *Statistical Bulletin*, highlighting the fact that the by-catch of sharks in the Convention Area was very small and that most of the reported by-catch occurred around Heard Island and McDonald Islands (HIMI) in Statistical Division 58.5.2. The EU noted that the data available on shark by-catch in the Convention Area is unreliable due to systematic misreporting and misidentification. In response, Japan stated its concern that it would be more problematic if shark by-catch was collected and reported by scientific observers in an unreliable manner, although it did not believe that was the case.

130. China echoed Japan's comments, encouraged Japan to share its scientific findings with other Members, questioned the scientific basis of the proposal and recalled its statement from CCAMLR-XXXIII, Annex 6, paragraph 3.66, on the matter.

131. The UK reiterated its strong support for the proposal, highlighting the fact that such a measure could assist in the precautionary management of shark species since a range shift of the species within the Convention Area, driven by climate change, was expected over the coming decades. Japan noted that no such scientific evidence had been provided by the Scientific Committee to indicate such a range shift nor increase and that under such a situation the proposed measure could not be a precautionary measure.

132. Many Members expressed disappointment that, yet again, although directed fishing for sharks is prohibited in the Convention Area, SCIC could not adopt the proposed changes to CM 32-18 to prohibit the finning of sharks and the removal of fins from the body of sharks that are incidentally caught and retained.

CCAMLR SISO Review Panel and revision of the text of the CCAMLR Scheme of International Scientific Observation

133. SCIC considered the proposal by the USA to progress implementation of the CCAMLR Scheme of International Scientific Observation (SISO) Review Panel recommendations (CCAMLR-XXXVI/25). Recalling the review of the CCAMLR SISO (SC-CAMLR-XXXII/07 Rev. 1), the USA noted that recent incidents involving international observers deployed in the

Pacific have raised global concerns about the safety and health of observers. The USA suggested the establishment of requirements and procedures to safeguard observers, including pre-deployment safety checks, independent communication devices and emergency action plans, as well as the adoption of a non-binding resolution to encourage Contracting Parties to apply the data collection and observer safety provisions of SISO to their national observers deployed in CCAMLR fisheries, if similarly effective provisions have not been applied. The USA noted that some of the proposed changes were brought up at the 2017 SISO Workshop in WS-SISO-17/06.

134. SCIC also considered the US background paper on the development of a vessel safety checklist and debriefing protocol for use in SISO (CCAMLR-XXXVI/BG/16). The USA provided attachments to supplement the proposed amendments to the SISO text. The USA noted the inclusion of a vessel safety checklist provided by the Marine Resources Assessment Group (MRAG) and used with respect to the observers MRAG deploys in CCAMLR fisheries and a form used in the US North Pacific Observer Program.

135. While Members agreed that ensuring the safety of observers was a priority for CCAMLR, several Members raised issues related to the scope and role of scientific observers in the context of this proposal. It was noted that such recommendations may place an additional burden on the observers.

136. Some Members highlighted the problems of a pre-deployment safety checklist, emphasising that while there is no international standard for vessel safety, it does fall within the remit of the Flag State maritime authorities, and that safety checks were usually conducted by qualified surveying authorities. Some Members raised concerns that the additional recommendations, such as the provision of an independent two-way communication device, may raise practical questions regarding cost, maintenance and ownership of such equipment. Russia noted that changes to SISO are adopted by the Commission on the basis of the recommendations of the Scientific Committee but not of SCIC. Some Members considered that the safety of observers and other policy issues were appropriately considered by SCIC.

137. Australia noted that the safety of observers is an important issue and that in this regard, Designating Members have an obligation to ensure that their observers are provided with a safe working environment on the vessels on which they are deployed.

138. Members reiterated the grave seriousness of any interference with, or intimidation or obstruction of, observers on board fishing vessels.

139. SCIC thanked the USA for its efforts in drafting the proposal but was unable to reach consensus on the matter and referred the matter to the Commission for further discussion.

Current level of illegal, unreported and unregulated (IUU) fishing

140. SCIC considered CCAMLR-XXXVI/28 Rev. 2, summarising information in relation to IUU fishing trends and activity in the Convention Area.

141. SCIC noted that no vessels included on the NCP-IUU Vessel List were reported as sighted by Members inside or outside the Convention Area in 2016/17. SCIC noted that the IUU-listed vessel the *Sea Breeze (Andrey Dolgov)* had been sighted by Australia on 6 April 2017, 590 n miles north of Cocos Keeling Islands in FAO Area 57.

142. SCIC noted that the lack of IUU-listed vessel sightings was due to the action taken by Contracting Parties, NCPs and other organisations, including INTERPOL, in respect of CCAMLR IUU-listed vessels resulting in the investigation and prosecution of beneficial owners or the detainment or sinking of several IUU-listed vessels.

143. SCIC noted that Australia, New Zealand and the INTERPOL General Secretariat were seeking more information on the location of individuals and networks that own, operate or profit from the activity of the IUU-listed vessel *Sea Breeze* and that an INTERPOL Purple Notice has been issued in this regard.

144. SCIC noted that in accordance with CM 10-07 and the Policy to Enhance Cooperation between CCAMLR and NCPs, the Secretariat wrote to the possible Flag States of vessels included on the NCP-IUU Vessel List (Bolivia, Liberia, Mauritania, Nigeria, Saint Vincent and the Grenadines, Sierra Leone and Togo) and that no formal responses had been received.

145. SCIC noted that Liberia had emailed the Secretariat on 14 and 29 September 2017 in a response to a request for information regarding the Liberian-flagged *Bao Reefer* that is reported in CCAMLR-XXXVI/BG/18.

146. SCIC considered the spatial and temporal distribution of IUU activity in the Convention Area in 2016/17 and noted that gillnets had been recovered by authorised vessels on four occasions (Figure 1).

147. SCIC noted that the first vessel sighting reported in Subarea 48.6 was in 2014 of the IUU-listed vessel *Viking* and, as in previous years, there was compelling evidence of IUU activity in Subarea 48.6 with the recovery of IUU gear.

148. SCIC also recalled that IUU gear was recovered from Subarea 48.2 in 2016 (CCAMLR-XXXV, Annex 6, paragraph 188) and further noted with some concern that there was an apparent change in IUU activity with vessels potentially unknown, operating in Subareas 48.2 and 48.6.

149. SCIC recalled that in 2012 the Commission noted the advice of the Scientific Committee that at least seven vessels had been persistently engaged in IUU fishing activities in the Convention Area and that the information currently provided to the Secretariat is insufficient to provide sightings-based estimates of IUU catches, or to apportion it to small-scale research units (SSRUs) (SC-CAMLR-XXXI, paragraphs 6.1 to 6.7).

150. As a result, the Secretariat no longer produced an estimate of IUU catch, rather, presented a spatial and temporal overview of IUU fishing activity and trends using all available data.

151. SCIC noted that CCAMLR-XXXVI/28 Rev. 2 summarised data provided by Spain on the fishing activities of the IUU-listed vessels *Asian Warrior (Kunlun)*, *Zemour 2 (Yongding)* and *Zemour 1 (Songhua)* in Division 58.4.1 in 2014 with a reported a catch of 792.25 tonnes.

152. SCIC noted that these vessels have a long history of operating together in the Convention Area, usually supported by a reefer vessel, and have likely undertaken similar fishing activities every year since at least 2004 when they were first sighted.

153. SCIC noted that WG-FSA had welcomed the detailed and comprehensive review of IUU activity and, in particular, the catch data from the IUU-listed vessels using gillnets in areas in which research fishing is undertaken and agreed that this data could allow a review of the relationship between reported IUU vessel sightings and levels of removals, and had requested further analysis of the data.

154. SCIC welcomed the advice of the Chair of the Scientific Committee that WG-FSA had tasked Dr P. Yates (Australia) and the Secretariat to coordinate the analysis of IUU data from Division 58.4.1 and that this analysis will include other data as and when it becomes available.

155. SCIC considered Australia's estimate of IUU catch of Patagonian toothfish (*Dissostichus eleginoides*) in 2016/17 in the HIMI exclusive economic zone (EEZ) and adjacent waters of 0–50 tonnes (CCAMLR-XXXVI/BG/19). SCIC noted that this estimate remains unchanged from the previous five fishing seasons. While reporting no evidence of IUU fishing vessels in the HIMI EEZ, SCIC noted that there was a possibility that IUU fishing vessels may have made occasional forays into the EEZ.

156. Australia thanked France, New Zealand and the UK for their cooperation and effort in patrolling the Convention Area, and welcomed the actions taken by Chile against Chilean nationals involved with the IUU vessel *Viking*.

157. SCIC thanked Australia for its paper and for its continuing efforts in combating IUU fishing in the Convention Area.

158. SCIC considered France's paper CCAMLR-XXXVI/BG/21 summarising IUU observations conducted by three vessels in Subarea 58.6 and Divisions 58.5.1 and 58.5.2 in 2016/17 and providing general information on fishing activities in Divisions 58.4.3a, 58.4.3b, 58.4.4a and 58.4.4b in 2016/17. SCIC noted that no observations of IUU fishing activity were detected but that three cases of fishing gear not belonging to licensed vessels were found.

159. SCIC thanked France for its continued efforts to detect, prevent and eliminate IUU fishing in the Convention Area.

160. Spain provided the following statement:

‘To clarify the information presented in various media, the Spanish Delegation wishes to explain that, in line with Spain's commitment to the fight to eradicate IUU fishing, two legal procedures were initiated, one being a criminal procedure under the Spanish Criminal Code, and the other an administrative procedure under the Fisheries Act and the legislation of the European Union.

In addition to the SPARROW operation (sanctioning procedure in administrative proceedings) carried out by the inspection services of the General Secretariat of Fisheries, criminal proceedings were subsequently undertaken. Preliminary actions for the criminal proceedings began for the alleged commission of several offences against wildlife: illegal fishing for toothfish, material misstatement, money laundering and illicit organisation (criminal procedures). On 23 December 2016, the Spanish Supreme Court issued a ruling in which it dismissed the case and declared it closed on the basis that the Spanish courts do not have jurisdiction over it.

The closure of the criminal case does not affect the administrative procedure for disciplinary proceedings, since the administrative case was not prosecuting the fishing activity carried out by illegal vessels in waters where it would be necessary to determine whether or not Spain has jurisdiction, but the participation of natural persons and Spanish legal entities in the operation, management and ownership of vessels identified by Regional Fisheries Management Organisations or other International Organisations for having engaged in illegal, unreported and unregulated fishing or in activities contrary to the conservation and management of fishery resources, as well as the exercise of mercantile, commercial, corporate or financial activities related to them. The inclusion of vessels in IUU fishing lists is an objective fact, on which the sanctioning procedure is based regardless of any assessment of the fishing activity as such.

Unlike the criminal procedure, the administrative procedure is not based on the contravention by a vessel of the regulations managing the fishing activity in a particular geographical area at any given time, but it is based on the general prohibition, established by EU and Spanish regulations, that no national should in any way take part in the ownership, operation and management of vessels involved in IUU fishing activities.

In summary, Spain remains strongly committed to the fight against IUU fishing, the administrative actions giving excellent results through the SPARROW operations, which have resulted in the imposition of economic sanctions of over 24 million Euros, as well as in the implementation of Port State Measures and international cooperation.’

161. SCIC welcomed the paper presented by the Antarctic and Southern Ocean Coalition (ASOC) and COLTO that highlighted the importance of compliance and enforcement action undertaken in the Convention Area since 2016 and recommended further steps CCAMLR could consider (CCAMLR-XXXVI/BG/29).

162. ASOC and COLTO provided recommendations to CCAMLR Members on steps to be taken to continue to ensure continued leadership in enforcement, compliance, environmental protection and fisheries management. The recommendations expressed in the ASOC and COLTO document included: further regulating transshipments in the Convention Area; tightening legal loopholes in domestic legislation related to IUU activities; implementing a system of satellite monitoring; supporting collaborations between industry and science; ensuring the future of INTERPOL’s Project Scale; and considering ways to reduce greenhouse gas emissions produced by CCAMLR meetings.

163. ASOC and COLTO further reported that they were pleased with the progress CCAMLR has made in recent years, and looked forward to additional work in the years to come as CCAMLR does its part to protect Southern Ocean ecosystems and ensure that all fishing in the Convention Area complies with conservation measures.

IUU Vessel Lists

164. SCIC noted that no new vessels have been proposed for inclusion on the Provisional CP-IUU Vessel List or the Provisional NCP-IUU Vessel List for 2017/18.

165. SCIC considered information provided by the Islamic Republic of Iran for the possible removal of the *Koosha 4* from the NCP-IUU Vessel List (COMM CIRC 16/89). Iran reported that the Judiciary Department of Hormozgan Province had issued a verdict to confiscate the vessel and prohibit it from carrying out any fishing activities. It was also noted that the contract with the Spanish company that had rented the vessel had been terminated. Spain advised that it had begun an investigation into the company which was supposedly renting the vessel and that any further information would be provided to CCAMLR as it arose.

166. SCIC noted the registration of Iranian delegates for CCAMLR-XXXVI and decided that the *Koosha 4* should remain on the NCP-IUU Vessel List until more information could be provided and considered.

167. SCIC considered information provided by Spain for the possible removal of the *Seabull 22* from the NCP-IUU Vessel List (COMM CIRC 17/41 and 17/76). Spain advised that the *Seabull 22* had been scrapped in Cabo Verde in 2016. SCIC recommended that the *Seabull 22* be removed from the NCP-IUU Vessel List.

168. SCIC considered information provided by Angola for the possible removal of the *Northern Warrior* from the NCP-IUU Vessel List (COMM CIRC 17/65, 17/68, 17/71, 17/73 and 17/88). Spain noted that the *Northern Warrior* had transferred to a new owner with no links to the previous owner or involvement in IUU fishing activities, according to the information available. The EU expressed doubts about the certainty with which such a judgement could be made and suggested further investigation was required before the *Northern Warrior* was removed from the NCP-IUU Vessel List. The Committee proposed that the *Northern Warrior* remain on the NCP-IUU Vessel List until further clarity was reached.

169. SCIC considered information provided by Spain for the possible removal of the *Tchaw* from the NCP-IUU Vessel List (COMM CIRC 17/76). Spain advised that the *Tchaw* had been scrapped under the supervision of the Fisheries Inspection Services of the Ministry for Agriculture, Fishing, Food and the Environment. Australia noted that photographs or videos had previously been required to provide evidence for the consideration of dismantled vessels by SCIC. SCIC recommended that the *Tchaw* be removed from NCP-IUU Vessel List and noted that Spain had provided further documentation during the meeting to verify the dismantling of vessel.

170. SCIC noted information provided by the Secretariat that one vessel on the NCP-IUU Vessel List, the *Sea Breeze*, is now called the *Ayda* and noted that the NCP-IUU Vessel List would be updated accordingly.

171. The Proposed NCP-IUU Vessel List for 2017/18, as agreed by SCIC, has been provided in Appendix III for consideration and possible adoption by the Commission.

Advice from the Scientific Committee to SCIC

172. SCIC considered advice from the Scientific Committee in respect of IUU fishing data, preliminary assessments for bottom fishing, the CCAMLR tagging protocol, shark by-catch, forecasting of fisheries closures and reporting of krill catch.

173. SCIC thanked the Chair of the Scientific Committee, Dr M. Belchier (UK) for his time.

IUU fishing

174. The Chair of the Scientific Committee noted the unprecedented availability of catch data related to IUU fishing and indicated that an analysis of IUU data from Division 58.4.1 will be coordinated intersessionally, with results reported back to CCAMLR-XXXVII (SC-CAMLR-XXXVI, Annex 7, paragraphs 2.16 and 2.17).

Preliminary assessments

175. Australia asked the Chair of the Scientific Committee about the implications for failing to submit preliminary assessments for bottom fishing in time for consideration.

176. The Chair of the Scientific Committee considered that the information currently provided in preliminary assessments for bottom fishing is not sufficient to measure the likely impacts of longline fishing by a new vessel, and therefore the late arrival of applications did not provide a barrier for making a scientific assessment of potential impact. The Chair of the Scientific Committee noted that the Scientific Committee has made a recommendation for WG-FSA-18 to review how vessels fishing in exploratory fisheries consider their impact on benthic organisms, particularly on VMEs.

Tagging protocol

177. The Chair of the Scientific Committee reported on the CCAMLR tagging protocol and noted that the toothfish and skate tagging methods provided by CCAMLR (found at www.ccamlr.org/node/85702) are clear on how to deal with tagging larger fish, specifically the types of devices that can be used to bring larger fish selected for tagging on board the vessel. The Chair informed SCIC that the Scientific Committee was gathering information about tagging methods and application.

178. SCIC and the Chair of the Scientific Committee discussed the recapture rates of fish using different fishing methods and noted that vessels utilising trotline gear have been reported as having different recapture and survival rates (SC-CAMLR-XXXVI, Annex 7, Figures 1 and 2).

179. The Chair of the Scientific Committee noted the requirement that only fish that are in good condition should be released as tagged, therefore, a gear effect on tagging performance should not be evident. The Chair noted that a number of effects, including inconsistent assessment of fish condition or changes in environmental conditions could contribute to differences in tagging performance by vessels and recommended that all Members ensure that tag training and resource materials are made available on board. The Chair of the Scientific Committee further noted the request that all Members fishing in exploratory fisheries provide information about their tagging training processes and provide video footage of the tagging process on board each fishing vessel to WG-FSA-18, which will enable an evaluation of tagging practices.

Shark by-catch

180. SCIC and the Chair of the Scientific Committee discussed levels of shark by-catch in CCAMLR fisheries and it was noted that several shark species are distributed throughout the Convention Area and have been reported in by-catch for longline and trawl fisheries (see WG-FSA-13/28). It was noted that no work has been conducted to assess impacts of the levels of shark by-catch in the Convention Area or potential effects of climate change on shark distribution, however, by-catch will be a focus topic at WG-FSA-18. China asked the Chair of the Scientific Committee about the area where the by-catch occurred. The Chair of the Scientific Committee indicated that by-catch occurred mostly in Areas 58 and 88, with some in Area 48, across the Polar Front.

181. The Chair of the Scientific Committee was confident that information on shark by-catch had been properly collected and provided by scientific observers on board of each fishing vessel.

Fisheries closures

182. SCIC considered the procedure for forecasting closure dates for CCAMLR fisheries after noting a 56% overrun of the catch limit in Subarea 88.1 SSRUs B, C, G during the 2016/17 season, where a closure notice was issued within three days of the fishing season commencing.

183. China highlighted that CCAMLR is the forerunner in the application of the precautionary approach and expressed concern about the substantial overruns and asked the Chair of the Scientific Committee if there was an available scientific solution to this problem.

184. The Chair of the Scientific Committee noted the difficulty in forecasting closure dates in areas with low catch limits and suggested SCIC consider options such as effort limitation or increased frequency of catch and effort reporting to the Secretariat in order to reduce the risk of overruns.

185. SCIC noted that work had been undertaken intersessionally by the Secretariat to develop a more precautionary predictive model to forecast fishery closures based on historical data. Vessels would be notified of the fishery closure date when the fishing season commences, with the season extended as necessary.

Krill fishery management issues

186. The Chair of the Scientific Committee reported on krill fishery management issues and highlighted the current inability of continuous fishing system vessels to record krill catches accurately at the time intervals required by CMs 21-03 and 23-06, and noted that there is a mismatch between where catch was taken and where it was reported. The Chair further noted that there is a need to find a way of reconciling observer samples and data with corresponding C1 data, as well as gaining accurate spatial and temporal locations for these samples.

187. Norway indicated that it had submitted a work plan to the Scientific Committee detailing its consideration of this problem and that intersessional work will be completed prior to

WG-EMM-18 to consider how more accurate recording of catch in space and time might be achieved on Norwegian vessels. Norway welcomed feedback on this technical and challenging problem.

Other SCIC business

Second Performance Review of CCAMLR

188. SCIC considered the Report of the Second Performance Review (PR2) Panel (PR2 Report) (CCAMLR-XXXVI/01). SCIC recognised the importance of the PR2 and expressed its appreciation to the Review Panel (the Panel) for its work.

189. SCIC acknowledged that the recommendations contained in the PR2 Report required careful consideration. SCIC understood that the PR2 Report was received as the work of the Panel and was intended to be used for consideration and discussion by Members. SCIC clarified that recommendations offered by SCIC would result from interpretation of the PR2 Report and need not reflect the reasoning or recommendations of the Review Panel in their entirety (Appendix IV).

190. SCIC also recognised that recommendations contained in the report would require ongoing consideration and agreed that the Performance Review should remain on future SCIC agendas until SCIC felt that the matter had been properly addressed.

191. SCIC noted that of the PR2 Report, Chapter 5 on managing fishing activities and ecosystem impacts and Chapter 6 on external factors impacting on the Convention objectives and engagement, including non-Contracting and non-Cooperating Party activities, were most relevant to the business of SCIC. SCIC discussed the following recommendations.

PR2 Recommendation 9

192. SCIC agreed that it would require the advice of the Scientific Committee in respect of this recommendation.

PR2 Recommendation 10

193. SCIC requested the Secretariat write to the International Maritime Organization (IMO) to follow up on the progress made on the Polar Code Phase 2 at the May 2018 meeting of the IMO's Maritime Safety Committee. SCIC designated this recommendation as one able to be actioned immediately.

194. Some Members acknowledged that the IMO discussions were still in progress, and that CCAMLR should consider taking its own action in respect of the safety of vessels not covered by the Safety of Life at Sea (SOLAS) Convention.

PR2 Recommendation 11

195. SCIC considered Recommendation 11 on the need to strengthen the CCAMLR Compliance Evaluation Procedure (CCEP). SCIC supported the principle of strengthening and streamlining the CCEP.

196. SCIC expressed general support for point (i) of the recommendation, which suggested that SCIC develop a complementary scheme of response to non-compliance to give full effect to CM 10-10, paragraph 3(iii)(d), that may be applied by the Commission through the implementation of the CCEP.

197. SCIC agreed that Members should be made more accountable regarding cases of non-compliance, however, some Members expressed apprehension towards point (ii) which suggested that SCIC prioritise, on an annual basis, the conservation measures that will be the focus of its evaluation for which non-compliance could significantly undermine the effectiveness of conservation measures and the objective of the Convention.

PR2 Recommendation 12

198. SCIC considered Recommendation 12 on the need to ensure chain of custody for catches in the Convention Area. SCIC proposed enhancing the traceability of catches, with a special emphasis on strengthening the monitoring and control of transshipment and the need to enhance NCP engagement in this regard.

199. SCIC agreed on the need for the development of a register of transshipping vessels and to revise the CDS to accommodate the recording and tracing of transhipped catches in accordance with points (ii) and (iii) of Recommendation 12. New Zealand, supported by the USA, proposed ensuring all Contracting Parties and NCPs authorised to tranship in the Convention Area should be on the register developed in accordance with point (ii) of the recommendation. China stated that SCIC reached consensus on amendments to CM 10-09 in its meeting of 2016 and CCAMLR-XXXV came close to the adoption of amendments to CM 10-09 (CCAMLR-XXXV, paragraphs 3.32 to 3.37).

PR2 Recommendation 13

200. SCIC considered Recommendation 13 on the need to strengthen IUU vessel listing procedures.

201. SCIC agreed on the need to strengthen IUU vessel listing procedures. Australia highlighted that a number of steps have been taken globally to establish a practice and understanding that stateless fishing vessels are engaged in IUU fishing, noting in particular measures adopted by a number of RFMOs and relevant paragraphs of the 2016 sustainable fisheries resolution adopted by the UN General Assembly.

202. SCIC recognised the difficulties of implementing point (iii), expressing strong concerns about the practicalities and adverse impacts of establishing a procedure by which a vessel or vessels may be listed based on common ownership with vessels already listed on the CCAMLR IUU Vessel Lists. Argentina noted that such a proposal could constitute modification of definition of IUU fishing as established by the UN FAO framework.

203. SCIC noted the Panel's suggestion to amend CM 10-07 to explicitly provide that being a stateless vessel is a basis for IUU vessel listing (Recommendation 13i). SCIC noted that this was an element of the recommendation that could be undertaken immediately.

PR2 Recommendation 14

204. SCIC considered Recommendation 14 and agreed on the need to strengthen cooperation with relevant RFMOs in regard to improving cooperation with the CCAMLR CDS, addressing IUU fishing and furthering the objectives of CCAMLR.

PR2 Recommendation 15

205. SCIC considered Recommendation 15. Australia noted that in its view the instruments referred to in Recommendation 14 would be Arrangements, not Agreements, which is correct for instruments of less than treaty status.

PR2 Recommendation 16

206. SCIC considered Recommendation 16 and encouraged Members to take necessary measures to discourage NCPs from engaging in any activities that undermine the objectives of CCAMLR. Australia noted the success of the RPOA-IUU and that possible activities could build on the actions of the RPOA.

207. SCIC agreed to support mechanisms whereby Members can share experiences and best practices regarding engagement of NCPs.

PR2 Recommendation 17

208. SCIC endorsed Recommendation 17 and encouraged Members to take necessary measures to discourage NCPs from acting in a manner that undermines, or impinges upon, conservation measures adopted by CCAMLR.

PR2 Recommendation 18

209. SCIC considered Recommendation 18 which recommends that the Commission maintain a record of the actions taken by Members to request and encourage cooperation by non-Members with CCAMLR conservation measures, and of those actions taken in response to a lack of implementation of CCAMLR conservation measures, or actions that undermine CCAMLR conservation measures, involving non-Members.

210. SCIC agreed to utilise the mechanism to be developed in accordance with Recommendation 16 to share experiences and examples of best practices among Members.

211. SCIC agreed that several items from other chapters of the PR2 Report were also relevant to the work of SCIC. Recommendations from other chapters of the report which were identified by SCIC as priority which should be brought to the attention of the Commission were as follows.

PR2 Recommendation 20

212. SCIC considered Recommendation 20 on the need to establish a Commission Bureau involving the Scientific Committee Chair, the chairs of the standing committees and the Chair and Vice-Chair of the Commission. The recommendation proposed a Bureau to coordinate the annual work plan for the Commission and the Scientific Committee and facilitate the determination and, when needed, delivery of priority requirements for the Secretariat.

213. Australia noted CCAMLR-XXXVI/21 on behalf of Australia and the UK, which proposed to establish a formal coordination group, or Commission Bureau, and, noting the relevance to SCIC, that it would be important to include the SCIC Chair.

214. SCIC recommended that if the Commission creates a Bureau, the SCIC Chair should be included in the Bureau. SCIC agreed that this recommendation could be implemented immediately.

PR2 Recommendation 23

215. SCIC considered Recommendation 23 on the need to better document the background of key issues, and the history of their consideration in the Commission and the Scientific Committee, and that this be included in the development of new induction material to Members.

216. The UK and the USA recognised that the key issues of SCIC can be complex and that, if the Commission agrees to the development of new induction material, SCIC should discuss the methodology in creating these documents. China suggested that the CCAMLR website could be used to facilitate the sharing of new induction material.

PR2 Recommendation 28

217. SCIC considered Recommendation 28 on the need for the Secretariat to ensure that capacity building and associated outreach support is strengthened in the next review of the Secretariat's Strategic Plan.

218. SCIC recommended that the Commission should undertake capacity building and associated outreach activities to support the Secretariat in undertaking this recommendation.

CCAMLR website

219. SCIC considered CCAMLR-XXXVI/BG/07 that provided an overview of CCAMLR website user roles, CCAMLR website contact lists and CCAMLR e-groups. SCIC noted that the paper provided a summary of Contact Lists for compliance-related functions, related conservation measures and deadlines.

220. SCIC noted that a Compliance Contact would be created to provide a user with access to compliance-related website content and that access to compliance-related website content would then be made inaccessible to users without this role.

Global Environment Facility project

221. SCIC considered the paper presented by Chile, India, Namibia, South Africa and Ukraine presenting a proposal for the use of Global Environment Facility (GEF) funding to support capacity building in the GEF-eligible CCAMLR Members (CCAMLR-XXXVI/02). SCIC noted the approval of the Project Identification Form (PIF) by the GEF Council at its meeting in May 2017, and the call for engagement and input from SCIC to ensure the proposal is developed taking account of CCAMLR's priorities. If the four-year project is approved, it is expected to begin in early 2019.

222. SCIC noted that the proposed capacity building may extend to the area of compliance and management, including building MCS capacity such as Port State Measures, and encouraging participation in the SISO.

223. Ukraine and South Africa welcomed the potential for GEF funding to provide for the sustained participation of GEF-eligible countries in CCAMLR and growth in their contributions to the Convention objectives.

224. SCIC noted that CCAMLR-XXXVI/02 had been considered by SCAF and will be further considered by the Commission.

Polar Code Phase 2

225. SCIC welcomed the ASOC update on the progress of the Polar Code Phase 2 at IMO (CCAMLR-XXXVI/BG/26). Phase 2 of the Code is expected to address vessels not covered by the SOLAS Convention. ASOC reported that at the May 2018 MSC meeting, IMO Members will be tasked once again with discussing the scope of the second phase of work. As a consequence, it is now likely that it will be at least 2019 before serious consideration of measures for non-SOLAS vessels commences.

226. ASOC noted that CCAMLR Members are concerned about fishing vessel safety in the Convention Area. ASOC therefore urged CCAMLR Members to: support the development of mandatory measures to ensure the best improvement of safety of fishing vessels in the Southern Ocean; provide expert advice to the IMO in support of Polar Code Phase 2; attend the IMO Polar Code Phase 2 discussions, or provide information to national delegates at the meeting on the challenges and requirements of fishing vessel safety in the Southern Ocean; and, as a matter of urgency, ratify the Cape Town Agreement 2012.

227. ASOC welcomed SCIC's support of the PR2 recommendation that CCAMLR follow developments on the Polar Code and may consider implementing additional measures within CCAMLR in the absence of measures adopted through IMO. ASOC recommended that CCAMLR could introduce conservation measures addressing the minimum ice classification standards and introduce a two-tier level of training for masters and crews. CCAMLR could also

review its existing measures relevant to the safety of fishing vessels operating in the Southern Ocean, identify gaps, update existing measures and adopt new safety measures to establish a 'CCAMLR Standard' appropriate to the unique conditions of the Southern Ocean.

228. New Zealand agreed that the issue of safety at sea was of particular importance and noted that the presented paper offered a useful complement to Recommendation 10 of the PR2 Report. The UK recalled discussions relating to this recommendation, proposing the establishment of a practical method for keeping abreast of IMO deliberations. New Zealand joined ASOC in encouraging CCAMLR Members to attend the May 2018 meeting of IMO's Maritime Safety Committee and encouraged Members to contribute information relating to the safety of vessels in the Southern Ocean to IMO in order to facilitate its considerations. Australia also welcomed the ASOC paper and noted that its delegation would continue to work with colleagues that attend the IMO meeting to enable the consideration of relevant issues in IMO deliberations.

Close of meeting

229. SCIC offered its deep appreciation to the Chair of SCIC, Ms Kim, for her exemplary effort and hard work to manage what had been one of the most difficult meetings of SCIC. It was noted by all Members that Ms Kim has demonstrated unbending grace, professionalism and fairness in her guidance of SCIC and warmly welcomed the opportunity to work under her leadership in 2018.

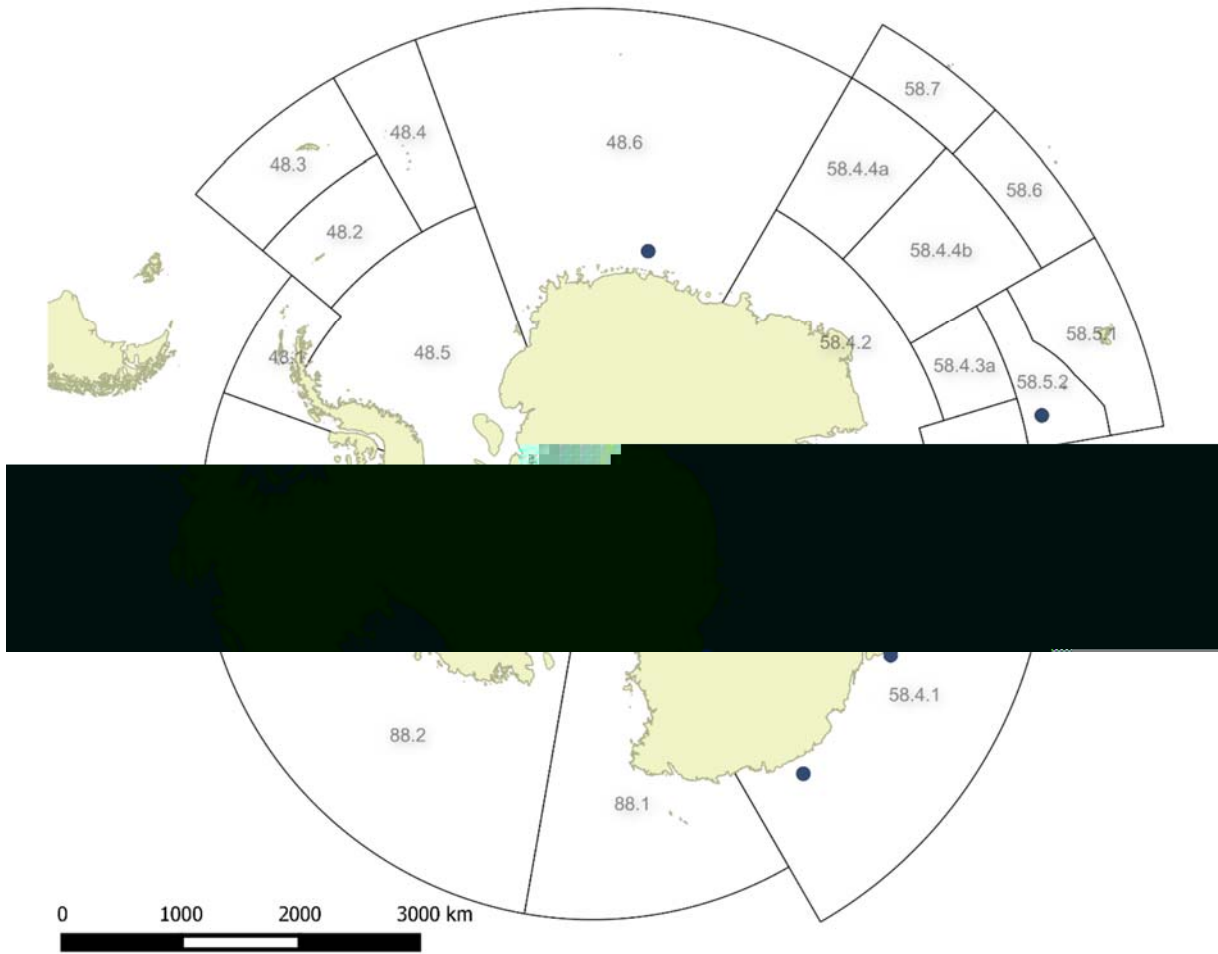


Figure 1: Location of IUU fishing gear sighted or recovered (in blue).

Terms of reference for the Trade Data Analyst position

1. Refine and implement an annual process to reconcile trade data with Catch Documentation Scheme for *Dissostichus* spp. (CDS) data. This will include consideration of the management of trade data in line with CCAMLR's data management systems redevelopment work.
2. Implement a process to evaluate the effectiveness of the CDS utilising, in part, the reconciliation of trade data and CDS data.
3. Support the implementation and possible expansion of the non-Contracting Party (NCP) Engagement Strategy, including the 2018 review.
4. Provide reports of discrepancies identified between CDS data and trade data to States and support these States to follow up these issues as required.
5. Apply strategies to promote the consistent application of harmonised system (HS) codes, including through targeted cooperation and capacity building, to improve the analysis of trade data.
6. To progress in the analysis of the supply chains, notably in relation to the trade of illegal, unreported and unregulated (IUU) products (toothfish).
7. Manage the collaborative arrangement with GLOBEFISH.
8. Provide an annual report on trade data analysis to CCAMLR-XXXVII and CCAMLR-XXXVIII.

Budget to support the Trade Data Analyst position

1. Salary A\$140 000
(1.0 full-time equivalent (FTE) at GS Pay Grade 5, PayPoint 17)

2. GLOBEFISH (A\$14 000)
(Yearly access to GLOBEFISH trade data and expert advice services)

Total **A\$154 000**

**Terms of reference for the Catch Documentation Scheme for
Dissostichus spp. (CDS) Technical Working Group**

1. In order to address recommendations from the Catch Documentation Scheme for *Dissostichus* spp. (CDS) Review Panel and, taking into account the recommendation of the Second Performance Review Panel related to increasing transparency within the CDS, particularly with respect to transshipment and multiple landings and to more clearly document total catch, the Standing Committee on Implementation and Compliance (SCIC) agreed to convene the CDS Technical Working Group through an informal CCAMLR e-group to:

- (i) explore approaches to increasing transparency with regard to transshipment and specifically how to document it within the CDS, including further consideration of proposals to modify Conservation Measure (CM) 10-05 to establish transparency related to the total catch, transshipment and landing
- (ii) consider how to facilitate completion of the transition from the use of paper CDS documents to a fully electronic CDS, including possible revisions to CM 10-05 and the e-CDS User Manual to reflect this
- (iii) consider approaches to increase transparency with regard to documenting multiple landings and multiple buyers within the CDS, including the implementation and feasibility of those approaches
- (iv) explore ways to link export weights to the product types listed in the verified weight section of the *Dissostichus* Catch Document (DCD) to facilitate identification of discrepancies
- (v) consider other options or issues relating to the CDS.

2. The CDS Technical Working Group will conduct its work through an e-group during the intersessional period. Additionally, further deliberations and consultation may occur among those attending the non-Contracting Party (NCP) Engagement Strategy workshop. The CDS Technical Working Group will develop recommendations for consideration by SCIC at its 2018 meeting.

Proposed Non-Contracting Party IUU Vessel List 2017/18

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Aldabra</i>		7424891	5VAA2	• Fishing 58.4.4b (10 Nov 2006)	2007	• Cecibell Securities • Farway Shipping
<i>Amorinn</i>		7036345	5VAN9	• Sighted 58.5.1 (11 Oct 2003) • Sighted 58.4.2 (23 Jan 2004)	2003	• Infitco Ltd (Ocean Star Maritime Co.) • Seric Business S.A. • World Ocean Fishing SL
<i>Antony</i>		7236634	PQMG	• Supporting IUU-listed vessels	2016	• Atlanti Pez • Urgora S de RL • World Oceans Fishing SL
<i>Asian Warrior</i>	Saint Vincent and the Grenadines	7322897	3CAG	• Sighted 58.5.2 (31 Jan 2004) • Sighted 58.5.1 (10 May 2006) • Sighted 58.4.1 (21 Jan 2010) • Sighted 58.4.1 (13 Feb 2011) • Towing <i>Baiyangdian 57</i> (01 Apr 2012) • Sighted 58.6 (01 Jul 2012) • Sighted 58.4.2 (28 Jan 2013) • Sighted 57 (10 Mar 2013) • Fishing 58.5.1 (13 May 2013) • Sighted 57 (07 Sep 2013) • Sighted 58.4.1 (30 Mar 2014) • Sighted 57 (14 Apr 2014) • Sighted 57 (14 Dec 2014) • Hauling 5841H (07 Jan 2015) • Sighted 58.4.1 (11 Jan 2015) • Sighting 57 (26 Feb 2015)	2003	• Navalmar S.A. • Meteora Development Inc • Vidal Armadores S.A. • Rajan Corporation • Rep Line Ventures S.A. • Stanley Management Inc

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Atlantic Wind</i>	Mauritania	9042001	3CAE	<ul style="list-style-type: none"> • Undocumented landing Malaysia (01 Aug 2004) • Fishing 58.4.3a (22 Feb 2005) • Fishing 58.4.3a (28 Apr 2005) • Fishing 58.4.3b (16 Dec 2005) • Fishing 58.4.3b (01 Jul 2009) • Fishing 58.4.2 (27 Jan 2010) • Fishing 58.4.3b (04 Apr 2010) • Fishing 58.4.1 (13 Feb 2011) • Sighted 57 (16 May 2012) • Sighted 57 (20 Oct 2012) • Sighted 57 (28 May 2013) • Sighted 57 (01 Jul 2013) • Sighted 57 (13 May 2014) • Sighted 57 (14 Dec 2014) • Fishing 5841H (12 Jan 2015) 		<ul style="list-style-type: none"> • Viarsa Fishing Company/Navalmar S.A. • Global Intercontinental Services • Rajan Corporation • Redlines Ventures S.A. • High Mountain Overseas S.A.
<i>Baroon</i>	Tanzania, United Republic of	9037537	5IM376	<ul style="list-style-type: none"> • Fishing 58.4.1 (19 Mar 2007) • Sighted 88.1 (15 Jan 2008) • Sighted 57 (19 Dec 2010) • Sighted 57 (05 Oct 2012) • Sighted 57 (24 Mar 2013) • Sighted 57 (03 Sep 2013) • Sighted 57 (19 Nov 2013) • Sighted 57 (14 Feb 2014) 	2007	<ul style="list-style-type: none"> • Punta Brava Fishing S.A. • Vero Shipping Corporation
<i>Challenge</i>		6622642	HO5381	<ul style="list-style-type: none"> • Sighted 58.4.3b (14 Feb 2006) • Sighted 58.4.3b (22 May 2006) • Sighted 58.4.3b (10 Dec 2006) • Sighted 58.4.3b (08 Feb 2008) 	2006	<ul style="list-style-type: none"> • Prion Ltd • Vidal Armadores S.A. • Mar de Neptuno S.A. • Advantage Company S.A. • Argibay Perez J.A.
<i>Good Hope</i>	Nigeria	7020126	5NMU	<ul style="list-style-type: none"> • Resupplying IUU vessels 51 (09 Feb 2007) 	2007	<ul style="list-style-type: none"> • Sharks Investments AVV • Port Plus Ltd

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Heavy Sea</i>		7322926	3ENF8	<ul style="list-style-type: none"> • Sighted 58.5.1 (03 Feb 2004) • Fishing 57 (29 Jul 2005) 	2004	<ul style="list-style-type: none"> • C & S Fisheries S.A. • Muner S.A. • Meteroros Shipping • Meteora Shipping Inc. • Barroso Fish S.A.
<i>Koosha 4</i>	Iran, Islamic Republic of	7905443	9BQK	<ul style="list-style-type: none"> • Sighted 58.4.1 (20 Jan 2011) • Sighted 58.4.1 (15 Feb 2011) 	2011	<ul style="list-style-type: none"> • Pars Paya Seyd Industrial Fish
<i>Limpopo</i>		7388267		<ul style="list-style-type: none"> • Fishing 58.5.2 (21 Sep 2003) • Sighted 58.5.1 (03 Dec 2003) • Fishing 58.4.3b (23 Feb 2005) • Fishing 58.4.3b (14 Dec 2005) • Sighted 58.4.3b (25 Jan 2007) 	2003	<ul style="list-style-type: none"> • Grupo Oya Perez (Kang Brothers) • Lena Enterprises Ltd • Alos Company Ghana Ltd
<i>Northern Warrior</i>		8808903	PJSA	<ul style="list-style-type: none"> • Supporting IUU-listed vessels 	2016	<ul style="list-style-type: none"> • SIP • Areapesca SA • Snoek Wholesalers • Southern Trading Group • South Atlantic Fishing NV • World Ocean Fishing SL • Orkiz Agro-Pecuaria, Pescas, Tansportes E Comercio Geral, Ltda
<i>Perlon</i>		5062479	5NTV21	<ul style="list-style-type: none"> • Sighted 58.5.1 (03 Dec 2002) • Sighted 58.5.1 (04 Jun 2003) • Sighted 58.4.2 (22 Jan 2004) • Sighted 58.4.3b (11 Dec 2005) • Fishing 58.4.1 (26 Jan 2006) • Sighted 58.4.3b (07 Dec 2006) • Sighted 58.4.1 (30 Dec 2006) • Sighted 58.4.1 (16 Dec 2008) • Gear sighted (10 Feb 2009) • Fishing 58.5.1 (08 Jun 2010) • Sighted 51 (10 Feb 2012) • Sighted 57 (20 Jul 2014) • Sighted, boarded 57 (22 Apr 2015) 	2003	<ul style="list-style-type: none"> • Vakin S.A. • Jose Lorenzo SL • Americagalaica S.A.

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Ayda</i>		8514772		<ul style="list-style-type: none"> • Landing IUU catch (25 May 2016) • Sighted 57 (06 Apr 2017) 	2016	<ul style="list-style-type: none"> • Maruha Corporation • Taiyo Namibia • Taiyo Susan • Sun Tai International Fishing Corp • STD Fisheries Co. Ltd • Red Star Co. Ltd • Poseidon Co. Ltd
<i>Yele</i>		6607666	V3RB2	<ul style="list-style-type: none"> • Fishing 58.4.3b (23 May 2006) • Fishing 58.4.2 (18 Feb 2007) • Fishing 58.4.3b (24 Mar 2007) • Fishing 58.4.3b (12 Jan 2008) • Fishing 58.4.3b (09 Jan 2009) • Fishing 58.4.3b (20 Jan 2009) 	2006	<ul style="list-style-type: none"> • Arniston Fish Processors Pty Ltd • Vidal Armadores S.A. • Nalanza S.A. • Argibay Perez J.A. • Belfast Global S.A.
<i>Zemour 1</i>	Mauritania	9319856	9LU211	<ul style="list-style-type: none"> • Supporting activities of IUU vessels 51 (16 May 2008) • Sighted 58.4.3b (22 Apr 2009) • Sighted 57 (07 Dec 2009) • Fishing 58.4.1 (07 Apr 2010) • Sighted 58.4.1 (29 Jan 2012) • Sighted 58.4.1 (30 Jan 2012) • Sighted 58.4.1 (31 Jan 2012) • Sighted 57 (24 Apr 2012) • Fishing 58.6 (03 Jul 2012) • Sighted 57 (28 May 2013) • Sighted 57 (04 Jul 2013) • Sighted 58.4.1 (20 Jan 2014) • Sighted 57 (13 May 2014) • Sighting 57 (08 Dec 2014) • Hauling 5841H (06 Jan 2015) 	2008	<ul style="list-style-type: none"> • Mabenal S.A. • Vidal Armadores S.A. • Omunkete Fishing Pty Ltd • Gongola Fishing JV (Pty) Ltd • Eastern Holdings

SCIC recommendations and specific actions for the PR2 recommendations

Recommendation number	Recommendation text	SCIC recommendations and specific actions	Implementation timeline
9	CCAMLR's current regulatory framework for fishing would be improved by having sufficient details in all fisheries-related conservation measures (category numbers 40s, 50s, 60s) on precautionary catch limits, spatial and temporal harvest strategies, plans for mandatory collection of data needed for assessing status of Antarctic marine living resources, biological data required to assess the composition of the catch, and reporting of activities. Approved fisheries research plans should be incorporated into these conservation measures. (paragraphs 39 to 42)	Deferred until after the Scientific Committee has discussed this matter	
10	Action is needed to address issues regarding the safety of 'non-SOLAS vessels' operating in Polar waters. (paragraphs 43 and 44)	The Secretariat to follow up the progress made by IMO on Polar Code Phase 2	Can be undertaken immediately
11	The CCAMLR Compliance Evaluation Procedure (CCEP) be strengthened by requiring enhanced reporting on the actions taken to address infringements, including whether a Contracting Party fails to report by the next subsequent meeting of SCIC on their follow-up investigations and rectification of non-compliance, and that such failures be identified in the annual Final CCAMLR Compliance Report as 'serious, frequent or persistent non-compliance'. (paragraphs 45 to 50)	SCIC supports to strengthen the CCEP and hold Members more accountable to responses in cases of non-compliance	
12	To ensure chain of custody, all transshipments of catch from the Convention Area, whether occurring in the Convention Area or in port, be: (i) independently verified; (ii) permitted from Contracting Party vessels only to vessels which report to the centralised vessel monitoring system (C-VMS) while operating in the Convention Area; (iii) permitted to non-Contracting Party (NCP) receiving vessels only when they are registered with CCAMLR; and (iv) for transshipments of catch from the Convention Area that occur outside of the Convention Area, detailed information should be reported to CCAMLR, including the names and International Maritime Organization (IMO) numbers of the vessels involved, quantities of catch or products by species transhipped and the date and time of transhipment. (paragraphs 51 to 55)	Enhance the traceability, with a special emphasis on strengthening the monitoring and control of transhipment; and enhance NCP engagement in this regard	
13	CCAMLR strengthen its illegal, unreported and unregulated (IUU) vessel listing procedures to provide for listing of stateless fishing vessels and for the possibility of listing vessels with the same owner as other IUU-listed vessels. (paragraphs 56 to 60)	Strengthen IUU vessel listing process, e.g. listing of stateless vessels, and possibly the same vessels under the ownership of an IUU-listed vessel	Can be undertaken immediately. Australia to draft proposal regarding stateless vessels
14	Agreements with adjacent regional fisheries bodies be further developed and operationalised to ensure the useful exchange of meaningful information and relevant data necessary to establish effective conservation and management measures applicable in the CCAMLR area. (paragraphs 62 to 66)	Strengthen cooperation with relevant RFMOs with regard to improving the Catch Documentation Scheme for <i>Dissostichus</i> spp. (CDS) and addressing IUU fishing	

(continued)

Recommendation Number	Recommendation Text	SCIC recommendations and Specific actions	Implementation Timeline
15	More pro-active communication be undertaken by the Commission and its Members, particularly with respect to engaging with other international organisations, regional bodies and international processes, with a view to ensuring that CCAMLR is recognised as, and maintains its position as, the pre-eminent forum for the conservation of Antarctic marine living resources in the region. (paragraphs 67 and 68)	Enhance communication with relevant RFMOs to promote the objectives of CCAMLR, i.e. the conservation and management of Antarctic marine living resources	
16	CCAMLR encourage its Members to exercise, within their capacities and jurisdiction, all possible bilateral and sub-regional actions to achieve effective cooperation by non-Members with CCAMLR conservation measures. (paragraphs 69 to 71)	Encourage Members to engage with NCPs to ensure the effectiveness of CCAMLR conservation measures and to develop a mechanism in which Members can share best practices with NCPs	
17	CCAMLR encourage its Members to exercise, within their capacities and jurisdiction, all possible actions to discourage non-Members from acting in a manner that undermines, or impinges upon, conservation measures adopted by CCAMLR, including by strengthening port and market-related measures, as well as measures against their nationals – both natural and legal persons – who engage in IUU fishing in the Convention Area. (paragraphs 69 to 71)	Encourage Members to take necessary measures to discourage NCPs to engage in any activities that undermine the objectives of CCAMLR	
18	The Commission maintain a record of the actions taken by Members to request and encourage cooperation by non-Members with CCAMLR conservation measures, and of those actions taken in response to a lack of implementation of CCAMLR conservation measures, or actions that undermine CCAMLR conservation measures, involving non-Members. (paragraphs 69 to 71)	SCIC will use the mechanism developed above to share experiences of best practices in engaging with NCPs	
20	A Commission Bureau be established involving the Scientific Committee Chair, the chairs of the standing committees and the Chair and Vice-Chair of the Commission, which, along with the newly established Scientific Committee Bureau, can help coordinate the annual work plan for the Commission and the Scientific Committee and facilitate the determination and, when needed, delivery of priority requirements for the Secretariat. It is proposed that the Commission Bureau should meet on every morning of the two-week annual Commission meeting. (paragraphs 76 and 77)	If the Commission creates a Bureau the SCIC Chair should be included in the Bureau	Can be implemented immediately
23	The background of key issues and the history of their consideration in the Commission and the Scientific Committee be better documented and included in new induction materials to be developed for Members. (paragraph 79)	A background of key SCIC issues and the history of their consideration in the Commission would assist new comers to SCIC	
28	The Secretariat ensure that capacity building and associated outreach support is strengthened in the next review of the Secretariat's Strategic Plan. (paragraphs 85 to 88)	The Commission should undertake capacity building and associated outreach activities	