

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

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

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

1.1 The meeting of the Standing Committee on Implementation and Compliance (SCIC) was held from 22 to 26 October 2007.

1.2 The Chair of SCIC, Ms V. Carvajal (Chile) opened the meeting and all Members of the Commission participated. China was welcomed as a new Member. No Members invoked a ruling in accordance with Rule 32(b) of the Commission's Rules of Procedure. Therefore, all observers invited by the Commission to participate at CCAMLR-XXVI were invited to participate in the meeting of SCIC as appropriate. SCIC welcomed all observers present at the meeting.

1.3 The Committee urged Members to continue to follow the CCAMLR guidelines for the submission of papers and submit them as far in advance of the deadline as possible.

1.4 The Committee discussed the Provisional Agenda and added the following two new items: 'Advice from the Scientific Committee' and 'Election of Vice-Chair of the Committee'. The Agenda adopted by SCIC and the List of Documents are provided in Appendices I and II respectively.

1.5 The Committee endorsed the view that any recommendations for measures on the placement of observers on board krill vessels should first be submitted via the Scientific Committee for consideration by the Commission.

### **II. REVIEW OF COMPLIANCE AND IMPLEMENTATION-RELATED MEASURES AND POLICIES**

#### **System of Inspection**

2.1 During the 2006/07 intersessional period, a total of 73 inspectors were designated by Australia, Chile, France, New Zealand and the UK. A total of 27 at-sea inspections were reported; 23 conducted by UK-designated CCAMLR inspectors in Subarea 48.3 and four conducted by Australian-designated CCAMLR inspectors in Division 58.4.3b. A report submitted by a UK-designated inspector in respect of the Republic of Korea-flagged vessel *Insung No. 22* noted a violation of Conservation Measure 25-02 as separations of over 5 m were found on the streamer line.

2.2 The UK and Australia encouraged other Members to participate actively in the System of Inspection, to designate inspectors and to conduct inspections in the Convention Area.

2.3 Chile reported on the attempted inspection of the Polish krill vessel *Dalmor II* which, on 7 February 2007, had ended contact with the Chilean-designated CCAMLR inspector

when he informed of his intent to board in order to conduct an inspection in Subarea 48.1 (COMM CIRC 07/74). Full details of correspondence and reports from Chile and Poland were presented to SCIC in CCAMLR-XXVI/BG/39 and SCIC-07/7.

2.4 The European Community advised the Committee that it had contacted the Polish administration to seek explanation, as the incident happened in the high seas, on the basis of its exclusive competences. Following the information provided by the Polish administration, the European Community informed the Committee that the unfortunate event was due to different elements: administrative as well as of practical implementation of the CCAMLR System of Inspection. The European Community mentioned that the inspector's name at the time of the incident was not on the CCAMLR list of designated inspectors. The European Community stated that the *Dalmor II* is a legal vessel and that no infringement has been committed. The European Community in this context, supported the need for strengthening the CCAMLR System of Inspection, sharing and supporting the concepts and elements expressed by Chile in CCAMLR-XXVI/BG/39, in order to avoid any possible repetition of this incident in the future.

2.5 Poland had responded intersessionally by transmitting to the Secretariat, a copy of a letter from the fishing company that stated that the Chilean inspection vessel had not identified that CCAMLR inspectors were on board and that the inspection vessel was not flying the CCAMLR inspection pennant. Poland also stated that it had initiated proceedings in connection with the non-response by the vessel *Dalmor II*.

2.6 Chile advised that following the Polish communication to the Secretariat, a new investigation was launched and had concluded that the inspector had identified himself as a CCAMLR inspector and the vessel was flying the inspection pennant. However, Chile acknowledged that by the time of the attempted inspection it had not yet notified the Commission of its designated inspectors. Chile also noted that under the current System of Inspection there are no compulsory sanctions for cases of non-compliance; it is for the Flag State to consider the incident and apply sanctions. Chile concluded that it remained convinced that the *Dalmor II* incident was a clear breach of the System of Inspection and that the lack of follow-up procedures in respect of failure of vessels to comply with requests for inspection undermines the system's credibility and effectiveness.

2.7 Several Members expressed the opinion that the responsibility for the control of vessels lies with their Flag States and that the European Community does not flag vessels. Therefore, Poland as a Member of CCAMLR should have provided an explanation directly to SCIC.

2.8 The European Community advised SCIC that the European Community law applied in respect of all vessels flagged to any European Community Member State. The European Community has exclusive competences in fisheries-related matters in the high seas and in Community waters on the basis of the European Community treaty.

2.9 Several other Members expressed concern at the incident and believed that this reinforced the need to strengthen and improve the System of Inspection.

2.10 The Committee noted that four vessels flagged to China had refused permission for an Australian-designated CCAMLR inspector to board in order to conduct inspections in Division 58.4.3b in November 2006 and January 2007 (SCIC-07/3).

2.11 China reported that its interpretation of the System of Inspection was that it applied to Members and under ‘appropriate’ circumstances applied to Contracting Parties. China reminded SCIC that it had not been a CCAMLR Member at the time the inspections had been attempted. China reported that it had withdrawn the licences issued to the vessels, which effectively restricted them to remaining in port for the next year at the expense of the owner.

2.12 Some Members disagreed with China’s interpretation of the System of Inspection and raised their concern regarding these incidents and expressed the view that China’s interpretation of the System of Inspection was not an acceptable excuse for failing to comply with it.

2.13 Argentina supported strengthening the System of Inspection so long as amendments were in accordance with the Law of the Sea Convention. Argentina stated, for example, that inspectors are not entitled to board vessels carrying arms, as was reported with respect to an inspection which occurred in the 2006/07 season. Other Members noted that carrying weapons was not inconsistent with the System of Inspection or the UN Convention on the Law of the Sea (UNCLOS). Russia supported the opinion of Argentina.

2.14 The Committee considered proposals submitted by Australia, Chile, European Community, New Zealand and the USA on strengthening the System of Inspection and provided in CCAMLR-XXVI/25, 29 Rev. 1 and BG/39. Further information on the matter is provided in paragraphs 2.59 and 2.60.

#### Reports on compliance with conservation measures

2.15 The Committee noted that, at the time of the meeting, licence notifications in respect of the Republic of Korea-flagged vessels *Kwang Ja Ho*, *Insung No. 22* and *Insung No. 1* and the Russian-flagged vessels *Volna* and *Yantar* had not been submitted.

2.16 Korea consequently submitted licence information for the vessels *Kwang Ja Ho*, *Insung No. 22* and *Insung No. 1* during the meeting.

2.17 The Committee considered summaries of compliance information submitted by Members for 2006/07 and provided in CCAMLR-XXVI/BG/13 Rev. 2.

2.18 The Committee noted with satisfaction that Namibia, South Africa and Spain had inspected or otherwise taken action against IUU-listed vessels which had attempted to access their ports.

2.19 Spain reported that it had implemented a national scheme of port inspection and control, involving several ministerial departments in order to prohibit any vessel included on the IUU vessel lists from entering Spanish ports. Spain noted that these actions were different from port inspections of vessels carrying toothfish in accordance with Conservation Measure 10-03.

2.20 Spain inspected and took action against four vessels included on CCAMLR’s IUU-NCP Vessel List: *Amorinn*, *Perseverance*, *Comet* and *Rex*, as well as *Tritón-1*, which was on the 2007 Provisional NCP-IUU Vessel List. Spain reported that none of the vessels

had toothfish on board, nor intended to carry out landings or transshipments. Access to port was sought in order to carry out maintenance and repairs of both the vessels and of their fishing gear.

2.21 Spain reported that it had taken action in respect of the captain of the *Tritón-1*. Spain also reported that it had apprehended the *Perseverance* and imposed a bond of €300 000 upon it, and had initiated a legal prosecution. Spain also denied port access to the *Rex* and *Comet*. Full details were reported to the Commission in CCAMLR-XXVI/BG/34 and COMM CIRC 07/121. Australia commended Spain for the action it had taken against IUU fishing vessels consistent with its obligations as a Member of the Commission.

2.22 The Secretariat drew the attention of SCIC to summaries of compliance-related information from reports of scientific observers (WG-FSA-07/8). The summaries contained information on the implementation by vessels of measures on the reduction of incidental mortality of seabirds and marine mammals (Conservation Measures 25-02 and 25-03) and environmental protection (Conservation Measure 26-01). The summaries have already been presented for consideration to the Scientific Committee and its working groups in order to evaluate performance of the abovementioned measures (CCAMLR-XXIII, paragraph 6.7). The data collected by scientific observers will provide a basis for the evaluation of compliance with these measures once a compliance evaluation procedure is developed (see paragraphs 2.36 to 2.43).

2.23 The Committee took note of a number of sightings of IUU vessels in the Convention Area as provided in CCAMLR-XXVI/BG/13 Rev. 2. The Committee requested the Secretariat to update the summary by listing any gillnet vessels sighted by South Africa during the 2006/07 season (CCAMLR-XXVI/BG/30).

2.24 In addition, Argentina advised SCIC that the Panamanian-flagged cargo vessel *Rosa* had been sighted in the Convention Area. Furthermore, it stated ‘the vessel firstly reported that it was flagged to Myanmar while information later indicated that it was probably flagged to Panama. The vessel subsequently sailed to the Malvinas Islands (Falklands) and later called at Punta Arenas, Chile’. Chile stated that it had inspected the vessel and found it to contain frozen krill that had been transhipped from the Polish-flagged vessel *Dalmor II*. Argentina advised SCIC that, in its opinion, this constituted a clear case of unregulated fishing (see paragraph 3.19).

2.25 The Secretariat was requested to seek more information regarding the vessel. Chile advised that it would provide full reports of all documentation collected during the Punta Arenas inspection to the Secretariat.

2.26 Spain recalled that amendments to Conservation Measure 10-02 in 2006 now required fishing vessel masters to report sightings of vessels in the Convention Area. SCIC was advised that four vessels had been sighted by two vessel masters during the 2006/07 intersessional period but that all reports had been submitted via their Flag States. The other report had been submitted via the Flag State from the scientific observer reports. Most of the vessels reported had also been sighted by a patrol vessel in the corresponding period.

2.27 The Secretariat reported on the implementation and operation of the Centralised Vessel Monitoring System (C-VMS) during the 2006/07 intersessional period. The Secretariat reported that it had released C-VMS data in accordance with Conservation

Measure 10-04, paragraph 20, in support of two surveillance operations conducted by New Zealand in January 2007. No requests for C-VMS data were received by the Secretariat in support of claims made to verify *Dissostichus* catch documents (DCDs) from the Catch Documentation Scheme for *Dissostichus* spp. (CDS) contact officers.

2.28 The Secretariat advised the Committee that, while no operational problems had been experienced, clarification was needed on several items.

2.29 The Secretariat informed the Committee that one Member has requested C-VMS data for its own flagged vessel, and that there was currently no provision in Conservation Measure 10-04 to allow for this. The Committee recommended that the paragraphs of Conservation Measure 10-04 relating to access to C-VMS data be amended to allow Flag States to be able to access their own data from the Secretariat (see paragraphs 2.45 and 2.47).

2.30 The Secretariat also informed the Committee that clarification was needed with respect to the treatment of VMS data voluntarily submitted by Members for their vessels operating outside the Convention Area. The Committee agreed that this type of data should be treated in accordance with the existing rules for secure and confidential VMS data outlined in Conservation Measure 10-04, Annex 10-04/B.

2.31 The Committee also agreed that paragraphs 21, 22 and 23 of Conservation Measure 10-04 are not applicable with regard to the release of these data from outside the Convention Area for surveillance operations, or to any CDS contact officer unless the Flag State has agreed to the release of these data.

2.32 Following a request from the Commission at CCAMLR-XXV, the Secretariat was tasked with conducting a feasibility study on the administrative and resource implications of using C-VMS data to validate positions reported in fine-scale haul-by-haul and observer data (CCAMLR-XXV, paragraph 7.5(iv)). The Secretariat presented its findings of this study (CCAMLR-XXVI/BG/16). The Secretariat reported that the current system was not suitable for this task and proposed an alternative method for validating fine-scale and observer data using a routine which it has developed specifically for this purpose.

2.33 The Committee agreed to recommend to the Commission the use of this method to identify and correct errors in the database, and where necessary use the C-VMS data to approximate positions which cannot otherwise be identified (CCAMLR-XXVI/BG/16).

2.34 The Secretariat also sought the guidance of SCIC as to how to deal with a request from the USA to satisfy the requirements of a new regulation in respect of imports of toothfish to the USA which require that all vessels exporting toothfish to the USA participate in C-VMS reporting to the Secretariat regardless of whether the vessel had fished inside or outside the Convention Area.

2.35 The Committee discussed the possibility of including a field in an E-CDS report which provided an indication of VMS reporting (see paragraph 4.22) in the context of the application of the US requirement. Argentina raised an objection to the application of C-VMS outside the Convention Area.

## Compliance evaluation procedure

2.36 At its meeting in 2006, the Commission approved advice received from SCIC that further examination of key compliance elements and development of evaluation criteria could best be advanced intersessionally by a group of experts nominated by Members and that this group should be convened by the SCIC Vice-Chair, Ms T. Frantz (South Africa) (CCAMLR-XXV, paragraph 7.30; CCAMLR-XXV, Annex 5, paragraph 3.34).

2.37 The group for the Development of a Compliance Evaluation Procedure (DOCEP) was convened and worked intersessionally according to its terms of reference developed by SCIC (CCAMLR-XXV, Annex 5, paragraph 3.35). Participants from Australia, European Community, France, New Zealand, Russia, UK and the USA took part in the work of the group.

2.38 The group's Convener reported the results of intersessional work to the Committee (CCAMLR-XXVI/BG/32). Most of the discussion of the group was focused on the development of quantifiable criteria against which to measure the compliance elements by taking into account the severity of violations and their impact. The group generally agreed that the criteria should be kept simple, but it was critical that the criteria developed should be able to quantify violations in the following impact categories:

- fishery administration
- resource management (target species)
- resource management (dependent and related species)
- resource management (environment).

2.39 Australia prepared and submitted to the group an example of a compliance evaluation methodology based on the risk assessment methodology used by Australia, New Zealand and South Africa. The group did not have sufficient time to thoroughly examine the example or consider any other potential methodology. Australia also presented to SCIC details of the example as contained in CCAMLR-XXVI/BG/32, Appendix C.

2.40 The Committee noted that, although the group had not addressed all of its terms of reference, the work conducted by the group has proved to be invaluable in providing insights into the complexity of developing a compliance evaluation procedure. SCIC also shared the view of the group that the procedures to be developed should facilitate the objectivity of compliance evaluation.

2.41 The Committee considered the group's recommendations and recommended to the Commission that a workshop on the development of a compliance evaluation procedure be convened. The workshop should consider all the intersessional group's terms of reference as identified by the Commission (CCAMLR-XXV, Annex 5, paragraph 3.35). The workshop should also select key compliance elements and consider the methodology prepared by Australia and other potential methodologies so as to evaluate their properties in terms of applicability for straightforward and objective compliance evaluation.

2.42 The Committee further recommended to the Commission that the current group should continue its work in the next intersessional period with a view to prepare for and conduct the above workshop in 2008, preferably in conjunction with WG-EMM. The group and the workshop will be co-convened by Ms Frantz and Ms K. Smith (Australia).

2.43 The Secretariat was requested to prepare an estimation of funds required for holding the workshop in order for the SCIC Chair to convey advice to SCAF (see paragraph 9.1).

#### Proposals for new and revised measures

2.44 A number of new measures and amendments to existing measures were submitted by Members and considered by the Committee:

- amendments to Conservation Measures 10-06 and 10-07 – removal of flagless vessels from the IUU Vessel Lists (Uruguay; CCAMLR-XXVI/10);
- amendments to Conservation Measure 10-06 and 10-07 – formal recognition of IUU Vessel Lists established by other Regional Fishery Management Organisations (RFMOs) (Norway; CCAMLR-XXVI/38);
- orderly development of the krill fishery (Australia; CCAMLR-XXVI/31);
- procedure for the closure of fisheries (New Zealand; CCAMLR-XXVI/35 Rev. 1);
- trade measure to promote compliance (European Community; CCAMLR-XXVI/33);
- proposals to amend the CCAMLR System of Inspection (European Community, New Zealand, USA; CCAMLR-XXVI/25);
- proposal to review and strengthen the System of Inspection (Australia; CCAMLR-XXVI/29 Rev. 1);
- improvement of vessel safety standards (Australia; CCAMLR-XXVI/28).

#### VMS

2.45 The Committee considered two proposals to amend Conservation Measure 10-04. The first proposal by the Secretariat in CCAMLR-XXVI/BG/16 was to amend Conservation Measure 10-04 to clarify that Contracting Parties may request and receive VMS data for their own flag vessels from the Secretariat. In general discussion it was noted that Flag States were required by paragraphs 1 and 5 of Conservation Measure 10-04 to collect these data.

2.46 A further proposal from Australia contained in CCAMLR-XXVI/31 was to amend Conservation Measure 10-04 so that it applied to vessels participating in krill fisheries, but excluded these vessels from the requirement to participate in the C-VMS (see paragraphs 2.49 to 2.54).

2.47 SCIC agreed with both proposals and recommended that the Commission amend Conservation Measure 10-04 in accordance with the revised text provided in CCAMLR-XXVI/BG/47.

## Closure of fisheries

2.48 The Committee considered a proposal by New Zealand for a new conservation measure clarifying the procedures to be followed on the closure of all fisheries (CCAMLR-XXVI/35 Rev. 1). The proposal arose from a request from the Secretariat for guidance from the Commission on the actions required of Flag States and their vessels when CCAMLR fisheries are closed (CCAMLR-XXV/BG/3). SCIC agreed to recommend that the Commission adopt the draft measure (CCAMLR-XXVI/BG/47).

## Krill fisheries

2.49 Australia submitted a proposal for compliance requirements for an orderly development of the krill fishery and urged Members to adopt it (CCAMLR-XXVI/31). Australia was of the opinion that compliance measures were required to ensure that the expanding krill fishery remains consistent with the objective of the Convention. Australia recommended that the following measures should apply to the krill fishery:

- Conservation Measure 10-03 (Port inspections of vessels carrying toothfish) be amended to also apply to the krill fishery;
- Conservation Measure 10-04 (Automated satellite-linked Vessel Monitoring System) be amended to also apply to the krill fishery;
- transshipment operations be overseen by the Flag State, similar to the unloading of catches at port in Conservation Measure 10-03 (Port inspections of vessels carrying toothfish);
- Components of Conservation Measure 21-02 (Exploratory fisheries) be applied to Conservation Measure 21-03 (Notifications of intent to participate in a krill fishery).

2.50 A number of Members thanked Australia for the proposal and expressed support for it, noting that the krill fishery was expanding rapidly and that it was less regulated than other fisheries in the Convention Area. These Members noted that krill was an integral part of the Antarctic marine ecosystem and the last under-exploited fishery in the world and therefore CCAMLR had an obligation to conserve and manage krill stocks.

2.51 Japan thanked Australia for its proposal and also supported orderly development of the krill fishery, but drew SCIC's attention to CCAMLR-XXVI/BG/41 Rev. 1 which reported that krill catches were stable at around 100 000 tonnes which was less than 3% of the precautionary catch limit and less than 20% of the trigger level of Conservation Measure 51-01. Japan stated that, although it supported the requirement for krill vessels to be notified to the Commission in advance, its krill vessel was not unregulated but was regulated by national authorities in addition to CCAMLR regulations and did not see the need for port inspections, the supervision of transshipments or VMS reporting. Japan pointed out that krill vessels were required to submit haul-by-haul data and that these could be used to check fishing information.

2.52 Some Members supported Japan's view.

2.53 The European Community stated that catches of krill and the number of vessels participating in the fishery were low and at this stage, therefore, very stringent measures, such as those adopted for toothfish, are not entirely necessary. However, the European Community considered it not acceptable for an organisation such as CCAMLR to leave fisheries under expansion, such as krill, without any basic regulatory and monitoring measures, such as the use of VMS and the obligation to collect biological data. The European Community also reiterated that the potential market demand for krill could result in a potential explosion of fishing effort. The European Community stated that its own investigations had found that only two CCAMLR Members used specific customs codes to identify krill international trade and suggested that other Members should introduce such codes to improve knowledge of the volume and trade of krill.

2.54 The Committee considered all proposals and agreed with the item relating to the application of VMS reporting to krill vessels (see paragraph 2.46).

#### Safety standards

2.55 Australia submitted a proposal for amending Conservation Measure 10-02 to improve safety standards for vessels licensed to fish in the Convention Area (CCAMLR-XXVI/28). When introducing the proposal, Australia noted that the difficulties in responding to emergencies in Antarctica required vessels to be adequately prepared. The proposal was designed to provide minimum standards for all fishing vessels operating in the CAMLR Convention Area. Members agreed that safety in the Convention Area was an important issue, as reflected in Resolution 23/XXIII. However some Members expressed concern about links with work currently being undertaken in the International Maritime Organization (IMO), and wanted to investigate this link further. SCIC agreed to forward the draft to the Commission for further consideration (CCAMLR-XXVI/BG/48).

2.56 South Africa noted that it would be extremely helpful for port and CDS officials if a list of vessels licensed by Members to fish inside the Convention Area were to be made available on the public-access section of the CCAMLR website.

2.57 The Committee endorsed placing the list of licensed vessels on the public-access section of the CCAMLR website.

#### IUU Vessel Lists

2.58 Norway had submitted a proposal to amend Conservation Measures 10-06 and 10-07 in order for CCAMLR to formally recognise the IUU vessel lists of NAFO, NEAFC and SEAFO (CCAMLR-XXVI/38). Some Members expressed concern that the objectives, purposes, membership and standards of these RFMOs differed from those of CCAMLR. They had reservations about including these IUU lists in CCAMLR's own list. The draft was amended to take account of some Members' serious concerns and SCIC agreed to forward the draft to the Commission for further consideration (CCAMLR-XXVI/BG/48).

## System of Inspection

2.59 Australia had submitted a proposal to review and strengthen the CCAMLR System of Inspection (CCAMLR-XXVI/29 Rev. 1). Members discussed the proposed changes in detail, including its practical implications for inspectors, fishing vessels, Flag States and the designating Member. The draft was amended to take account of some Members' concerns and SCIC agreed to forward the draft to the Commission for further consideration (CCAMLR-XXVI/BG/48).

2.60 The USA, European Community and New Zealand submitted a proposal to clarify that the System of Inspection applies to Members and Contracting Parties. The Committee agreed to recommend to the Commission a change in the text of the System of Inspection to reflect this (CCAMLR-XXVI/25).

## Trade measure

2.61 Following discussions at CCAMLR-XXV (CCAMLR-XXV, Annex 5, paragraph 3.55), the European Community presented a proposal to adopt a trade measure in respect of toothfish (CCAMLR-XXVI/33).

2.62 The European Community noted that vessels included on the IUU Vessel List continued to engage in IUU fishing in the Convention Area and their Flag States generally do not take action against them.

2.63 The European Community further noted that actions against these vessels on the IUU List, including diplomatic demarches to their Flag States or patrol actions, have not been effective enough to discourage them from continuing their IUU activities. It therefore believed that more concrete action was required including trade-related measures against those States. The European Community recommended the procedure to identify situations of possible non-compliance with conservation measures, to engage appropriate consultations with the States concerned, to encourage them to take corrective measures, to cooperate with CCAMLR or join this organisation. If these steps remain unsuccessful, trade-related measures in compliance with international law, in particular the World Trade Organization (WTO), could be taken as a last resort and be lifted where the situation could be corrected by the State concerned.

2.64 Brazil thanked the European Community for its initiative and agreed with the motivation underpinning the document, namely the need to tackle non-compliance. However, Brazil expressed concerns that imposing trade sanctions against both Contracting and non-Contracting Parties could have serious legal implications outside CCAMLR, particularly in respect of compatibility with WTO obligations. Brazil also noted that the concept of trade measures lacked legal precision and pointed out that the meaning of the term 'non-discriminatory' could be interpreted differently outside CCAMLR. Brazil raised the question that an import prohibition could constitute a violation of the General Agreement on Tariffs and Trade (GATT) Articles I, paragraph 1 and XI, paragraph 1.

2.65 Brazil also expressed concern regarding the legal basis for CCAMLR imposing sanctions against non-Contracting Parties. Some Members agreed with this and instead urged more effort in respect of existing measures aimed at addressing non-compliance.

2.66 Whilst supporting the views expressed by Brazil, Argentina made the following statement:

‘At this stage we should reflect on the impact that such measures would have on CCAMLR as a part of the Antarctic Treaty System. The Convention was drafted at a number of diplomatic meetings under terms of reference set out in Antarctic Treaty Consultative Meeting (ATCM) recommendations in the late 1970s. In those terms of reference and accompanying report language the ATCM recognised that “harvesting would not be prohibited, but the regime would exclude catch allocation and other economic regulation of harvesting” (ATCM IX).

In effect, CCAMLR operates as an administrator of the resources with a mandate to keep the ecosystem within limited and reversible changes derived from “rational use” and not as the owner of the resources. The key to CCAMLR’s success resides in not claiming exclusivity in the exploitation of the resources. The experience with most RFMOs is that they divert from the consideration of conservation objectives into the discussion of economical interests. Imposing economic sanctions on either Contracting Parties or non-Contracting Parties will put CCAMLR in the path of becoming just another RFMO, based on the exclusion of non-Contracting Parties and the optimisation of the benefits derived from the fishery. Thus, the deliberations within CCAMLR would start to concentrate on commercial issues, losing then its legitimacy.’

2.67 Australia and the USA pointed out that the measure was not intended to legislate against non-Contracting Parties but rather to address the problem of non-cooperation.

2.68 Whilst Japan supported the measure in principle, it reminded the Committee that CCAMLR already has a CDS, a licensed vessel list and an IUU Vessel List and expressed some doubt as to the value of adopting an additional trade measure in addition to these existing measures.

2.69 Spain recalled Resolution 19/XXI dealing with flags of non-compliance and pointed out that, with the adoption of the CDS, IUU product should not enter the markets of CCAMLR Members in any case.

2.70 Several Members stated that they did not agree that a trade measure conflicted in any way with the principles of the Antarctic Treaty System. The ATCM had recognised in several resolutions adopted that IUU fishing was a serious threat to the conservation of the Antarctic ecosystem and had been supportive of CCAMLR measures to address the problem. Having the provision of a trade measure for use in negotiations with non-compliant States would strengthen CCAMLR’s fight against IUU activity.

2.71 Several Members noted that the idea of trade sanctions was not new and that ICCAT had already adopted such a measure. These Members believed that the proposal was consistent with international law and that CCAMLR could confidently follow the precedents set by ICCAT.

2.72 The draft was amended to take account of some Members’ concerns and SCIC agreed to forward the draft to the Commission for further consideration (CCAMLR-XXVI/BG/48).

### III. IUU FISHING IN THE CONVENTION AREA

#### Current level of IUU fishing

3.1 The Committee reviewed presentations by Australia and South Africa regarding IUU fishing developments in the Convention Area during the past few years.

3.2 Australia's presentation provided a background of IUU activities in Area 58 and Australian actions in response since 2004 and showed that IUU fishing in the Australian Exclusive Economic Zone (EEZ) had not been detected since the commencement of the dedicated patrol program. Australia advised the Committee, however, that the problem had moved, particularly to the high-seas area of BANZARE Bank (Division 58.4.3b). It noted that relatively few vessels were involved but that these were persistent offenders and frequently changed names and flags. Australia reported that the current flags of such vessels include Democratic People's Republic of Korea, Equatorial Guinea, Sierra Leone and Togo. It expressed the view that these countries were in breach of their obligations under UNCLOS. As reported by Australia, the Port States currently being used by the vessels include Indonesia, Kenya, Malaysia, Mozambique and Singapore.

3.3 Australia reiterated the need for a patrol presence in the Convention Area as it provided valuable information on IUU activity within the Convention Area, as well as deterring IUU activity within EEZs. Australia noted that CCAMLR initiatives had made it more difficult for IUU vessels to operate but that more effort was required and urged all Members to make a concerted effort.

3.4 The Committee thanked Australia for its efforts against IUU fishing and urged further effort by all CCAMLR Members.

3.5 South Africa reported on the conversion of many former IUU longliners to gillnet operations as described in papers presented to the meeting (CCAMLR-XXVI/BG/30 and BG/33). A presentation was made that focused on information provided by a former crew member on board the IUU-listed vessel *Black Moon*, since renamed *Ina Maka*, and showed the vessel fishing for, and transshipping significant quantities of, toothfish during 2005.

3.6 South Africa reported that the vessel had called at Durban in December 2006 under the name *Black Moon* and had been denied port access. The vessel called again in August 2007 using the name *Ina Maka* and unloaded shark products. South Africa apprehended the vessel on the basis that it had not reported that it had gillnets on board, confiscated its gear worth US\$43 000 and fined the vessel an additional US\$58 000.

3.7 South Africa also drew the Committee's attention to a number of other IUU vessels which had converted to gillnetters and pointed out that there was a high level of discarded gear, that the vessels transhipped new gear between them and targeted species such as toothfish, grenadiers, squid and crabs. South Africa reported that the owner of many of the vessels was Vidal Armadores and opportunities might be provided in order to launder catches from such IUU vessels via licensed vessels. South Africa urged greater cooperation between CCAMLR and RFMOs in order to combat IUU fishing.

3.8 The Committee thanked South Africa for its excellent presentation.

3.9 France reported on its actions and observations in respect of IUU fishing in Area 58 during the 2006/07 intersessional period as reported in CCAMLR-XXVI/BG/23. France noted a large number of vessels had been sighted and identified outside its EEZ and that most of these were using gillnets. This high level of IUU activity is mostly concentrated in Division 58.4.3. France observed that most vessels were active during the austral summer but moved to other fisheries outside the Convention Area during winter months.

3.10 Despite the elimination of IUU fishing inside the EEZs, France expressed the view that the System of Inspection should be strengthened and that the adoption of trade-related measures would be useful to act efficiently against IUU activity.

3.11 France informed SCIC that it had undertaken diplomatic demarches during the 2006/07 intersessional period to Togo and Equatorial Guinea, with the aim of obtaining permission to board, inspect and detain any of their flag vessels in the Convention Area, including on the high seas.

3.12 France reported that it had received no response from Togo, but that a diplomatic note had been received from the authorities of Equatorial Guinea in September 2007 which authorises France to take action, if required, in order to combat IUU fishing in the Convention Area.

3.13 France strongly encouraged other Members and Contracting Parties to undertake similar diplomatic demarches.

3.14 Several Members noted that they had already sent letters to non-Contracting Parties, especially when their nationals were involved with IUU vessels.

3.15 The European Community reported that it had also undertaken a number of diplomatic demarches to Togo and Equatorial Guinea during the 2006/07 intersessional period, details of which had been circulated to Members (COMM CIRC 06/112 and 07/93). The European Community stressed the importance of the letter received from the Togolese government (FISH/B-2 RC/ig D(2007), 3 August 2007) in which Togolese authorities authorised the boarding and inspection of Togolese-flagged vessels listed in the NCP-IUU List by patrol vessels of CCAMLR Members.

3.16 The Secretariat reported on the estimates of IUU catches of toothfish using the compliance-based methodology in the Convention Area for 2006/07. The estimate of 3 615 tonnes was approved by WG-FSA as reported in SCIC-07/8. The Secretariat also advised SCIC that the previous year's estimation had been revised to 3 420 tonnes to take into consideration new information received after the meeting of CCAMLR-XXV.

#### Procedure for the estimation of IUU catches

3.17 The Secretariat reported on intersessional testing of the two matrices adopted by the Joint Assessment Group (JAG) and SCIC accounting for uncertainties attached to IUU vessel sightings. The Secretariat noted that there was little difference between the IUU catch estimates produced by both matrices. The Secretariat also noted that a high level of patrol coverage in the Convention Area had resulted in less uncertainty concerning the veracity of reported sightings, which in most cases then negated the need for application of the matrices.

The Secretariat therefore concluded that the traditional methodology employed by CCAMLR could continue to be used with application of the matrices only being necessary where uncertainty existed. However, the extent of gillnet fishing was unable to be reflected by the matrices and this will therefore need to be reviewed when more information on catch rates by gillnet vessels can be obtained.

#### IUU Vessel Lists

3.18 The Committee reviewed the Provisional List of non-Contracting Party Vessels (CCAMLR-XXVI/7) along with supplementary information (SCIC-07/6). The Committee also reviewed the IUU Vessel Lists adopted in previous years.

3.19 Several Members expressed the view that more evidence of engagement of the cargo vessel *Rosa* in IUU activities in accordance with paragraph 4 of Conservation Measure 10-07 was required. Members also noted that Panama, as probable Flag State of the vessel, had not been notified in accordance with paragraphs 7, 8, 10 and 12 of Conservation Measure 10-07. It was therefore decided to seek further information regarding the *Rosa* incident during the 2007/08 intersessional period and keep Members advised.

3.20 The Committee decided to:

- (i) adopt a Proposed NCP-IUU Vessel List (Appendix III);
- (ii) recommend to the Commission that the former Honduras-flagged vessel *Apache* be removed from the adopted NCP-IUU Vessel List as it had been apprehended by France and converted to a State naval vessel under the new name *Le Malin* and would continue to be used as such (Appendix IV);
- (iii) recommend to the Commission that the Panamanian-flagged vessel *Seed Leaf* be retained on the adopted NCP-IUU Vessel List on the grounds described in paragraph 3.23 (Appendix IV).

3.21 Noting that a number of flagless vessels were included on the adopted IUU Vessel Lists, Uruguay submitted a proposal that flagless vessels which were not involved in fishing activities be removed from the lists (CCAMLR-XXVI/10).

3.22 Australia advised the Committee that two flagless vessels included on the adopted CP-IUU Vessel List (Appendix IV) are currently the property of the Australian Government. Australia asked that these vessels remain on the list until such time as their fate had been decided.

3.23 Correspondence from Panama regarding the ownership of the vessel *Seed Leaf* had been presented to SCIC. The Committee, however, reviewed information from the Lloyds Registry which indicated a link between the former and current operators of the vessel. The Committee therefore agreed to retain *Seed Leaf* on the adopted NCP-IUU Vessel List.

3.24 China noted that four vessels flagged to China were included on the adopted CP-IUU Vessel List and advised SCIC that it had not issued the vessels with toothfish licences and would, therefore, contribute to the decrease in the level of IUU fishing in the Convention

Area. China also advised SCIC that the vessels were being reconfigured and would be redeployed to other fisheries outside the Convention Area in the future. Therefore China proposed that the vessels be removed from the IUU Vessel List. However, some Members did not agree with the proposal. China noted that it would put forward a similar proposal at CCAMLR-XXVII.

3.25 Spain requested that the ownership details for *Perseverance* be amended on the adopted IUU Vessel List.

3.26 The Committee also reviewed the case of the vessel *Volna* which remained on the Provisional CP-IUU Vessel List from 2006 (CCAMLR-XXV, paragraphs 9.16 to 9.53) (Appendix III).

3.27 Russia made the following statement:

‘Under SCIC agenda item 3(iii) concerning the Russian-flagged vessel *Volna*, the Russian Delegation has been instructed to make the following statement.

During the last CCAMLR session, the Russian Federation committed itself to conduct additional investigations and undertake necessary proceedings with regard to the fishing vessel *Volna* owned and operated by Laguna LLC. Complying with the CCAMLR decisions, the Russian fishing authorities, immediately after the CCAMLR meeting, requested that the *Volna* shipowner provide full details of an incident involving this vessel along with written explanations and evidence of actions taken. At the same time a special group was set up by the fishing authorities to further investigate the case.

From November 2006 to January 2007 several meetings were held in the Federal Agency for Fisheries and in the Ministry of Agriculture. Some meetings were chaired by the Deputy Minister for Agriculture, Mr Izmailov. So, the issue was brought up to the highest level of the Russian fishery administration. The owner’s information and explanations were thoroughly analysed and compared with other available information, including the materials distributed by some delegations in the course of the last CCAMLR meeting. The shipowner and managing director were called to Moscow to attend the proceedings. As a result, the shipmaster (captain) and the fish master were dismissed. The crew bonus for the cruise was cut by 50%. The company and its accounts were inspected. Having analysed the case in full detail, the Russian authorities concluded that the incident was a non-deliberate technical infringement.

After the last CCAMLR meeting, in November 2006, the *Volna* was ready to start work in the Convention Area on the basis of a notification which had been confirmed before at both the national and international levels. Under the Russian law there were no legal grounds to impose any special sanctions on this fishing vessel, for instance, to withdraw its fishing licence. Consequently, the vessel’s licence was extended for the 2006/07 fishing season. At the same time, the *Volna* was seriously warned about full compliance with CCAMLR provisions.

During the last season (2006/07), the *Volna* demonstrated full compliance with conservation measures and all national and international requirements. By doing so, and by their full cooperation, the vessel and its operator have proved that the incident

was rather technical than legal. As such, for the Russian fishing authorities the *Volna* file has been closed. Based on this conclusion, the Russian Federation sees no grounds to include the *Volna* on the IUU-Vessel List and resume debates on this subject.'

3.28 Several Members drew the Committee's attention to the fact that Russia had not submitted a licence notification to the Commission for either the *Volna* or *Yantar* for the 2006/07 fishing season, although both vessels had fished in the Convention Area. Russia agreed to provide licence details for the *Volna* and *Yantar*.

3.29 Russia advised that this was a purely technical communication problem rather than a case of the vessels engaging in unlicensed fishing. The problem occurred owing to a new administrative procedure implemented with regard to licensing the abovementioned vessels.

3.30 Several Members also expressed strong concern that Russia had allowed the vessel to fish whilst the matter of the incident in 2006 remained unresolved.

3.31 Russia advised that its fisheries administration responsible for licensing vessels had not received any information from the *Volna*'s owners that could indicate their intention on future activities of the vessel in the Convention Area.

3.32 The Committee decided that any further consideration of the case of the vessel *Volna* should be referred to the Commission.

#### IV. CATCH DOCUMENTATION SCHEME (CDS)

##### Implementation and operation of the CDS

4.1 The Committee reviewed the implementation of the CDS during the 2006/07 intersessional period.

4.2 The Secretariat reported on one notification of undocumented unloading of 575 tonnes of toothfish by the vessel *Bigaro* in Malaysia in January 2007. The European Community reported the results of its ongoing research work that indicated that this quantity has been internationally traded under the incorrect Harmonised System (HS) customs code 030379. The results of this work will be communicated to the Secretariat.

4.3 The Secretariat also advised the Committee that it had received a currently unconfirmed report that the vessel *Chilbo San 33* had unloaded 16 containers of fish in Kenya in October 2007.

4.4 China was requested to clarify the situation in respect of the Hong Kong Special Administrative Region (SAR).

4.5 China informed the Committee that its acceding to the Convention did not mean that the Convention automatically applied to Hong Kong SAR. China advised that Hong Kong SAR could voluntarily implement the CDS, but that Hong Kong SAR had advised that it believed that it was not necessary to do so, as it imported only small quantities of toothfish and that this level was expected to decrease even further in the future.

4.6 New Zealand noted that Hong Kong SAR provides a potential loophole because a large commercial organisation actively involved in toothfish harvesting and processing was headquartered there and urged China to address the problem.

4.7 The European Community reported that in addition to the countries trading in toothfish mentioned in the last section of Table 1 of CCAMLR-XXVI/BG/14 Rev. 1, several other countries had been found to import or export toothfish on the basis of ongoing research work on trade flows under the specific HS codes for toothfish. Details will be forwarded to the Secretariat to implement Annex 10-05/C of Conservation Measure 10-05. The European Community also requested that information be provided on the steps taken for the proposal to implement Annex 10-05/C of Conservation Measure 10-05 in respect of the countries mentioned in Table 1 of CCAMLR-XXVI/BG/14 Rev. 1. It also drew the attention of the Committee to the fact that two countries, Malaysia and Singapore, mentioned in the same table, are known to receive IUU listed vessels in their ports.

4.8 The Committee noted with concern that Singapore continued to implement the CDS only partially in that its only function was to authorise re-export documents upon request from the exporting company.

4.9 The USA, in particular, expressed its disappointment at Singapore's partial implementation of the CDS as, in its view, implementation of the CDS should be in full.

4.10 The Secretariat reported that it had continued to contact non-Contracting Parties on a routine basis regarding cooperation with CCAMLR and will more comprehensively adhere to the requirements of Annex 10-05/C of Conservation Measure 10-05 in order to provide a full report on the matter at CCAMLR-XXVII.

4.11 The European Community requested clarification from the Secretariat with respect to communications it has had with non-Contracting Parties regarding their cooperation with CCAMLR in the implementation of the CDS as required in accordance with Annex 10-05/C.

4.12 The Executive Secretary informed the Committee that due to a misinterpretation of the amendments in Annex 10-05/C it had not provided all the information contained in the annex to non-Contracting Parties.

4.13 The Committee reminded the Secretariat of the conditions of Annex 10-05/C and its obligation to write formally to non-Contracting Parties and include Annex 10-05/C. This will provide non-Contracting Parties with all the relevant information to enable them to consider implementation of the CDS.

4.14 The Executive Secretary informed the Committee that it will proceed in contacting all non-Contracting Parties that it has dealt with in the past, as well as those newly identified non-Contracting Parties mentioned by the European Community. This would be routinely done on an annual basis from now on and a report will be provided to the Committee detailing the outcomes of this correspondence.

4.15 The Secretariat advised the Committee that a report from CCAMLR had been considered at the recent meeting of the Convention on International Trade in Endangered Species (CITES CoP14). CCAMLR's report informed CITES that a number of vessels flagged to CITES Parties, namely Equatorial Guinea and Togo, were currently involved in

IUU fishing in the Convention Area. It also informed CITES that another CITES Party, Singapore, continues to implement the CDS only partially and that Hong Kong SAR and Indonesia had not yet implemented the CDS.

4.16 The CCAMLR report to CITES recommended that CITES reinforce the provisions of Resolution Conf. 12.4 by requesting that CITES Parties involved in the harvest or trade of toothfish voluntarily cooperate with CCAMLR in the implementation of the CDS.

4.17 However, no response to the report of CCAMLR to CITES had yet been received.

#### Electronic Web-based Catch Documentation Scheme for *Dissostichus* spp. (E-CDS)

4.18 The Committee reviewed the ongoing use and development of the E-CDS (CCAMLR-XXVI/BG/15) and noted that virtually all Members are now using the E-CDS format exclusively.

4.19 The Committee noted that a number of modifications and improvements to the E-CDS website had been undertaken during 2007.

4.20 The Committee also noted that the USA had adopted new regulations for the import of toothfish into the USA. The regulations require all toothfish imported into the USA to be accompanied by E-CDS documentation, as well as requiring information to indicate that all toothfish imported into the USA must have been caught by vessels which report VMS data to the Secretariat, regardless of whether the vessels fished inside or outside the Convention Area.

4.21 The USA advised the Committee that it did not necessarily wish to receive full position data for all vessels involved but that it did wish to receive information from the Secretariat as to whether the vessel was reporting VMS to the Secretariat.

4.22 In order not to impose any delays on the trade of toothfish into the USA, the Secretariat had therefore proposed the inclusion of a field on a secure section of the E-CDS website which would provide port and import Parties participating in the CDS with an indication as to whether the vessel was reporting VMS data to the Secretariat. Argentina raised an objection regarding the application of Conservation Measure 10-04 outside the Convention Area.

## V. SCHEME OF INTERNATIONAL SCIENTIFIC OBSERVATION

5.1 A summary of all scientific observation programs undertaken in 2006/07 was presented in SC-CAMLR-XXVI/BG/8.

5.2 The Committee noted that scientific observers appointed under the CCAMLR Scheme of International Scientific Observation were deployed on all vessels in all finfish fisheries in the Convention Area. A total of 56 observation programs were undertaken, including 50 in

toothfish and icefish fisheries (40 longline, 9 finfish trawl and 1 pot gear fishing) and 6 on krill fishing vessels. All programs were undertaken in accordance with the CCAMLR scheme.

5.3 There were no proposals received by SCIC from Members on improvements to the scheme. Further discussion on the scheme's implementation and priorities in scientific observations is provided below (paragraphs 6.15 to 6.17).

## VI. ADVICE FROM THE SCIENTIFIC COMMITTEE

6.1 The Chair of the Scientific Committee, Dr E. Fanta, presented the Scientific Committee's preliminary advice of relevance to SCIC (SC-CAMLR-XXVI, paragraphs 12.1 to 12.30). The SCIC considered this advice and made a number of comments as described below.

### Mitigation measures

6.2 The Committee noted with great satisfaction that Members had achieved 100% implementation of all seabird mortality mitigation measures in 2006/07, except for streamer line design and use, discard of offal and the discard of hooks in offal. As a result, the total extrapolated seabird mortality due to interactions with fishing gear in longline fishing for *Dissostichus* spp. in the Convention Area in 2006/07, with the exception of the French EEZs in Subarea 58.6 and Division 58.5.1, was estimated to be zero.

6.3 The Committee urged Members to remain vigilant and ensure that all mitigation measures were fully implemented at all times.

6.4 The Committee noted with concern the Scientific Committee's advice that some vessels in 2006/07 had not met the requirements for offal discharge and the discarding of hooks, the conducting of bottle tests on line sink rates and the use of net sonde cables. Some vessels had discharged oil, gear debris and inorganic garbage (SC-CAMLR-XXVI, paragraph 5.15).

6.5 The Committee requested the Secretariat to conduct a retrospective analysis of scientific observer data related to the implementation of Conservation Measures 25-02, 25-03 and 26-01 as presented in WG-FSA-07/8 Rev. 1 for the 2006/07 season to identify whether there is consistency in non-compliance events between vessels and seasons. Results of the analysis will be considered by SCIC in 2008.

### Exploratory fisheries

6.6 The Committee agreed that non-compliance with fishery-based research requirements would compromise the Scientific Committee's capability to develop assessments for exploratory fisheries. In particular, it was noted that some vessels operating in exploratory

fisheries in 2006/07 in Divisions 58.4.1 and 58.4.2 and Subarea 88.2 had not achieved full compliance with the fishery-based research requirements for deploying research sets and the tagging program (Conservation Measure 41-01, Annexes 41-01/B and C).

6.7 The Committee decided to continue close scrutiny of all instances of non-compliance with tagging requirements on a vessel-by-vessel basis, e.g. based on information as reported in SC-CAMLR-XXVI, Annex 5, Table 5.

6.8 In addition, SCIC noted that there were large differences between the rates of recapture of tagged toothfish reported by vessels. The Scientific Committee advised that such differences may arise due to factors such as differential survival rates of tagged fish, vessel- or region-specific factors, and variations in tagging rates, tag-detection rates and reporting.

6.9 The Committee agreed that, in addition to the reasons listed by the Scientific Committee, the following potential reasons for the abovementioned problem should be investigated and taken into account:

- deliberate non-reporting by vessels of recaptured tags
- a link between low rates of recapture and low rates of actual tagging on a vessel-by-vessel basis.

6.10 The Committee agreed with the Scientific Committee that vessels should be required to continue tagging *Dissostichus* spp. at the specified rate until they leave the fishery and Members were urged to tag fish during the entire course of fishing, and in proportion to the species and sizes of *Dissostichus* spp. present in the catches. New Zealand observed that the failure to comply with scientific research requirements by many vessels was a serious compliance issue and should be taken into account when access was afforded to vessels to CCAMLR exploratory fisheries.

#### Fishery notifications

6.11 The Committee noted that the Scientific Committee reviewed the notifications for krill fisheries in 2007/08 and drew attention, in particular, to the following points:

- (i) the large number of notifications received from the Cook Islands;
- (ii) for the first time, the total notified catch (684 000 tonnes) was greater than the trigger level in Area 48 (620 000 tonnes);
- (iii) the increasing number of notifications for fishing using new fishing methods (continuous fishing system and pair trawling);
- (iv) the actual reported catches in recent seasons were less than the amounts notified.

6.12 The Committee recalled its work on a number of proposals received from Members on potential improvements to krill fisheries governance and management, and reaffirmed its understanding that mechanisms for orderly development of krill fisheries were urgently required (see paragraphs 2.49 to 2.54).

6.13 The Committee noted that the large difference between the total notified and reported catches was of considerable concern because information submitted by Members in notifications did not necessarily reflect factual expected levels of catches and areas to be fished. It agreed that the situation should be improved and Members be requested to notify as correct information as possible.

6.14 Japan informed SCIC that the Scientific Committee had considered some potential mechanisms for improving correctness of information in krill fishery notifications. One such mechanism could be defining a rule that would temporarily prohibit entry to krill fisheries for Members who have not undertaken notified fisheries, for example, for two consecutive seasons.

#### Scheme of International Scientific Observation

6.15 The Committee noted that the Scientific Committee agreed to establish an ad hoc technical group to address observation priorities, improvements in the reporting of observer data and other aspects of the Scheme of International Scientific Observation. It also noted that scientific observers, technical coordinators and representatives of the fishing industry will be invited to participate in the work of the ad hoc group.

6.16 The Committee noted with concern that the reported percentage of hooks observed in longline fisheries fell below the recommended minimum of 20% on several vessels in 2006/07 (as low as 0%). It agreed with the Scientific Committee that clarification be sought from the Members which designated the international observers for these cruises.

6.17 The Committee noted the Scientific Committee's ongoing work on the elaboration of requirements for the collection of standard scientific observations on krill fishing vessels. Systematic scientific observer coverage of the krill fishery is required across all fishing methods so as to allow the Scientific Committee to develop advice on the fishery, including evaluation of by-catch and the efficacy of mitigation measures.

6.18 The Committee expressed the view that any decision on the application of the System of International Scientific Observation with respect to krill fishing vessels should be considered by the Commission based on advice received from the Scientific Committee.

#### Gillnet fishing in the Convention Area

6.19 The Committee noted that there was no new advice received from the Scientific Committee on matters related to the interim prohibition of deep-sea gillnetting and the extent of shark stocks in the Convention Area.

#### Estimation of levels of IUU catches

6.20 The Committee took note of the Scientific Committee's advice that the method for estimating IUU catches currently used by the Secretariat could be further improved by the

addition of a measure to identify the local density of licensed vessels. Such measures would provide an estimate of the probability of detecting an IUU fishing event, and may indicate areas where such a probability was low.

6.21 The Committee agreed that the Secretariat be requested to consider including a measure of the local density of licensed vessels in its calculations of IUU catches.

## VII. ELECTION OF THE VICE-CHAIR OF THE COMMITTEE

7.1 The current Vice-Chair of the Committee, Ms Frantz, had advised the Committee that she was unable to continue serving her current term as Vice-Chair due to other commitments.

7.2 South Africa nominated Ms K. Dawson-Guynn (USA) as the new Vice-Chair of SCIC and she was unanimously elected for 2008 and 2009. Ms Frantz was thanked for her work as Vice-Chair and Ms Dawson-Guynn was congratulated on her appointment.

## VIII. OTHER BUSINESS

8.1 At its opening session, the Commission had referred the following two additional items to SCIC for its consideration:

- (i) a proposal to undertake a performance review of CCAMLR (CCAMLR-XXVI/32);
- (ii) a proposal for a conservation measure for bottom fishing activities in the Convention Area (CCAMLR-XXVI/26).

### Performance Review

8.2 The Committee considered a paper submitted by the European Community and the USA (CCAMLR-XXVI/32) which proposed that CCAMLR conduct a Performance Review of the organisation in line with the 2006 United Nations General Assembly (UNGA) Resolution 61/105. It was proposed that the review should be undertaken as early as 2008.

8.3 The European Community and the USA urged the Committee to favourably consider the proposal as it would provide an opportunity for CCAMLR to lead by example. It was furthermore noted that, whilst CCAMLR is an effective organisation, a review would help to identify aspects in which CCAMLR could continue to improve its performance.

8.4 Most Members expressed general support for the proposal but some Members noted that CCAMLR is regarded as an extremely effective organisation and therefore questioned the need for such a review to be undertaken as a matter of urgency.

8.5 Several Members raised points on the composition of a Review Panel in the above proposal, particularly in respect of the delegation of functions to the Chairs of the various CCAMLR committees and the lack of a panel member representing the Commission. These

Members also raised the question of non-governmental organisation (NGO) participation and whether it was necessary for CCAMLR to fund their participation. Some Members considered that the make-up of any Review Panel should take geographic factors into consideration and the framework should also consider the needs of new Members.

8.6 Other Members noted that CCAMLR is an important part of the Antarctic Treaty System and has a much broader scope of its objectives than the functions normally attached to an RFMO.

8.7 Argentina recalled that Article V of the Convention states that the primary responsibility for the protection of the Antarctic ecosystem pertains to the Antarctic Treaty Consultative Parties and proposed that the ATCM should play an important role in the Review Panel.

8.8 Norway advised that a similar review undertaken by NEAFC had taken six to seven months and involved a budget of GB£50 000. The costs estimated by the Secretariat to conduct a CCAMLR Performance Review were in the range of A\$90 800–101 600 with \$A100 000 being considered as reasonable.

8.9 The European Community responded to the questions and comments raised by Members. It noted reservations regarding the proposed criteria but pointed out that the criteria were intended to provide a basis for discussion and were open for review. The European Community believed that there was enough time to conduct a review prior to consideration by the Commission at CCAMLR-XXVII and that there was no reason for delay.

8.10 Regarding the involvement of external parties in the Review Panel, the European Community reiterated the need for external reviewers as this was, in its view, an essential factor for the credibility and transparency of the proposed review. The European Community recognised the difficulties associated with including and providing financial support to NGO representatives, but expressed the view that NGOs played an important role and should always be consulted. The European Community therefore believed that the inclusion of NGOs was highly desirable and suggested that NGOs could fund their own participation. However, the European Community believed that CCAMLR could fund the participation costs of the three committee chairs.

8.11 The Committee expressed general support for a Performance Review and agreed that it was an important process for any international forum but that it should proceed in a manner which would take into account special criteria applicable to CCAMLR. Consequently, any review panel would need to be selected with care and consideration.

8.12 Additional discussion on the Performance Review was conducted by Members outside the SCIC meeting and the results of these deliberations will be reported directly to the Commission for further consideration.

#### Bottom fishing

8.13 The Committee considered a proposal by the USA (CCAMLR-XXVI/26) to implement UNGA Resolution 61/105 that contains detailed provisions calling on States, the FAO and RFMOs and arrangements concerning the protection of vulnerable marine

ecosystems (VMEs) from bottom fishing activities that would have significant adverse impacts on such ecosystems. The US Delegation noted that the UNGA resolution provisions encompass a range of elements that are not currently reflected in Conservation Measures 22-04 and 22-05, such as the assessment of whether individual bottom fishing activities would have significant adverse impacts on VMEs, the closure of certain areas to bottom fishing unless conservation measures to prevent significant adverse impacts on VMEs are established, and what actions to take if a VME is encountered in the course of fishing operations.

8.14 The USA stated that it was important to act quickly not only so that the Commission could show leadership on this issue, but because, according to the UNGA resolution, if CCAMLR had not acted by 31 December 2008 to assess and protect VMEs, bottom fishing in the Convention Area would have to stop.

8.15 The Committee generally welcomed the proposal, thanked the USA for tabling it and expressed general support for the UNGA resolution.

8.16 Japan noted that CCAMLR already has strict measures in respect of bottom fishing, particularly for bottom trawling and deep-sea gillnetting, in place and in a way, it had already considered implications for VMEs and that an FAO Expert Consultation is preparing draft guidelines on bottom fishing which would be useful for the discussion of the Commission. Japan pointed out that terms such as VMEs or significant harm should be clearly defined for any conservation measure on VMEs to be smoothly implemented.

8.17 Norway noted the importance of cooperation through the Scientific Committee in order to provide relevant scientific assessments.

8.18 While supporting the US proposal, Argentina reiterated its position regarding UNGA Resolution 61/105, in the sense that none of its recommendations may be interpreted as implying that the provisions of the United Nations Fish Stock Agreement (UNFSA) adopted in New York in 1995, may be deemed to be binding on the States that have not expressly manifested their consent to be bound by that agreement. Argentina once more recalled that it had not ratified it.

8.19 Several Members noted that the proposal would require a significant input from the Scientific Committee and that the identification of VMEs would place an additional burden on the provision of scientific advice.

8.20 Further discussion on the measure for bottom fishing was conducted by Members outside the SCIC meeting and the results of these deliberations will be reported directly to the Commission.

## IX. ADVICE TO SCAF

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

- (i) a Performance Review of CCAMLR (A\$100 000)
- (ii) a workshop to develop a compliance evaluation procedure (A\$50 000).

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

10.1 The report of SCIC was adopted and the meeting was closed. The Chair thanked the Committee and the Secretariat, in particular Dr E. Sabourenkov, for the invaluable help and support he has provided during her term as Chair. The Chair also thanked Ms I. Jamieson and Ms A. Revell (New Zealand) for their work co-convening the task group on conservation measures. The Committee thanked the Chair for her excellent chairmanship of SCIC.

**AGENDA**

Standing Committee on Implementation and Compliance (SCIC)  
(Hobart, Australia 22 to 26 October 2007)

1. Opening of the meeting
  - (i) Adoption of the agenda
  - (ii) Organisation of the meeting
  - (iii) Review of submitted papers, reports and other presentations
2. Review of compliance and implementation-related measures and policies
  - (i) Compliance with conservation measures in force
  - (ii) Compliance evaluation procedure
  - (iii) Proposals for new and revised measures
3. IUU fishing in the Convention Area
  - (i) Current level of IUU fishing
  - (ii) Procedure for estimation of IUU catches
  - (iii) IUU Vessel Lists
4. Catch Documentation Scheme (CDS)
5. Scheme of International Scientific Observation
6. Advice from the Scientific Committee
7. Election of Vice-Chair of the Committee
8. Other business
9. Advice to SCAF
10. Adoption of the report and close of the meeting.

**LIST OF DOCUMENTS**

Standing Committee on Implementation and Compliance (SCIC)  
(Hobart, Australia, 22 to 26 October 2007)

SCIC-07/1	Provisional Agenda for the 2007 Meeting of the CCAMLR Standing Committee on Implementation and Compliance (SCIC) (includes List of Documents by agenda item)
SCIC-07/2	List of documents
SCIC-07/3	Correspondence from Australia and People's Republic of China regarding the attempted inspection of the <i>Ocean</i> vessels Secretariat
SCIC-07/4	Summary of exploratory fishery notifications for 2007/08 Secretariat
SCIC-07/5	Catch Documentation Scheme (CDS) annual summary reports 2007 Secretariat
SCIC-07/6	Supplementary information for consideration under Conservation Measures 10-06 and 10-07, IUU Vessel Lists Secretariat
SCIC-07/7	Correspondence from Chile and Poland regarding the attempted inspection of <i>Dalmor II</i> Secretariat
SCIC-07/8	Extracts from the Report of the Working Group on Fish Stock Assessment (total removals of <i>Dissostichus</i> spp. including IUU catches in the Convention Area) Secretariat
SCIC-07/9	New methodology for estimating IUU catches Secretariat
Other Documents	
CCAMLR-XXVI/7	Implementation of Conservation Measures 10-06 and 10-07 Provisional Lists of IUU Vessels, 2007 Secretariat

CCAMLR-XXVI/10	Combined list of IUU vessels (Removal of 'flagless' vessels) Delegation of Uruguay
CCAMLR-XXVI/25	A proposal to amend the CCAMLR System of Inspection Delegations of the European Community, New Zealand and the USA
CCAMLR-XXVI/28	A proposal to amend Conservation Measure 10-02 to improve safety standards for vessels licensed to fish in the CCAMLR Area Delegation of Australia
CCAMLR-XXVI/29 Rev. 1	A proposal to review and strengthen the CCAMLR System of Inspection Delegation of Australia
CCAMLR-XXVI/31	Compliance requirements for an orderly development of the krill fishery Delegation of Australia
CCAMLR-XXVI/32	Proposal for a CCAMLR decision to undertake a performance review of the organisation Delegations of the European Community and the USA
CCAMLR-XXVI/33	Proposal for a conservation measure concerning the adoption of a trade measure to promote compliance Delegation of the European Community
CCAMLR-XXVI/35 Rev. 1	Proposed conservation measure on the closure of CCAMLR fisheries Delegation of New Zealand
CCAMLR-XXVI/38	Illegal, unreported and unregulated (IUU) fishing. Proposal for amending CCAMLR Conservation Measure 10-06 (2006) and CCAMLR Conservation Measure 10-07 (2006) Delegation of Norway
CCAMLR-XXVI/BG/13 Rev. 2	Implementation of the System of Inspection and other CCAMLR enforcement provisions in 2006/07 Secretariat
CCAMLR-XXVI/BG/14 Rev. 1	Implementation and operations of the Catch Documentation Scheme in 2006/07 Secretariat
CCAMLR-XXVI/BG/15	E-CDS trial and software improvements Secretariat

CCAMLR-XXVI/BG/16	Implementation and operation of the Centralised Vessel Monitoring System (C-VMS) in 2006/07 Secretariat
CCAMLR-XXVI/BG/17	Implementation of conservation measures in 2006/07 Secretariat
CCAMLR-XXVI/BG/23	Assessment of IUU fishing in the French waters bordering Kerguelen and Crozet for season 2006/07 (1 July 2006 to 30 June 2007) Reports of sightings of fishing vessels in the Convention Area General information concerning CCAMLR Area 58 Delegation of France (available in French and English)
CCAMLR-XXVI/BG/26	The use of trade-related measures to deter IUU fishing: a step ahead for CCAMLR Submitted by ASOC
CCAMLR-XXVI/BG/30	Incidences of gillnet fishing in the Convention Area reported through the Scheme of International Scientific Observation Delegation of South Africa
CCAMLR-XXVI/BG/32	Convener's report on the work of the intersessional group for the Development of a Compliance Evaluation Procedure (Convener, South Africa)
CCAMLR-XXVI/BG/33	A photographic record of the <i>Black Moon</i> , an IUU vessel fishing with gillnet gear, operating in the Southern Ocean October 2005 to May 2006 Delegation of South Africa
CCAMLR-XXVI/BG/34	Información complementaria sobre actuaciones inspectoras en puertos españoles contra buques ilegales listados por CCRVMA Delegación de España
CCAMLR-XXVI/BG/39	The failed inspection of <i>Dalmor II</i> within Subarea 48.1 of the Convention Area Delegation of Chile
SC-CAMLR-XXVI/BG/8	Summary of scientific observation programs undertaken during the 2006/07 season Secretariat
WG-FSA-07/8 Rev. 1	A summary of scientific observations related to Conservation Measures 25-02 (2005), 25-03 (2003) and 26-01 (2006) Secretariat
WG-FSA-07/10 Rev. 5	Estimation of IUU catches of toothfish inside the Convention Area during the 2006/07 fishing season Secretariat

**PROPOSED LIST OF NON-CONTRACTING PARTY IUU VESSELS 2007  
(CONSERVATION MEASURE 10-07)**

**AND**

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

**PROPOSED LIST OF NON-CONTRACTING PARTY IUU VESSELS 2007 (CONSERVATION MEASURE 10-07)**

Current name	Current flag	Lloyds/IMO number	Current call sign	Name at time of incident(s) (if different)	Reported flag at time of incident (if different)	Previous name(s)	Ownership history	Nature of Activity	Date(s) of incident	Year included
<i>Aldabra</i>	Togo	Unknown	5VAA2			Unknown	Cecibell Securities	Denied permission to unload and steamed away	03 Nov 05	2006
								Fishing inside Division 58.4.4b	10 Nov 06	
<i>Toto</i>	Unknown	7020126	V3NJ5		Belize	<i>Sea Ranger V</i>	Sharks Investments AVV (05)	Resupplying in Area 51 outside Convention Area	09 Feb 07	2007
<i>Tritón-1</i>	Sierra Leone	9037537	9LYC09			<i>Kinsho Maru No. 18</i>	Punta Brava Fishing (06)	Fishing inside Division 58.4.1	19 Mar 07	2007

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

Current name	Current flag	Lloyds/IMO number	Current call sign	Name at time of incident(s) (if different)	Reported flag at time of incident (if different)	Previous name(s)	Ownership history	Nature of Activity	Date(s) of incident	Year included
<i>Volna</i>	Russia	9262833	UEEH			<i>Isabel</i>	LLC Laguna	Fishing inside Subarea 88.2	01 Feb 06	2006

**IUU VESSEL LISTS FOR 2003, 2004, 2005 AND 2006 COMBINED**

## COMBINED IUU VESSEL LISTS ADOPTED IN 2003, 2004, 2005 AND 2006

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

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

Current name	Current flag	Lloyds/IMO number	Current call sign	Nature of activity	Date(s) of incident	Year listed	Ownership history <sup>1</sup>	Previous name(s)	Previous flag(s)
<i>East Ocean</i> <sup>2</sup>	People's Republic of China*	9230660	BZZW6	Fishing inside Division 58.4.3	22 Apr 04	2004	- Sunhope Investments (01) <b><u>- Profit Peak (Oct 04)</u></b> (Operator: Kando Maritime)	1. <i>Champion</i> <b><u>2. Champion-1</u></b> 3. <i>Kang Yuan</i>	1. Bolivia <b><u>2. Russia</u></b> 3. Georgia
<i>Maya V</i> <sup>3</sup>	Flagless	8882818		Fishing inside Division 58.5.2 Apprehended	23 Jan 04	2004	- Globe Fishers (98) - Campopesca (99) - Rainbow Fisheries (Feb 03)		Uruguay
<i>North Ocean</i> <sup>2</sup>	People's Republic of China*	9230658	BZZW5	Fishing inside Division 58.4.3b	25 Feb 05	2005	- Sunhope Investment (00) - Great Feat Inc. (c/- Sunhope Investment) (Oct 04) <b><u>- China National Fisheries Corporation</u></b>	1. <i>Boston</i> 2. <i>Boston-1</i> <b><u>3. Jian Yuan</u></b>	1. Bolivia 2. Russia <b><u>3. Georgia</u></b>
<i>South Ocean</i> <sup>2</sup>	People's Republic of China	9230646	BZTX9	Inside Division 58.4.3	24 Apr 04	2004	- Sunhope Investment (00) - Koko Fishery (Feb 03) <b><u>- Great Feat Inc., c/- Sunhope Investment (Sep 05)</u></b> China National Fisheries Corporation	1. <i>Austin</i> 2. <i>Austin-1</i> <b><u>3. Koko</u></b>	1. Bolivia 2. Russia <b><u>3. Georgia</u></b>
<i>Viarsa I</i> <sup>3</sup>	Flagless	8001335		Sighted inside Division 58.5.1 Apprehended 58.5.2	7 Aug 03 3 Feb 04	2003	- Viarsa Fishing Co. (Jan 02) - Operator: Navalmar SA	<i>Starlet No. 901</i>	Uruguay
<i>West Ocean</i> <sup>2</sup>	People's Republic of China	9230672	BZTX8	Fishing inside Division 58.4.1	9 Dec 05 21 Feb 06	2006	- Sunhope Investments - Pacific Andes Enterprises - Profit Peak <b><u>- China National Fisheries Corporation</u></b>	1. <i>Darwin</i> 2. <i>Darwin-1</i> 3. <i>Kiev</i>	1. Bolivia 2. Russia 3. Georgia

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

<sup>2</sup> China advised that the vessels participated in IUU activity prior to China becoming a Contracting Party and that it was not the Flag State at the time that the vessels were included on the IUU Vessel List.

<sup>3</sup> Currently owned by the Government of Australia.

\* Names and/or flags which have changed since 2006 are marked with \* in the 'current name' and 'current flag' columns.

Non-Contracting Party IUU Vessel List (Conservation Measure 10-07)  
Names and flags under which the vessels were originally listed are underlined.

Current name	Current flag	Lloyds/IMO number	Current call sign	Nature of activity	Date(s) of incident	Year listed	Ownership history <sup>1</sup>	Previous name(s)	Previous flag(s)
<i>Amorín</i>	Togo	7036345	5VAN9	Inside Division 58.4.2	23 Jan 04	2003	- Infitco (1998) - Seric Business SA (unknown) <b>- Sold to undisclosed interests (Jul 03)</b>	1. <i>Noemi</i> 2. <i>Lome</i> 3. <i>Iceberg II</i>	1. Belize 2-3. Togo
<i>Bigaro*</i>	Togo	5428908	5VSO3	Inside Division 58.5.1 Inside Division 58.5.1	1 Dec 02 4 Jun 03	2003	- Jose Lorenzo SL (80) <b>- Vibu Pesquera (Oct 05)</b>	<b>1. <u>Lugalpesca</u></b> 2. <i>Hoking</i> 3. <i>Sargo</i>	<b>1. <u>Uruguay</u></b> 2. Togo 3. Togo
<i>Chilbo San 33</i>	Democratic People's Republic of Korea*	9042001	HMWM5	Undocumented landing, Malaysia	Aug 04	2004	- Fadilur SA (Aug 04) <b>- Global Intercontinental Services (05)</b> (Operator: Vidal Armadores)	1. <i>Carran</i> <b>2. <u>Hammer</u></b>	1. Uruguay <b>2. <u>Togo</u></b>
<i>Comet</i>	Togo	8324139	5VCT0	Fishing inside Division 58.4.3b	10 Dec 05 23 May 06	2006	- Pêche Avenir S.A. <b>- Credraf Associates S.A. c/- Jose Manuel Salgueiro, Spain</b>	1. <i>Esperance Anyo</i> 2. <i>Anyo Maru No. 23</i> 3. <i>Aldebaran I</i> 4. <i>Odin</i>	1. France 2. Japan 3. France 4. Cambodia
<i>Duero</i>	Panama	7322926	Unknown	Inside Division 58.5.1	20 Dec 02 3 Feb 04	2004	- C&S Fisheries (Sep 96) <b>- Muner SA (00)</b>	1. <i>Sherpa Uno</i> <b>2. <u>Keta</u></b>	1. Uruguay <b>2. <u>Unknown</u></b>
<i>Ina Maka*</i>	Democratic People's Republic of Korea*	7322897	HO3746	Inside Division 58.5.2	31 Jan 04	2003	<b>- Meteora Development Inc (Feb 04)</b> (Operator: Vidal Armadores)	1. <i>Dorita</i> 2. <i>Magnus</i> 3. <i>Thule</i> <b>4. <u>Eolo</u></b> 5. <i>Red Moon</i> 6. <i>Black Moon</i>	1. Uruguay 2. St Vincent & Grenadines <b>3-4. <u>Equatorial Guinea</u></b> 5. North Korea
<i>Gold Dragon</i>	Equatorial Guinea	6803961	3CM2150	Fishing inside Division 58.4.3	22 Apr 04	2003	<b>- Monteco Shipping (Feb 03),</b> (Operator: Capensis)	1. <i>Mare</i> 2. <i>Notre Dame</i> <b>3. <u>Golden Sun</u></b>	1. Namibia 2. Bolivia <b>3. <u>Equatorial Guinea</u></b>
<i>Perseverance</i>	Equatorial Guinea	6622642	3CM2190	Inside Division 58.4.3b	22 May 06	2006	- Prion Ltd - Mercury Ltd <b>- Mar de Neptuno SA</b>	1. <i>Mila</i>	1. UK

(continued)

Non-Contracting Party IUU Vessel List (Conservation Measure 10-07) (continued)  
Names and flags under which the vessels were originally listed are underlined.

Current name	Current flag	Lloyds/IMO number	Current call sign	Nature of activity	Date(s) of incident	Year listed	Ownership history <sup>1</sup>	Previous name(s)	Previous flag(s)
<i>Red Lion 22</i>	Equatorial Guinea	7930034	3CM2149	Fishing inside Division 58.4.3	22 Apr 04	2003	- Big Star International (Oct 98) - Praslin Corporation (Nov 00) <b><u>- Transglove Investment Inc.(Sep 03)</u></b>	1. <i>Big Star</i> 2. <i>Praslin</i> <b><u>3. Lucky Star</u></b>	1. Honduras 2. Seychelles <b><u>3. Ghana</u></b> 3. Equatorial Guinea
<i>Rex</i>	Togo	6818930	5VRX8	Fishing inside Division 58.4.3b Fishing inside Division 58.4.4a	25 Feb 05 2 Aug 05	2005	- Arcosmar Fisheries (99) - Lopez JMS (01) <b><u>- Premier Business (03)</u></b> (Operator: Jose Manuel Salgueiro)	1. <i>Cisne Azul</i> 2. <i>Viking</i> 3. <i>Inca</i> <b><u>4. Condor</u></b>	1. Belize 2. Seychelles <b><u>3-4. Togo</u></b>
<i>Ross</i>	Togo	7388267	5VRS4	Fishing Division 58.7	Mar-Apr 04	2003	- Lena Enterprises (01) <b><u>- Grupo Ova Perez SL (Aug 03)</u></b>	1. <i>Lena</i> <b><u>2. Alos</u></b>	1. Seychelles <b><u>2. Ghana</u></b>
<i>Seed Leaf</i>	Panama	8913992	3ENS8	Undocumented transshipment	23 Feb 06	2006	- Eastern Reefer AS (Jan 07)	na	na
<i>Taruman</i>	Cambodia	7235733	XUGW9	Fishing inside Subarea 88.1	15 Jun 05	2005	<b><u>- Rulfend Corporation (05)</u></b> (Operator: Rivadulla MD)	1. <i>Sora</i>	1. Panama
<i>Tropic</i>	Equatorial Guinea	6607666	3CM2191	Fishing inside Division 58.4.3b	23 May 06	2006	- Arniston Fish Processors (Pty) Ltd - Pesca Antartida <b><u>- Nalanza S.A., Canary Islands</u></b>	1. <i>Isla Graciosa</i>	1. South Africa
<i>Typhoon-1</i>	Togo	6905408	5VTN6	Fishing inside Division 58.4.2	5 Feb 06	2006	- Southern Shipping Ltd <b><u>- Vitasur Holding Inc., Spain</u></b>	1. <i>Arctic Ranger</i> 2. <i>Rubin</i>	1. UK 2. Seychelles
<i>Ulyses*</i>	Democratic People's Republic of Korea*	8713392	HMWM7	Supporting IUU activities of <i>Thule</i> Fishing inside Division 58.5.1 of the Convention Area	5 Apr 04 19 Jul 07	2004	- Cazenove International SA (03) <b><u>- Canela Shipping, c/- Jose Argibay Perez, Spain</u></b>	1. <i>Piscis</i> <b><u>2. South Boy</u></b> 3. <i>Gale</i>	1. Uruguay <b><u>2. Equatorial Guinea</u></b> 3. North Korea

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

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