

**Report of the Standing Committee on
Implementation and Compliance 2023 (SCIC-2023)**

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**Report of the Meeting of the Standing Committee
on Implementation and Compliance 2023 (SCIC-2023)**
(Hobart, Australia, 16 to 20 October 2023)

Opening of the meeting

1. The Meeting of the Standing Committee on Implementation and Compliance (SCIC) was held in Hobart, Australia, from 16 to 20 October 2023.
2. The Chair of SCIC, Ms M. Engelke-Ros (USA) opened the meeting, welcomed Members and Observers, and thanked the Secretariat for its support. The Chair further expressed thanks to Members for their intersessional work to prepare for SCIC.
3. SCIC endorsed the nomination of Dr L. Fields (USA) for Chair of the Conservation Measures Drafting Group (CMDG) and expressed their appreciation to Dr Fields for her willingness to take on the role facilitating the work of the CMDG.
4. The Chair noted the vacancy of the Vice-Chair of SCIC and encouraged Members to nominate a representative to fill this role.

Organisation of the meeting

5. SCIC considered the SCIC agenda as adopted by the Commission.

Review of compliance and implementation-related measures and systems

Catch Documentation Scheme (CDS)

Implementation of the CDS

6. SCIC noted the implementation of the Catch Documentation Scheme for *Dissostichus* spp. (CDS) in 2022/23 (CCAMLR-42/BG/18) and noted that the CDS was implemented by 17 Members, three Acceding States and one non-Contracting Party (NCP) cooperating with CCAMLR by participating in the CDS.
7. SCIC noted that no Specially Validated *Dissostichus* Catch Documents (SVDCDs) had been issued in 2022 and one SVDCD had been issued by Spain for 2023 (COMM CIRC 23/105). In accordance with Conservation Measure (CM) 10-05, paragraph 22, SCIC reviewed the circumstances of Spain's SVDCD and recommended to the Commission that no further action was necessary.
8. As per CM 10-05, Annex 10-05/C, paragraph C9, SCIC considered the current cooperating status granted to Mexico. SCIC recalled the discussion at SCIC-2022 (SCIC-2022, paragraph 12), noting it had encouraged Members to reach out to Mexico via appropriate diplomatic channels to assist the Secretariat in facilitating Mexico's

implementation of CM 10-05. SCIC noted that Members and the Secretariat had not made any progress engaging with Mexico and as a result, there has been no training on the implementation and application of the CDS.

9. SCIC noted that limited access to the CDS for the purpose of verifying export/re-export documents accompanying imports of *Dissostichus* spp. and issuing re-export documents had recently been granted to the Kingdom of Thailand (COMM CIRC 23/104) and the Republic of Colombia (COMM CIRC 23/112).

10. Colombia made the following statement:

‘For us, it is an honour to participate for the first time at a CCAMLR meeting, essential to continue building the present and future of the Antarctic living marine resources.

For Colombia, the interaction at the international level with regional fisheries management organisations is highly relevant, and in particular within the multiple mechanisms to achieve sustainable fishing free of illegal activities that affect the sustainability of marine resources, particularly in the south ocean waters managed by this Convention.

For this reason, Colombia submitted, within the required terms, an application to the Secretariat of the Commission to have limited access to the Catch Documentation Scheme (CDS), which allows tracking of toothfish from the point of landing and throughout the entire marketing cycle with the aim of achieving its implementation in our country and joining the mechanisms for the conservation and sustainable use of Antarctic marine resources.

In this concern, and with appreciation, gratitude and commitment, we have received from the Secretary of the Commission this morning, 16 October 2023, the limited access to the Capture Documentation System (CDS) required for Colombia.

Finally, and based on the above, we also thank the Commission for the advice and support that they can provide us in the implementation of the Capture Documentation System (CDS) in our Country in order to achieve the appropriate incorporation of this mechanism, and the strengthening of Colombia's participation within the Commission's objectives.’

11. In respect to the implementation of the CDS by Hong Kong Special Administrative Region of China, China recalled that the Convention was applied to Hong Kong SAR on 1 July 2020 and has adopted the Conservation of Antarctic Marine Living Resources Ordinance (Chapter 635) and its subsidiary regulations, for the implementation of the CAMLR Convention. China noted that as of 28 September 2023 the Hong Kong SAR Government has issued 46 import licences involving 305 tonnes and 32 re-export licences involving 34 tonnes, with 21 random checks made and no irregularities found. China reiterated that the Hong Kong SAR government is committed to contributing to the concerted international efforts in the protection and sustainable use of Antarctic marine resources and will continue to monitor the trade of toothfish. China invited the Secretariat and other Contracting Parties to provide information as it becomes available on any trade associated with illegal, unreported and unregulated (IUU) catch of toothfish, so as to facilitate and act on the tracking of suspected IUU catch landed in, or transhipped through, Hong Kong SAR.

12. China pointed out some inconsistencies of terminology regarding some regions of China contained in the document CCAMLR-42/BG/18. The Secretariat was kindly requested to make necessary modifications, taking into account past practice in relevant documents of CCAMLR. China also requested the same standard should apply in future statistics. China thanked the Secretariat for its revision (CCAMLR-42/BG/18 Rev. 1).

CDS Fund review proposal

13. SCIC considered the proposal from the Secretariat for expenditure from the Catch Documentation Scheme for *Dissostichus* spp. (CDS) Fund (CCAMLR-42/14) and thanked the Secretariat for its work to support the CDS.

14. SCIC noted the proposal for an in-person workshop and reflected on the importance of in-person training opportunities for the CDS, however, noted that hybrid workshops options should be considered to maximise participation.

15. Korea noted that it was unable to attend the online training offered in 2022 and that with the recent upgrades of the e-CDS, it was an opportune time for the Secretariat to provide in-person workshops to increase capacity.

16. SCIC noted that it was flexible on the date of delivery of the workshops and noted its preference that at least one workshop in 2024 or 2025 be undertaken in the Southeast Asia region.

17. Noting the requirement of CM 10-05, Annex 10-05/B, for the designation of a Review Panel to review the CDS Fund expenditure proposal, SCIC convened the CDS Fund Review Panel which was chaired by the United Kingdom (UK) and comprised of representatives from Argentina, Australia, France, Republic of Korea (Korea), New Zealand, and the USA.

18. The CDS Fund Review Panel thanked the Secretariat for the detailed proposal and recommended the expenditure from the e-CDS fund totalling A\$80 000 over two years (2024 and 2025) in support of the following proposals:

- (i) An e-CDS maintenance fund, with a value of A\$20 000 for 2024. The Panel agreed that third party technical support would allow timely responses to issues as they occur. Given the funding is only for the coming year, the Panel requested that the Secretariat prepare a proposal for multi-year funding for regular maintenance of the e-CDS for consideration at SCIC 2024.
- (ii) Online CDS training workshops, with a value of A\$20 000 for 2024 and 2025. The Panel noted the importance of the online CDS training and positive feedback received from Members who had undertaken the online training courses.
- (iii) In-person CDS training, with a value of A\$40 000 for two workshops over 2024 and 2025. The Panel noted the NCP engagement strategy and the request from Thailand and Colombia to provide support and training on the CDS. The panel noted this would cover the cost of the Secretariat staff travel, translation costs and interpretation for each workshop.

19. The CDS Fund Review Panel also reaffirmed the desire to hold an in-person workshop in 2024 or 2025 focused on the CDS and port inspection processes to support CDS, as approved at SCIC in 2021 with a previously agreed budget of A\$100 000.

20. SCIC thanked the CDS Fund Review Panel for its work and endorsed the expenditure proposal and confirmed its support for an in-person workshop for 2024–2025, as approved at SCIC in 2021.

21. South Africa recalled that an in-person workshop with a focus on the CDS and port inspections was previously agreed to be held in Cape Town in 2020 but due to the global pandemic this workshop was postponed. South Africa reaffirmed its commitment to host such a workshop in 2024–2025.

Krill Catch Documentation Scheme

22. SCIC considered CCAMLR-42/BG/03, which summarised the technical requirements to apply a catch documentation scheme to krill and identified a number of conservation measures which may need to be reviewed in order to implement a catch documentation scheme for krill.

23. SCIC thanked the Secretariat for the detailed summary and noted that it was clear that krill could not be incorporated into the current *Dissostichus* spp. CDS. Many Members expressed their support for revisions to CM 10-03, for 100% port inspection coverage and to CM 10-09 to include the intended port of landing to transshipment notifications, and for continued discussions on the development of a krill CDS or improvements to CCAMLR general management systems.

24. China noted that for *Dissostichus* spp. a catch documentation scheme has been critical in addressing IUU fishing and controlling the trade of products. However, China recalled its position at SCIC-2022 (SCIC-2022, paragraph 61) that since IUU fishing has not been documented as an issue in CCAMLR's krill fisheries, there is no need to develop a catch documentation scheme for krill. Some Members noted that without increased monitoring and transparency of trade such as through a catch documentation scheme for krill, it is difficult to demonstrate the legality of krill catch and trade.

Vessel Inspection

25. SCIC reviewed the implementation of CM 10-03 and the System of Inspection in 2022/23 in CCAMLR-42/16 which noted that 123 port inspections and 14 at-sea inspections were undertaken.

26. SCIC endorsed the Secretariat proposal to amend CM 10-03 and to add an alternative CCAMLR port inspection form which can be utilised by inspectors in conjunction with the Port State Measures Agreement (PSMA) inspection form to reduce redundancy in reporting for inspectors. The proposed amendments to CM 10-03, including the addition of an alternative CCAMLR inspection form (CM 10-03, Annex C), were endorsed by SCIC and referred to

Commission for adoption. SCIC noted that some Members are not signatories to the PSMA and that they will be able to continue to undertake port inspections utilising CM 10-03, Annexes A and B.

27. SCIC noted the recommendation for the development of electronic reporting mechanisms and requested that the Secretariat develop a project plan for the development of port inspection electronic reporting systems and different modalities to be presented at SCIC-2024. SCIC encouraged continued efforts by the Secretariat to pursue development of electronic reporting resources for inspectors.

28. SCIC requested that the Secretariat review the current inspector resources and develop a project plan to improve the accessibility and content of inspector resources to be presented at SCIC-2024.

29. SCIC welcomed Chile's submission (CCAMLR-41/BG/01) on inspections undertaken by Chile's vessel OPV-83 *Marinero Fuentealba* in Subarea 48.1 during the 2022/23 season, where six vessels in total were inspected with all vessels demonstrating compliance with all CCAMLR conservation measures.

30. SCIC expressed its appreciation to Chile for its efforts in undertaking inspection activities on behalf of all Members, noting that these inspection activities benefit the entire Membership and are important in combating IUU fishing activities in the Convention Area.

Vessel monitoring system (VMS) and vessel movement activity within the Convention Area

31. SCIC considered the implementation of the vessel monitoring system (VMS) (CCAMLR-42/11) and noted the update on the work to develop automated VMS movement notifications.

32. SCIC endorsed the recommendation for the SAR Arrangements to be reviewed and renewed with each of the five rescue coordination centres (Argentina, Australia, Chile, New Zealand and South Africa).

33. SCIC endorsed the recommendation for the revision of CM 24-01, paragraph 5, to require vessel movement notifications for vessels undertaking research fishing under CM 24-01.

34. SCIC advised that monitoring the implementation of the requirement for vessels to have AIS units fitted and switched on, as per CM 10-02, will be conducted by Members, including through inspection and incident reports. SCIC did not endorse the development of a project plan for the incorporation of AIS data into CCAMLR data holdings.

35. SCIC endorsed the recommendation to eliminate support for the transmission of INMARSAT VMS units directly to the Secretariat. SCIC noted the Secretariat's concerns on expenditure, reliability and troubleshooting with the units, and reiterated that these were consistent with concerns and issues raised in other forums.

36. SCIC endorsed the recommendation for the Secretariat to review the hosting options of CCAMLR's CLS Themis VMS system as well as the associated provisions of CM 10-04, Annex B, and provide the results of the review to SCIC-2024 to include proposals for appropriate improvements in line with modern best practices.

Promotion of Compliance in CCAMLR

37. SCIC noted the revised tagging protocol (CCAMLR-42/08 Rev. 2) and recalled the request during SCIC-2022 (SCIC-2022, paragraph 68) for clarification of tagging obligations as outlined in CM 41-01, Annex C.

38. SCIC noted that both the Working Group on Fish Stock Assessment (WG-FSA) and Scientific Committee had discussed the revised tagging protocol this year and endorsed its inclusion in CM 41-01, Annex C. Some Members noted that additional drafting improvements may assist in clarifying some of the guidelines outlined in the protocol. As the protocol was under review by the Scientific Committee and would be presented at the Commission, SCIC recommended Members note the Scientific Committee's advice to the Commission on the matter and provide suggestions as necessary.

39. SCIC thanked New Zealand, Korea, and the Secretariat for their report on the intersessional work undertaken on issues surrounding unidentified fishing gear in the Convention Area and gear marking, in addition to the proposed two-year workplan (CCAMLR-42/22).

40. SCIC noted the expertise of CCAMLR Observers COLTO and ARK, and invited them to participate in the proposed workplan. COLTO noted that they were hosting a fishing gear workshop in Norway in 2024, which is intended to cover a number of issues identified in the workplan.

41. SCIC noted that the implementation of changes to gear marking could have increased costs to industry and potential logistical issues with sourcing gear. The UK also raised concerns regarding a centralised database for marked gear, including the need to ensure confidentiality of gear markings.

42. SCIC endorsed the recommendations for:

- (i) the Secretariat to issue a Member Survey on domestic gear marking regulations and restrictions
- (ii) the Secretariat to conduct a further survey on gear marking practices in regional fisheries bodies
- (iii) the proposed workplan for continued intersessional work on the development of a framework for Gear Marking Requirements and Retrieval, Handling and Reporting of Unidentified Gear in CCAMLR Fisheries
- (iv) the template for reporting encountered unidentified gear in Annex II, and for vessels operating in the Convention Area to report to their Flag State and the Secretariat any encounters on a voluntary basis until a framework is agreed

- (v) the continued participation in the e-Group on this subject and consideration of appropriate participants to contribute to the development of the framework.

43. SCIC considered the Secretariat's paper which provided an update on the work to enhance the integration of compliance data and improve data processing systems (CCAMLR-42/BG/07).

44. SCIC noted the importance of this work, specifically that it was delivering improved data systems to strengthen CCAMLR's ability to ensure compliance with conservation measures through the enhanced integration of compliance data and improving data processing systems.

45. SCIC thanked the EU for their generous financial contributions to support this work.

46. SCIC thanked New Zealand for their aerial surveillance patrols as reported in CCAMLR-42/BG/24 and noted the importance of this activity in combating IUU fishing.

Transshipment

47. SCIC considered the implementation of CM 10-09 (CCAMLR-42/09) noting that 211 transshipments occurred during the 2021/22 season, of which 154 were of krill products and none were of toothfish.

48. SCIC noted that transshipments by non-Contracting Party vessels are concerning due to the fact that CCAMLR conservation measures are not binding on these vessels. Korea noted that its vessels only tranship with vessels flagged to Contracting Parties and all transhipped products are monitored through systems by the Korean Fishery Monitoring Centre.

49. SCIC further noted that transshipment of harvested marine living resources caught within the Convention Area from a fishing vessel to a transshipment vessel and then to another transshipment vessel may lead to issues in the traceability of products. SCIC noted that measures can be put in place to improve the traceability of products, including measures set out in the UN FAO Voluntary Guidelines on Transshipment, such as labelling of product boxes, segregated storage, storage management plans, and catch reporting systems on entry into and exit from the Convention area.

50. Korea presented a joint proposal from Korea and the Antarctic and Southern Ocean Coalition (ASOC) for an informal workshop to improve transshipment regulation (CCAMLR-42/BG/21). The proposal was for an online workshop in January 2024 to develop objectives for strengthening CCAMLR's compliance regime, with a focus on transshipment, but also including other compliance monitoring measures such as VMS, observers, and fishery notifications. SCIC noted that the workshop is open to all Contracting Parties and Observers, including industry stakeholders, and encouraged participation for a successful workshop.

51. SCIC thanked Korea and ASOC for this proposal and supported moving forward with this workshop. Some Members expressed their intent to participate.

52. SCIC thanked ARK for the information provided in their paper (CCAMLR-42/BG/27), as well as their recommendations for improving safety and transparency in the krill fishery.

Implementation of the Scheme of International Scientific Observation (SISO)

53. SCIC considered the implementation of the Scheme of International Scientific Observation (SISO) (WG-FSA-2023/07 Rev. 2), which provided a summary of deployment information for all observers appointed under SISO on board vessels in the Convention Area during the 2022/23 fishing season, and an update on the development and implementation of commercial data forms and manuals.

NCP Engagement Strategy

54. SCIC considered the implementation of the current NCP Engagement Strategy action plan for 2023-2024 which was endorsed by the Commission at CCAMLR-41 (CCAMLR-41, paragraph 7.11).

55. SCIC noted the activities of the Secretariat in 2023 under the current action plan (CCAMLR-42/BG/17). SCIC expressed their appreciation to the Secretariat for the significant progress made so far, noting the successful applications for cooperation submitted by the Republic of Colombia and the Kingdom of Thailand, and encouraged the Secretariat to continue similar NCP engagement activities in 2024.

Proposals for new and revised compliance-related conservation measures

Conservation Measure 10-02

56. In recalling the modification of CM 10-02 at SCIC-2022 to require vessels to keep automatic identification systems (AIS) switched on at all times within the Convention Area, the Coalition of Legal Toothfish Operators (COLTO) provided further information on the difference between AIS and Automatic Radar Plotting Aids (ARPA) (CCAMLR-42/BG/31). COLTO requested that CCAMLR not continue with the mandated implementation of AIS for the coming fishing season, due to their concern that mandating AIS for toothfish vessels would allow IUU operators to track the presence of legal operators in the Convention Area. COLTO reiterated that ARPA and robust watchkeeping practices are the preferred operational approaches for avoiding collisions, noting that AIS as a collision-avoidance tool is very susceptible to operational limitations and is frequently misused.

57. SCIC thanked COLTO for the comparison of the technologies and recognised their concerns, however, could not support removal of this requirement from CM 10-02. As Members with search and rescue responsibilities in the Convention Area, Argentina and Chile noted AIS is a useful tool to ensure the safety of life at sea.

Conservation Measure 10-03

58. SCIC considered the proposal by the Secretariat to amend CM 10-03 (CCAMLR-42/16) to accommodate the use of a simplified CCAMLR inspection form when submitted with a fully

completed Port State Measures Agreement (PSMA) inspection form to meet the requirements of CM 10-03.

59. SCIC considered the proposal by the delegations of Australia, New Zealand, and the USA to amend CM 10-03 (CCAMLR-42/32 Rev. 1) to require Contracting Parties to conduct port inspections of all fishing vessels carrying species and products other than *Dissostichus* spp. that were harvested in the Convention Area. Additionally, proposals were made to include in Annex 10-03/B references to CMs 25-03, 51-01, 51-02, 51-03 and 51-04 to record inspection of marine mammal exclusion devices on trawl gear and other measures related to the mitigation of seabird mortality, and the inclusion of product codes for boiled, peeled and oil for krill products.

60. SCIC considered the need for some Contracting Parties to build capacity to implement this new requirement — a delayed implementation date of 1 January 2026 was proposed along with a requirement for the Commission to review the conservation measure in 2025, before it becomes applicable, to consider an additional delay if needed.

61. Revisions to CM 10-03 for the inclusion of the simplified CCAMLR inspection form to be used with a completed PSMA form, the requirement for all fishing vessels carrying species and products other than *Dissostichus* spp. that were harvested in the Convention Area to be inspected with a delayed implementation, subject to a review in 2025, as noted in paragraph 60 and product codes for boiled, peeled and oil for krill products were all endorsed by SCIC and referred to the Commission for adoption. SCIC did not reach consensus for the inclusion of references to CMs 25-03, 51-01, 51-02, 51-03 and 51-04 in Annex 10-03/B.

Conservation Measure 10-04

62. SCIC considered the proposal by the delegations of Australia, New Zealand, Republic of Korea, the United Kingdom and the USA to amend CM 10-04 (CCAMLR-42/29 Rev. 1) to require all Contracting Parties whose fishing vessels are operating in the Convention Area to submit VMS data to the CCAMLR Secretariat no later than one hour after receipt.

63. Some Members welcomed the proposal and highlighted the importance of real time transmission of VMS data for monitoring of fishing activities. China raised concerns regarding the feasibility of the measure considering that their domestic procedure requires evaluation of the VMS data received from vessels before transmission to the Secretariat.

64. The Secretariat provided SCIC with information that VMS data reported directly to the Secretariat constitutes an important part of the decision-making process of the Secretariat when forecasting the closure of fisheries. The Secretariat's explanation noted that where the VMS data shows a vessel clearly steaming out of the fishing grounds in a fishery which is reporting at five-day periods it will not be included in the projections for the closure, improving the forecasting accuracy and possibly allowing the remaining fishing vessels additional time to fish. The Secretariat's explanation noted that in the absence of real time VMS data transmission, the Secretariat needs to assume all vessels in an area that are not reporting VMS data directly to the Secretariat are fishing and should be included in the projection. The Secretariat's explanation noted that this occurred in the 2021/22 season, resulting in a premature closure and a final catch

for Subarea 48.1 that was 7.5% below the catch limit as vessels which were not reporting VMS data directly to the Secretariat were considered to be actively fishing when they were exiting the area.

65. Many Members thanked the Secretariat for this useful information and explanation. China noted that the information and explanation provided by the Secretariat is not enough to verify the inherent relationship between the real-time VMS data and the forecasting accuracy of fishing area closures. China requested the Secretariat to provide more information in this regard for further consideration.

66. SCIC did not reach consensus on the proposal to amend CM 10-04. It was referred to the Commission for further consideration.

Conservation Measure 10-05

67. SCIC considered the proposal by Korea to amend CM 10-05 (CCAMLR-42/35) to provide an exemption for biological samples of *Dissostichus* spp. for scientific and research purposes that are not meant for market entry or commercial trade. SCIC noted that consensus could not be reached on this proposal and Korea would continue discussions during the intersessional period.

Conservation Measure 10-09

68. SCIC considered a proposal to amend CM 10-09 to include the intended port of landing in transshipment notifications as identified in the Secretariat's summary of technical requirements to apply a catch documentation scheme to krill (CCAMLR-42/BG/03) which highlighted that the inclusion of this information would improve the understanding of trade flows of krill products following transshipment. SCIC did not reach consensus on this proposal and it was referred to the Commission for further consideration.

Conservation Measure 10-10

69. SCIC considered the proposal by the Secretariat to amend CM 10-10 (CCAMLR-42/07 Rev. 2) to include the compliance status of 'No consensus reached' in the compliance status categories listed in Annex B. SCIC noted that this should only be utilised by SCIC or the Commission when considering compliance reports and after reasonable efforts to reach consensus have been made. Additionally, SCIC considered a proposal to amend CM 10-10 to clarify the process and timing for Contracting Parties to submit information to the Secretariat for consideration in the compilation of Draft CCAMLR Compliance Reports. SCIC endorsed the proposals and referred them to the Commission for adoption.

Conservation Measures 21-01 and 21-02

70. SCIC considered the proposal by the EU to amend CMs 21-01 and 21-02 (CCAMLR-42/27). The proposed changes were to specify in CM 21-01 that the presence of a scientific observer on board is required for new fisheries, and to specify in CM 21-02 that the scientific observers should be appointed in accordance with SISO. SCIC did not reach consensus on the proposal and referred it to the Commission for further consideration.

Conservation Measure 23-05

71. SCIC considered and endorsed the proposal by the Secretariat (CCAMLR-42/12) to retire CM 23-05, given that the data reporting requirements within the measure have been superseded by biological data collected at both a finer spatial and temporal scale under the SISO requirements, which are contained in various conservation measures currently in force. The proposal recommended the removal of the reference to CM 23-05 along with conforming amendments to the following conservation measures: CM 24-01, Annex CM 41-01/A, CM 41-03, CM 41-04, CM 41-05, CM 41-06, CM 41-07, CM 41-09, CM 41-10, CM 41-11, CM 42-01 and Annex 51-04/A. SCIC endorsed the amendments and referred them to the Commission for adoption.

Conservation Measure 24-01

72. In addition to the removal of the reference to CM 23-05 in CM 24-01 (paragraph 71), SCIC considered the Secretariat's proposal (CCAMLR-42/11) to revise CM 24-01 to include vessel movement notifications for research fishing conducted under CM 24-01, paragraphs 18 to 20 and Annex 1. SCIC endorsed and recommended the proposal to amend CM 41-01 to the Commission for adoption.

Conservation Measure 31-02

73. SCIC noted the proposal by the Russian Federation to amend CM 31-02 (CCAMLR-42/20) to clarify the management procedures regarding the delayed retrieval of longline gear after fisheries close in Subareas 88.1 and 88.2. Some Members expressed appreciation for the paper and noted that it contained some good ideas, but further work was required. SCIC did not reach consensus on the proposal and referred it to the Commission for further consideration.

Conservation Measure 41-01

74. In addition to the removal of the reference to CM 23-05 in CM 41-01 (paragraph 70), SCIC considered the proposal by several Members to amend CM 41-01.

75. SCIC considered a proposal by the EU to define the calculation of the distance between the midpoints of the line which is utilised in the assessment of the distance separating each

research haul as per CM 41-01, Annex B, paragraph 5 (i), to address a compliance issue with CM 41-01, Annex B, that had been considered in the CCEP. SCIC endorsed the revision of CM 41-01 and referred it to the Commission for adoption.

76. SCIC considered a proposal by Korea to clarify that Research Plans undertaken as per CM 24-01 shall take precedence over the requirements of CM 41-01, Annex B, paragraph 4, to address a compliance issue with CM 41-01, Annex B, that had been considered in the CCEP. SCIC endorsed the revision of CM 41-01 and referred it to the Commission for adoption.

77. SCIC considered a proposal by Australia to clarify the responsibility of vessels under CM 41-01, Annex B, where safety issues arise or to prevent gear loss, and a research haul may have to be aborted to address a compliance issue with CM 41-01, Annex B, that had been considered in the CCEP. SCIC endorsed the revision of CM 41-01 and referred it to the Commission for adoption.

Conservation Measure 51-01 and 51-07

78. SCIC considered the proposal by Ukraine (CCAMLR-42/42 Rev. 1) to amend CM 51-01 (Annex 1) and CM 51-07 (CCAMLR-42/17) to apply an interim distribution of the trigger level in the fishery to the continuous fishing system fishery within Area 48.

79. SCIC noted that such a proposal was beyond the remit of SCIC to provide advice, and that additional information and further work would be required before proposing any changes to the management of this fishery.

Conservation Measure 51-06

80. SCIC considered the proposal from the delegations of Australia, New Zealand, the United Kingdom, and the USA (CCAMLR-42/33 Rev. 1) to update CM 51-06, to require at least one observer on every vessel be appointed under the Scheme of International Scientific Observation (SISO).

81. China expressed the view that national observers trained to carry out the data collection requirements assigned to SISO observers should be considered a SISO observer.

82. Several Members disagreed with this position, noting that although both national and SISO observers may be subject to the same rigorous training standards, the text of the CCAMLR SISO is clear that observers can only be considered SISO observers if they are placed onboard a vessel of another Member.

83. Despite extensive discussions on this topic SCIC did not reach consensus on this issue or the proposal. The proposal was referred to the Commission for further consideration.

Conservation Measure 51-XX

84. SCIC considered the proposal by the delegations of Australia, New Zealand and the USA to create a new conservation measure (CM 51-XX) (CCAMLR-42/30 Rev. 1) which would present a table listing the number of vessels per Member notified to participate in fishing activities for *Euphausia superba* in Subareas 48.1, 48.2, 48.3 and 48.4 and Divisions 58.4.1 and 58.4.2. SCIC noted that this information is currently available on the CCAMLR public website and the proponents withdrew the proposal.

Labour and safety standards

85. SCIC considered the paper (CCAMLR-42/BG/26) presented by the USA, which proposed the establishment of an e-group to facilitate discussion and information sharing on relevant standards and best practices to improve vessel safety and the standards for fair and decent working conditions for all crew onboard CCAMLR fishing vessels.

86. Many Members recalled that the wellbeing of the crew is directly relevant to the operation of vessels participating in CCAMLR fisheries and, therefore, CCAMLR should seek to align itself with other bodies that are actively working to address this issue. Many Members recalled that it is not unprecedented for CCAMLR to consider such issues, as CCAMLR has passed provisions in both binding measures and resolutions to address vessel safety and expressed the view that this issue is within CCAMLR's area of competence.

87. Some Members noted that the International Maritime Organization (IMO) and International Labour Organization (ILO) are the bodies with a clear mandate to address this issue. China indicated that it could not support establishment of an e-group.

88. Consensus could not be reached on the proposal. SCIC thanked the USA for their proposal and some Members supported continued informal discussions among interested Members and industry stakeholders.

CCAMLR Compliance Evaluation Procedure (CCEP)

89. SCIC noted the Secretariat's report and analysis on the CCEP (CCAMLR-42/07 Rev. 2) for the consideration of SCIC-2023. The report noted an overall high rate of compliance (96%) across the majority of conservation measures, with 49 potential issues identified in the implementation of 12 conservation measures, involving 18 Contracting Parties for the compliance reporting period (1 July 2022 to 30 June 2023).

90. SCIC noted the Secretariat's request for clarification on whether to assess compliance on DEDs and DREDs which were identified during the e-CDS upgrade progress as incomplete. If completed now, these incomplete documents would be identified in the Secretariat's compliance analysis procedures. SCIC advised a moratorium on compliance assessments should be put in place for DED and DREDs older than two years, recognising that this is an administrative matter. SCIC requested the Secretariat to continue working directly with

Contracting Parties and non-Contracting Parties participating in the CDS to address the issue. SCIC also requested parties to respond to inquiries from the Secretariat regarding the appropriate disposition of incomplete documents (e.g., deletion of duplicates, archiving).

91. Argentina made the following statement:

‘Argentina wishes to express its concern in relation to the Summary CCAMLR Compliance Report. We recall that Argentina advised in both COMM CIRC 23/50 and COMM CIRC 23/77, in May and July, respectively, about fishing for toothfish this season in CCAMLR Subarea 48.3 by the British-flagged fishing vessels *Argos Helena*, *Nordic Prince* and *Argos Georgia*, without having a conservation measure that enables it, and therefore in violation of the CAMLR Convention, and in particular of CM 31-01. Subsequently, in COMM CIRC 23/95 and COMM CIRC 23/101, Argentina again requested to the Secretariat that these three vessels be included in the Summary Compliance Report.

Argentina would also like to note that the Secretariat, in its COMM CIRC 23/58 dated 2 June, did not establish a time limit for Members to refer cases of non-compliance. In addition, in recent years the Secretariat has maintained the usual practice of sending the “Draft CCAMLR Compliance Report” at the end of the deadline established by CM 10-10, that is, 75 days before the start of the meeting, which in 2023 was on the 2nd of August. This year the Secretariat clearly departed from this practice, sending said Report 12 days before this date (on July 21), without previously informing the Parties. Argentina’s Note is dated July 25, so taking into account the above, we consider that Argentina complied with the deadlines established by the conservation measure. In subsequent COMM CIRCs we requested a Rev. 1 of the Draft Compliance Report, however this was not done by the Secretariat.

Argentina wishes to point out that the aforementioned three British-flagged vessels are not included in the Report because the Secretariat changed without consultation the dates that we have established for a long time for its circulation. For this reason, Argentina was negatively impacted. Argentina hopes that in the future the Secretariat will not modify historically established customs and that, if it does so, it will notify Members in advance to prevent them from being harmed.

Finally, we are open to any suggestions that help us all have the predictability, objectivity and transparency, necessary to work efficiently and to ensure that no party is harmed.’

92. Argentina made the following statement:

‘The three UK-flagged ships did not comply with CM 31-01. This conservation measure determines that the Commission must adopt catch limits or other equivalent measures to regulate fishing in Subarea 48.3. Because CM 41-02, which allows for the implementation of CM 31-01, was not readopted in 2022, there is no logical way to comply with CM 31-01. Argentina considers that these three cases of non-compliance related to UK-flagged vessels fishing this season in Subarea 48.3 should be classified as “serious non-compliance” (Level 3) in the CCAMLR Provisional Compliance Report that SCIC adopts to submit for the consideration of the Commission.’

93. The UK made the following statement:

‘The United Kingdom rejects any suggestion that the Patagonian toothfish fishery within the South Georgia & the South Sandwich Islands maritime zone within Subarea 48.3 is being operated in contravention of the CAMLR Convention or any conservation measure. The United Kingdom reiterates the detailed reasoning it has previously given for this position, including in COMM CIRCs 22/51 and 23/97, as well as at last year’s meeting of the Commission.

In particular, the United Kingdom rejects any suggestion that the fishery is being operated in contravention of CM 31-01. Consistent with its previous statements on this issue, including in COMM CIRC 22/51, the United Kingdom reiterates that CM 31-01 does not require there to be a positive authorisation from the Commission for fishing within Subarea 48.3. Rather, CM 31-01 expects that the Commission will consider for each season whether limitations on catch, or equivalent measures, are required for a particular species – and, in accordance with the Convention, to do so on the basis of the best available science. However, the adoption of such a measure is a matter for the Commission, and is therefore subject to the Convention and the Commission’s rules of procedure. It does not second-guess whether or how the Commission will decide to act. Accordingly, if the Commission cannot achieve consensus on the adoption of a measure, then no CCAMLR limitation on catch, or equivalent measure, will apply. That is the only interpretation consistent with the language of the CM 31-01, with the rules of procedure, and with the long history of fishing in Subarea 48.3. This is why the UK has domestic management provisions for the area of 48.3 that falls within our jurisdictional waters.’

94. Ukraine reaffirmed its position that the failure to adopt a conservation measure to regulate fishing in Subarea 48.3, was a political decision that was not based on the best available science, and represented a bilateral disagreement between Members.

95. Argentina made the following statement:

‘Argentina deeply regrets that the United Kingdom avoided, once again, the consequences that must arise from actions contrary to CCAMLR rules in Subarea 48.3 this year, in particular the clear violation by its vessels of CM 31-01. We strongly ask all Members to prevent situations like these from being repeated in the future to ensure the proper functioning of this Convention.’

96. The USA made the following statement:

‘In our view, fishing in Subarea 48.3 should not take place unless an applicable CCAMLR conservation measure is in place to provide the necessary conditions on catch limits, by-catch limits, mitigation measures, data collection and reporting, and other requirements. For decades, no commercial fishing has occurred in the Convention area without an applicable fishery-specific measure. Conservation measures provide clarity, transparency, and accountability for fishing and other activities occurring in the Convention Area. We note that the uncooperative conduct of Russia the last couple of years goes against the way CCAMLR should function. CCAMLR Members have an obligation to base decisions on the best scientific evidence available. We are interested in working with all Members in finding a way forward to resolve this situation.’

97. Uruguay supported the statement made by the USA.

98. SCIC considered amendments to CM 10-10 to clarify the process and timing for Contracting Parties to provide input information for the Secretariat to compile Draft CCAMLR Compliance Reports.

Provisional Compliance Report

99. In accordance with CM 10-10, paragraph 3(i), SCIC considered the 49 potential compliance incidents in the CCEP Summary Report (CCAMLR-42/07 Rev. 2). Following consultation, SCIC adopted, for further consideration by the Commission, its annual Provisional Compliance Report (Appendix I) in accordance with CM 10-10. For most issues, SCIC agreed to assess the preliminary status provided by the relevant Contracting Party.

Conservation Measure 10-02

100. SCIC considered the implementation of CM 10-02 by the UK regarding the licensing of vessels to operate in the Convention Area.

101. Argentina noted that it did not recognise any alleged Government of South Georgia and the South Sandwich Islands. Argentina also noted that they will be making a statement on this issue under the item 'Any other business' during the Commission.

Conservation Measure 10-03

102. SCIC considered the implementation of CM 10-03, paragraph 5, regarding the requirement for a port inspection to be conducted within 48 hours of port entry by South Africa for three identified issues. SCIC agreed to the preliminary compliance status of minor non-compliant (Level 1) for two issues and noted the third referred to a vessel that was not carrying AMLR species; SCIC agreed to the compliance status of compliant for that issue. Korea requested that the Secretariat consider the harvest location for the species reported in port inspection reports when processing and assessing such reports for compliance.

103. SCIC considered the implementation of CM 10-03, paragraph 8, by four Contracting Parties, regarding the transmission of a port inspection report to the Secretariat more than 30 days after the inspection date.

Conservation Measure 10-04

104. SCIC considered the implementation of CM 10-04, paragraph 2, by France regarding the requirement that each fishing vessel shall be fitted with an automatic location communicator (ALC) that meets the minimum standards contained in CM 10-04, Annex 10-04/C, and must be tamper proof.

105. SCIC considered the implementation of CM 10-04, paragraph 13, by China, France and New Zealand regarding the requirement for Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.

Conservation Measure 10-05

106. SCIC considered the implementation of CM 10-05, paragraph 6, by seven Contracting Parties regarding the prohibition on exporting or re-exporting toothfish without an accompanying *Dissostichus* Export Document (DED) or *Dissostichus* Re-Export Document (DRED).

107. In respect of the implementation of CM 10-05, paragraph 6, by Chile, Korea, New Zealand, Peru, the USA and Uruguay, SCIC agreed to the compliance status of minor non-compliant (Level 1) for all six issues.

108. In respect of the implementation of CM 10-05, paragraph 6, by Peru, SCIC noted that Peru had not provided a response to their draft compliance report and had attended CDS online training conducted by the Secretariat in 2022. SCIC noted that Peru had submitted a response during the meeting that would be circulated as a Commission Circular as soon as possible.

109. Uruguay thanked the Secretariat for providing support and training for the CDS and noted their intent to train more officers in the CDS system to ensure documents are issued in a timely manner.

Conservation Measure 10-09

110. SCIC considered three Contracting Parties' implementation of CM 10-09, paragraph 2, which provides that each Contracting Party as a Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area.

111. SCIC considered three Contracting Parties' implementation of CM 10-09, paragraph 5, which provides that each Flag State shall confirm the information provided in a transshipment notification, in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.

112. SCIC noted the Panamanian response for two of the issues were documented and referred to their respective legal department for initiation of administrative sanctions. SCIC requested that the Republic of Panama report back to SCIC with additional information on the status of sanctions applied for these issues.

113. SCIC considered two Contracting Parties' implementation of CM 10-09, paragraph 8, which prohibits a vessel to tranship within the Convention Area where a prior notification has not been provided.

114. SCIC noted that for three Panamanian issues identified the prior notification had been sent to the Secretariat, but due to a technical error they were blocked by the email spam filter.

SCIC noted that the Secretariat has taken action to address the technical error and prevent a repeat occurrence in the future.

Conservation Measure 21-03

115. SCIC considered the implementation of CM 21-03, paragraph 2, by Norway, which states the vessel notification shall include the information prescribed in paragraph 3 of CM 10-02 in respect of each vessel proposing to participate in the fishery.

Conservation Measure 22-07

116. SCIC considered the implementation of CM 22-07, paragraph 9, by Japan, which states that a VME Risk Area shall remain closed for any fishery until reviewed by the Scientific Committee and management actions are determined by the Commission.

117. Japan noted that it had taken measures to strengthen domestic regulations and the fishing vessel would implement voluntary preventive measures to ensure that hauling of gear would not take place within a risk area by establishing buffer zones of no fishing and of precautionary notification of entry around a VME risk area of an additional 0.5 n miles.

118. SCIC noted that the retrieval of gear within the VME risk area was due to operational reasons beyond the vessel's control and further noted that the lines had been set outside of the VME risk area. SCIC agreed to assign a compliance status of compliant.

Conservation Measure 25-03

119. SCIC considered the implementation of CM 25-03, Annex 25-03/A, paragraph (iv), by Norway, which requires that observation of strikes on the net monitoring cable and warp must achieve on-vessel observation coverage of at least 5% of total active fishing time. SCIC sought further advice from the Chair of the Scientific Committee, as referred to under Agenda Item 7, paragraphs 172 to 175.

Conservation Measure 26-01

120. SCIC considered the implementation of CM 26-01 paragraph 5, by Chile, which requires that any packaging bands once removed shall be cut into approximately 30 cm sections and burned in the on-board incinerator at the earliest opportunity.

Conservation Measure 33-03

121. SCIC considered the implementation of CM 26-01 paragraph 5, by Ukraine, which requires a vessel to move 5 n miles where the by-catch of any one species is equal to or greater

than 1 tonne and shall not return to any point within the 5 n miles where the by-catch exceeded 1 tonne for a period of at least 5 days.

Conservation Measure 41-01

122. SCIC considered the implementation of CM 41-01, Annex B, paragraph 5 (i), by Spain which requires that each research haul must be separated by not less than 3 n miles from any other research haul with the distance to be measured from the geographical midpoint of each research haul.

123. The EU noted that the conservation measure was unclear about how the distance between the midpoints of the lines should be calculated considering that lines are not set in a linear fashion. The EU further noted that footnote 2 permitted 50% of research lines to be set within 3 n miles and that in this instance 54% of research hauls were set within the 3-nautical mile limit whereby the slight overshoot could be due to the non-linear way in which lines are set.

124. SCIC agreed to assign a compliance status of ‘Need for interpretation by SCIC’ and considered a revision of CM 41-01 to clarify that it is the calculated geographical midpoint of a set/haul that is to be used in assessing the implementation of this provision, and that the calculated geographical midpoint is to be determined as the point half-way between the reported start and end setting positions, assuming a straight line between these two positions.

125. SCIC considered the implementation of CM 41-01, Annex B, paragraph 5 (ii), by Korea and Ukraine, which requires that designated research hauls shall comprise for longlines at least 3 500 hooks and no more than 5 000 hooks.

126. Korea and Ukraine noted that scientific research in Subarea 88.3 is governed by CMs 24-01 and 24-05 and not by Annex B of CM 41-01. SCIC sought further advice from the Chair of the Scientific Committee, as referred to under Agenda Item 7, paragraph 175 and confirmed the compliance status of compliant assigned by Korea and Ukraine.

127. SCIC considered the implementation of CM 41-01, Annex B, paragraph 5 (ii) and paragraph 5 (iii) by Australia. Paragraph 5 (iii) requires that each research haul must have a soak time of not less than six hours (360 minutes), measured from the time of completion of the setting process to the beginning of the hauling process.

128. SCIC noted that the vessel encountered operational issues with the deployment of its fishing gear during two setting events and as a result had aborted setting procedures. SCIC agreed to assign a compliance status of ‘No compliance status assigned’ and considered amendments to CM 41-01 to permit aborting of research hauls due to safety concerns and the prevention of gear loss.

Conservation Measure 91-05

129. SCIC considered the implementation of CM 91-05, paragraph 24, by Spain, which requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the Ross

Sea marine protected area (MPA). The EU noted the error in the Contracting Party response and clarified it was a 3 hour and 18-minute delay from reporting an entry into the MPA.

Review of CM 10-10

130. SCIC noted the Secretariat's review of CM 10-10 in relation to compliance statuses in CCAMLR-42/07 Rev. 2 and endorsed the recommendation to include the status 'No consensus reached' to CM 10-10, Annex B. SCIC agreed the status of 'No consensus reached' cannot be applied by Contracting Parties in their response to the Draft CCAMLR Compliance Reports and can only be applied by SCIC or the Commission as a last resort. SCIC recalled that there had been a number of notable instances in previous years where SCIC was unable to reach consensus on individual items and noted that this inclusion would save time for SCIC in its implementation of the CCEP and, if adopted by the Commission, will be available next year.

Illegal, unreported and unregulated (IUU) fishing in the Convention Area

Implementation of CM 10-08

131. SCIC noted the report on the implementation of CM 10-08 (CCAMLR-42/13), identifying 17 instances where a report may have been required under CM 10-08 but was not documented as having been provided. SCIC expressed its appreciation to the Secretariat for the report and noted the importance of Contracting Parties meeting their obligations under CM 10-08, highlighting that beneficial ownership is essential to understand and noting that captains, fishing masters and beneficial owners are often of different nationalities than the Flag State of the vessel associated with IUU activities. SCIC recommended that the Secretariat continue to report on the implementation of CM 10-08.

132. Spain thanked the Secretariat and other Contracting Parties for the assistance in carrying out its investigations, recognised the challenges presented when there is a lack of information or indefinite understanding of data towards this work and provided the following statement with information regarding Spain's implementation of CM 10-08:

- (i) *El Shaddai* – Spain notes that there was evidence that a Spanish national was registered as the fishing master. An investigation has been undertaken but due to the fact that administrative actions prescribed according to national legislation no further actions could be carried out. However, Spain received the email address for a point of contact in South Africa to further discuss the matter in order to investigate and initiate criminal proceedings as appropriate.
- (ii) *Amorinn (ex-Iceberg II)* – The information provided by CCAMLR dates from 2003-2004 and therefore exceeds Spain's statute of limitations.
- (iii) *Antony (ex-Urgora)* – The *Antony* along with the *Northern Warrior*, was a focus of 'Operation Flags' which noted that the company World Oceans Fishing SL is the sole administrator, owner, operator, and manager of the *Antony*. As a result of an investigation in 2016 the *Antony* was inspected in the port of Vigo and had infractions applied to it for the operation of a Stateless vessel, submission of false

documents and participation in joint operations with an IUU Listed Vessel, the *Itziar II. Antony* was included in CCAMLR's NCP-IUU vessel list at the request of Spain and is currently being held in the Vigo dock where the Port Authority of Vigo has requested a report on the possible declaration of abandonment to facilitate the auction and scrapping of the vessel.

- (iv) *Challenge (ex-Perseverance)* – Upon CCAMLR's inclusion of the *Perseverance* in the NCP-IUU Vessel List, Spain issued a sanctioning decision imposing a penalty on the Spanish company Oceanic Fishing S.A., owner of the vessel *Perseverance*. Additional sanctions were applied to the Panamanian owner of the vessel *Mar De Neptuno* and the skipper of Chilean nationality in command of the vessel when it entered the port of Vigo without requesting authorisation to enter the port, and the Panamanian company that was listed as the owner of the vessel *Mar De Neptuno*. A judgement was handed down confirming the sanction imposed on the Spanish company Oceanic Fishing S.A., which owned the vessel. As a result of the information received that this person was listed as the 'operator' of the vessel *Perseverance*, he was requested to report on the relations he had with the vessel in question and with the Panamanian trading company Mar de Neptuno, which owned the vessel. The same request was made to the legal representative of the aforementioned company, who denied the existence of any relationship between his clients and Mr. Juan A. Argibay Pérez. Through the Embassy of Spain in Panama, information was requested from this country about the companies that owned the *Perseverance*, so that all the certificates were obtained. Information was also requested from the General Directorate of the Police as to whether any of the three persons listed in the documentation of the Panamanian Commercial Registry as directors of the aforementioned commercial companies were Spanish nationals. That body replied in the negative. Although the link between the operator and the *Perseverance* vessel could not be accredited, this person has been sanctioned within the framework of Operation SPARROW, for his link with the illegal fishing vessel *Viking*, which has been included in the list of IUU vessels CCAMLR since 2004. He was charged with the commission of a very serious offence, for his participation in the operation, management, and ownership of the vessel *Viking*.

133. Spain reiterated its commitment to the fight against IUU fishing and requested the information on these nationals be updated.

134. Korea thanked the Secretariat for the paper and provided an update to the ownership information of the vessel *Nika*, indicating the owner of the vessel to be Marine Fisheries based in the Marshall Islands. Korea requested this information be updated accordingly.

135. SCIC reminded Contracting Parties of their obligations under CM 10-08 and continued to encourage that reports be submitted in line with paragraph 3 of CM 10-08. While SCIC recognised the value of having appropriate reporting mechanisms available to facilitate this reporting, SCIC did not reach consensus on the recommendations to task the Secretariat to review additional reporting options. SCIC noted the recommendation to consider the feasibility of submission deadlines or interim reporting requirements, but recognised that there may be varying lengths of time required for Contracting Parties to undertake appropriate formal action within their domestic processes and did not consider further work was needed in this regard.

Current level of IUU fishing

136. SCIC noted the Secretariat's overview of CCAMLR data holdings for the purposes of undertaking IUU risk assessments and supporting monitoring control and surveillance (MCS) activities, as provided in CCAMLR-42/BG/13 Rev. 1. SCIC noted the various data sources available to Contracting Parties for the planning and undertaking of surveillance and inspection activities and further noted that Contracting Parties could consider making this guide available to the individuals responsible for the planning and undertaking of MCS activities.

137. SCIC considered the interim report submitted by INTERPOL (CCAMLR-42/BG/14) where INTERPOL reported an update on progress of ongoing activities. SCIC expressed appreciation for INTERPOL's work and supported further cooperation between CCAMLR and INTERPOL.

138. SCIC considered the information in CCAMLR-42/BG/15 which provided the basis for Member discussion and consideration to identify opportunities for enhancing collaboration and information sharing within CCAMLR, as well as identifying opportunities to increase available information flow from outside CCAMLR.

139. SCIC noted the ongoing cooperation with international and regional organisations by the Secretariat to combat IUU fishing and enhance compliance monitoring as reported in CCAMLR-42/BG/16.

IUU Vessel Lists

NCP-IUU Vessel List

140. SCIC considered the Provisional NCP-IUU Vessel List as reflected in CCAMLR-42/15 Rev. 2.

141. SCIC noted that one new vessel, the *Cobija* (ex-*Cape Flower*; IMO 7330399), was included on the Draft NCP-IUU Vessel List as per CM 10-07, paragraph 9(iv), for reportedly engaging in fishing activities in Division 58.4.3b between February and June 2020 contrary to any other CCAMLR conservation measure in a manner that undermines the attainment of the objective of the Convention according to Article XXII of the Convention. SCIC acknowledged that the *Cobija* was included on the Draft NCP-IUU Vessel List based on information provided to the Secretariat by the International MCS Network's Joint Analytical Cell (JAC) and noted the additional information provided on the matter by Panama, INTERPOL, Mauritius and Bolivia.

142. SCIC thanked those who contributed relevant information and recommended the *Cobija* be included in the Proposed NCP-IUU Vessel List to the Commission (Appendix II).

CP-IUU Vessel List

143. SCIC considered the Provisional CP-IUU Vessel List as reflected in CCAMLR-42/15 Rev. 2, which noted that no new additions had been included in the list.

144. Argentina made the following statement:

‘Argentina would like to refer to an issue that is not new and is known to all Members, namely the United Kingdom-flagged vessels that fished for toothfish in Subarea 48.3 this season without an authorising conservation measure. In May of this year, Argentina presented COMM CIRC 23/50, in which it advised that all fishing directed at *Dissostichus eleginoides* in Subarea 48.3 would be illegal as it would not be carried out under the protection of a conservation measure that authorises it, thus violating CM 31-01 and, therefore, the CAMLR Convention. In addition, the United Kingdom officially reported that this season there would be fishing activity for toothfish in Subarea 48.3, and Russia sent a Note, also in May, in which it indicated that such fishing would be illegal. The above seemed to us sufficient reason for the vessels *Argos Georgia*, *Argos Helena* and *Nordic Prince* to be included in the Draft CP-IUU Vessel List, but this was not the case.

In this regard, taking into account the provisions of CM 10-06, paragraph 10, Argentina sent additional COMM CIRCs, respecting the indicated deadlines, so that the aforementioned vessels could be incorporated to the CP-IUU vessel list, but they were not.’

145. The UK made the following statement:

‘Conservation Measure 10-06 sets out a clear, agreed, sequence of events for the preparation of IUU vessel lists. The Secretariat prepares the Draft IUU Vessel List on the basis of the information that it has received and, once distributed, it cannot be amended. Neither can additional vessels be added in the creation of the Provisional IUU list. Paragraph 10 permits Members to later submit additional information, including information about additional vessels, but paragraph 12 is clear that this is considered by SCIC alongside the Provisional IUU list. It is then for SCIC to decide whether those vessels should feature on any list.

Conservation Measure 10-10 also sets out a clear, agreed, sequence of events for the Compliance Evaluation Procedure. Once the Secretariat has circulated a Draft Compliance Report to the Member concerned, there is no provision for it to be reissued on receipt of new allegations of non-compliance.

In the case of the UK registered vessels mentioned just now by Argentina, the UK entirely rejects the assertion that these vessels meet the criteria to be included on the Proposed CP-IUU list.

The United Kingdom also notes that it has previously set out its position rejecting entirely the substance of the alleged non-compliance in this instance, including in COMM CIRCs 23/97 and 22/51.

As the Secretariat has just confirmed, the UK also notes that these issues were discussed extensively last year and no consensus could be reached, so we agree that they have no mandate to make such a determination in its activities under CM10-06 or CM 10-10.

The above said, the UK respects the right of Argentina to raise this matter for discussion at SCIC and the UK will further respond on the matters of substance at the appropriate time.'

146. Ukraine made the following statement:

'Concerning evaluation of fishing vessels activities in the Subarea 48.3, we should note our common approach.

As earlier, we consider the situation in the CCAMLR conservation measures regarding toothfish fishery in the Subarea 48.3, as it is so, that is very far from real stock precautionary needs. This situation has been caused by blocking relevant conservation measure prolongation by the Russian Federation, and it should be considered rather as a technical attack by one CCAMLR Member in relation to the other CCAMLR Member, and it has just political reasons. Stating as a fact, that a such destructive Russian action has pushed an issue of toothfish fishery in Subarea 48.3 from the CCAMLR responsibility area to the bilateral area, we would note, that a view on sovereign rights of the UK or Argentina concerning some territories in the Subarea 48.3 is out of competence of Ukrainian delegation to the CCAMLR. This aspect is considered by us as an important reason why the Ukrainian delegation refrains from support of the initiative to include the UK's fishing vessels, which took part in toothfish fishery in the Subarea 48.3 within the fishing season 2022/2023, to the IUU vessel list, and this approach would be absolutely the same in case of Argentina vessels similar activities.'

147. Argentina further stated:

'Argentina reiterates its request to include UK-flagged vessels on the Proposed CP-IUU Vessels list, as they fished in contravention of the CCAMLR legal framework, thus contributing to diminishing the effectiveness of our organisation's conservation measures. These vessels did not comply with current conservation measures, as they breached CM 31-01 (1986) by fishing for toothfish in Subarea 48.3 in 2022 without an authorising Commission conservation measure. Likewise, they carried out fishing activities in a fishery that was closed because CM 41-02 was not readopted in 2022. Specifically, the vessels carried out prohibited activities according to subsections (iii) and (viii) of paragraph 5 of CM 10-06, as they fished in closed areas and in violation of CM 31-01.

Argentina notes that only one Member, the United Kingdom, fished in Subarea 48.3 despite knowing that CM 41-02 had not been readopted and that CM 31-01 requires for fishing to be authorized by a conservation measure. It is also important to note that other Members that fished there in the past did not do so in these years, and that other Members have refused to import toothfish from this fishery, knowing that such actions were contrary to CCAMLR.

The unilateral measures taken by the United Kingdom are not authorised by the Statement by the Chairman of the CAMLR Conference in 1980 or by international law,

given the existence of a sovereignty dispute between Argentina and the United Kingdom over this area. Likewise, Argentina considers that this constitutes a serious contravention of CCAMLR regulations, and that firm and clear actions must be taken to prevent events of this nature from being repeated in the future.

The argument that the absence of an express prohibition on the exploitation of a fishery allows captures to be carried out despite the absence of a conservation measure that authorises it is not only contrary to CCAMLR but also very dangerous. If this reasoning is applied, and based on these British actions, any Member could block consensus on a conservation measure, thus obtaining free rein to fish outside the CCAMLR framework. It is clear, then, that this justification is contrary to the objective of CCAMLR, the principles that guided its adoption and the practice of the organisation in the last four decades.

In principle, Argentina agrees with the United Kingdom and other Members that there was only one party that did not allow a conservation measure to be adopted, Russia, which created an undesirable situation. However, the attitude of one Member, in this case Russia, cannot justify another Member taking unilateral measures that go against the CAMLR Convention.’

148. Uruguay made the following statement:

‘Uruguay supports the Argentinian position on this issue. Both form and substance are linked in it. Uruguay understands that, given the absence of the relevant conservation measure, the vessels in question should not fish in that area. Otherwise, what is the purpose of adopting conservation measures? We understand that the principle of “everything which is not forbidden is allowed” does not apply in this case, and we base that position on the very reason for the existence of the conservation measures, namely, conservation — the very objective of the Convention.’

149. Brazil and China aligned themselves with the views of Argentina, highlighting that unilateral actions could only aggravate conflict and dispute, running counter to the letter and spirit of the Convention.

150. The UK made the following statement:

‘So in response to Argentina, Uruguay, Brazil and China, the UK reiterates that as set out in COMM CIRC 23/97, and reflecting the position that we have previously set out at length and reflected in the report and outcome of the last CCAMLR meeting, the United Kingdom entirely refutes any assertion that the UK vessels operating with the South Georgia toothfish fishery, under licence from UK authorities, can be characterised as illegal, unreported or unregulated (IUU) under Conservation Measure (CM) 10-06.

There is no basis on which any of these vessels might be presumed to have engaged in any of the activities referred to in paragraph 5 of CM 10-06. In particular, the UK refutes the suggestion that they have fished in contravention of any conservation measure, including CM 31-01. They have participated in a fishery being managed so as to comply fully with the CAMLR Convention and all conservation measures that have been

adopted under it, and subject to a catch-limit at least as precautionary as that which would have been adopted by the Commission, but for Russia's actions at the last meeting of the Commission.

The UK has no doubt about its sovereignty position, which is well known to all delegates.

Although fishing in the Convention Area must be conducted in accordance with the principles of conservation, the Convention itself contains no prohibition on fishing, or requirement that fishing be positively authorised. Any such prohibition or requirement for authorisation must instead be found in a conservation measure.

The UK therefore entirely rejects the assertion that these vessels meet the criteria to be included on the Proposed CP-IUU list.'

151. Norway echoed the UK in highlighting the cause of these problems arising from the behaviour of a third party over many years. Norway recalled the objective of CCAMLR, clearly stated in Article II, that is, to conserve of Antarctic marine living resources, including rational use. SCIC discussions should focus on questions relevant to CCAMLR. Finally, Norway concluded that it did not agree with the view by some Members that the non-renewal of CM 41-02 resulted in a general prohibition or closure of the fisheries in Subarea 48.3. Norway recalled Ukraine's intervention and provided support to the political themes raised.

152. Korea expressed the view that the absence of conservation measures should not mean fisheries are automatically closed or prohibited without thorough consideration of the relevant context and other alternative measures and additional consideration is needed by the Commission.

153. Argentina made the following statement:

'Argentina regrets that the United Kingdom rejects the inclusion of the *vessels Nordic Prince, Argos Helena and Argos Georgia* in the Proposed CP-IUU list, when it is clear that these vessels fished in violation of the CCAMLR legal framework, thus contributing to undermining the effectiveness of our organisation's conservation measures. As already explained here at last year's Meeting, and in detail in CCAMLR-41/BG/36, these vessels are not complying with current conservation measures, since they violate Conservation Measure 31-01 (1986) by fishing for toothfish in Subarea 48.3 in 2023 without an authorising Commission conservation measure.

The letter and spirit of CM 31-01 mandate that the conditions for fishing for *Dissostichus eleginoides* in Subarea 48.3 must be determined by the Commission on the basis of the most accurate scientific data available, and by consensus. Catch limits for fisheries – among other conditions – are set multilaterally within the framework of our organisation. This is why the UK's reasoning regarding the toothfish fishery this season in Subarea 48.3 is so detrimental, as it ends up undermining the implicit consensus on the need to fish in the Convention Area within a catch limit set by CCAMLR.

Precisely as indicated in CM 31-01, no Member has the right to unilaterally establish the fishing conditions for a fishery permitted in Subarea 48.3, including the maximum

catch limit. However, that is exactly what the United Kingdom did this season, arrogating to itself the right to unilaterally define all the parameters which were included in CM 41-02.

If this situation continues, this Convention runs serious risks of halting the progress achieved over the last four decades in the management of Antarctic marine living resources.’

154. SCIC noted that no consensus was achieved for the inclusion of the UK-flagged vessels *Argos Georgia*, *Argos Helena*, and *Nordic Prince* on the Proposed CP-IUU Vessel List.

155. SCIC considered COMM CIRC 23/113 which provided a summary of the actions undertaken by South Africa in respect of the South African flagged vessel *El Shaddai* and a request to remove the vessel from the CP-IUU Vessel List as per CM 10-06, paragraph 14 (ii) and (iv).

156. South Africa noted that the South African Director of Public Prosecutions declined to prosecute the vessel due to its understanding that the vessel was permitted fish in FAO Area 51, CCAMLR Subareas 58.6 and 58.7, and the high seas. Furthermore, South Africa stated that it had undertaken a number of measures to prevent similar activities from occurring again, notably:

- (i) corrections and addition to high seas fishing licences
- (ii) enhancing conditions of Patagonian toothfish permits and conditions
- (iii) updating the vessel monitoring system to specifically include RFMO boundaries
- (iv) engagement with owners, rights holders and representatives of the *El Shaddai*
- (v) commitment to the amendment of the Marine Living Resources Act.

157. Australia noted that the request for delisting would be more appropriately considered under CM 10-06, paragraph 14 (iv), and not CM 10-06, paragraph 14 (ii), because South Africa had not taken effective action in response to the IUU activities, as no prosecution had occurred, nor any sanctions imposed. Regarding potential grounds for removing the vessel from the CP-IUU Vessel List under CM 10-06, paragraph 14 (iv), Australia expressed concerns as to whether the measures South Africa had taken were sufficient to ensure the vessel would not engage in IUU fishing. Australia noted that the scope and area of application of the high seas licenses and fishing permits submitted by South Africa were unclear, including their application to the CCAMLR Area.

158. Some Members agreed with Australia and expressed thanks to South Africa on the information provided and actions taken thus far, but noted that there was insufficient basis to remove the vessel from the CP-IUU Vessel List, in part because the actions undertaken by South Africa are ongoing. These Members encouraged South Africa to continue to explore avenues by which action could be pursued, including administrative and civil action against the vessel owner, and invited South Africa to report back to SCIC on further changes brought to the new high seas licences and fishing permits and to the relevant legislation to demonstrate that the requirements of CM 10-06, paragraphs 14(ii) or (iv) have been met.

159. Consensus was not reached to remove the *El Shaddai* from the CP-IUU Vessel List.

160. SCIC agreed that there were no changes to the CP-IUU Vessel List adopted at the previous meeting. The CP-IUU Vessel List adopted at CCAMLR-41 is provided in Appendix III for consideration by the Commission.

Fishery notifications

161. SCIC noted the Secretariat's report on fishery notifications for 2023/24 (CCAMLR-42/BG/08 Rev. 1).

162. Noting the reported late submission of the VME impact assessment by Namibia for the notification for fishing activities for the *Helena Ndume* in Subarea 88.1 and 88.2, Namibia indicated it was surprised when the issue was raised. Namibia noted that, upon submission of the notification, an email was received indicating a successful submission of the notification. SCIC noted that additional information was provided to SCIC by Namibia (Appendix IV) explaining the challenges it had faced completing a notification for the first time. The notification for fishing activities for the *Helena Ndume* was referred to the Commission for further consideration.

163. Australia thanked Namibia for the further explanation. Australia noted that not all of the requirements of CMs 21-02 and 22-06 have been met, and specifically that a bottom fishing preliminary assessment had not been received by the Secretariat by 1 June. Australia recalled that in previous situations where incomplete or late notifications were submitted after 1 June the vessels were not permitted to fish. Australia further recalled the obligation of Contracting Parties in CM 22-06, paragraph 6.

164. The UK made the following statement:

‘In respect of the notification from the Russian Federation to participate in the Ross Sea toothfish fishery, the UK is concerned that the Russian Federation has yet to report back to SCIC or the Commission on a number of requests made in recent years regarding the conduct of its vessels. In particular, Russia has not provided any further information on the investigation and prosecution of the Russian national who captained the known IUU vessel *STS-50* as requested in SCIC-2018 (paragraph 108); did not provide relevant data and information to allow analysis of vessels participating in the Ross Sea (Subarea 88.1) when gear that had been set prior to the opening of the fishery was recovered as requested by SCIC-2019 (paragraph 119). Russia has also not provided further information relating to the conduct of the *Palmer* in 2021 (when the vessel was detected at the fishing location known as ‘Long Ridge’ in Subarea 88.1, north of 70 degrees South, at the time this area was closed to all fishing). Indeed, we have previously heard Russia question the validity of inspection and reporting about the conduct of this vessel. In that regard, the UK is concerned about whether the Commission can be reassured that the current notified Russian vessel will comply with CCAMLR regulations and respect the CCAMLR System of Inspection or the Scheme of International Scientific Observation. In light of this, the UK is not content to give consent to the participation of this vessel in the Ross Sea fishery this season and is interested to know if other Members are content to do so.’

165. Some Members also noted that they expected responses from Russia related to follow-up investigations on compliance issues raised previously in relation to the *Palmer*, amongst other issues, and this has raised doubts on their ability to exercise proper control of their vessels.

166. ASOC supported previous interventions with respect to the Russian notification and noted that given the evidence against the *Palmer*, and that no final report on investigations was provided, it would be an unfortunate precedent for this notification to proceed.

167. SCIC recommended all notifications to the Commission, except those for the Russian-flagged vessel *Yugo Vostok 5* and the Namibian-flagged vessel *Helena Ndume*, for which consensus could not be reached.

Advice from the Scientific Committee to SCIC

168. SCIC considered advice from the Chair of the Scientific Committee (Dr D. Welsford (Australia)) on several topics, including fishing notifications, trigger limits, tag overlap statistics, net monitoring cables, observation coverage, and research plans.

Fishing notifications

169. The Chair of the Scientific Committee noted the issue regarding the late submission of a Vulnerable Marine Ecosystem (VME) impact assessment by Namibia in their fishing notification to conduct bottom fishing in Subareas 88.1 and 88.2. The Chair of the Scientific Committee noted that the Scientific Committee did not have the time to review any VME impact assessments for this year, and noted that this would be a matter for the Commission to provide further advice on.

Trigger limits

170. The Chair of the Scientific Committee advised SCIC of the discussions concerning the proposed revisions to CM 51-07 on trigger limits for the krill fishery, recalling that the Scientific Committee is having active discussions on related topics such as research plans and a proposed symposium to be held adjacent to WG-EMM, in addition to other interdisciplinary discussions on the matter.

Tag overlap statistic

171. The Chair of the Scientific Committee advised SCIC of the recommendation by the Scientific Committee to set a target tag overlap statistic of 80% while maintaining the current 60% minimum threshold. The Chair of the Scientific Committee further noted that vessels achieving between 60% and 80% would be identified by the Secretariat and reviewed by WG-FSA to better understand the issues causing low tag overlap performance.

Observation coverage

172. SCIC noted the requirements of CM 25-03 Annex 25-03/A to require on-vessel observation coverage of net monitoring cables of at least 5% of total active fishing time and asked the Chair of the Scientific Committee how long it would take an observer to achieve this. The Chair of the Scientific Committee noted that this level of observation coverage could be achieved by undertaking two 15-minute observation periods (totalling ~30-minutes per day).

173. SCIC further requested advice from the Chair of the Scientific Committee on both how the SISO requirements are implemented in longline toothfish fisheries and the value of having SISO observers in these fisheries, in addition to the value of designating SISO observers in krill fisheries. The Chair of the Scientific Committee highlighted the importance of having independent scientific observation onboard vessels, noting that the information such observation provides is critical for understanding both direct and indirect effects of fishing. The Chair of the Scientific Committee further noted that the scientific observers onboard longline fishing vessels are highly skilled, providing information fundamental to many aspects of fishery management, and that similar dividends are beginning to be realised following the increase in observer coverage to 100% onboard krill vessels.

174. SCIC asked the Chair of the Scientific Committee whether video observation could substitute for on-deck observation and therefore meet the requirement outlined in Annex CM 25-03/A. The Chair of the Scientific Committee noted that video observations of net monitoring cables are sufficient, however recalled that there was no formal procedure on how to analyse the information within these videos. The Chair of the Scientific Committee encouraged Members to submit formal evaluations of videos to assist in these assessments.

175. SCIC noted the Chair of the Scientific Committee's recollection that observers onboard krill vessels mainly consist of national observers, and asked the Chair of the Scientific Committee whether there would be improvements if this requirement was amended to specify 100% SISO observers. The Chair of the Scientific Committee recalled that there has been no formal analysis conducted regarding the differences between the two, and noted that the Scientific Committee is actively working on appropriate ways to collect this information, and additional advice may be presented for the Commission to consider.

Research plans

176. SCIC sought advice from the Chair of the Scientific Committee regarding the implementation of research plans under CM 41-01, Annex B. The Chair of the Scientific Committee noted that CM 41-01 is ambiguous and precedence should be given to the research plan, noting its review by the Scientific Committee and its working groups and the detail in these plans which follow the most up-to-date advice.

Consideration of the Second Performance Review

177. SCIC considered the progress report of the Second Performance Review (PR2) (CCAMLR-42/06) which provided a summary of actions taken since CCAMLR-XXXVII. SCIC, along with the Commission and Scientific Committee, was encouraged to identify any additional actions.

178. SCIC thanked the Secretariat for compiling the progress report and noted the value in continuing to track progress annually against the recommendations listed in PR2, highlighting specific areas where progress has been made, those where proposals continue to be submitted, and those where particular outstanding items should be considered (e.g., Recommendations 12 (Transshipment) and 13 (IUU) of PR2, in addition to recommendations relating to climate change).

179. SCIC encouraged Members to consider the next iteration of the performance review in 1–2 years' time, which could focus on a limited number of priorities across identified thematic areas.

Other business

180. SCIC considered the draft proposal by Australia, France, the Republic of Korea and the USA for a Code of Conduct for CCAMLR in-person and virtual meetings, workshops, working groups, and events (referred to as CCAMLR events in the Code) (CCAMLR-42/24 Rev. 1).

181. SCIC appreciated the opportunity to consider the draft Code of Conduct, welcomed the intersessional work and noted that it had been considered by SCAF and would be further considered by the Commission. Many Members expressed their strong support for the need for a Code of Conduct and supported the recommendation from SCAF that its application be extended to all CCAMLR events, including those held internationally.

182. A Member raised questions related to the need for a Code of Conduct for CCAMLR events and concerns regarding its implementation, but SCIC recognised that these issues were more appropriately discussed by the Commission. SCIC looked forward to the outcomes of those discussions.

183. SCIC noted the Secretariat's paper CCAMLR-42/BG/28 which reported on its participation in the search and rescue (SAR) workshop hosted by the Council of Managers of National Antarctic Programs (COMNAP) and the Australian Antarctic Program. The workshop presented an opportunity to raise awareness of CCAMLR's arrangements with maritime rescue coordination centres (MRCCs) for the sharing of information to support live search and rescue events.

184. ASOC introduced CCAMLR-42/BG/30, which provides insights into the development of guidance and new regulations by the IMO to improve the safety of fishing vessels operating in polar waters and to reduce the impact of fishing vessels on the polar marine environment. The paper identifies that CCAMLR has adopted Resolutions including Resolution 23/XXIII and 34/XXXI that address aspects of fishing vessel safety now also covered by the IMO guidelines. Additionally, ASOC recommended that Members require the use of the new guidelines by all CCAMLR-licensed, permitted, or authorised fishing vessels. ASOC also noted

that in June 2023, the IMO adopted amendments to the SOLAS Convention and the Polar Code which will require that mandatory navigation and voyage planning measures are followed by fishing vessels of 24 m and above from 1 January 2026. The paper further recommended that since it has been two years since the IMO guidelines for fishing vessels operating in polar waters were approved, it was timely for CCAMLR to commence collecting experience in implementing the guidelines. The paper also reported on work currently underway at the IMO to reduce ship-sourced marine plastic pollution, including lost or discarded fishing gear and plastics from paints and antifouling systems. ASOC called on CCAMLR to develop an action plan to address plastic pollution from all sources on fishing vessels.

185. SCIC thanked the authors for this update and noted CCAMLR's longstanding and continued support of high standards of safety for fishing vessels in the Convention Area. Several Members expressed their support for the development of the Polar Code and noted that CCAMLR also has a responsibility to address vessel safety in line with existing conservation measures and resolutions and as noted in the last performance review.

186. The Chair welcomed nominations for Vice-Chair of SCIC, however none were received.

187. The Chair thanked all delegates, as well as the interpreters and Secretariat staff, for their efforts for a productive meeting. SCIC also expressed its appreciation to the Secretariat and thanked the Chair for her constructive and efficient leadership throughout the meeting.

CCAMLR Compliance Evaluation Report 2022/23

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
CM 10-02					
United Kingdom	<i>Argos Georgia</i>	<p>CM 10-02, paragraph 1, states that each Contracting Party shall prohibit fishing in the Convention Area except pursuant to a licence that the Contracting Party has issued, setting forth the specific areas, species and time period for which fishing is authorised.</p> <p>It is the Secretariat's understanding that 'fishing' includes the setting and retrieving of fishing gear.</p> <p>The United Kingdom issued a licence for the <i>Argos Georgia</i> for fishing activities targeting <i>Dissostichus</i> spp. in Subarea 48.3 for the period 1 May to 14 September 2022.</p> <p>The monthly fine-scale catch and effort data (C2 data) reported the following: Haul number 187 begun retrieval on 04:53 UTC 15 Sep 22 and ended retrieval on 10:49 UTC 15 Sep 22 Haul number 188 begun retrieval on 12:09 UTC 15 Sep 22 and ended retrieval on 18:08 UTC 15 Sep 22</p> <p>The Secretariat notified the UK of the issue and they provided the following explanation: The toothfish fishery operates during the winter period to avoid interaction with breeding seabirds. In previous years (and this year) this has meant</p>	<p>Conservation Measure 32-01 (2001) indicates the fishing season for all Convention Area species is 1 December to 30 November of the following year, unless otherwise set in specific Conservation Measures.</p> <p>Conservation Measure 31-02 (2007) describes practices for the closure of fisheries, where we believe the Secretariat's understanding of the stated fishing definition originates. Given the absence of a closure notification from the Secretariat, and the lack of any basis for it to issue one, CM 31-02 is not relevant to the regulation of the fishery in question.</p> <p>In regards to the Patagonian toothfish fishery in the part of the maritime zone of South Georgia and the South Sandwich Islands ('the South Georgia maritime zone') that lies within statistical subarea 48.3, the UK has always implemented management measures based on the best available science and the precautionary principle. As such, the Patagonian toothfish season in subarea 48.3 is limited to avoid interactions with breeding seabirds. This was enshrined in</p>	Compliant	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>the fishing season closes on the 14 September each year.</p> <p>The licence conditions state that the fishery closes on the 14 Sept at 23:59 (UTC-2). All vessels operating in the fishery were emailed a reminder notice of the closure on the 14 Sept at 08:49 which stated no further gear should be set after 23:59 (UTC-2) on the 14th of September. All vessels complied with this instruction.</p>	<p>Conservation Measure 41-02 (2019) and since 2019, this precautionary measure has continued within the domestic measures applied by the Government of South Georgia & the South Sandwich Islands.</p> <p>As a domestic licence requirement, setting of gear is prohibited after the fishery closure notification. Fishing operators were emailed a reminder notice of the closure on the 14 September at 08:49 which stated no further gear should be set after 23:59 (UTC-2) on the 14 September. All vessels complied with this instruction.</p> <p>Further Action: None</p> <p>Preliminary Status: Compliant</p>		
United Kingdom	<i>Nordic Prince</i>	<p>CM 10-02, paragraph 1, states that each Contracting Party shall prohibit fishing in the Convention Area except pursuant to a licence that the Contracting Party has issued, setting forth the specific areas, species and time period for which fishing is authorised.</p> <p>It is the Secretariat's understanding that 'fishing' includes the setting and retrieving of fishing gear.</p> <p>The United Kingdom issued a licence for the <i>Nordic Prince</i> for fishing activities targeting <i>Dissostichus</i> spp. in Subarea 48.3 for the period 1 May to 14 September 2022.</p> <p>The monthly fine-scale catch and effort data (C2 data) reported the following:</p>	<p>Conservation Measure 32-01 (2001) indicates the fishing season for all Convention Area species is 1 December to 30 November of the following year, unless otherwise set in specific Conservation Measures.</p> <p>Conservation Measure 31-02 (2007) describes practices for the closure of fisheries, where we believe the Secretariat's understanding of the stated fishing definition originates. Given the absence of a closure notification from the Secretariat, and the lack of any basis for it to issue one, CM31-02 is not relevant to the regulation of the fishery in question.</p>	Compliant	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>Haul number 195 begun retrieval on 03:40 UTC 15 Sep 22 and ended retrieval on 11:20 UTC 15 Sep 22</p> <p>Haul number 196 begun retrieval on 13:20 UTC 15 Sep 22 and ended retrieval on 20:45 UTC 15 Sep 22</p> <p>The Secretariat notified the UK of the issue and they provided the following explanation: The toothfish fishery operates during the winter period to avoid interaction with breeding seabirds. In previous years (and this year) this has meant the fishing season closes on the 14 September each year.</p> <p>The licence conditions state that the fishery closes on the 14 Sept at 23:59 (UTC-2). All vessels operating in the fishery were emailed a reminder notice of the closure on the 14 Sept at 08:49 which stated no further gear should be set after 23:59 (UTC-2) on the 14th of September. All vessels complied with this instruction.</p>	<p>In regards to the Patagonian toothfish fishery in the part of the maritime zone of South Georgia and the South Sandwich Islands ('the South Georgia maritime zone') that lies within statistical subarea 48.3, the UK has always implemented management measures based on the best available science and the precautionary principle. As such, the Patagonian toothfish season in subarea 48.3 is limited to avoid interactions with breeding seabirds. This was enshrined in Conservation Measure 41-02 (2019) and since 2019, this precautionary measure has continued within the domestic measures applied by the Government of South Georgia & the South Sandwich Islands.</p> <p>As a domestic licence requirement, setting of gear is prohibited after the fishery closure notification. Fishing operators were emailed a reminder notice of the closure on the 14 September at 08:49 which stated no further gear should be set after 23:59 (UTC-2) on the 14 September. All vessels complied with this instruction.</p> <p>Further Action: None</p> <p>Preliminary Status: Compliant</p>		
CM 10-03					
South Africa		CM 10-03, paragraph 5 , requires that inspections shall be conducted within 48 hours of port entry.	South Africa responded in respect of the Korean-flagged vessel <i>Sae In Champion</i> which entered the South African port of Cape Town at 06:00 18 Jul 2022 and was	Compliant	See paragraph 102

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The Korean-flagged vessel <i>Sae In Champion</i> entered the South African port of Cape Town at 06:00 18 Jul 2022 and was inspected at 13:00 20 Jul 2022.</p> <p>Time delay of inspection after the 48-hour deadline: 7 hours</p>	<p>inspected at 13:00 20 Jul 2022. The time delay of inspection after the 48-hour deadline was 7 hours. This was mainly as a result of further Fisheries Sector inspections which had to be conducted by Fishery Control Officers (FCO's) in and around the port of Cape Town and the limited FCO capacity at the time.</p> <p>Further Action: No further action is required and the existing Fishery Control Officer capacity had been augmented since.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
South Africa		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Norwegian-flagged vessel <i>Antarctic Endurance</i> entered the South African port of Cape Town at 08:27 29 Sep 2022 and was inspected at 09:20 06 Oct 2022.</p> <p>South Africa noted on submission that strike action at the port of Cape Town prevented access by the inspectors.</p> <p>Time delay of inspection after the 48-hour deadline: 168 hours</p>	<p>The Norwegian-flagged vessel <i>Antarctic Endurance</i> entered the South African port of Cape Town at 08:27 29 Sep 2022 and was inspected at 09:20 06 Oct 2022. South Africa noted on submission that strike action at the port of Cape Town prevented access by the inspectors. Time delay of inspection after the 48-hour deadline: 168 hours. South African Fishery Control officers, responsible for the inspection will consult and cooperate with inspection partners to address similar future incidents to conduct the inspections prior to the deadline.</p> <p>Further Action: No further action is required.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
South Africa		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Spanish-flagged vessel <i>Tronio</i> entered the South African port of Cape Town at 08:00 17 May 2023 and was inspected at 14:40 22 May 2023.</p> <p>South Africa noted on submission that ‘Due to the high influx of local commercial vessels and foreign vessels last week, the communications team missed <i>Tronio’s</i> port entry notification’.</p> <p>Time delay of inspection after the 48-hour deadline: 78 hours 40 minutes</p>	<p>The Spanish-flagged vessel <i>Tronio</i> entered the South African port of Cape Town at 08:00 17 May 2023 and was inspected at 14:40 22 May 2023. South Africa noted on submission that ‘Due to the high influx of local commercial vessels and foreign vessels the previous week, the communications team missed <i>Tronio’s</i> port entry notification’. Time delay of inspection after the 48-hour deadline: 78 hours 40 minutes. The notifications by local and foreign vessels are prioritised and monitoring was improved by the additional Fishery Control Officer capacity and the Vessel Monitoring System.</p> <p>Further Action: No further action is required.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required
Australia		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The inspection of the Australian-Flagged vessel <i>Antarctic Aurora</i> occurred on 11 Dec 2022 by Australian port officials and the transmission of the port inspection report occurred on 02 May 2023.</p> <p>Australia noted on submission that ‘due to an administration error the attached port inspection report has not been submitted within 30 days of</p>	<p>Australia conducted a routine internal audit of its inspection reports and identified that the port inspection report in question had not been sent to the CCAMLR Secretariat. This was due to an administrative error, with the report not being provided by the inspecting officer to the correct team for provision to the CCAMLR Secretariat. Australia alerted the CCAMLR Secretariat and provided the report as soon as this error was identified. Australia has reviewed its internal procedures, including providing further guidance to port inspection officers to ensure that this error does not re-occur.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>the port inspection as required in accordance with CM 10-03, para 8. This administrative error was identified during a routine internal audit of Australia’s CCAMLR port inspection report case management system.’</p> <p>Time delay of transmission after the 30-day deadline: 112 days</p>	<p>Further Action: None</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
Mauritius		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The inspection of the Australian-Flagged vessel <i>Cape Arkona</i> occurred on 27 Feb 2023 by Mauritian port officials and the transmission of the port inspection report occurred on 02 Apr 2023.</p> <p>Time delay of transmission after the 30-day deadline: 4 days</p>	<p>Mauritius is fully committed to comply with all conservation measures of CCAMLR, including Measure 10-03 relating to the transmission of the Port Inspection Report within 30 days following inspection of a vessel. There was a slight delay in the transmission of the Port Inspection Reports of Fishing Vessels <i>Isla Eden</i> and <i>Cape Arkona</i> which called at Port-Louis harbour in December 2022 and February 2023 respectively with the reports being submitted 4 days after the deadline. In the case of <i>Isla Eden</i>, the delay was caused due to its landing falling within the festive season when many officers were on leave whilst for the case of <i>Cape Arkona</i>, the delay was due to a faulty computer which prevented the computation of the electronic report. Necessary remedial action has been taken and subsequent landings of toothfish carrying vessels have seen the Port Inspection Reports being submitted within the 30-day deadline.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Mauritius		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The inspection of the Australian-Flagged vessel <i>Isla Eden</i> occurred on 17 Dec 2022 by Mauritian port officials and the transmission of the port inspection report occurred on 20 Jan 2023.</p> <p>Time delay of transmission after the 30-day deadline: 4 days</p>	<p>Mauritius is fully committed to comply with all conservation measures of CCAMLR, including Measure 10-03 relating to the transmission of the Port Inspection Report within 30 days following inspection of a vessel. There was a slight delay in the transmission of the Port Inspection Reports of Fishing Vessels <i>Isla Eden</i> and <i>Cape Arkona</i> which called at Port-Louis harbour in December 2022 and February 2023 respectively with the reports being submitted 4 days after the deadline. In the case of <i>Isla Eden</i>, the delay was caused due to its landing falling within the festive season when many officers were on leave whilst for the case of <i>Cape Arkona</i>, the delay was due to a faulty computer which prevented the computation of the electronic report. Necessary remedial action has been taken and subsequent landings of toothfish carrying vessels have seen the Port Inspection Reports being submitted within the 30-day deadline.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required
New Zealand		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The inspection of the New Zealand-Flagged vessel <i>San Aspiring</i> occurred on 14 Apr 2023 by New Zealand port officials and the transmission</p>	<p>This issue in relation to CM 10-03 paragraph 3 was an administration error by the Contracting Party.</p> <p>Due to a miscommunication between New Zealand officials the transmission of the port inspection report to the Secretariat within the required timeframe was overlooked.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>of the port inspection report occurred on 17 May 2023.</p> <p>Time delay of transmission after the 30-day deadline: 3 days</p>	<p>There were no compliance issues reported in the Inspection report. The vessel did not fish in the CCAMLR Convention area but was taking part in the SPRFMO Exploratory fishery and was fully compliant with all required measures.</p> <p>New Zealand officials have updated training instructions to ensure that this issue does not re-occur.</p> <p>Further Action: No further action required.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
United Kingdom		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The inspection of the British-Flagged vessel <i>Argos Georgia</i> occurred on 19 Sep 2022 by British port officials and the transmission of the port inspection report occurred on 23 Oct 2022.</p> <p>It was noted in the submission of the port inspection report that the officer was having technical issue with their email server which was preventing the transmission of the report.</p> <p>Time delay of transmission after the 30-day deadline: 4 days</p>	<p>As provided to the Secretariat at the time of submission, technical issues occurred with the transmission of the port inspection report due to a computer system upgrade. This resulted in an email with large files attached being blocked from delivery without a systems notification. The issue was identified and the three inspection reports were submitted immediately afterwards. Consultation with the relevant department has been completed and procedures have been updated to avoid such issues in the future.</p> <p>Further Action: None</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
United Kingdom		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The inspection of the British-Flagged vessel <i>Argos Helena</i> occurred on 17 Sep 2022 by British port officials and the transmission of the port inspection report occurred on 20 Oct 2022.</p> <p>Time delay of transmission after the 30-day deadline: 3 days</p>	<p>As provided to the Secretariat at the time of submission, technical issues occurred with the transmission of the port inspection report due to a computer system upgrade. This resulted in an email with large files attached being blocked from delivery without a systems notification. The issue was identified and the three inspection reports were submitted immediately afterwards. Consultation with the relevant department has been completed and procedures have been updated to avoid such issues in the future.</p> <p>Further Action: None</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required
United Kingdom		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The inspection of the British-Flagged vessel <i>Nordic Prince</i> occurred on 17 Sep 2022 by British port officials and the transmission of the port inspection report occurred on 20 Oct 2022.</p> <p>Time delay of transmission after the 30-day deadline: 3 days</p>	<p>As provided to the Secretariat at the time of submission, technical issues occurred with the transmission of the port inspection report due to a computer system upgrade. This resulted in an email with large files attached being blocked from delivery without a systems notification. The issue was identified and the three inspection reports were submitted immediately afterwards. Consultation with the relevant department has been completed and procedures have been updated to avoid such issues in the future.</p> <p>Further Action: None</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			Preliminary Status: Minor non-compliant (Level 1)		
CM 10-04					
France	<i>Atlas Cove</i>	<p>CM 10-04, paragraph 2, states that each fishing vessel shall be fitted with an automatic location communicator (ALC) that meets the minimum standards contained in Annex 10-04/C. Annex 10-04/C, paragraph 4, states that ALCs must be tamper-proof.</p> <p>The inspection report for the <i>Atlas Cove</i> for the inspection undertaken by France on 26 Feb 2023 noted the following:</p> <p>Conclusions by the inspector</p> <p>‘Irregularities regarding the control of the crew list have been notified to the captain and the operator. These irregularities are subject to national regulatory processes. The seal systems for the holds should be reviewed as they may not be tamper-evident. There is no conclusive evidence that the VMS cannot be tampered with, the system must be reviewed. No evidence that the scales on board have been verified. Labels are missing from some of the unloaded packages (weight entered manually), product traceability is compromised.’</p> <p>‘Des irrégularités en matière de police du rôle ont été notifiées au capitaine et à l’armement. Ces irrégularités font l’objet d’une procédure au niveau de la réglementation nationale.</p>	<p>France confirms that the port inspection conducted onboard the vessel on 26th February 2023 determined that the VMS device could potentially be tampered with and that the system should be reviewed. However, no fraudulent manipulation was observed.</p> <p>The issue has been resolved and the subsequent port inspection report dated 28th June 2023 confirmed that the device was compliant with CCAMLR regulations. The vessel only operates in waters under national jurisdiction in Kerguelen and Crozet.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>Les systèmes des scelles des cales devront être revus, l’inviolabilité peut être remise en question. L’inviolabilité du dispositif VMS n’est pas probant, le système doit être revu. La vérification des balances a bord des navires n’a pas été démontrée. Des étiquettes sont manquantes sur quelques colis débarqués (poids inscrit manuellement), la traçabilité du produit est compromise.’</p>			
China	<i>Shen Lan</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.</p> <p>A movement notification was provided to the Secretariat at 01:32 UTC 12 Dec 2022 for the Shen Lan notifying entry into Subarea 48.6 at 20:00 UTC 14 Dec 2022.</p> <p>Time delay after the 24-hour deadline: 42 hours 28 minutes</p>	<p>China submitted a notification in advance at 01:32 UTC 12 Dec 2022 to notify the estimated time (20:00 UTC 14 Dec 2022) <i>Shen Lan</i> planing to enter CAMLR convention area from Subarea 48.6 and the intention of this entry in accordance with requirement of CM 10-04 paragraph 13. However, <i>Shen Lan</i> failed to entered Subarea 48.6 as planed due to equipment failure, and stayed in high seas outside of CAMLR convention area to maintain the equipment until 19 Dec 2022. Finally, <i>Shen Lan</i> entered the convention area from Subarea 48.3 at 18:21 UTC 19 Dec 2022, and China submitted the entry notification at 01:55 UTC 20 Dec 2022 that within 24 hours after the entry.</p> <p>Further Action:</p> <p>Should similar occasion happen again, we will try to identify the reason and notify accordingly in a timely manner.</p> <p>Preliminary Status: Compliant</p>	Compliant	No further action required
France	<i>Atlas Cove</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each</p>	<p>France acknowledges that the notification was provided after the 24h-deadline.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>entry to, exit from and movement between subareas of the Convention Area.</p> <p>A movement notification was provided to the Secretariat on 06:30 UTC 2 Feb 2023 for the <i>Atlas Cove</i> for entry into Subarea 58.6 notifying the entry time of 23:38 UTC 29 Jan 2023.</p> <p>Time delay after the 24-hour deadline: 2 days 6 hours 52 minutes</p>	<p>Reminders to the competent authority of the fisheries monitoring centre have been issued.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
France	<i>Ile Bourbon</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.</p> <p>A movement notification was provided to the Secretariat on 08:16 UTC 27 Apr 2023 for the <i>Ile Bourbon</i> for entry into Division 58.4.4b notifying the entry time of 01:50 UTC 23 Apr 2023.</p> <p>The Secretariat upon identifying the overdue movement report notified the French VMS Contact Officers. They noted that a mistake had been made which led to the late submission.</p> <p>Time delay after the 24-hour deadline: 3 days 6 hours 26 minutes</p>	<p>The FMC initially notified the CCAMLR Secretariat, within the deadline (23/04/2023), of a passage between Subareas 58.5.1 (Kerguelen) and 58.6 (Crozet). The CCAMLR Secretariat contacted the FMC a few days later (27/04/2023) indicating that according to their data, the vessel had crossed subarea 58.4.4b to go from areas 58.5.1 to 58.6. Consequently, a notification of entry into area 58.4.4b, related to the movement of 23rd April, was also necessary. The FMC provided a corrected notification within hours on the same date (27th April). France acknowledges that an initial notification should have been sent and the competent authorities of the FMC have been reminded accordingly.</p> <p>Further Action: None necessary, the national FMC provided the entry notification for 58.4.4b as soon as it was contacted by the Secretariat about this issue.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			Preliminary Status: Minor non-compliant (Level 1)		
New Zealand	<i>San Aotea II</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.</p> <p>A movement notification was provided to the Secretariat on 01:10 UTC 28 Nov 2022 for the <i>San Aotea II</i> entry into Subarea 88.1 notifying the entry time of 13:51 UTC 26 Nov 2022.</p> <p>Time delay after the 24-hour deadline: 11 hours 19 minutes</p>	<p>As per the requirements of CM 10-04 paragraph 13, on November 27th, 2022, the vessel sent an entry notification via email before entering Sub area 88.1. However, there was an error in the email address for the Secretariat that was used.</p> <p>The error was not noted by New Zealand officials until the Secretariat contacted the Ministry for Primary Industries on November 28th to advise of the non--reception of the entry notification. A review of the notification received by officials on November 27th revealed that an incorrect email address had been used. New Zealand officials forwarded the original notification to the Secretariat and requested that the vessel did the same.</p> <p>This issue was raised with the operator at the time and they were instructed by New Zealand officials to ensure the vessel take extra care when sending through entry and exit notifications.</p> <p>Further Action: No further action required.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required
CM 10-05					
Australia		CM 10-05, paragraph 6 , requires that each Contracting Party and non-Contracting Party	Two DEDs were issued 3 days after the declared export date. These incidents	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified Australia validated 3 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export.</p> <p>The identified DEDs account for 2% of Australia's exports and <1% of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 2 DEDs were issued between 3–5 days after declared export date 1 DED was issued between 21–50 days after declared export date</p>	<p>occurred during the Australian Government annual office shut down period over Christmas and the non-issuance of the DED was not identified during exportation. Australia has reviewed its internal procedures to reinforce appropriate controls to meet export requirements at all times, including during holiday periods.</p> <p>Preliminary status: Minor non-compliant (level 1)</p> <p>Australia has reviewed the information available on the DED which was identified as issued 21–50 days after declared export date. A typographical error on the DED form listed an incorrect export date of 07/09/2022. The correct export date was 07/10/2022. The DED was issued on the 29/09/2022, therefore prior to export.</p> <p>Preliminary status: Compliant</p> <p>Further Action: None</p>	Compliant	

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>A list of individual DED document numbers is available as an attachment to this record on the website.</p>			
Chile		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified Chile validated 4 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export.</p> <p>The identified DEDs account for <1% of Chile's exports and <1% of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 2 DEDs were issued between 6–10 days after</p>	<p>Regarding the identification of DEDs validated after the declared export date, two out of the four DEDs identified as validated ex post, were validated 32 days after export. These two events occurred before the full implementation of the correcting measures announced in the previous meeting (CCAMLR-41), i.e. the adjustments to the control procedures in the electronic systems, requiring the manual approval by a fishery control officer.</p> <p>The other 2 DEDs, validated 6 and 8 days after export respectively, were due to human error. The control officers did not complete step 4 on the eCDS system, although in both cases, the shipments had other DEDs that were timely validated. The omission was detected by the authorities in the destination port, taking corrective action.</p> <p>Notwithstanding and as a corrective measure to avoid new errors, the national competent authority that validates DEDs will continue to work in the optimization of internal procedures in order to strengthen the capabilities of officers responsible of extending the export certificates within the established timeframe.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>declared export date 2 DEDs were issued between 21–50 days after declared export date</p> <p>A list of individual DED document numbers is available as an attachment to this record on the website.</p>	<p>We believe it is important to highlight that Chile – while generating a large amount of documentation given its condition of main user of the eCDS system (around 50% of DEDs) – has implemented effective measures to tackle these non-compliance events, reducing significantly the number of DEDs validated ex post to a 0.3% (4 cases). (Fig. 1. Illustrates evolution of non-compliance events in the last three seasons)</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
Korea, Republic of		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p>	<p>The incidents took place in July and August in 2022, right after the CCAMLR Secretariat sent out the draft Compliance Report that contained the similar incidents covering the period from July 1 to June 30, 2022. In response to the identified incidents at that time, Korea reported that The Korean government investigated these incidents and found out that the requirement for Bill of Landing in the domestic regulations caused the discrepancies between date of export (date of issuance of bill of landing, actually) and the issuance of DEDs. The NFQS revised internal process to allow 'check (draft) bill of landing' so that a DED can be issued before the loading of the shipment has been completed, only after which confirmed bill of landing is issued. The NFQS provided education and training to the issuing officers as well as exporters so that they have clear understanding that any</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p data-bbox="618 252 1155 403">Analysis of the e-CDS data has identified Korea validated 3 DREDs after the declared export date. Therefore, these shipments did not have a completed DRED available to accompany them at the time of export.</p> <p data-bbox="618 403 1155 467">The identified DREDs account for 7% of Korea's exports and <1% of all CDS exports.</p> <p data-bbox="618 499 1155 619">The time difference between the export and validation for the identified documents are: 3 DREDs were issued between 3–5 days after declared export date</p> <p data-bbox="618 651 1155 738">A list of individual DRED document numbers is available as an attachment to this record on the website.</p>	<p data-bbox="1178 252 1626 339">shipment of toothfish must be accompanied by DEDs before they leave Korean ports.</p> <p data-bbox="1178 371 1648 1050">All the relevant corrective actions were completed on August 30, 2022, and there has not been any further incident since then. The incidents covered in this year's Compliance Report took place before these corrective actions and were in the same 'batch' of incidents covered in last year's Compliance Report, all of which had been fully addressed through the measures completed on August 30, 2022. Therefore, Korea does not consider these incidents 'serious, frequent or persistent.' Rather, as the seeming recurrence of the identification of these potential compliance issues in this season is not actually the repetition of the same incidents but is due to the administrative process where the evaluation period was cut in the middle of a series of the incidents, which have been completely rectified last year. Therefore, Korea assigns 'minor non-compliance' to be consistent with last year's assessment.</p> <p data-bbox="1178 1082 1648 1385">As a set of complementary actions, Korea National Fishery Products Quality Management Service (NFQS) sent out an official instruction to its regional offices reminding them of the implementation of CM10-05 on August 11, 2023. The NFQS also undertook outreach activities to exporters and customs agents on August 11, 2023. The Busan regional office, which handles the most DEDs and</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>DREDS, has designated officers dedicated to the matter. The NFQS is going to publish a DCD handling manual for issuing officers, exporters and customs agents in October.</p> <p>Further Action: As a set of complementary actions, Korea National Fishery Products Quality Management Service (NFQS) sent out an official instruction to its regional offices reminding them of the implementation of CM10-05 on August 11, 2023. The NFQS also undertook outreach activities to exporters and customs agents on August 11, 2023. The Busan regional office, which handles the most DEDs and DREDS, has designated officers dedicated to the matter. The NFQS is going to publish a DCD handling manual for issuing officers, exporters and customs agents in October.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
New Zealand		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p>	<p>Investigation into the matters noted have shown two separate issues relating to the late issuance of four DEDs.</p> <p>Two DEDs were issued 3 days after the declared export date due to a change to the shipping schedule for vessels transporting the toothfish product from New Zealand. This change affected 5 containers of product, the DEDs for 3 of which were issued prior to the date of export. A</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified New Zealand validated 4 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export. The identified DEDs account for 5% of New Zealand's exports and <1% of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 3 DEDs were issued between 3–5 days after declared export date 1 DED was issued between 6–10 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>	<p>request for documentation for the remaining two containers was received by officials 6 days before the original expected date of export. The containers were originally being transported between ports and then transferred to another container ship for exportation. The shipping company made a change to the shipping schedule that resulted in the decision not to transfer the containers from the original vessel and export the cargo directly. This led to the two DEDs being issued after the date the vessel departed. New Zealand CDS officials made the decision to issue the export documents after departure rather than allow the product to arrive at its destination without any documentation.</p> <p>The two remaining DEDs were amended after a request was received from the importer of the product to produce separate DEDs for each container included in the shipments. Original documents were issued prior to the export date noted on the DEDs and contained details for two containers of product on each. After the documents were sent through to the importer a request was made to issue separate DEDs for each container. CDS export officials agreed to issue additional documents to separate the containers with the proviso that all future requests sent from the exporter were to the importer's specifications.</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>New Zealand officials have discussed these issues with the exporters of toothfish product and reiterated that any future requests to issue documents after the export date will not be accommodated.</p> <p>Further Action: No further action required.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
Peru		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified Peru validated 1 DED after the declared export date. Therefore, this shipment did not have a completed DED available to accompany it at the time of</p>	Nil Response	Minor non-compliant (Level 1)	See paragraph 108

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>export. The identified DED accounts for 1% of Peru's exports and <1% of all CDS exports.</p> <p>The time difference between the export and validation for the identified document is: 1 DED was issued between 1–2 days after declared export date</p> <p>The individual DED document number is available as an attachment to this record on the website.</p>			
United States of America		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified the USA validated 2 DREDs after the declared export</p>	<p>This was an administrative error which was only brought to our attention when the new interface for the eCDS was implemented in May 2023. The shipments documented under these DREDs were each accompanied by a DRED but lacked the Export Government Authority Validation. Given the improvements to the eCDS it will now be evident when a DED/DRED has not been validated, preventing this from happening in the future.</p> <p>Further Action: No further action needed</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>date. Therefore, these shipments did not have a completed DRED available to accompany them at the time of export. The identified DREDs account for <1% of the USA's exports and <1% of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 1 DRED was issued between 21–50 days after declared export date 1 DRED was issued between 101–200 days after declared export date</p> <p>A list of individual DRED document numbers are available as an attachment to this record on the website.</p>			
Uruguay		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this</p>	<p>Se constatan los incumplimientos descritos por un funcionamiento incorrecto en la certificación de las exportaciones por parte del organismo oficial de control pesquero. Los problemas identificados derivan de la rotación de personal y escasa coordinación administrativa para finalizar los documentos en el tiempo requerido. Uruguay continúa con el esfuerzo de mejorar el sistema de certificación de productos de la pesca dentro del esquema e-SDC. Se han capacitado nuevos funcionarios técnicos con la colaboración de la Secretaría de la CCRVMA e implementando una estrategia nacional para el control en el sistema electrónico que permita coordinar, agilizar y simplificar procedimientos.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified Uruguay validated 27 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export. The identified DEDs account for 20% of Uruguay's exports and 1% of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 4 DEDs were issued between 3–5 days after declared export date 2 DEDs were issued between 6–10 days after declared export date 8 DEDs were issued between 11–20 days after declared export date 10 DEDs were issued between 21–50 days after declared export date 3 DEDs were issued between 51–100 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>	<p>We confirm the stated instance of non-compliance, which was caused by a mistake in the exports certification procedure made by the official agency in charge of fisheries monitoring. The identified issues stem from employee turnover and from deficiencies in the administrative coordination required for the completion of the documents within required deadlines.</p> <p>Uruguay is making sustained efforts to improve its systems for fishing product certification in relation to the e-CDS. New technical officers have received training delivered in cooperation with the CCAMLR Secretariat; and a national strategy for the monitoring of the electronic system has been implemented aiming at the coordination, the streamlining and the clarification of procedures.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
CM 10-09					
Norway	<i>Antarctic Provider</i>	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transshipment of harvested marine living resources, bait or fuel.</p>	<p>Our investigations have confirmed that the vessel did not provide the notification to the Secretariat at least 72 hours in advance of the intended transshipment operation.</p> <p>There has been a close dialogue between Norwegian authorities and the vessels/vessel owner regarding the</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The Secretariat received a notification on 12:57 UTC 18 Jul 2022 from the <i>Antarctic Provider</i> notifying its intention to tranship fuel with the <i>Saga Sea</i> at 12:00 UTC 19 Jul 2022.</p> <p>The vessel master noted on submission of the notification the following: ‘Due to a misunderstanding, the report was not sent within the required 72 hrs’</p> <p>Time difference: 23 hours 3 minutes</p>	<p>importance of complying with CM 10-09. Before the start of the 2021/22 fishing season new procedures were implemented on board the vessels. These procedures have reduced the room for manual errors, and the level of compliance has increased significantly compared with previous seasons. Norwegian authorities will continue to work with the vessels/vessel owner in order to further enhance the understanding of and compliance with CM 10-09.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
Norway		<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transshipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p> <p>The Secretariat received notifications from the Norwegian-flagged vessels the <i>Antarctic Provider</i> on 15:10 UTC 19 Jul 2022 and the <i>Saga Sea</i> on 10:20 UTC 20 Jul 2022 of their intended transshipment of crew and provisions from 20–22 July 2022.</p> <p>No confirmation was provided for this transshipment by the <i>Antarctic Provider</i>, <i>Saga Sea</i> or Norway.</p>	<p>Our investigations have confirmed that the vessel did not provide the required confirmation for the transshipment of crew and provisions from 20–22 July 2022.</p> <p>There has been a close dialogue between Norwegian authorities and the vessels/vessel owner regarding the importance of complying with CM 10-09. Before the start of the 2021/22 fishing season new procedures were implemented on board the vessels. These procedures have reduced the room for manual errors, and the level of compliance has increased significantly compared with previous seasons. Norwegian authorities will continue to work with the vessels/vessel owner in order to further enhance the understanding of and compliance with CM 10-09.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			Preliminary Status: Minor non-compliant (Level 1)		
Panama	<i>Cool Girl</i>	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area.</p> <p>CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transshipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 21:10 UTC 22 Jul 2022 from the <i>Cool Girl</i> notifying its intention to tranship krill with the <i>Fu Yuan Yu 9818</i> at 00:00 UTC 25 Jul 2022.</p> <p>Prior notice of transshipment received 50 hours 50 minutes before transshipment.</p>	<p>Panama considers that the information provided by the CCAMLR Secretariat is correct and has communicated to its vessels the obligation to comply with the time limits established for reporting activities in this regulated area and to monitor compliance. Improvements in delivery times are considered. The vessel has informed that it will comply with the Commission's requirements.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required
Panama	<i>Cool Girl</i>	<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transshipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p> <p>The Secretariat received a confirmation from the <i>Fu Yuan Yu 9818</i> on 02:57 UTC 28 Jul 2022 of its transshipment of krill from 25 - 27 July 2022 with the <i>Cool Girl</i>.</p> <p>No confirmation was provided for this transshipment by the <i>Cool Girl</i> or Panama.</p>	<p>For this activity, Panama reports that it received the Pre-Notification on the same day it received the transshipment confirmation, July 27, 2022 at 18:53 UTC. The vessel failed to comply with the 72-hour pre-notification deadline established by the Commission, therefore, this activity was carried out without authorization from Panama. The failure to report this activity was documented and referred to the legal department for the evaluation and initiation of an administrative sanction process.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>	Non-compliant (Level 2)	See paragraph 112

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Panama	<i>Cool Girl</i>	<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transshipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p> <p>The Secretariat received a confirmation from the <i>Fu Yuan Yu 9818</i> on 02:53 UTC 28 Jul 2022 of its transshipment of supplies, spare parts, Cartons on 26 July 2022 with the <i>Cool Girl</i>.</p> <p>No confirmation was provided for this transshipment by the <i>Cool Girl</i> or Panama.</p>	<p>This activity was not notified, nor confirmed to Panama by the Panamanian vessel, failing to report its activities to the competent authorities, therefore, Panama documented and generated an event report that was sent to the legal department for the evaluation and opening of an administrative sanction process.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>	Non-compliant (Level 2)	See paragraph 112
Panama	<i>Frio Olympic</i>	<p>CM 10-09, paragraph 8, prohibits a vessel to tranship within the Convention Area where a prior notification has not been provided.</p> <p>The Secretariat received a confirmation on 11:23 UTC 28 May 2023 from the <i>Frio Olympic</i> confirming the transshipment of krill with the <i>Sae In Leader</i> from 27–28 May 2023.</p> <p>No prior notification was provided by the <i>Frio Olympic</i> or Panama.</p>	<p>Panama considers that the information provided by the CCAMLR Secretariat is correct and has communicated to its vessels the obligation to comply with the time limits established for reporting activities in this regulated area and to monitor compliance. Improvements in delivery times are considered. The vessel has informed that it will comply with the Commission's requirements.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required
Panama	<i>Frio Olympic</i>	<p>CM 10-09, paragraph 8, prohibits a vessel to tranship within the Convention Area where a prior notification has not been provided.</p> <p>The Secretariat received a confirmation on 22:51 UTC 29 May 2023 from the <i>Frio Olympic</i> confirming the transshipment of krill with the <i>Sejong</i> from 28–29 May 2023.</p>	<p>Panama evidences compliance in this report of the activity carried out by the vessel <i>Frio Olympic</i>, and that it presented the pre-notification on 24/05/23 at 11:42 UTC time, with a copy to the Secretariat of the Commission. Previous reporting time was 94 hours in advance, therefore, it complies with the 72 hours previous deadline established by the Commission. This activity was carried out with</p>	Compliant	See paragraph 114

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		No prior notification was provided by the <i>Frio Olympic</i> or Panama.	Panama's authorization (Annexes 2 and 2.1). Preliminary Status: Compliant		
Panama	<i>Frio Olympic</i>	<p>CM 10-09, paragraph 8, prohibits a vessel to tranship within the Convention Area where a prior notification has not been provided.</p> <p>The Secretariat received a confirmation on 05:40 UTC 03 Jun 2023 from the <i>Frio Olympic</i> confirming the transshipment of krill with the <i>Long Fa</i> from 01–03 June 2023.</p> <p>No prior notification was provided by the <i>Frio Olympic</i> or Panama.</p>	<p>Panamá evidencia el cumplimiento para el reporte de esta actividad realizada por el buque <i>Frio Olympic</i>, y que presentó la pre notificación el día 27/05/23 a las 21:41 hora UTC, con copia a la Secretaría de la Comisión. Tiempo previo de reporte 110 horas de anticipación, por lo tanto, se cumple con el plazo previo de 72 horas establecidas por la comisión. Está activiad se llevo a cabo con la autorización por parte de Panamá. (Anexos 3 y 3.1).</p> <p>Panama attests to the compliance with the notification regulations regarding the activity carried out by the '<i>Frio Olympic</i>'. The vessel pre-notified the activity on 27 May 2023 at 21:41 UTC, with Cc to the Commission Secretariat. The 72-hour deadline established by the Commission was complied with, as the notification was submitted 110 hours in advance of the deadline. The abovementioned activity was carried out with Panama's authorisation (Annexes 3 & 3.1).</p> <p>Preliminary Status: Compliant</p>	Compliant	See paragraph 114
Panama	<i>Frio Olympic</i>	<p>CM 10-09, paragraph 8, prohibits a vessel to tranship within the Convention Area where a prior notification has not been provided.</p> <p>The Secretariat received a confirmation on 16:47 UTC 22 May 2023 from the <i>Frio Olympic</i></p>	<p>Panama evidences compliance for the report of this activity carried out by the vessel <i>Frio Olympic</i>, and that it presented the pre-notification on 14/05/23 at 18:21 UTC time, with a copy to the Commission's Secretariat. Previous</p>	Compliant	See paragraph 114

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>confirming the transshipment of krill with the <i>Long Fa</i> from 20–22 May 2023.</p> <p>No prior notification was provided by the <i>Frio Olympic</i> or Panama.</p>	<p>reporting time 480 hours in advance, therefore, it complies with the 72 hours previous deadline established by the Commission. This activity was carried out with Panama's authorization (Annexes 1 and 1.1).</p> <p>Preliminary Status: Compliant</p>		
Russian Federation	<i>Frio Antwerp</i>	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area.</p> <p>CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transshipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 12:42 UTC 21 Apr 2023 from the <i>Frio Antwerp</i> notifying its intention to tranship krill with the <i>Sejong</i> at 09:00 UTC 24 Apr 2023.</p> <p>Prior notice of transshipment received 68 hours 18 minutes before transshipment.</p>	<p>In accordance with the time charter agreement dated January 30, 2023, the Greek company Lavinia acted as the operator of the vessel during the specified period of time. Based on the results of the investigation, it was revealed that the captain of the vessel sent information on the planned transshipments to the vessel's operator. At the same time, due to a misunderstanding between the operator and the vessel's crew, there were problems with determining the person responsible for transmitting data to the CCAMLR Secretariat. For the duration of the investigation, the captain of the vessel was suspended from duty until passing certification for knowledge of the requirements of international organizations.</p> <p>Further Action: Briefing shipowners' representatives on more detailed information on transshipment management in the CCAMLR regulatory area.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>	Non-compliant (Level 2)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Russian Federation	<i>Frio Antwerp</i>	<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transshipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p> <p>The Secretariat received a confirmation from the <i>Sae In Leader</i> on 05:19 UTC 30 Apr 2023 of its transshipment of Krill from 29–30 April 2023 with the <i>Frio Antwerp</i>.</p> <p>No confirmation was provided for this transhipment by the <i>Frio Antwerp</i> or the Russian Federation.</p>	<p>In accordance with the time charter agreement dated January 30, 2023, the Greek company Lavinia acted as the operator of the vessel during the specified period of time. Based on the results of the investigation, it was revealed that the captain of the vessel sent information on the planned transshipments to the vessel's operator. At the same time, due to a misunderstanding between the operator and the vessel's crew, there were problems with determining the person responsible for transmitting data to the CCAMLR Secretariat. For the duration of the investigation, the captain of the vessel was suspended from duty until passing certification for knowledge of the requirements of international organizations.</p> <p>Further Action: Briefing shipowners' representatives on more detailed information on transshipment management in the CCAMLR regulatory area.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>	Non-compliant (Level 2)	No further action required
Russian Federation	<i>Frio Antwerp</i>	<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transshipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p> <p>The Secretariat received a confirmation from the <i>Sae In Leader</i> on 08:47 UTC 14 May 2023 of its</p>	<p>In accordance with the time charter agreement dated January 30, 2023, the Greek company Lavinia acted as the operator of the vessel during the specified period of time. Based on the results of the investigation, it was revealed that the captain of the vessel sent information on the planned transshipments to the vessel's</p>	Non-compliant (Level 2)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>transhipment of Krill from 13–14 April 2023 with the <i>Frio Antwerp</i>.</p> <p>No confirmation was provided for this transhipment by the <i>Frio Antwerp</i> or the Russian Federation.</p>	<p>operator. At the same time, due to a misunderstanding between the operator and the vessel's crew, there were problems with determining the person responsible for transmitting data to the CCAMLR Secretariat. For the duration of the investigation, the captain of the vessel was suspended from duty until passing certification for knowledge of the requirements of international organizations.</p> <p>Further Action: Briefing shipowners' representatives on more detailed information on transhipment management in the CCAMLR regulatory area.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>		
Russian Federation	<i>Frio Antwerp</i>	<p>CM 10-09, paragraph 8, prohibits a vessel to tranship within the Convention Area where a prior notification has not been provided.</p> <p>The Secretariat received a confirmation from the <i>Sae In Leader</i> on 05:19 UTC 30 April 2023 of its transhipment of Krill from 29-30 April 2023 with the <i>Frio Antwerp</i>.</p> <p>No prior notification was provided for this transhipment by the <i>Frio Antwerp</i> or the Russian Federation.</p>	<p>In accordance with the time charter agreement dated January 30, 2023, the Greek company Lavinia acted as the operator of the vessel during the specified period of time. Based on the results of the investigation, it was revealed that the captain of the vessel sent information on the planned transhipments to the vessel's operator. At the same time, due to a misunderstanding between the operator and the vessel's crew, there were problems with determining the person responsible for transmitting data to the CCAMLR Secretariat. For the duration of the investigation, the captain of the vessel was suspended from duty until passing</p>	Non-compliant (Level 2)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>certification for knowledge of the requirements of international organizations.</p> <p>Further Action: Briefing shipowners' representatives on more detailed information on transshipment management in the CCAMLR regulatory area.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>		
CM 21-03					
Norway	<i>Antarctic Endurance</i>	<p>CM 21-03, paragraph 2, states the notification shall include the information prescribed in paragraph 3 of Conservation Measure 10-02 in respect of each vessel proposing to participate in the fishery.</p> <p>CM 10-02, paragraph 3 (xiii), states that each Contracting Party shall provide to the Secretariat within seven days of the issuance of the licence and prior to the vessel fishing in the Convention Area the description of the gear used.</p> <p>Observer report #2298 for the <i>Antarctic Endurance</i> for the period 2 Dec 2022 to 18 Jan 2023 noted the following: ‘The observer obtained a diagram of the net used by the vessel (provided by the Captain), however, it did not match the CCAMLR specification on website (See 118438-104908-antarctic-endurancenet.pdf (ccamlr.org)) (Figure 1, Figure 2).’</p>	<p>The hand drawn diagram provided by the captain on board the vessel shows the net length as 130 m. This drawing shows however the trawl net only. The intermediary and the codend are not included. The diagram on the CCAMLR website shows the net to be 185 m. This drawing also includes the intermediary (ca 30 m) and the codend (ca 30 m). On this basis we are of the opinion that the description on the website, which has been submitted as a part of the notification procedure, correctly reflects the gear used.</p> <p>Preliminary Status: Compliant</p>	Compliant	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		The information of gear type provided on the CCAMLR website is used as part of the notification procedure, notably the completion of CM 21-03, Annex A.			
CM 22-07					
Japan	<i>Shinsei Maru No. 8</i>	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the Scientific Committee and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a 'Risk Area' of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/camlr-vme-registry</p> <p>The <i>Shinsei Maru</i> reported in C2 data for 14 December 2022 on haul 13 a start set latitude and longitude of 75° 2.24 S and 176° 43.37 W, and a set end latitude and longitude of 75° 7.6 S and 176° 13.09 W.</p> <p>This haul setting crossed nine VME risk areas: 88.1_16665 88.1_16667 88.1_16668 88.1_16669 88.1_16675 88.1_16676 88.1_16677 88.1_16683 88.1_16684</p>	<p>(1) We investigated Haul No.13, including checking with VMS data and relevant documents onboard.</p> <p>(2) The position at which the haul No.13 started is not -176.43.37, the position recorded and reported in C2, but -176.13.37. We will re-submit the revised C2 as soon as possible.</p> <p>(3) Following the definition of 'Haul' specified in 'Commercial Data Collection Manual Longline Fisheries Version 2023', the crew onboard the vessel record the position at which the last anchor is recovered as the haul end position.</p> <p>(4) Taking into account (3) above, -176.21.33, the haul end position reported in C2, is considered to be the position at which the last anchor of the haul No.13 was recovered. On the other hand, the VMS data indicated that the vessel was at the different position from the reported haul end position at the time 05:24 on 15th Dec., the haul end time reported in C2.</p> <p>(5) Based on the VMS data, relevant documents on board and interviews with crew, it is presumed as follows; - Although the vessel recovered the last anchor at the reported haul end position, the sea current and floating ices inevitably made the line become entangled and drift away.</p>	Compliant	See paragraphs 116-118

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		Attached to this record is a graphical representation.	<p>- Even after recovering the last anchor, the vessel needed to continue to try to recover the entangled line drifting away under the sea.</p> <p>- The time when the whole entangled line was recovered was reported as the haul end time in C2.</p> <p>- In the process of the recovery, the vessel entered the VME risk area.</p> <p>(6) We would like to request SCIC to discuss on whether or not Paragraph 9 of CM 22-07 prohibiting any fishery within the area is applied to this case.</p> <p>Further Action: We plan to take appropriate actions against the vessel and the owner in accordance with national regulations, taking into account the decision and discussion by SCIC.</p> <p>Preliminary Status: Need of interpretation by SCIC</p>		
CM 25-03 (2021)					
Norway	<i>Antarctic Sea</i>	<p>CM 25-03 (2021), paragraph 1, states the use of net monitoring cables are prohibited. However, CM 25-03, footnote 2, allows for their use on vessels using continuous trawl following the specifications of Annex 25-03/A.</p> <p>Annex 25-03/A, paragraph (iv) requires an observation rate of strikes on the net monitoring cable and warp must be: '(a) with every vessel participating in the trial achieving on-vessel observation coverage of at least 5% of total active fishing time.'</p>	According to CM 25-03 (2021) Annex 25-03/A paragraph (i) 'the observer(s) shall conduct observations on incidental mortality on the net monitoring cable, trawl warp and mitigation device(s) at least twice daily while fishing'. Further, Annex 25-03/A paragraph (iv) requires that the observation rates of strikes on the net monitoring cables and warps must be (a) 'with every vessel participating in the trial achieving on-vessel observation coverage of at least 5% of total active fishing time.'	Compliant	See paragraph 119

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The Secretariat interpreted that the requirement for observations of at least 5% of total active fishing time requires observations to be completed by an observer on deck following the protocols outlined in SISO.</p> <p>WG-IMAF-2022/11 was submitted to WG-IMAF-2022 reporting on the trials conducted in the 2021/22 season, as per Annex 25-03/A, paragraph (v)(i).</p> <p>The report noted in Table 1 the <i>Antarctic Sea</i> trawl time was 1248 hours and the observed from deck time was 59 hours, giving an observation rate of 4.7%.</p>	<p>It is not clear from the wording of this paragraph that the observations must be made on deck.</p> <p>Warp cables and net monitoring cables on board the Norwegian krill vessels in the 2021/22 season were monitored according to the following protocols (as also described in WG-IMAF-2022/11):</p> <ul style="list-style-type: none"> • 3 x 15-minute warp strike observations performed from the deck or bridge each day • 4 x 15-minute video observations each day performed by the at-sea observer • Additional video review by onshore observers to raise monitoring coverage on the portside of each vessel to ~20% (<i>Antarctic Endurance</i> and <i>Saga Sea</i>) or ~10% (<i>Antarctic Sea</i>) <p>These protocols were discussed during a Teams meeting back in 2020 and in a subsequent e-group.</p> <p>As shown in table 1 of WG-IMAF-2022/11 the 3 observations performed on deck gave an observation rate of 4.7%. The remainder of the 5% requirement was achieved by the 4 daily 15-minute video observations at sea. These at sea observations are however not clearly reflected in table 1 as the table does not differentiate between video observations performed at sea and video observations performed on shore.</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>It is Norway’s opinion that the monitoring protocol described in WG-IMAF-2022/11 is in line with the requirements of CM 25-03 (2021) Annex 1.</p> <p>In any case it should be underlined that WG-IMAF-2022/11, which forms the basis for this case, only covers the period between April and June, and not the fishing season as a whole.</p> <p>Preliminary Status: Compliant</p>		
Norway	<i>Saga Sea</i>	<p>CM 25-03 (2021), paragraph 1, states the use of net monitoring cables are prohibited. However, CM 25-03, footnote 2, allows for their use on vessels using continuous trawl following the specifications of Annex 25-03/A.</p> <p>Annex 25-03/A, paragraph (iv) requires an observation rate of strikes on the net monitoring cable and warp must be: ‘(a) with every vessel participating in the trial achieving on-vessel observation coverage of at least 5% of total active fishing time.’</p> <p>The Secretariat interpreted that the requirement for observations of at least 5% of total active fishing time requires observations to be completed by an observer on deck following the protocols outlined in SISO.</p> <p>WG-IMAF-2022/11 was submitted to WG-IMAF-2022 reporting on the trials conducted in the 2021/22 season, as per Annex 25-03/A, paragraph (v)(i).</p>	<p>According to CM 25-03 (2021) Annex 25-03/A paragraph (i) ‘the observer(s) shall conduct observations on incidental mortality on the net monitoring cable, trawl warp and mitigation device(s) at least twice daily while fishing’. Further, Annex 25-03/A paragraph (iv) requires that the observation rates of strikes on the net monitoring cables and warps must be (a) ‘with every vessel participating in the trial achieving on-vessel observation coverage of at least 5% of total active fishing time.’ It is not clear from the wording of this paragraph that the observations must be made on deck.</p> <p>Warp cables and net monitoring cables on board the Norwegian krill vessels in the 2021/22 season were monitored according to the following protocols (as also described in WG-IMAF-2022/11)</p>	Compliant	See paragraph 119

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The report noted in Table 1 for the <i>Saga Sea</i> the trawl time was 1 153 hours and the observed from deck time was 56 hours, giving an observation rate of 4.8%.</p>	<ul style="list-style-type: none"> • 3 x 15-minute warp strike observations performed from the deck or bridge each day • 4 x 15-minute video observations each day performed by the at-sea observer • Additional video review by onshore observers to raise monitoring coverage on the portside of each vessel to ~20% (<i>Antarctic Endurance</i> and <i>Saga Sea</i>) or ~10% (<i>Antarctic Sea</i>) <p>These protocols were discussed during a Teams meeting back in 2020 and in a subsequent e-group.</p> <p>As shown in table 1 of WG-IMAF-2022/11 the 3 observations performed on deck gave an observation rate of 4.8%. The remainder of the 5% requirement was achieved by the 4 daily 15-minute video observations at sea. These at sea observations are however not clearly reflected in table 1 as the table does not differentiate between video observations performed at sea and video observations performed on shore.</p> <p>It is Norway’s opinion that the monitoring protocol described in WG-IMAF-2022/11 is in line with the requirements of CM 25-03 (2021) Annex 1.</p> <p>In any case it should be underlined that WG-IMAF-2022/11, which forms the basis for this case, only covers the period between April and June, and not the fishing season as a whole.</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Preliminary Status: Compliant					
CM 26-01					
Chile	<i>Puerto Ballena</i>	<p>CM 26-01, paragraph 5, states that any packaging bands once removed shall be cut into approximately 30 cm sections and burned in the on-board incinerator at the earliest opportunity.</p> <p>Observer report number 2 386 for the <i>Puerto Ballena</i> for the period 9 Dec 22 to 14 Feb 23 noted the following: ‘this vessel has a heat-sealing strapping machine for plastic bands used for packing boxes with by-products, for HGT TOA from 1 to 10 kg and macrourids HGT (GRV). The failed packaging bands were stored in bags with nylon and other waste that was not incinerated since the vessel's incinerator cannot reduce this type of plastic.’</p>	<p>Regarding this event, information collected from the Scientific Observer and the shipowner confirms the existence of plastic packaging bands. These were removed and cut according to Conservation Measure 26-01. However, doubts regarding the capability of the vessel’s on-board incinerator resulted in the bands not being burned immediately by were stored and were incinerated once the vessel left CCAMLR area.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required
CM 33-03					
Ukraine	<i>Koreiz</i>	<p>CM 33-03, paragraph 5, requires a vessel to move 5 nautical miles where the bycatch of any one species is equal to or greater than 1 tonne and shall not return to any point within the 5 nautical miles where the by-catch exceeded 1 tonne for a period of at least 5 days.</p> <p>CM 33-03, paragraph 3, states for this measure ‘<i>Macrourus spp.</i>’ should be counted as a single species. One nautical mile is equivalent to 1 852 meters. Five nautical miles is equivalent to 9 260 meters.</p> <p>The <i>Koreiz</i> in Subarea 88.1 reported for haul number 62, which completed hauling at 14:25</p>	<p>The incident was considered and investigated. Crew instructed to avoid the same situation in the future.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p data-bbox="618 252 1077 308">UTC 27 Jan 2023, a total bycatch of 1.57 t of <i>Macrourus</i> spp.</p> <p data-bbox="618 344 1088 464">The distance to the next closest line set (line number 67 on 17:29 UTC 28 Jan 2023) was calculated to be 5 335 meters (2.9 nautical miles).</p> <p data-bbox="618 501 1010 557">Attached to this record is a graphical representation.</p>			
CM 41-01					
Australia	<i>Antarctic Aurora</i>	<p data-bbox="618 627 1133 746">CM 41-01, Annex B, paragraph 5 (ii), states that designated research hauls shall comprise for longlines at least 3 500 hooks and no more than 5 000 hooks.</p> <p data-bbox="618 783 1144 935">The Antarctic Aurora was fishing in Division 58.4.2 and reported in its C2 data from 5–6 February 2023 1 individual haul that consisted of 1 131 hooks with the fishing purpose of research ('R').</p> <p data-bbox="618 971 1099 1059">It was noted in the C2 submission for haul 51 'Shot aborted as line was not tied, hauled immediately'.</p> <p data-bbox="618 1096 1111 1120">No catch was reported for this haul in C2 data.</p>	<p data-bbox="1178 627 1637 935">The vessel encountered operational issues with the deployment of its fishing gear during setting (Set/Haul #51). One magazine was inadvertently set without being tied to the following magazine and therefore it did not have buoys or grapnel on one end. To prevent gear loss, the vessel aborted the set and immediately hauled gear, thereby not deploying the full number of planned hooks.</p> <p data-bbox="1178 971 1626 1059">In the absence of guidance on data collection for aborted or failed sets/hauls, the set/haul was recorded on the C2 form.</p> <p data-bbox="1178 1096 1626 1208">Australia suggests that the C2 form be amended to facilitate recording of invalid sets that are aborted due to operational issues.</p> <p data-bbox="1178 1244 1626 1396">Further Action: Australia suggests that the C2 form be amended to facilitate recording of invalid sets that are aborted due to operational issues.</p>	No compliance status assigned	See paragraphs 127–128

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			Preliminary Status: Need of interpretation by SCIC		
Australia	<i>Antarctic Aurora</i>	<p>CM 41-01, Annex B, paragraph 5 (iii), states that each research hauls must have a soak time of not less than six hours (360 minutes), measured from the time of completion of the setting process to the beginning of the hauling process.</p> <p>The <i>Antarctic Aurora</i> was fishing in Division 58.4.2 and reported in its C2 data from 5–6 February 2023 2 hauls that had less than 6 hours of soaking time with the fishing purpose of research ('R').</p> <p>Haul 51 ended setting on 22:30 5 February 2023 and begun hauling on 23:20 5 February 2023. Soak time was 50 mins Haul 54 ended setting on 11:11 6 February 2023 and begun hauling on 15:59 6 February 2023. Soak time was 288 mins.</p> <p>It was noted in the C2 submission for haul 51 'Shot aborted as line was not tied, hauled immediately' and for haul 54 'broken line, picked up 2nd end vessel shut down 4 hrs'.</p> <p>No catch was reported for haul 51 in C2 data.</p>	<p>The vessel encountered operational issues with the deployment of its fishing gear during setting (Set/Haul #51). One magazine was inadvertently set without being tied to the following magazine and therefore it did not have buoys or grapnel on one end. To prevent gear loss, the vessel aborted the set and immediately hauled gear, thereby not meeting the required soak time.</p> <p>The vessel suffered an electrical failure during fishing operations (Set/Haul # 54) and lost power for 4hrs. To avoid entanglement of the fishing gear, the crew cut the mainline and ended the set. The gear was hauled in advance of its full soak time to prevent gear loss, due to concerns over the depth of the cut line and strong currents, which would have hampered recovery efforts if the full soak time had been adhered to.</p> <p>Australia suggests that the C2 form be amended to facilitate recording of invalid sets that are aborted due to operational issues.</p> <p>Further Action: Australia suggests that the C2 form be amended to facilitate recording of invalid sets that are aborted due to operational issues.</p>	No compliance status assigned	See paragraphs 127-128

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Korea, Republic of	<i>Greenstar</i>	<p>CM 41-01, Annex B, paragraph 5 (ii), states that designated research hauls shall comprise for longlines at least 3 500 hooks and no more than 5 000 hooks.</p> <p>The <i>Greenstar</i> was fishing in subarea 88.3 as per CM 24-05 (Fishing for research purposes pursuant to Conservation Measure 24-01) and reported in its C2 data from 24 February 2023 to 31 March 2023 97 individual hauls that consisted of 5 640 hooks per a haul with the fishing purpose of research ('R').</p>	<p>Preliminary Status: Need of interpretation by SCIC</p> <p>CM 41-01 (General measures for exploratory fisheries for <i>Dissostichus</i> spp. in the Convention Area) governs exploratory fisheries, and the relevant Statistical Divisions where Korean-flagged vessels were notified and fishing in the season are 88.1, 88.2 and 58.4.1. Annex B of CM 41-01 is an integral part of the CM, and applies to the exploratory fisheries specified in paragraph 6(iii) of CM21-02 that are required to provide a Research Plan, namely, Statistical Subarea 48.6 and Statistical Divisions 58.4.1, 58.4.2 and 58.4.3a.</p> <p>Scientific research in 88.3, however, is governed by CM 24-01 (The application of conservation measures to scientific research) and CM 24-05 (Fishing for research purposes pursuant to Conservation Measure 24-01) and not by Annex B of CM 41-05 that states designated research hauls shall comprise for longlines at least 3,500 hooks and no more than 5 000 hooks.</p> <p>The <i>Greenstar</i> has been conducting scientific research in 88.3 since 2016, following the research plans reviewed approved by the Scientific Committee. Their research plans indicate the length of longlines (RB1-5: 11,000m, others: 7,000m) rather than the number of hooks.</p>	Compliant	See paragraphs 125-126

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>Since 2018, the <i>Greenstar</i> has been undertaking joint research activities with Ukraine, and has been using more than 5,000 hooks (maximum) each season when converted from the length of the lines into the number of the hooks.</p> <p>For ease of reference, Korea has attached the research plan submitted in September 2022 for the review at the WG-FSA. No issue was raised regarding the content of the research plan, and it was approved by the SC. If there was any element that was not consistent with the requirements under CCAMLR conservation measure, the plan would have not been approved.</p> <p>In conclusion, the potential compliance issue identified by the Secretariat does not apply to the <i>Greenstar</i>, which is not governed by CM 41-01, which is ‘general measures for exploratory fisheries’ and its Annex B, which is applied to Statistical Subarea 48.6 and Statistical Divisions 58.4.1, 58.4.2 and 58.4.3a.</p> <p>Further Action: No further action required</p> <p>Preliminary Status: Compliant</p>		
Spain	<i>Tronio</i>	<p>CM 41-01, Annex B, paragraph 5 (i), states that each research haul must be separated by not less than 3 n miles from any other research haul with the distance to be measured from the geographical midpoint of each research haul. Footnote 2 permits research in the 2022/23 season to have up</p>	<p>Response submitted to the Secretariat by the European Union (EU) via email:</p> <p>Regarding CM 41-01, an investigation concerning a possible infringement has been launched. We will report back on any</p>	Need of interpretation by SCIC	See paragraphs 122-124

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>to 50% of research lines set with less than 3 n miles separation.</p> <p>Under CM 21-02 the <i>Tronio</i> undertook researching fishing for Antarctic Toothfish in Subarea 48.6. The research plan is WG-SAM-2022/02.</p> <p>Analysis of the research fishing undertaken by the <i>Tronio</i> in Subarea 48.6 identified that 92 of the 169 hauls (54%) were set within 3 n miles of each other.</p> <p>Attached to this record is additional data identifying the distance between the identified hauls.</p>	<p>developments at the time of the SCIC meeting at the latest. At this stage we do not have enough information to propose a concrete compliance status and its follow-up.</p> <p>Preliminary Status: No compliance status assigned</p>		
Ukraine	<i>Marigolds</i>	<p>CM 41-01, Annex B, paragraph 5 (ii), states that designated research hauls shall comprise for longlines at least 3 500 hooks and no more than 5 000 hooks.</p> <p>The Marigolds was fishing in subarea 88.3 as per CM 24-05 (Fishing for research purposes pursuant to Conservation Measure 24-01) and reported in its C2 data from 20 April 2023 to 23 April 2023 5 individual hauls that consisted of 3 150 hooks per haul with the fishing purpose of survey ('S').</p>	<p>Lines of length 7 000 m (3 150 hooks) were set in the research block 88.3_7 according to the research plan WG-FSA-2022/26.</p> <p>Length of lines may be increased to 11 000 m (4 950 hooks) (proposed for other research blocks) for the next research season.</p> <p>Preliminary Status: Compliant</p>	Compliant	See paragraphs 125-126
CM 91-05					
Spain	<i>Tronio</i>	<p>CM 91-05, paragraph 24, requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the MPA.</p>	<p>Response submitted to the Secretariat by the European Union (EU) via email:</p>	Minor non-compliant (Level 1)	See paragraph 129

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>A movement notification for the <i>Tronio</i> was provided on 06:45 UTC 20 Dec 2022 which confirmed entry into RSR MPA GPZ (i) on 03:27 UTC 20 Dec 2022.</p> <p>Time difference: 3 hours 18 minutes after entry</p>	<p>On CM 91-05, we note that there was a 7-minute delay in the transmission of the exit report. We have undertaken an investigation and the vessel master has been provided with a reminder and a warning. We apologise for this situation. We endeavour to avoid the repetition of this instance of non-compliance in the future. We consider this matter to be minor non-compliant (level 1) and no further action required.</p> <p>Further Action: no further action required</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		

Proposed List of Non-Contracting Party IUU Vessels 2023/24 (Conservation Measure 10-07)
To be considered as an addition to 2022/23 NCP IUU Vessel List

Vessel Name	Flag	IMO Number	Call Sign	Nature and date of activity(s)	Year Listed	Ownership History
<i>Cobija</i>	Unknown	7330399	CPB3000	Fishing without authorisation (Division 58.4.3b) December 2017 to March 2018 and February to June 2020	2023	Express Financial Ventures Group

Contracting Party IUU Vessel List 2021/22

Vessel name	Flag	IMO Number.	Call sign	Nature and date of activity(s)	Year Listed	Ownership history
<i>El Shaddai</i>	South Africa	8025082	ZR6358	Fishing inside a closed area (Subarea 58.7) (26 May to 8 August 2015 and 6 May to 22 June 2016)	2021	Braxton Security Services CC
Previous Names: • <i>Banzare</i>						



Doc. 02/CCAMLR-23

Hobart Tasmania – Australia

18 October 2023

CCAMLR -42/BG/08 Rev 1

FISHERY NOTIFICATIONS 2023/2024

Ref. Republic of Namibia Exploratory longline fishery for *Dissostichus* ssp in subarea 88.1 and 88.2

Dear colleagues we take the opportunity to thank you all for the warm welcome to CCAMLR 42.

With reference to the Republic of Namibia's notification to fish in the Convention Area with the vessel MFV Helena Ndume in the 2023/2024 season we would like to provide the following background information:

1. That in accordance with CM 21-02 we submitted the exploratory fishery application in due time for subarea 88.1 and 88.2 on the 31st of May 2023. We received email confirmation from the secretariat that both fishery notifications were successfully submitted (email from ccamlr@ccamlr.org, Wednesday 31 May 2023)
2. The 1st of June 2023@ 03:44 we received an email communication from Mr. Henrique Anatole the Fishery Monitoring and Compliance Data Officer in which he noticed that the VMEs was missing. Mr. Anatole stated that:

*“We change Namibia notifications status back to draft **to allow you to attach the required documents**. Please, after attaching the documents submit the notification again.”*

3. On the 9th of June 2023 the Namibian Minister of Fisheries submit the missing VME as per the secretariat instruction.
4. Subsequently, the 13th of June the fishing company received and paid CCAMLR invoice 0000429 for our 88.1 and 88.2 subareas fees.
5. On the 31st of July the company ordered from the CCAMLR all the proper tagging equipment. Payment was made on the 29th of August.

Therefore, the Namibian government has conducted its communication in full coordination with the CCAMLR secretariat. Please note that the 3rd and 4th of June was a weekend, therefore the soonest the amendments could get our attention was as from the 5th of June. It is also worth noting that Government officials had to work on the amendments together with the vessel owners. This caused the properly amended document to reach the secretariat on the 9th of June.

We note that the current draft text of the SCIC Meeting report records that:

“The Chair of the Scientific Committee noted the issue regarding the late submission of a Vulnerable Marine Ecosystem (VME) impact assessment by Namibia in their fishing notification to conduct bottom fishing in Subareas 88.1 and 88.2. The Chair of the Scientific Committee noted that the Scientific Committee did not have the time to review any VME impact assessments for this year and noted that this would be a matter for the Commission to provide further advice on.”

Given that The Scientific Committee did not review any VME impact assessments for Fishery notifications this year, the late submission of the Republic of Namibia’s VME impact assessment would not have had any material value to the applications in relation to the assessment of benthic interactions for the 2023/24 season.

Namibia would further like to impress on the Commission that CCAMLR as an organization should understand that some of its members, like Namibia are developing countries that have unique challenges that may not be conceivable in developed member states. Clearly, we would not have had this discussion if a developing country that is member of CCAMLR was not simply trying to partake in the activities of the Commission, to which it has been a fully paid-up member for over 20 years without having harvested any living marine resources from the convention area. Our efforts on the application process are clear, documented and in good faith with compliance to the rules even if it is with shortcomings as a result of lack of experience that resulted in a technical administrative mishap.

Noting the above, we hope that Members will be able to Support the notification for the MFV Helena Ndume for 88.1 and 88.2 for the 2023/24 season.

We would like to sincerely apologize for any possible misunderstanding and always reassure to our fellow members that we acted under the utmost compliance and diligence.

Thank you for your understanding, hoping that you find our explanation of your satisfactory.

Sincerely,

Uetitiyua Kauaria

Head Delegate

Deputy Executive Director

Minister of Fisheries and Marine Resources.

Republic of Namibia

All email communications that serve as supporting documentation can be shared upon request from the members.