

**Informe del Comité Permanente de Ejecución y Cumplimiento (SCIC)**

Esta es una versión preliminar del informe adoptado por SCIC el viernes 18 de octubre 2024<sup>1</sup>

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<sup>1</sup> Preliminar, en este caso, significa que la Secretaría todavía debe realizar las comprobaciones y correcciones finales pertinentes.

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## **Informe del Comité Permanente de Ejecución y Cumplimiento (SCIC)**

(Hobart, Australia, 14 a 18 de octubre 2024)

### **Apertura de la reunión**

1. La reunión del Comité Permanente de Ejecución y Cumplimiento (SCIC) se celebró del 14 al 18 de octubre de 2024 en Hobart, Australia.
2. La Presidenta de SCIC, la Sra. M. Engelke-Ros (EE. UU.) dio inicio a la reunión, dio la bienvenida a los Miembros y a los Observadores, y expresó su agradecimiento a la Secretaría por el apoyo que ofrece. La Presidenta también expresó su agradecimiento a los Miembros por el trabajo de preparación de la reunión de SCIC desarrollado durante el período entre sesiones.

### **Organización de la reunión**

#### Agenda

3. SCIC consideró su agenda, sin cambios respecto de la aprobada por la Comisión.

### **Estado de aplicación de las medidas y de implementación de los sistemas relacionados con la ejecución y el cumplimiento**

#### Sistema de Documentación de Capturas (SDC)

##### Evaluación de propuesta de gasto con cargo al Fondo del SDC

4. SCIC consideró la propuesta de la Secretaría de gastos relacionados con el Fondo del Sistema de Documentación de Capturas de *Dissostichus* spp. (SDC) (CCAMLR-43/20). SCIC señaló que las propuestas adoptadas en CCAMLR-42 se habían ejecutado con éxito para el mantenimiento del SDCe y la capacitación presencial sobre el SDC para Tailandia y Colombia, y que el resto de los fondos destinados a las dos actividades se habían devuelto al Fondo del SDC.
5. SCIC recordó la aprobación en CCAMLR-42 (CCAMLR-42, párrafo 18) de fondos para apoyar la capacitación en línea sobre el SDC en 2024 y 2025, señaló que esto está en vías de implementación a finales de 2024 y a lo largo de 2025, y que un taller presencial sobre el SDC e inspecciones en puerto está en vías de implementación para 2025.
6. SCIC felicitó a la Secretaría por el lanzamiento del nuevo SDCe y tomó nota de la labor de mantenimiento en curso que se ha emprendido para apoyar el funcionamiento del SDCe.

7. Tomando en consideración el requisito de la MC 10-05, anexo 10-05/B, de designar un Comité de Evaluación para considerar la propuesta de gastos con cargo al Fondo del SDC y formular recomendaciones a la Comisión, SCIC convino en que este Comité esté integrado por representantes de Australia, Estados Unidos, Federación de Rusia, Nueva Zelanda, Reino Unido y República de Corea (Corea).

8. El Comité de Evaluación del Fondo del SDC expresó su agradecimiento a la Secretaría por la propuesta detallada y recomendó aprobar gastos con cargo al Fondo del SDCe para financiar las siguientes propuestas:

- (i) Un fondo para el mantenimiento del SDCe: 20 000 AUD por año durante tres años (2025–2027), con un incremento del 2,5 % anual según el Índice de Precios al Consumidor (IPC), por una suma total de 61 513 AUD. El Comité recomendó que, en adelante, la Secretaría lo considere como una solicitud de gastos de mantenimiento y desarrollo, a los efectos de clarificar que no se trata de una actividad habitual y rutinaria de la Secretaría.
- (ii) Capacitación presencial para el SDC con previa solicitud, con un valor de 60 000 AUD para su uso en 2025 y 2026, para organizar dos talleres presenciales de formación para el SDC solicitados por Partes contratantes o Partes no contratantes (PNC) que cooperan con el SDC. El Comité recomendó que se diera prioridad a las solicitudes de capacitación en función del volumen de documentos de captura y del historial de incumplimiento.
- (iii) 30 000 AUD para 2025 y 2026 para financiar la implementación de la Estrategia para la Participación de PNC y de planes de acción (CCAMLR-43/16) para actividades cuando haya expresiones de interés en cooperar con la CCRVMA mediante la implementación del SDC.
- (iv) Capacitación presencial sobre el SDC para Singapur, con un valor de 25 000 AUD para financiar los gastos de viaje, alojamiento y gastos ocasionales de materiales de capacitación relacionados con esta actividad para su uso en 2025 o 2026. El Comité señaló que Singapur recibió capacitación por última vez en 2017 y que, desde entonces, ha habido cierta rotación de personal.

9. El Comité de Evaluación del Fondo del SDC recomendó que, en adelante, el informe anual de la Secretaría sobre gastos con cargo al Fondo del SDC incluya los resultados de la capacitación, incluidas las mejoras en el cumplimiento y una declaración de competencia sobre el uso del SDC. Además, el Comité de Evaluación del Fondo del SDC recomendó que la Secretaría se centre en el desarrollo de módulos de aprendizaje electrónico y recursos de capacitación en línea sobre el SDC para facilitar más oportunidades de capacitación virtual para apoyar a todas las PC y PNC en la capacitación en forma regular sobre el SDC.

10. El Comité no apoyó la solicitud de 30 000 AUD para capacitación presencial para el SDC para México, y señaló que México no importa la cantidad suficiente de *Dissostichus* spp. (0,09 % del peso total de las importaciones de *Dissostichus* spp. en 2023) y es necesario tener en cuenta la relación costo-beneficio. El Comité observó, además, que no se ha identificado un punto de contacto para México y recomendó un mayor acercamiento de forma virtual para establecer contacto con México, así como considerar la capacitación virtual antes de realizar cualquier capacitación presencial. El Comité señaló que, en caso de que se recibiera una

solicitud de capacitación presencial de México, esta podría realizarse a través de los fondos asignados a la capacitación presencial a solicitud, tal como se indica en el párrafo 3.1.5 (ii).

11. SCIC expresó su agradecimiento al Comité de Evaluación del Fondo del SDC por su labor y avaló la propuesta de gasto.

#### Implementación del SDC

12. SCIC tomó nota del informe sobre la implementación del Sistema de Documentación de Capturas de *Dissostichus* spp. (CCAMLR-43/21) y tomó nota de que 15 Miembros, 3 Estados adherentes y 1 Parte no contratante (PNC) que coopera con la CCRVMA mediante su participación en el SDC implementaron de manera efectiva el SDC. Corea agradeció a Chile sus esfuerzos por ser el Estado rector del puerto que gestiona el mayor número de desembarques de austromerluza y la consiguiente expedición de Documentos de Captura de *Dissostichus* spp. (DCDs).

13. Sudáfrica tomó nota del acuerdo para que un barco del pabellón de Uruguay pesque en la Subárea 58.7 con autorización de ambos países, y señaló que esto requiere que los DCD sean iniciados por Uruguay, en su calidad de Estado del pabellón, y luego completados por Sudáfrica, en su calidad de Estado rector del puerto.

14. En 2024 se emitieron dos DCDCE, uno por Argentina (COMM CIRC 24/66) y otro por España (COMM CIRC 24/07). La Unión Europea aclaró que las capturas relacionadas con el DCDCE de España fueron incautadas por las autoridades y almacenadas en frío mientras se llevaba a cabo una investigación. Al término de la investigación, se impuso una multa al operador y se le devolvió la captura con un DCDCE adjunto.

15. Argentina hizo la siguiente declaración:

‘The Argentine Republic recalls that the Malvinas, South Georgias and South Sandwich Islands and the surrounding maritime areas are an integral part of Argentine national territory and that, being illegally occupied by the United Kingdom of Great Britain and Northern Ireland, they are the subject of a sovereignty dispute between the two countries, recognised by the United Nations.

The Argentine Republic recalls that the Malvinas, South Georgias and South Sandwich Islands and the surrounding maritime areas are an integral part of Argentine national territory and that, being illegally occupied by the United Kingdom of Great Britain and Northern Ireland, they are the subject of a sovereignty dispute between the two countries, recognised by the United Nations.

It is recalled that all names given to the disputed areas must be in accordance with United Nations Editorial Directive ST/CS/SER.A/42.

Likewise, Argentina wishes to record that all fishing carried out in FAO zone 41.3.2 in waters under the jurisdiction of the Argentine Republic must have the corresponding fishing permit from the Argentine authorities.’’.

16. El Reino Unido hizo la siguiente declaración:

‘The UK rejects Argentina’s statement. The UK once again reiterates that it has no doubt about its sovereignty over the Falkland Islands and South Georgia & the South Sandwich Islands, and their surrounding maritime zones, as is well known to all delegates.’

17. SCIC, según las explicaciones de los respectivos Miembros sobre la expedición de los DCDC, recomendó a la Comisión que no era necesario adoptar ninguna otra medida.

18. De conformidad con la MC 10-05, anexo 10-05/C, párrafo C9, SCIC dio consideración a la actual condición de Parte cooperante concedida a Colombia, México, Singapur y Tailandia. SCIC reconoció que la Secretaría lleva tres años intentando que se asigne un punto de contacto con México para organizar la capacitación para el SDC y apoya el esfuerzo continuo de la Secretaría en este sentido.

19. SCIC tomó nota del éxito de la capacitación presencial sobre el SDC realizada en Tailandia y en Colombia durante 2024. SCIC agradeció a la Secretaría la conciliación del SDC con los datos comerciales de Tailandia tras el taller sobre el SDC. SCIC reconoció los esfuerzos realizados por muchos Miembros para investigar sobre las discrepancias detectadas e informar al respecto.

#### Inspección de barcos

20. SCIC evaluó la implementación de la MC 10-03 y del Sistema de Inspección en la temporada 2023/24, y se señaló que se llevaron a cabo 132 inspecciones en puerto y 12 inspecciones en el mar.

21. SCIC señaló que, durante la temporada 2023/24, hubo cuatro casos de barcos que solicitaron entrar en puerto debido a que un miembro de la tripulación necesitaba tratamiento médico y que, en dos de los casos, la Parte A del informe de inspección en puerto no se presentó al menos 48 horas antes de la hora de llegada prevista. SCIC expresó su preocupación acerca de que en la MC 10-03 no se contemplaba la posibilidad de que un Estado del puerto no realizara una inspección en puerto o que un barco no presentara la Parte A del informe de inspección en puerto en los casos de entrada de emergencia en puerto.

22. SCIC ha recordado que la seguridad y el bienestar de las vidas humanas en el mar revisten una importancia primordial y que las situaciones de fuerza mayor, socorro o emergencias médicas requieren una consideración especial. SCIC señaló además que la normativa de la CCRVMA que permite la entrada de emergencia en puerto debe ajustarse al derecho internacional.

23. SCIC refrendó las enmiendas a la MC 10-03 para abordar situaciones de *fuerza mayor*, socorro o emergencia médica.

24. SCIC señaló que, durante SCIC-2023, la Secretaría presentó un formulario de inspección en puerto modificado (CCAMLR-42/16) que podría utilizarse junto con el Acuerdo sobre las Medidas del Estado Rector del Puerto (AMERP) para reducir duplicaciones de tareas para los inspectores de pesca. SCIC señaló que SCIC-2023 refrendó el formulario de inspección modificado y las modificaciones propuestas a la MC 10-03, pero no alcanzó un consenso de la Comisión. SCIC refrendó el formulario modificado y las enmiendas a la MC 10-03.

25. SCIC refrendó el plan de proyecto propuesto (CCAMLR-43/15 apéndice 1) para mejorar la accesibilidad y los contenidos de los recursos que están a disposición de los inspectores.
26. SCIC refrendó los planes de la Secretaría para el trabajo futuro sobre la funcionalidad del sitio web de la CCRVMA y la rendición electrónica de informes de inspección (CCAMLR-43/BG/20).
27. China sugirió que los sistemas de rendición electrónica de informes estén disponibles en todos los idiomas para todos los Miembros. China sugirió, además, que se llevara a cabo un compromiso adicional de las partes interesadas para incorporar las opiniones de los operadores de barcos sobre los recursos actuales de los inspectores y el desarrollo de recursos para la rendición electrónica de informes de inspección.
28. SCIC dio consideración a la información presentada por Reino Unido sobre el desarrollo de una versión electrónica del documento de identificación que llevan los inspectores designados de la CCRVMA (CCAMLR-43/BG/30). Muchos Miembros señalaron que esto simplificaría el procedimiento de creación de los documentos de identificación de los inspectores y está en consonancia con la elaboración del plan de trabajo sobre los recursos de los inspectores (párrafo 3.2.5).
29. Rusia solicitó que se siguiera estudiando cualquier cambio en el actual sistema de identificación de inspectores y encargó a la Secretaría que incluyera esta propuesta en su plan de trabajo de recursos.
30. SCIC no refrendó la inclusión de un documento electrónico de identificación de inspectores en el plan de proyecto propuesto (CCAMLR-43/15, apéndice 1).
31. SCIC dio consideración a la información presentada por Reino Unido sobre las patrullas realizadas en el Área de Convención por el *HMS Protector* en la temporada de pesca 2023/24 (CCAMLR-43/BG/25). SCIC consideró la necesidad de un formulario de inspección por radio y un formulario de inspección de sobrevuelo aéreo, dadas las condiciones extremas y hostiles en que se realizan las faenas y las inspecciones de la CCRVMA.
32. SCIC expresó su agradecimiento a Reino Unido y a todos los Miembros que realizaron tareas de patrullaje en el Área de la Convención. Algunos Miembros señalaron que las inspecciones aéreas y por radio pueden contribuir a un mayor cumplimiento de las medidas de conservación de la CCRVMA al proporcionar información sobre las operaciones de los barcos cuando las inclemencias climáticas u otras circunstancias adversas impiden una inspección en el mar.
33. Algunos Miembros expresaron preocupación respecto de la transmisión de información posiblemente delicada durante las inspecciones por radio. Rusia expresó, además, su preocupación por el hecho de que las barreras lingüísticas pudieran dar lugar a la comunicación de información incorrecta durante las inspecciones por radio y de que los elementos técnicos de las inspecciones a distancia no estuvieran claros. China indicó algunos errores en los nombres y fotografías de los barcos de pabellón de China en CCAMLR-43/BG/25 y también expresó su preocupación por el hecho de que las fotografías del documento pudieran no reflejar la hora exacta de la inspección.



34. Reino Unido agradeció a los Miembros estas sugerencias y expresó su voluntad de incorporarlas en futuros informes y en cualquier propuesta futura a SCIC.

35. SCIC recibió con agrado la presentación de Chile (CCAMLR 43/BG/41) de las inspecciones llevadas a cabo por el *OPV-83 Marinero Fuentealba*, de pabellón de Chile, en la Subárea 48.1 durante la temporada de pesca 2023/24, en que se inspeccionaron un total de seis barcos y se determinó que todos ellos cumplían con todas las medidas de conservación de la CCRVMA, y otros cinco barcos fueron contactados por radio.

36. SCIC expresó su agradecimiento a los capitanes de los barcos por su cooperación con el Sistema de Inspección de la CCRVMA. SCIC también expresó su agradecimiento a Chile por los esfuerzos dedicados a la realización de actividades de inspección en nombre de todos los Miembros y señaló que Chile realiza el mayor número de inspecciones en puerto y emite el mayor número de documentos del SDC.

#### Sistema de Seguimiento de Barcos (VMS) y actividades de desplazamiento de barcos en el Área de la Convención

37. SCIC consideró el informe de implementación del Sistema de Seguimiento de Barcos (VMS) presentado por la Secretaría (CCAMLR-43/BG/16) y tomó nota de la implementación de la MC 10-04 por las Partes contratantes.

38. SCIC recordó a los barcos y a los Miembros que se aseguren de que los informes de desplazamientos de barcos se envíen a la Secretaría en el formato descrito en el anexo 10-04/A.

39. SCIC sugirió que la Secretaría presente todos los futuros informes de implementación que contengan recomendaciones como documentos de trabajo, en lugar de como documentos de referencia, para dirigir la atención de los Miembros a cualquier recomendación que requiera la consideración de SCIC.

40. SCIC consideró el documento CCAMLR-43/BG/14, que presenta un informe sobre los avances y la labor prevista en el marco de una subvención concedida por la Unión Europea en 2022 y 2024, destinada a reforzar los sistemas de solicitud de datos VMS y los procesos automáticos de datos. El documento también analiza las opciones de alojamiento del VMS y las disposiciones de seguridad de la MC 10-04, anexo B. SCIC agradeció a la Unión Europea la financiación de esta labor.

41. A la luz de las mejoras del sistema de notificaciones automáticas de desplazamientos a partir de los datos VMS destacadas en CCAMLR-43/BG/14, SCIC consideró la invitación contenida en CCAMLR-43/BG/16 (párrafo 20 (iii)) para que los Miembros interesados designen barcos para su inclusión en una prueba de la funcionalidad de notificaciones automáticas de desplazamientos a partir de los datos VMS.

42. Algunos Miembros pidieron más detalles sobre la funcionalidad de notificaciones automáticas de desplazamientos a partir de los datos VMS y expresaron su interés en participar de la prueba una vez que se faciliten los detalles.

43. SCIC acordó que, en caso de que surgiera alguna complicación técnica o administrativa durante el período de prueba, no habría implicaciones de cumplimiento para los barcos participantes en dicha prueba.
44. Varios Miembros destacaron la importancia de establecer términos de referencia para orientar el proyecto y definir los parámetros, incluida la determinación de un calendario para el período de prueba. SCIC encargó a los Miembros que expresaron su interés en participar en la prueba que colaboraran estrechamente con la Secretaría durante el período entre sesiones para ultimar un conjunto detallado de directrices o términos de referencia de la prueba, que incluyan objetivos, plazos y resultados esperados claros.
45. SCIC encargó a la Secretaría que informara sobre los resultados de la prueba, incluida la evaluación del funcionamiento del sistema, y que esbozara los próximos pasos para una implementación más amplia que SCIC-2025 deberá considerar.
46. SCIC tomó nota de la renovación de los Acuerdos de Búsqueda y Salvamento (SAR) de la CCRVMA emprendida en 2024 entre cada uno de los cinco centros de coordinación de rescate marítimo (CCRM) y la Secretaría de la CCRVMA (CCAMLR-43/17). SCIC señaló que estos acuerdos actualizados se han puesto a disposición de los usuarios autorizados en el sitio web de la CCRVMA, y señaló además que la próxima fecha sugerida para la renovación se produciría en 2029, a menos que se solicite una revisión anterior en virtud del párrafo (C) de los acuerdos.
47. SCIC tomó nota de las mejoras introducidas en el sistema de solicitud de SAR de la CCRVMA y dio las gracias a la Secretaría y a los cinco CCRM por su labor.
48. SCIC consideró la recomendación de añadir un nuevo grupo de usuarios para cada CCRM con el fin de mejorar la gestión de los permisos de acceso al sistema de solicitud de SAR, de conformidad con la MC 10-04 y el acuerdo CCRM pertinente.
49. Muchos Miembros apoyaron la propuesta de mejorar el acceso de los usuarios a los representantes del CCRM y señalaron la importancia de colaborar en la labor para mejorar y apoyar la coordinación y la respuesta SAR en el Área de la Convención de la CCRVMA.
50. La Federación de Rusia expresó su preocupación por las posibles implicaciones de esta propuesta en materia de acceso y confidencialidad y pidió que se aclarara la función del Administrador de parte en la aprobación de las cuentas.
51. La Secretaría proporcionó aclaraciones sobre el proceso, según el cual la aprobación inicial del representante del CCRM quedaría en manos del Administrador de parte aprobado por el Miembro, y que todo representante autorizado podría crear cuentas adicionales; señaló además que el acceso a los datos y su uso seguirían las normas del acuerdo y las disposiciones contenidas en la MC 10-04, párrafo 17 (iii).
52. SCIC no pudo llegar a un consenso sobre la propuesta de añadir un nuevo grupo de usuarios para cada CCRM esbozada en CCAMLR-43/17 y señaló que es necesario seguir debatiendo el asunto.

## Promoción del cumplimiento en la CCRVMA

53. SCIC tomó nota de los informes de avistamiento de barcos (CCAMLR-43/13), que ofrecían un resumen de la información recibida durante la temporada de pesca 2023/24, y recomendó la aprobación de un formulario estandarizado para facilitar la presentación de esos informes y la recopilación de los datos notificados por parte de la Secretaría. En este resumen se señalaba que la Secretaría había recibido 98 informes de avistamientos de barcos de pesca con licencia que operaban en las Subáreas 88.1 y 88.2, en los que se informaba de avistamientos de otros barcos de pesca con licencia, barcos crucero, barcos de investigación científica y barcos nodriza. SCIC señaló que ninguno de estos informes de avistamiento alegaba actividad de pesca ilegal, no declarada y no reglamentada (INDNR).

54. Algunos Miembros sugirieron que los informes de avistamiento de barcos se limitaran a los avistamientos de barcos que estuviesen realizando actividades de pesca INDNR o actividades relacionadas, o de barcos con licencia a los que se observara actuar de forma sospechosa. COLTO recordó que la CCRVMA ya dispone de una serie de herramientas de seguimiento, como un VMS centralizado, requisitos de notificación de desplazamiento, requisitos de Sistema de Identificación Automática (AIS) y de notificación de capturas; por tanto, solicitó a SCIC que considerara la posibilidad de solicitar únicamente la notificación de información relativa a los barcos sin licencia, que puede ser pertinente y beneficiosa tanto para los barcos con licencia como para los Estados del pabellón.

55. SCIC recordó que la Medida de Conservación 10-02, anexo A, establece un proceso de dos pasos al presentar informes de avistamiento de barcos, en virtud del cual los barcos deben enviar informes de avistamiento al Estado del pabellón. Cuando el Estado del pabellón considere que el avistamiento cumple los criterios descritos en la Medida de Conservación 10-06, párrafo 3, o en el la Medida de Conservación 10-07, párrafo 8, el informe se enviará a la Secretaría. A pesar de ello, los barcos comunican voluntariamente a la Secretaría información sobre avistamientos.

56. SCIC refrendó la recomendación de un formulario de Excel estandarizado para notificar los avistamientos de barcos y solicitó que se pusiera a disposición en la página del formulario de datos del sitio web de la CCRVMA. SCIC solicitó a la Secretaría que informara anualmente a SCIC sobre todos los informes de avistamiento de barcos enviados a la Secretaría.

57. SCIC agradeció a Nueva Zelandia, Corea, Australia y la Secretaría la actualización de los avances en el marco del plan de trabajo acordado sobre el tratamiento de los artes de pesca no identificados en el Área de la Convención (CCAMLR-43/BG/17). SCIC tomó nota de la importancia de la labor, recordó las próximas etapas previstas y animó a proseguir la participación entre sesiones en el ámbito del [grupo web](#).

58. SCIC tomó nota de la importancia de la participación y consulta continuas de la industria en el avance del plan de trabajo y alentó a seguir participando.

59. COLTO señaló que había sido invitada a la mesa redonda en línea sobre las posibles opciones para una propuesta de marcado de artes de pesca, pero que no había podido asistir ya que en ese momento estaba celebrando un taller sobre artes de pesca en Noruega. COLTO recomendó que cualquier cambio en los requisitos de marcado de artes de pesca se pusiera a prueba antes de su implementación, basado en el riesgo y sea rentable. COLTO también destacó la importancia de un enfoque de implementación por etapas.

60. ASOC recordó la aprobación por parte de SCIC de un formulario de notificación voluntaria de artes no identificados encontrados (SCIC-2023, párrafo 42) y alentó a su uso extendido.

61. SCIC tomó nota del informe de Ucrania sobre el mercado de artes de pesca en palangreros de pabellón de Ucrania (WG-FSA-IMAF-2024/48) y reconoció que el informe también había sido considerado por WG-FSA-IMAF (WG-FSA-IMAF-2024, párrafos 8.1–8.3). SCIC apoyó la recomendación de que los Miembros presentaran voluntariamente informes sobre el mercado de los artes de pesca y señaló que ello ayudaría a identificar artes perdidos, garantizaría una documentación transparente de los artes que se utilizarían en la próxima temporada de pesca y contribuiría a identificar y combatir la pesca INDNR en el Área de la Convención.

62. SCIC consideró el informe de COLTO relativo al taller sobre artes de pesca de COLTO celebrado el 15 y -16 de agosto de 2024 en Oslo, Noruega (CCAMLR-43/BG/02 Rev. 1). COLTO destacó las recomendaciones para que la CCRVMA considere retrasar el inicio de la pesquería en el mar de Ross para evitar la alta cobertura de hielo y minimizar la pérdida de artes, permitir esfuerzos para recuperar artes de pesca perdidos fuera de los períodos de pesca abiertos, y el uso de artes al final de su vida útil.

63. Como contribución a la importante labor de garantizar el cumplimiento de las medidas de conservación y detectar la pesca INDNR, Nueva Zelanda presentó un resumen de sus actividades rutinarias de patrulla aérea en la región del mar de Ross. Las patrullas aéreas están a cargo de inspectores designados por la CCRVMA de conformidad con las reglas y procedimientos de la CCRVMA.

64. SCIC agradeció a Nueva Zelanda las patrullas de vigilancia aérea realizadas durante la temporada 2023/24 (CCAMLR-43/BG/24) y su compromiso de realizar patrullas regulares en la región del mar de Ross en el futuro. SCIC expresó, asimismo, su agradecimiento a los Miembros que realizan patrullas de vigilancia y actividades de inspección en nombre de la CCRVMA.

65. SCIC señaló la necesidad de seguir trabajando para desarrollar el protocolo sobre la realización de actividades de vigilancia aérea en el Área de la Convención. Algunos Miembros hicieron hincapié en la necesidad de mantener un equilibrio entre los derechos y las obligaciones tanto de los inspectores como de los inspeccionados.

66. SCIC también tomó nota del protocolo establecido en la MC 10-04, párrafo 21, relativo a la obligación de las Partes contratantes que realicen actividades de vigilancia activa o de inspección de la CCRVMA de proporcionar información sobre dichas actividades a los Estados del pabellón afectados sin demoras injustificadas tras la finalización de las actividades.

67. China indicó la necesidad de aumentar la transparencia de las actividades de vigilancia aérea y de sus informes, y destacó la importancia de salvaguardar el derecho de los Miembros de SCIC a acceder a los informes con ciertas condiciones de confidencialidad. En su opinión, sin ese tipo de acceso, es difícil que los Miembros evalúen las alegaciones contenidas en los informes.

68. SCIC consideró el informe de Chile en el que se describía la aplicación de los sistemas de seguimiento electrónico (SSE) utilizados en Chile para controlar los descartes y la captura secundaria, y para aplicar las regulaciones de la pesca (CCAMLR-43/BG/33). SCIC agradeció a Chile por su documento y refrendó la recomendación de establecer un grupo web durante el período entre sesiones en la plataforma de debates de la CCRVMA para facilitar la participación de Miembros y observadores en el desarrollo de directrices y normas sobre sistemas de seguimiento electrónico en el ámbito de la CCRVMA. El documento CCAMLR-43/BG/33 Rev. 1 contiene un proyecto de términos de referencia para el establecimiento de la plataforma de debates de la CCRVMA.

69. Reino Unido recordó su informe CCAMLR-38/BG/40, que describe la implementación de sistemas de seguimiento electrónico por parte del Reino Unido y respaldó la recomendación de SCIC de establecer una plataforma de debate de la CCRVMA para la colaboración durante el período entre sesiones. COLTO señaló que la mayoría de los barcos de sus Miembros tienen instalados SSE con fines científicos y de cumplimiento, y destacó la importancia de considerar las repercusiones económicas de exigir el uso de SSE junto con los observadores.

70. SCIC estudió el informe sobre un taller oficioso sobre cumplimiento organizado conjuntamente por Corea y ASOC sobre la mejora del régimen de cumplimiento de la CCRVMA, celebrado en línea el 6 y 7 de febrero de 2024 (CCAMLR-43/BG/39 Rev. 1). SCIC agradeció a Corea y a ASOC la organización del taller oficioso y señaló que el taller identificó áreas para mejorar el régimen de cumplimiento de la CCRVMA, centrándose en la alineación con prácticas de excelencia mundiales, la estandarización de la recopilación de datos y la garantía de transparencia. Entre los temas clave para seguir trabajando se incluyen el transbordo, la trazabilidad del kril, las inspecciones en puerto y el seguimiento de barcos. Los participantes insistieron en que las medidas de cumplimiento deben ser fáciles de implementar y aplicables a todos los barcos, teniendo en cuenta las diferencias entre pesquerías.

71. Estados Unidos tomó nota de los documentos CCAMLR-43/40, CCAMLR-43/42 y CCAMLR-43/43, presentados por Estados Unidos y coautores, destinados a seguir mejorando el régimen de seguimiento del cumplimiento de la CCRVMA.

## Transbordos

72. SCIC ha examinado el informe de implementación sobre transbordos (CCAMLR-43/BG/15) facilitado por la Secretaría y señaló que se han recibido 187 notificaciones de transbordos en la temporada 2022/2023. SCIC tomó nota de la mejora en el cumplimiento de la MC 10-09 desde la temporada 2021/2022.

73. SCIC señaló que los transbordos de recursos vivos marinos capturados en el Área de la Convención de un barco de pesca a un barco de transbordo y después a otro barco de transbordo podrían comprometer la trazabilidad de los productos. SCIC señaló además que los transbordos realizados por Partes no contratantes (PNC) son preocupantes y que los 25 transbordos realizados por dos barcos con pabellón de Liberia en la temporada 2022/2023 pueden suponer un riesgo que requiera una mayor consideración. SCIC ha recordado que la estrategia para la participación de PNC (CCAMLR-43/16) implica la inclusión de las PNC que participan en transbordos de recursos marinos vivos recolectados dentro del Área de la Convención.

74. La Federación de Rusia señaló que la identificación de las actividades de riesgo debería ir más allá de la consideración de las acciones de los Estados del pabellón individuales y destacó la importancia de garantizar una interpretación objetiva del riesgo en este contexto.

75. SCIC consideró un análisis de las “Directrices voluntarias para los transbordos” de la FAO y la normativa de transbordo de la CCRVMA, presentado por Corea y ASOC (CCAMLR-43/BG/38), señalando que se identificaron 38 directrices que se implementaban parcialmente o no se implementaban en absoluto, y 15 que se implementaban completamente. El análisis identificó que las directrices con las que la CCRVMA está plenamente alineada incluían la notificación de transbordos y procedimientos para abordar el incumplimiento. Además, el análisis señaló que varias medidas de la CCRVMA relativas al transbordo solo se aplican a los barcos de pesca, mientras que las directrices recomiendan su aplicación tanto a los barcos de pesca como a los barcos de carga. Además, contrariamente a las Directrices, la CCRVMA no exige mecanismos de verificación independiente de los transbordos, como observadores o seguimiento electrónico, y gran parte de la información sobre transbordos y barcos de carga no es pública.

76. SCIC agradeció a Corea y a ASOC la información facilitada en su documento y señaló su apoyo general al refuerzo de los procedimientos de transbordo. Muchos Miembros han reconocido que la CCRVMA se ha quedado rezagada con respecto a otras organizaciones internacionales y Organizaciones Regionales de Ordenación Pesquera (OROP) en materia de seguimiento, control y vigilancia de las actividades de transbordo y han expresado su apoyo al refuerzo de la normativa de transbordo por parte de la CCRVMA.

77. China estuvo de acuerdo en la necesidad de reforzar la normativa de transbordo en el Área de la Convención. China recordó que SCIC había llegado a un consenso sobre una propuesta para enmendar la MC 10-09 en virtud de la cual se habría establecido un Registro de barcos de carga de la CCRVMA, pero la propuesta había sido retirada por los proponentes durante la reunión de la Comisión (CCAMLR-XXXV, párrafos 3.32-3.37). China y la Federación de Rusia sugirieron que una propuesta concreta facilitaría el debate para mejorar la MC 10-09.

78. Estados Unidos manifestó su interés en elaborar una propuesta para reforzar el control de los transbordos por parte de la CCRVMA e invitó a otros Miembros interesados a sumarse a este esfuerzo; varios Miembros manifestaron su interés en hacerlo.

79. SCIC destacó las deficiencias existentes entre las Directrices y las Medidas de Conservación y señaló que este análisis ayudará a la labor de SCIC a la hora de considerar el futuro desarrollo de propuestas con cambios concurrentes en las Medidas de Conservación.

80. SCIC señaló el papel que desempeña el control de los transbordos en la lucha contra la pesca ilegal, no declarada y no reglamentada (INDNR) y en la salvaguarda de las cadenas de suministro.

81. Varios Miembros señalaron que la CCRVMA debería elaborar una lista de barcos cargueros autorizados, requisitos de VMS para los barcos de carga y una mejora de las medidas en los puertos para abordar mejor el seguimiento de las actividades de transbordo.

## Implementación del Sistema de Observación Científica Internacional de la CCRVMA (SOCI)

82. SCIC consideró el informe sobre la implementación del Sistema de Observación Científica Internacional (SOCI) (WG-FSA-IMAF-2024/11 Rev. 1) presentado por la Secretaría. El informe proporcionó una reseña de la información acerca de las designaciones de observadores científicos del SOCI a bordo de barcos en el Área de la Convención durante la temporada de pesca 2023/24, una actualización de los formularios e instrucciones para la temporada 2025/26, y el desarrollo de iniciativas de reconocimiento para los observadores de la pesquería de kril.

83. SCIC expresó su agradecimiento a la Secretaría por haberle señalado la atención de este documento y agradeció a los observadores del SOCI por su contribución al proporcionar datos de alta calidad que permiten que el Comité Científico lleve a cabo su labor.

84. Muchos Miembros recordaron las deliberaciones en curso sobre el tema de mejorar la cobertura de observadores del SOCI en toda la pesquería de kril y animaron a los Miembros a seguir considerando esta cuestión en el futuro. Algunos Miembros consideraron que los observadores científicos nacionales designados en el marco del SOCI pueden desempeñar la misma función que los observadores internacionales designados en el marco del SOCI.

85. China rechazó cualquier tipo de cuestionamiento sobre la calidad de los datos recabados por los observadores científicos nacionales solo por su nacionalidad y destacó que tanto los observadores científicos nacionales como los observadores científicos internacionales se ajustan a los mismos requisitos y protocolos científicos según la MC 51-06.

86. Algunos Miembros tomaron nota del asesoramiento del Presidente del Comité Científico y destacaron la importancia de los observadores del SOCI para el trabajo de la CCRVMA, su independencia y los requisitos específicos exigidos a los observadores del SOCI a bordo de los barcos que pueden no exigirse a los observadores nacionales (punto 7). Algunos Miembros reconocieron la alta calidad de los observadores nacionales de la CCRVMA, pero reiteraron que, de conformidad con los requisitos del SOCI, la recopilación de datos de manera congruente en todos los barcos mejora la capacidad de la CCRVMA para ajustar los límites de capturas y evaluar los impactos en el ecosistema.

87. La Federación de Rusia expresó su preocupación por las condiciones bajo las cuales se presentó el informe (WG-FSA-IMAF-2024/11 Rev. 1) a SCIC, y se preguntó por qué se presentaba un documento de un grupo de trabajo científico sin un contexto o consideraciones explícitas para que SCIC tuviera en cuenta.

88. SCIC tomó nota de la explicación de la Secretaría respecto de que el informe se presentaba únicamente a título informativo, como ha sido la práctica habitual para la presentación de informes de implementación en el marco de este punto de la agenda acordado en reuniones anteriores. SCIC recomendó que se incluyera una anotación en la introducción de los futuros informes presentados para aclarar los motivos de la presentación de los documentos de los grupos de trabajo a SCIC.

## Estrategia para la participación de PNC

89. SCIC tomó nota de la evaluación de la implementación de la Estrategia para la participación de Partes no contratantes para 2023–2024 (CCAMLR-43/16). SCIC reconoció los esfuerzos de la Secretaría por desarrollar relaciones con las Partes no contratantes (PNC) a fin de promover su cooperación con la CCRVMA.

90. SCIC refrendó la Estrategia para la participación de PNC para 2025–2026 (CCAMLR-43/16, anexo 2) y su respectivo plan de acción (CCAMLR-43/16, anexo 3).

91. Muchos Miembros expresaron su apoyo respecto de la orientación que proporciona la Estrategia para la participación de PNC para 2025–2026 y de la mayor interacción de la Secretaría con las PNC. Corea señaló que la inclusión de las PNC que realizan actividades de transbordo en el Área de la Convención era una valiosa adición a la Estrategia para la participación de PNC.

92. La Federación de Rusia agradeció a la Secretaría su oportuna identificación de la necesidad de interactuar directamente con los países de Medio Oriente, dado el aumento de la cantidad de *Dissostichus* spp. que se importa a esta región. La Federación de Rusia sugirió identificar los países prioritarios con los que interactuar y señaló que sería provechoso brindar información a SCIC sobre los países específicos de esta región que se involucran en la Estrategia para la participación de PNC.

93. SCIC tomó nota de la colaboración de la Secretaría con el Centro de Desarrollo Pesquero del Sudeste Asiático (SEAFDEC) y el Plan de Acción Internacional para Prevenir, Desalentar y Eliminar la Pesca Ilegal, No Declarada y No Reglamentada (PAI-INDNR) en el marco de la Estrategia para la participación de PNC. SCIC alentó a la Secretaría a seguir colaborando con SEAFDEC y PAI-INDNR, incluida una invitación a la Secretaría de la CCRVMA para asistir a una reunión de coordinación para las partes de PAI-INDNR a principios de noviembre de 2024. SCIC refrendó la recomendación de que se invitara a ambas organizaciones a asistir como Observadores a las futuras reuniones de la CCRVMA.

94. SCIC alentó a las Partes contratantes a participar activamente en la Estrategia para la participación de PNC a través de métodos como la participación y la presentación en talleres, el diálogo formal con las PNC y la prestación de asesoramiento y apoyo técnico.

## Propuestas de adopción de nuevas medidas de conservación relativas al cumplimiento y modificación de las medidas existentes

### Medida de Conservación 10-03

95. SCIC evaluó la implementación de la MC 10-03 y el Sistema de Inspección en la temporada de pesca 2023/24 (CCAMLR-43/15) y la propuesta de modificación de la MC 10-03 para permitir el retraso de las inspecciones y la exención del requisito de presentación anticipada de la información del anexo I0-03/A en los casos de entrada en puerto que impliquen una emergencia médica. Las modificaciones propuestas fueron aprobadas por SCIC y remitidas a la Comisión para su adopción.



96. SCIC consideró la propuesta acordada previamente en SCIC-2023 (párrafo 26) de modificar la MC 10-03 y de añadir un formulario de inspección en puerto de la CCRVMA alternativo, que los inspectores puedan utilizar en conjunción con el del Acuerdo sobre las medidas del Estado rector del puerto (AMERP) para reducir duplicaciones de tareas de elaboración de informes. SCIC refrendó las enmiendas propuestas a la MC 10-03, incluida la adición de un formulario de inspección de la CCRVMA alternativo (MC 10-03, anexo C), y las refirió a la Comisión para su aprobación.

97. SCIC consideró la propuesta presentada por Australia, Corea, Nueva Zelandia y Estados Unidos de modificar la MC 10-03 (CCAMLR-43/42) para exigir a las Partes contratantes que realicen inspecciones en puerto de todos los barcos de pesca que transporten especies o productos que no sean *Dissostichus* spp. y que fueron extraídos en el Área de la Convención. Además, se hicieron propuestas para incluir en el anexo 10-03/B referencias a las MC 25-03, 51-01, 51-02, 51-03 y 51-04 para registrar la inspección de los dispositivos de exclusión de mamíferos marinos en artes de arrastre y otras medidas relacionadas con la mitigación de la mortalidad de aves marinas; y la inclusión de códigos de producto para los productos de kril hervido, kril pelado y aceite de kril. Se presentaron, al mismo tiempo, dos documentos relacionados (CCAMLR-43/40 (párrafos 3.8.27-3.8.29), CCAMLR-43/43 (párrafos 3.8.6-3.8.8)).

98. Muchos Miembros expresaron su apoyo a las modificaciones propuestas a la MC 10-03 y destacaron la necesidad de armonizar sus requisitos en todas las pesquerías de la CCRVMA, especialmente en el marco del enfoque de ordenación de la pesquería de kril que está considerando la Comisión.

99. Algunos Miembros recordaron que existen diferencias entre las pesquerías y señalaron además que los distintos niveles de riesgo de las actividades INDNR requieren una mayor consideración.

100. China hizo la siguiente declaración:

‘The difference between established krill fisheries and exploratory toothfish fisheries rest in the Convention, in particular the conservation principles set out in Article II. With respect to toothfish fisheries, they are established fisheries and exploratory fisheries, subject to different conservation measures. The difference between the krill fisheries and toothfish fisheries should by no means be the pretext for revising relevant conservation measures. In this respect, Article IX of the Convention stipulates clearly that the Commission shall identify conservation needs, analyse the effectiveness of conservation measures, and revise conservation measures on the basis of best scientific evidence available’.

101. SCIC debatió las mejoras del texto propuesto para abordar las preocupaciones expresadas por los Miembros, pero no pudo refrendar la modificación de la MC 10-03 en esta propuesta en este momento. La propuesta se refirió a la Comisión para su ulterior consideración.

#### Medida de Conservación 10-04

102. SCIC consideró la propuesta de las delegaciones de Australia, Corea, Nueva Zelandia, Noruega, Reino Unido y Estados Unidos para modificar la MC 10-04 (CCAMLR-43/43) con

el fin de exigir a todas las Partes contratantes cuyos barcos de pesca operen en el Área de la Convención que presenten a la Secretaría de la CCRVMA los datos VMS a más tardar una hora tras su recepción.

103. Muchos Miembros apoyaron la propuesta y destacaron la importancia de la transmisión de datos VMS en tiempo real a efectos de seguimiento de las actividades de pesca. La importancia de la notificación de movimientos en tiempo real se destacó además en el contexto del enfoque de ordenación de la pesquería de kril y de los cambios necesarios para facilitar este enfoque si se aprueba.

104. Algunos Miembros expresaron preocupación por la viabilidad de la medida.

105. Algunos Miembros señalaron que algunos Miembros que pescan kril ya realizan transmisiones de datos VMS casi en tiempo real, y que todos los barcos con licencia de la CCRVMA transmiten datos VMS a su Estado del pabellón cada hora.

106. SCIC no alcanzó un consenso sobre la propuesta de modificación de la MC 10-04. La propuesta se refirió a la Comisión para su ulterior consideración.

#### Medidas de Conservación 21-01 y 21-02

107. SCIC dio consideración a la propuesta presentada por la Unión Europea de modificar las MC 21-01 y 21-02 (CCAMLR-43/45). Se propone la exigencia de contar con un observador científico a bordo designado de conformidad con el Sistema de Observación Científica Internacional (SOCI) en las pesquerías nuevas en virtud de la MC 21-01 y, en la MC 21-02, que los observadores científicos se deben designar de conformidad con el SOCI.

108. Muchos Miembros expresaron su apoyo a las modificaciones propuestas, pero algunos recordaron que este año no se habían presentado notificaciones para nuevas pesquerías y que estas tienen un carácter más científico y la exigencia de un observador científico adicional aumentaría los gastos a la hora de su implementación.

109. SCIC no alcanzó un consenso sobre la propuesta y la remitió a la Comisión para continuar las discusiones.

#### Medida de Conservación 23-01

110. SCIC estudió la propuesta de la Secretaría (CCAMLR-43/19) para modificar la MC 23-01, que pretendía mejorar el plazo de envío de notificaciones para los barcos en los casos en que las Partes contratantes deben notificar los datos de captura y esfuerzo al Secretario Ejecutivo. El documento también proponía modificaciones a la Medida que requerirían que la Secretaría comunicara los cierres de pesquerías a los barcos de pesca, además de a sus Partes contratantes.

111. SCIC agradeció a la Secretaría su labor en el desarrollo de soluciones prácticas para la reciente captura en exceso del límite acordado de kril. SCIC refrendó la propuesta de mejora de la MC 23-01, párrafo 2, relativo al plazo de envío de notificaciones, y la remitió a la Comisión

para su adopción. 3.8.14. Algunos Miembros se preguntaron si los cambios propuestos a la MC 23-01, párrafo 7, tendrían implicaciones en las pesquerías de austromerluza y expresaron su preocupación por el texto propuesto y su aplicación a diferentes pesquerías. SCIC no pudo llegar a un consenso sobre las modificaciones a la MC 23-01, párrafo 7.

#### Medida de Conservación 31-02

112. SCIC consideró las propuestas de la Federación de Rusia (CCAMLR-43/34 y CCAMLR-43/35) de modificar la MC 31-02 para introducir claridad en los procedimientos de ordenación relativos al izado tardío de artes de palangre tras el cierre de pesquerías en las Subáreas 88.1 y 88.2. Muchos Miembros expresaron su agradecimiento por el documento y señalaron que se había presentado el año pasado durante SCIC-2023, y señalaron, además, que las sugerencias de redacción presentadas anteriormente sobre este asunto deberían incorporarse a cualquier propuesta futura.

113. Algunos Miembros consideraron que el izado tardío y recurrente de los artes no constituye un problema sistemático y no tiene repercusiones en la ordenación del stock, pero podrían seguir considerando la propuesta siempre que se introduzcan nuevas mejoras en esta Medida.

114. SCIC no pudo alcanzar un consenso sobre la modificación de la MC 31-02 y la propuesta se remitió a la Comisión para continuar las deliberaciones.

#### Medidas de Conservación 41-01 y 41-10

115. SCIC dio consideración a dos propuestas de modificación a la MC 41-01. La primera propuesta fue presentada por la Secretaría (CCAMLR-43/18), para reajustar y aclarar los requisitos respectivos de la MC 41-01 y la MC 41-10 en relación con el requisito de que se realicen lances de investigación cuando se desarrollen actividades de pesca en la Subárea 88.2, UIPE H. SCIC refrendó estas modificaciones propuestas para la MC 41-01 y la MC 41-10 y las remitió a la Comisión para su adopción.

116. La segunda propuesta de enmienda a la MC 41-01 considerada por SCIC fue presentada por Australia (CCAMLR-43/49), para permitir a un barco interrumpir un lance de investigación con el fin de evitar la pérdida de artes de pesca, garantizar la seguridad del barco y de las personas a bordo, o la seguridad de la vida en el mar, teniendo en cuenta diversas condiciones. SCIC refrendó la modificación propuesta de la MC 41-01 y la refirió a la Comisión para su adopción.

#### Áreas de nidificación de peces

117. SCIC consideró la propuesta de la Unión Europea y sus Estados miembro (CCAMLR 43/01) de una nueva MC 32-XX sobre la protección de áreas de nidificación de peces nototénidos en el Área de la Convención mediante el cierre de dichas áreas a la pesca. Muchos Miembros señalaron que el Comité Científico había recomendado la protección de estas áreas.

118. Muchos Miembros recibieron con agrado la propuesta, recordando que este tema se había debatido en profundidad en años anteriores, y destacaron la necesidad de proteger los hábitats esenciales.

119. Algunos Miembros declararon que no podían apoyar la propuesta en este momento y señalaron que era necesario seguir trabajando.

120. SCIC no pudo alcanzar un consenso sobre la propuesta y la remitió a la Comisión para continuar las deliberaciones.

#### Simposio de Armonización

121. La República de Corea presentó el informe del Simposio de Armonización (HS-2024) celebrado en el *Songdo ConvensiA Centre* de Incheon, República de Corea, del 16 al 20 de julio de 2024 (CCAMLR-43/29), con el objetivo principal de “brindar recomendaciones a la CCRVMA sobre los pasos a dar para armonizar la implementación del nuevo enfoque de ordenación de la pesquería de kril [EOPK] y el establecimiento del AMP del Dominio 1 [D1MPA] en la región de la península Antártica; y recomendaciones para un recabado y análisis de datos práctico y eficiente”.

122. En el documento se enumeran diversas recomendaciones para mejorar el enfoque de ordenación de la pesquería de kril, pero no se sugiere ningún cambio explícito en la MC para su consideración por parte de SCIC. SCIC dio las gracias a Corea por el documento y su presentación.

#### Resolución sobre normas laborales y de seguridad

123. SCIC dio consideración a el documento CCAMLR-43/32, presentado por Estados Unidos, con la propuesta de una resolución sobre normas laborales y de seguridad en las pesquerías de la CCRVMA. El documento señala que la vulneración de los derechos laborales y las cuestiones de seguridad en los barcos de pesca han acaparado, con razón, una gran atención en los últimos años y que no se trata de un nuevo tema de debate para SCIC.

124. Muchos Miembros reconocieron que, si bien la CCRVMA ha realizado avances en los últimos años para mejorar la seguridad de la vida en el mar, no ha logrado seguir el ritmo de las medidas adoptadas por otros organismos internacionales de pesca (como las OROP), lo que ha impedido avanzar en este importante ámbito. Muchos Miembros señalaron, además, que la propuesta se basa en la experiencia de estas organizaciones a la hora de proponer una resolución no vinculante, e instaron a la CCRVMA a considerar prácticas de excelencia en materia de normas laborales, prevención de vulneración de los derechos laborales y garantía de unas condiciones de trabajo y de vida seguras y justas a bordo de todos los barcos de pesca que participan en las pesquerías de la CCRVMA.

125. Algunos Miembros recordaron la Resolución 23/XXIII de la CCRVMA (Seguridad a bordo de los barcos que pescan en el Área de la Convención) y señalaron que sería necesario un examen adicional del nivel de implementación de la Resolución propuesta y que, por lo tanto, no podían apoyar la propuesta en este momento. Muchos Miembros señalaron que la

Resolución 23/XXIII es insuficiente para abordar cuestiones complejas de normas laborales, ya que solo se refiere al suministro de equipos y ropa.

126. Estados Unidos presentó una primera revisión de la propuesta, que hace referencia a la Resolución 23/XXIII en el preámbulo e incorpora los comentarios recibidos por los Miembros durante la reunión de SCIC.

127. SCIC tomó nota del acuerdo universal en cuanto a la importancia del tema y agradeció a Estados Unidos la preparación de la propuesta y la facilitación de los debates durante la reunión.

128. Estados Unidos agradeció a SCIC sus constructivas deliberaciones y manifestó su deseo de proseguirlos en la Comisión.

129. SCIC no pudo alcanzar un consenso para aprobar la Resolución sobre normas laborales y de seguridad en las pesquerías de la CCRVMA en este momento. La propuesta revisada se refirió a la Comisión para su ulterior consideración..

#### SOCI

130. SCIC consideró la propuesta de las delegaciones de Argentina, Australia, Nueva Zelandia, Noruega, Reino Unido y Estados Unidos de modificar la MC 51-06 (CCAMLR-43/40) para exigir la presencia de un mínimo de un observador por barco, designado de conformidad con el Sistema de Observación Científica Internacional (SOCI).

131. China expresó la opinión de que los observadores científicos nacionales están capacitados para cumplir con los requisitos de recabado de datos de acuerdo con las tareas de SOCI y siguen las mismas directrices para producir datos de calidad similar.

132. Algunos Miembros señalaron que los observadores de SOCI son independientes y pueden priorizar las tareas de manera diferente.

133. Rusia señaló que no existe evidencia de que los observadores científicos nacionales no puedan realizar tareas similares a las de los observadores científicos del SOCI.

134. SCIC no llegó a un consenso sobre esta propuesta. La propuesta se refirió a la Comisión para su ulterior consideración.

#### **Procedimiento de Evaluación del Cumplimiento (PECC) de la CCRVMA**

135. SCIC dio tratamiento al informe de la Secretaría y el análisis del PECC (CCAMLR-43/11), que dirigió la atención a los altos niveles de cumplimiento, superiores al 98 %, en la mayoría de las medidas de cumplimiento analizadas. SCIC tomó nota de las mejoras internacionales en el cumplimiento de la MC 10-09, habiéndose registrado una disminución en el número de casos de incumplimiento asociados a esta medida de conservación. Sin embargo,

SCIC también observó que se había producido un aumento en el número de casos de incumplimiento relativos a la MC 26-01.

136. SCIC consideró la solicitud de la Secretaría de que ofreciese asesoramiento sobre las medidas que deberían adoptarse para aclarar mejor los requisitos de notificación de los desechos y restos de pescado en los datos de captura y esfuerzo a escala fina. SCIC, adicionalmente, señaló que el párrafo 7.3 del *Manual de instrucciones para el recabado de datos de pesquerías comerciales de palangre* (versión de 2023) establece que cualquier especie capturada y almacenada a bordo para su posterior descarte debe reportarse en los datos C2 como “almacenada”, mientras cualquier especie subida al barco y luego descartada por la borda sin procesamiento debe reportarse como “descartada”. SCIC solicitó el asesoramiento del Presidente del Comité Científico sobre la correcta cumplimentación del formulario de datos C2 en lo que respecta a la notificación de los desechos.

137. SCIC recordó la solicitud de que Panamá notificara información adicional sobre el estado de las sanciones aplicadas a dos barcos por incumplimiento de la MC 10-09 que fueron consideradas en SCIC-2023 (SCIC-2023, párrafo 112). SCIC tomó nota de que Panamá había facilitado más información, que se circuló a los Miembros a través de la COMM CIRC 24/76.

138. SCIC refrendó la recomendación de que las Partes contratantes comuniquen cada dos años los datos comerciales agregados con el fin de mejorar la implementación del SDC. Las comunicaciones de las Partes contratantes deben contener detalles sobre el flujo comercial (importación/exportación), el año, el país, las especies y la cantidad

#### Informe Provisional sobre el Cumplimiento

139. Conforme a la MC 10-10, párrafo 3 (i), SCIC consideró los 68 casos de posible incumplimiento contenidos en el Informe Resumido de la CCRVMA sobre el Cumplimiento (CCAMLR-43/11). SCIC held protracted discussions on the compliance issues presented in the CCEP Summary Report and reached a common understanding of what would be the appropriate compliance statuses for 55 of the incidents. However, because SCIC could not agree on the remaining issues, it was unable to reach consensus to adopt its annual Provisional Compliance Report in accordance with CM 10-10. The compliance issues considered are identified in Appendix I.

#### Medida de Conservación 10-03

140. SCIC considered the implementation of CM 10-03, paragraph 1, by New Zealand regarding the requirement to undertake port inspections of all fishing vessels carrying *Dissostichus* spp. in item 1 of Appendix I.

141. In its response to the draft compliance report New Zealand had provided the following:

‘This issue in relation to CM 10-03 paragraph 1 is a matter relating to safety at sea.

The San Aotea II made an unscheduled stop to allow medical services to remove a crew member for transport to Dunedin hospital.

There were no compliance issues reported in the Inspection report and the vessel was inspected within the 48-hour time period specified in CM 10-03 upon arriving at the intended port (Timaru).

Other than the injured crew member, no other crew or product was discharged from the vessel during its emergency call in Dunedin.

Further Action: No further action required

Preliminary Status: No compliance status assigned'

142. SCIC reached a common understanding on a compliance status of no compliance status proposed by New Zealand.

143. SCIC considered the implementation of CM 10-03, paragraph 4, by Chile regarding the requirement for vessels to provide the information in CM 10-03, Appendix 10-03/A, at least 48 hours in advance of port entry in item 2 of Appendix I.

144. In its response to the draft compliance report Chile has provided the following:

‘ In relation to this case, we are able to point out that the absence of notification for the call at the port of Bluff in New Zealand by the fishing vessel Puerto Ballena, was due to a medical emergency of a crew member, which was duly communicated to and coordinated with the Competent Authority of New Zealand (RCCNZ) who suggested proceeding in that manner (“The medical advice we have for you remains unchanged and we recommend you make your way to New Zealand for your crewman to receive higher level care.”). Given the above, it is not possible to classify this activity in port as a fishing operation as such (e.g. provisions, refueling, disembarking, crew change), but rather as a medical emergency.

Given the above, and in accordance with the provisions contained in paragraph 6 of CM 10-03, it is considered that the general rule of the procedure does not apply, since what happened is explained by a forced stopover due to a medical emergency.

Preliminary Status: No compliance status assigned'

145. SCIC reached a common understanding on a compliance status of no compliance status assigned proposed by Chile.

146. SCIC considered the implementation of CM 10-03, paragraph 5, by Korea (item 3 of Appendix I) and Uruguay (item 4 of Appendix I) regarding the requirement for a port inspection to be conducted within 48 hours of port entry.

147. In its response to the draft compliance report Korea has provided the following:

‘The Procyon enter the port at 09:30, September 17, 2023, which was delayed by 25 hours and 30 minutes from the estimated time of arrival (06:00, September 16, 2023). The inspection took place at 10:11, September 18, 2023, within the span of 24 hours 41 minutes. Therefore, this case is compliant. However, the actual time of arrival was not indicated in the inspection report, which led to the identification of the alleged inspection delay. The inspection authority will make sure that the actual arrival time

will be clearly indicated in all port inspection reports in order to prevent any future confusions.

Further Action: No further action required

Preliminary Status: Compliant'

148. SCIC reached a common understanding on a compliance status of compliant proposed by Korea.

149. In its response to the draft compliance report (Item 4 of Appendix I) Uruguay has provided the following:

‘Situación excepcional, la inspección se realizó con un retraso por imposibilidad de acceso al buque. Anualmente se realizan 15 inspecciones en el puerto de Montevideo sin retrasos.

Situación excepcional, la inspección se realizó con un retraso por imposibilidad de acceso al buque. Anualmente se realizan 15 inspecciones en el puerto de Montevideo sin retrasos.

Further Action: Se continúa con la mejora de los procesos de control para las inspecciones Ongoing improvements of monitoring processes regarding inspections.

Preliminary Status: Minor non-compliant (Level 1)'

150. SCIC reached a common understanding on a compliance status minor non-compliant (Level 1) proposed by Uruguay.

151. SCIC considered the implementation of CM 10-03, paragraph 8, by France (item 5 of Appendix I) and South Africa (item 6 of Appendix I) regarding the transmission of a port inspection report to the Secretariat more than 30 days after the inspection date.

152. In its response to the draft compliance report France (item 5 of Appendix I) has provided the following:

‘France acknowledges that the report was sent after the 30 days deadline. The inspection was delayed compared to the usual deadlines because the ship did not have access to its refrigerators in port. In fact, these had been requisitioned by the prefecture because of a breakdown in other fridges in the south of the island.

Reminders to the competent authorities of the territorial fisheries administration based in La Reunion of the importance of the 30 days deadline have been made.

Preliminary Status: Minor non-compliant (Level 1)'

153. SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) proposed by France.

154. In its response to the compliance report South Africa (item 6 of Appendix I) provided the following:



‘The report was submitted on time via email but due to a technical glitch the mail was not delivered. The report was communicated as soon as the matter was raised.

Further Action: For future communication, a mail notification has been set up which will notify the sender when mail has been delivered thereby making the sender attentive about the non-delivery.

Preliminary Status: Minor non-compliant (Level 1)’

155. SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) proposed by South Africa.

#### Medida de Conservación 10-04

156. SCIC considered the implementation of CM 10-04, paragraph 13, by the Chilean vessel *Antarctic Endeavour* (item 7 of Appendix I), the French vessels *Albius* (items 8 and 9 of Appendix I) and *Sainte Rose* (item 10 of Appendix I), the Korean vessel *Greenstar* (item 11 of Appendix I), the Spanish vessel *Tronio* (item 12 of Appendix I) and the United Kingdom vessel *Nordic Prince* (item 13 of Appendix I) 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.

157. In its response to the compliance report for the *Antarctic Endeavour* (item 7 of Appendix I) Chile provided the following:

‘In relation to this case, we are able to point out that the notification of the vessel “Antarctic Endeavour” was made within the time established by measure CM10-04, paragraph 13. This is because the Chilean Navy guard operator sent an email to the CCAMLR Secretariat, on March 20th at 23:26 local time.

The notification in local time was correct: March 20th, 2024, at 22:26.

The problem occurred with the reported “UTC” time zone, since, by adding 3 hours, that is, “UTC+3”, the notification moved to the next day, that is, March 21 at 01:26 hours. This involuntary error by the Chilean operator was not detected when sending the notification, since he kept the day March 20 and did not change the date.

Given the above, this finding would not correspond to a non-compliance, but only to an involuntary error. The above has already been corrected with the Secretariat by email, explaining what happened.

Preliminary Status: Compliant”

158. SCIC reached a common understanding on a compliance status of compliant for the Chilean vessel *Antarctic Endeavour* proposed by Chile.

159. In its response to the compliance report identified as item 8 in Appendix I for the *Albius* (items 8 and 9 of Appendix I) France provided the following:

‘France acknowledges that the notification was provided after the 24h-deadline because the vessel had problems with its mailbox.

Preliminary Status: Minor non-compliant (Level 1)’

160. SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) for item 8 in Appendix I for the French vessel *Albius* proposed by France.

4.1.23 In its response to the compliance report identified as item 9 in Appendix I for the *Albius* France provided the following:

‘France acknowledges that the notification was provided after the 24h-deadline. Reminders to the competent authority of the fisheries monitoring center have been issued.

Preliminary Status: Minor non-compliant (Level 1)’

161. SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) for item 9 in Appendix I for the French vessel *Albius* proposed by France.

162. In its response to the compliance report identified as item 10 in Appendix I for the *Sainte Rose* France provided the following:

‘France acknowledges that the notification was provided after the 24h-deadline. The ship forgot to transmit the notification. A reminder was sent by the French fisheries monitoring center on 05/02/2024 at 08:16. The CCAMLR Secretariat received the notification on 05/02/2024 at 09:03. Reminders to the ship have been issued.

Preliminary Status: Minor non-compliant (Level 1)’

163. SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) for the French vessel *Sainte Rose* proposed by France.

164. In its response to the compliance report identified as item 11 in Appendix I for the *Greenstar* Korea provided the following:

‘The *Greenstar* completed its 2-moth research activities in Research Block No.5 in Subarea 88.3 at 08:31 (UTC) on April 13, 2024 and made a north-bound trip to exit the Convention Area. While steaming North-East, the vessel crossed the boundary between subareas 88.3 and 48.1 ( 65°03'46.2"S, 70°00'00"W) at 22:45 (UTC) on April 13, 2024. The vessel mistook that they were still in Subarea 88.3 and sent an exit report to the Secretariat at 08:13 (UTC) on April 15, 2024 notifying that the vessel was leaving Subarea 88.3.

Later, the operator found that the subarea from which the vessel departed was 48.1, not 88.3 and submitted an exit report for 48.1 at 05:49 (UTC) on April 16, 2024. Considering the vessel submitted an entry report for Subarea 48.1 on April 16, they genuinely believed that they were entering 48.1 on April 16 and made an exit report within 24 hours on the same day.

This was an honest mistake from the vessel and rectified as soon as the mistake had been identified. As the vessel had been sending its VMS data on an hourly basis to the Secretariat, its activities can be verified. The authorities issued a strong warning on this case, and the operator is committed to strengthening its compliance with all the conservation measures of CCAMLR.

Further Action: No further action required

Preliminary Status: Minor non-compliant (Level 1)'

165. SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) for the Korean vessel *Greenstar* proposed by Korea.

166. In its response to the compliance report identified as item 12 in Appendix I for the Spanish vessel *Tronio*, the EU provided the following:

'We have investigated this issue further and confirm that due to human error (confusion on the part of the Master who used the SSRU map in CM 41-01 and reported movements based upon the SSRUs listed), the required movement notification was not sent. The competent authorities have since clarified the movement notification obligations under CM 10-04, paragraph 13, with the Master of the vessel to prevent this issue from happening in the future.

Further Action: no further action required

Preliminary Status: Minor non-compliant (Level 1)'

167. SCIC reached a common understanding on a proposed compliance status of minor non-compliant (Level 1) for the Spanish vessel *Tronio*.

168. In its response to the compliance report identified as item 13 in Appendix I for the *Nordic Prince* United Kingdom provided the following:

'The UK investigated this potential infringement.

After reviewing the onboard tamper proof electronic monitoring system and VMS, the UK can confirm that the *Nordic Prince* transited through the northern edge of Subarea 48.3, entering at approximately 15:18 UTC on the 13 April, exiting at approximately 07:35 UTC on the 14 April. The vessel was transiting at speeds between 9.0 – 10.6 knots.

The transiting crew incorrectly interpreted the requirement to notify entry and exit reports as only be required in relation to fishing activity, rather than also during transit.

The vessel provided the relevant entry/exit notification report on 18 April. The transit crew have been thoroughly briefed on CCAMLR requirements and reminded of the reporting requirements within the Convention Area.

Further Action: None

Preliminary Status: Minor non-compliant (Level 1)'

169. SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) for the United Kingdom vessel *Nordic Prince* proposed by the United Kingdom.

#### Medida de Conservación 10-05

170. SCIC considered the implementation of CM 10-05, paragraph 6, by Argentina (item 14 of Appendix I), Chile (item 15 of Appendix I), France (item 16 of Appendix I), the Netherlands (item 17 of Appendix I), Peru (item 18 of Appendix I), South Africa (item 19 of Appendix I), Spain (item 20 of Appendix I), the United States of America (item 21 of Appendix I), and Uruguay (item 22 of Appendix I). regarding the prohibition on exporting or re-exporting toothfish without an accompanying Dissostichus Export Document (DED) or Dissostichus Re-Export Document (DRED).

171. In its response to the compliance report identified as item 14 in Appendix I Argentina provided the following:

‘With regard to this incident, the Argentine National Directorate of Fisheries Coordination and Supervision has informed that all the steps in the e-CDS of this document were completed and validated on June 29, 2023, prior to the date of export, except for Step 4, where the signature was omitted due to an inadvertent error. Alerted to this by the exporting company about the box that had been left unvalidated, this error was corrected. The merchandise was able to enter its destination in Port Everglades.

Further Action: No further action needed

Preliminary Status: Compliant’

173. SCIC reached a common understanding on a compliance status of compliant proposed by Argentina.

174. In its response to the compliance report identified as item 15 in Appendix I, Chile provided the following:

‘In relation to the finding of the Secretary, regarding the the non-compliance with paragraph 6 of CM 10-05 on the identification of 74 DEDs that were validated late. However, it should be noted that this error affects only 2.2% (4) of the total shipments of *Dissostichus* spp. (180) made by Chile during the period analysed.

In addition to the above, it is important to note that a characteristic of the e-CDS system implemented by Chile is the large number of DCDs and DEDs that are validated (over 50% of the world total), which is explained by the fact that the TOP catches made in our EEZ by industrial and artisanal vessels (6 and 169 for the period analysed, respectively) have to be registered in the e-CDS system, which consequently implies the generation of a large number of export documents (DEDs). Given this, national shipments of *Dissostichus* spp. fluctuated, during the period analysed, between 1 and 67 DEDs per shipment (an average of 9 DEDs), with maritime shipments generally accounting for the largest number of DEDs.

In summary, the validation of certificates with a post-export date is explained by two reasons: i) involuntary errors by fishing inspectors by not validating step 4 in the e-CDS system for some of the DEDs considered in the shipments (2 cases), ii) late validations of the DEDs associated with the shipments (2 cases), given a failure to comply with the instructions and their control systems. Notwithstanding the above, we wish to affirm that our traceability analyses for the 74 DEDs validated late show that these documents are not related to IUU fishing activities.

Finally, it should be noted that, as corrective measures, adjustments have been made to the control systems and training regarding the procedures that apply to this type of certification, institutionally instructing and urging both Fisheries Heads and Inspectors to strictly comply with the provisions of MC 10-05.

Preliminary Status: Non-compliant (Level 2)’

175. SCIC reached a common understanding on a compliance status of non-compliant (Level 2) proposed by Chile.

176. In its response to the compliance report identified as item 16 in Appendix I for France, the EU provided the following:

‘Regarding the three DEDS identified, the French authorities realised that some information were not accurately reflected (for DED FR-23-0028-E, it was not the correct Bill of Lading number and for DED FR-23-0025-E, the trainee entered the same export information twice for 2 different DED numbers). For DED FR-23-0015-E, the modification was made to the transport vessel and its departure date. Therefore, the DEDs were modified to reflect the correct information, and validated at that moment. The competent authorities have been reminded of the importance of ensuring that consignments of *Dissostichus* spp. are not exported without completed and validated DED/DREDS and to take the necessary actions to prevent this to happen in the future.

Further Action: no further action required

Preliminary Status: Minor non-compliant (Level 1)’

177. SCIC reached a common understanding on a proposed compliance status of minor non-compliant (Level 1).

178. In its response to the compliance report identified as item 17 in Appendix I for the Netherlands, the EU provided the following:

‘Response submitted to the Secretariat by the EU via email:

1. One DRED was issued after the declared export date. The issuing of the DRED was delayed due to a technical issue encountered with the e-CDS system on 24 May 2024 (cause unknown). Despite various attempts using different browsers (e.g., Microsoft Edge, Google Chrome, Firefox), it was not possible to complete the DRED that day, which was a Friday. The DRED could be completed after the weekend and was issued on Monday, 27 May 2024.

Proposed preliminary status: Minor non-compliant (Level 1), no further action required

2. In the case of the second DRED, there has been an administrative error. The initial DRED was submitted to the Dutch authorities for validation on 30 August 2023. The application provided the same information as an earlier application and was refused. On 12 September 2023, the export was requested again with a different catch document. However, the correct supporting documents were not available and essential information was still missing, resulting in various exchanges between the Dutch authorities and the exporter between 12 and 18 September 2023. After the missing information was provided, the DRED was issued on 18 September 2023 and the export happened the same day. However, due to an oversight, the issuing officer did not update the initial export date. The DRED therefore listed an incorrect export date of 30 August 2023. The correct export date was 18 September 2023. The DRED was issued the same day, prior to export.

Proposed preliminary status: Compliant, no further action required'

179. SCIC reached a common understanding on a proposed compliance statuses of minor non-compliant (Level 1) and compliant.

180. SCIC noted that Peru did not provide a response to the compliance report identified as item 18 in Appendix I. In recalling that Peru's compliance with CM 10-05 has been considered previously at SCIC-2022 and SCIC-2023, SCIC reached a common understanding to the compliance status of minor non-compliant (Level 1). SCIC requested Peru report back to SCIC with their response to the draft compliance report.

181. In its response to the compliance report identified as item 19 in Appendix I, South Africa provided the following:

'Notifications of intent to offload in SA ports were received from the two vessels Southern Ocean (21 February 2024) and Hong Jin No. 707 (16 February 2024), i.e. well in advance of the actual vessels offloads.

All 18 x DEDs which "account for 38 % of South Africa's exports and <1 % of all CDS exports" implicated in this non-compliance incidents are applicable to one offload of each of these two vessels and noting that one DED was issued for each container stacked for these exports.

a. 8 DEDs (8 containers) were issued between 6 - 10 days (1 DED 6 days and 7 DEDs 9 days) after declared export date for Southern Ocean - KR-24-0009-E

b. 10 DEDs (10 containers) were issued between 21 - 50 days (29 days) after declared export date for Hong Jin No. 707 - KR-24-0008-E

South Africa authorised official, Mr Johan De Goede, immediately requested an explanation from the exporter company Hongjin Corporation through their South African vessel agent Hanill Shipping, why DED applications were received late.

Full cooperation by the vessel agent as well as by the exporting company Hongjin Corporation was received during the entire investigation. A satisfactory explanation was provided (letter attached) by the exporting company Hongjin Corporation why the unavoidable situation occurred.

Considerations:

- 1) Both the Vessels No 707 Hong Jin and Southern Ocean submitted its required Advance Request to Enter Port (AREP) applications prior to entering the SA EEZ and in which their catches were declared.
- 2) Both Vessels No 707 Hong Jin and Southern Ocean applied for and were issued with the necessary permits to possess, land, sell Toothfish as required under South African legislation.
- 3) Both Vessels No 707 Hong Jin and Southern Ocean were timeously and fully inspected by the Department of Forestry, Fisheries and the Environment (DFFE) Fishery Control Officers. Inspection reports were submitted to CDS and is available online. All catches were verified by the DFFE Fishery Control Officers when the containers were packed.
- 4) Letter of explanation provided by exporter company Hongjin Corporation.

Decision:

Given the explanation provided by Hongjin Corporation, required domestic permits issued, notifications timeously received, port inspections properly conducted by Fishery Control Officers during the entire offloads, landing and catch verifications conducted, the authorised South African official was confident that the DEDs should be issued, albeit late. There was no intent from the Hongjin Corporation to delay DED applications, in fact all attempts were made to get their Bill of Ladings etc. timeously issued by the shipping lane well in advance.

The matters were satisfactorily explained and addressed accordingly. The vessels agent was made aware of the challenges and CCAMLR requirements for these products in attempt to avoid similar situations in future.

Further Action: No further actions required

Preliminary Status: Minor non-compliant (Level 1)”

182. SCIC noted that the delay in receiving Bill of Ladings resulted in delayed applications for the *Dissostichus* Export Documents (DEDs) and the toothfish had departed South Africa at the time these DED applications were received. South Africa proceeded with the late issuance of the DEDs after an investigation was conducted and the matters were explained satisfactorily by Korean exporters. SCIC noted the seriousness of the matter and reached a common understanding on a compliance status of non-compliant (Level 2).

183. In its response to the compliance report identified as item 20 in Appendix I for Spain, the EU provided the following:

‘Under previous versions of the e-CDS application, for the validation of DED/DREDs it was possible to obtain the catch document in pdf and therefore to export/re-export *Dissostichus* spp. consignments without completion of step 4 “Export State Confirmation”. Following updates in the e-CDS application, the 4 DREDs concerned were notified as “Items Pending Action”.

Even though these DREDS were still pending completion of step 4, due to administrative error they were understood as having been validated by the authorities and export was allowed to proceed. We have since completed step 4 for these DREDS, which is why they have a validation date after the declared export date. Given the improvements in the e-CDS application since these issues occurred, it will now be evident when a DED/DRED has not been validated, preventing this from happening in the future. Moreover, the competent authorities have been reminded of the importance of ensuring that consignments of *Dissostichus* spp. are not exported without completed and validated DED/DREDS and to take the necessary actions to prevent this to happen in the future.

Further Action: no further action required

Preliminary Status: Minor non-compliant (Level 1)'

184. SCIC recalled the implementation of moratorium on compliance assessments put in place for DED and DREDS older than two years to address the administrative matter associated with completing documents identified through the e-CDS upgrade (SCIC-2023, paragraph 90). SCIC noted that the four Spanish *Dissostichus* re-export documents (DREDS) identified as non-compliant were identified in this administrative process, however, were less than two years old. SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) for Spain.

185. In its response to the compliance report identified as item 21 in Appendix I, the United States of America provided the following:

'This was an administrative error which was only brought to our attention when the new interface for the e-CDS was implemented in May 2023. The shipment documented under this DRED was accompanied by a DRED but lacked the Export Government Authority Validation. Given the improvements to the e-CDS it will now be evident when a DED/DRED has not been validated, preventing this from happening in the future.

Further Action: No further action needed

Preliminary Status: Minor non-compliant (Level 1)'

186. SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) proposed by the United States of America.

187. In its response to the compliance report identified as item 22 in Appendix I, Uruguay provided the following:

'Se revisó el período julio 2023 a junio 2024 y se completaron 101 DED. El 50 % de los DED que no se completaron a tiempo se refieren a cargas menores a 1000 kg procedentes de barcos de arrastre. Los retrasos se explican por la falta de personal dedicado y retrasos en el envío de la documentación verificable por parte de las empresas y representantes legales (información detallada de exportador e importador). En relación a la falta de personal, durante el año 2024 se incorporó más personal y asistieron a los cursos de capacitación.



Se revisó el período julio 2023 a junio 2024 y se completaron 101 DED. El 50 % de los DED que no se completaron a tiempo se refieren a cargas menores a 1000 kg procedentes de barcos de arrastre. Los retrasos se explican por la falta de personal dedicado y retrasos en el envío de la documentación verificable por parte de las empresas y representantes legales (información detallada de exportador e importador). En relación a la falta de personal, durante el año 2024 se incorporó más personal y asistieron a los cursos de capacitación.

Further Action: Paralelamente se comunicó a las empresas que se exigirá mayor puntualidad con la documentación. Uruguay ha solicitado asistencia a FAO para revisar y mejorar los procedimientos relativos a las Medidas del Estado Rector del Puerto.

Paralelamente se comunicó a las empresas que se exigirá mayor puntualidad con la documentación. Uruguay ha solicitado asistencia a FAO para revisar y mejorar los procedimientos relativos a las Medidas del Estado Rector del Puerto.

Preliminary Status: Minor non-compliant (Level 1)’

188. SCIC noted that 50% of the Uruguayan DEDs identified as non-compliant were exports less than one tonne. Furthermore, SCIC noted that the officials responsible for implementing the CDS in Uruguay are facing human resource challenges, which is complicated with administrative issues, and increasing documentation and workloads leading to delayed processing times of DEDs. SCIC reached a common understanding on a compliance status of non-compliant (Level 2).

#### Medida de Conservación 10-09

189. SCIC considered the implementation of CM 10-09, paragraph 2, by the Panamanian vessels *Frio Aegean* (items 23 and 24 of Appendix I), *Frio Marathon* (item 25 of Appendix I), *Frio Oceanic* (item 26 of Appendix I), and *Procyon* (item 27 of Appendix I), and the Ukrainian vessel *More Sodruzhestva* (item 28 of Appendix I) which requires 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.

190. In its response to the compliance report identified as item 23 in Appendix I for the *Frio Aegean*, Panama provided the following:

‘Panama confirms that the information provided by the CCAMLR Secretariat, according to the date of the notification received and the possible date of the activity reported by the vessel FRIO AEGEAN, is correct; and the vessel has been informed of the obligation to comply with the time limits for submitting the format for notification of resources regulated by the Commission, both to the Secretariat and to the Authority. However, in the confirmation form reported by the vessel, the actual date of transshipment reported did comply with the established time (74h 43m). Therefore, Panama considers a preliminary status of Compliant.

Preliminary Status: Compliant’

191. In its response to the compliance report identified as item 24 in Appendix I for the *Frio Aegean*, Panama provided the following:

‘Panama confirms that the information provided by the CCAMLR Secretariat, according to the date of the notification received and the possible date of the activity reported by the vessel FRIO AEGEAN, is correct; and the vessel has been informed of the obligation to comply with the time limits for submitting the format for notification of resources regulated by the Commission, both to the Secretariat and to the Authority. However, in the confirmation form reported by the vessel, the actual date of transshipment reported did comply with the established time (72h 53m). Therefore, Panama considers a preliminary status of Compliant.

Preliminary Status: Compliant’

192. In its response to the compliance report identified as item 25 in Appendix I for the *Frio Marathon*, Panama provided the following:

‘Panama confirms that the information provided by the CCAMLR Secretariat, according to the date of the notification received and the possible date of the activity reported by the vessel FRIO MARATHON, is correct; and the vessel has been informed of the obligation to comply with the time limits for submitting the format for notification of resources regulated by the Commission, both to the Secretariat and to the Authority. However, in the confirmation form reported by the vessel, the actual date of transshipment reported did comply with the established time (103h 14m). Therefore, Panama considers a preliminary status of Compliant.

Preliminary Status: Compliant’

193. In its response to the compliance report identified as item 26 in Appendix I for the *Frio Oceanic* Panama provided the following:

‘Panama confirms that the information provided by the CCAMLR Secretariat, according to the date of submission and the possible date of the notification reported by the vessel FRIO OCEANIC, is correct; and has informed the vessel of the obligation to comply with the time limits for the submission of notifications to both the Secretariat and the Authority, of the activities within the area regulated by the Commission. In view of the fact that in the activity confirmation report, the actual date and time of the transshipment also occurred with less time than the established time limit (69h 56m), Panama considers an evaluation of minor non-compliance (Level 1) that can be corrected by the vessel.

Preliminary Status: Minor non-compliant (Level 1)’

194. In its response to the compliance report identified as item 27 in Appendix I for the *Procyon*, Panama provided the following:

‘Panama confirms that the information provided by the CCAMLR Secretariat, according to the date of the notification received and the possible date of the activity reported by the vessel PROCYON, is correct; and the vessel has been informed of the obligation to comply with the time limits for submitting the format for notification of resources regulated by the Commission, both to the Secretariat and to the Authority.

However, in the confirmation form reported by the vessel, the actual date of transshipment reported did comply with the established time (72h 14m). Therefore, Panama considers a preliminary status of Compliant.

Preliminary Status: Compliant'

195. SCIC noted that in responses to items 23, 24, 25 and 27, of Appendix I the transshipment occurred 72 hours after the notification was sent, however, the notified start of the transshipments was less than 72 hours from when the notification was sent. SCIC reiterated that notifications to transshipment must be transmitted at least 72 hours in advanced of the intended transshipment start time. SCIC also noted the response to item 26 of Appendix I assigned the compliance status of minor non-compliant (Level 1). SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) for all five cases for Panama.

196. SCIC noted Ukraine's response to the compliance report identified as item 28 in Appendix I circulated in COMM CIRC 24/94 and noted that upon receiving the information the Secretariat identified that there was a data entry error when entering the transshipment information. SCIC reached a common understanding on a compliant status of compliant proposed by Ukraine.

197. SCIC considered the implementation of CM 10-09, paragraph 3, by the Norwegian vessels *Antarctic Provider* and *Saga Sea* (item 29 of Appendix I) and the Uruguayan vessel *Ocean Azul* (item 30 of Appendix I) which requires each Contracting Party to notify the Secretariat at least two hours in advance of the transshipment if any of its vessels propose to tranship items other than harvested marine living resources, bait or fuel within the Convention Area.

198. In its response to the compliance report identified as item 29 in Appendix I for the *Antarctic Provider* and *Saga Sea*, Norway provided the following:

'Investigations have confirmed that the vessel did not provide the notification to the Secretariat at least 2 hours in advance of the intended transshipment operation due to a human error.

Further Action: No Further Action required

Preliminary Status: Minor non-compliant (Level 1)'

199. SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) for the Norwegian vessels *Antarctic Provider* and *Saga Sea* proposed by Norway.

200. In its response to the compliance report identified as item 30 in Appendix I for the *Ocean Azul*, Uruguay provided the following:

'Existe intención de cumplimiento de la MC 10-09. Según el informe del observador se pasó una ecosonda al Elena Ndume.

Existe intención de cumplimiento de la MC 10-09. According to the observer's report, an echo sounder was transhipped to the Helena Ndume.

Further Action: Se advirtió a la empresa sobre el incumplimiento. Debe mejorar el procedimiento en situaciones semejantes en el futuro.

Se advirtió a la empresa sobre el incumplimiento. Debe mejorar el procedimiento en situaciones semejantes en el futuro.

Preliminary Status: Minor non-compliant (Level 1)'

201. SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) for the Uruguayan vessel *Ocean Azul* proposed by Uruguay.

202. SCIC considered the implementation of CM 10-09, paragraph 5, by the Norwegian vessels *Antarctic Provider* and *Saga Sea* (item 31 of Appendix I) requiring that each Contracting Party provide confirmation of transshipment to the Secretariat within three (3) working days of any of its vessels having transhipped within the Convention Area.

203. In its response to the compliance report identified for the *Antarctic Provider* and *Saga Sea*, Norway provided the following:

'Investigations have shown that the confirmation for the transshipment of crew and provisions was not provided.

However, the notified transshipment was not conducted due to bad weather.

Further Action: No Further Action required

Preliminary Status: Minor non-compliant (Level 1)'

204. SCIC reached a common understanding on a compliance status of minor non-compliance (Level 1) for the Norwegian vessels *Antarctic Provider* and *Saga Sea* proposed by Norway.

205. SCIC considered the implementation of CM 10-09, paragraph 8, by the Vanuatuan vessel *Hai Feng 718* (item 32 of Appendix I) which states that no vessel may conduct transshipment within the Convention Area for which prior notification, pursuant to CM 10-09, paragraphs 2, 3 and 4, has not been given.

206. In its response to the compliance report for the *Hai Feng 718*, Vanuatu provided the following:

'Prior Notification was sent on the 3rd of February 2024

Preliminary Status: Compliant'

207. SCIC reached a common understanding on a compliance status of additional information required for the Vanuatuan vessel *Hai Feng 718*, and requested the Secretariat to follow up with Vanuatu to clarify the date the notification was transmitted.

## Medida de Conservación 22-07

208. SCIC considered the implementation of CM 22-07, paragraph 8, by the United Kingdom vessel *Argos Georgia* which requires the vessel to report in accordance with CM 23-07 the total benthos recovered in a daily period in item 33, Appendix I.

209. In its response to the draft compliance report for the *Argos Georgia*, the United Kingdom had provided the following:

‘The UK investigated this potential infringement.

On 19 December the FV *Argos Georgia* landed a small amount of Vulnerable Marine Ecosystem (VME) indicator species. This was correctly recorded on the C2 report and submitted to the CCAMLR Secretariat for the relevant period. This information was unfortunately not included on the daily catch and effort report due to human error.

Given the information was recorded on the C2 data submission, we conclude that the vessel did not intentionally omit the VME reporting on the daily catch report.

Further Action: None

Preliminary Status: Minor non-compliant (Level 1)’

210. SCIC reached a common understanding on a status of minor non-compliant (Level 1) for the United Kingdom vessel *Argos Georgia* proposed by the United Kingdom.

211. SCIC considered the implementation of CM 22-07, paragraph 9, by the Russian vessel *Alpha Crux* (items 34, 35, 36 and 37 of Appendix I) and the Uruguayan vessel *Proa Pioneer* (items 38 and 39) 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.

212. In its response to the draft compliance report identified as item 34 in Appendix I for the *Alpha Crux*, Russia had provided the following:

‘Российская сторона провела детальное расследование данных случаев. В виду повреждения файлов на носителе информации компьютера на судне, координаты ряда VME risk area отображались некорректно, что привело к непредумышленной установке ярусов в пределах VME risk area. Одновременно это не снимает ответственности судовладельца. Судовладельцу рекомендовано обеспечить установку на компьютеры надежное антивирусное программное обеспечение, дублирование информационных баз. Status Minor Non-compliant.

The Russian Federation has conducted a detailed investigation into these cases. Due to corrupted files on the ship's computer storage media, the coordinates of several VME risk areas were displayed incorrectly, resulting in the unintentional deployment of longlines within the VME risk area. At the same time, this does not remove the shipowner's responsibility. The shipowner was recommended to ensure the installation of reliable anti-virus software on computers and the duplication of information databases. Status: Minor non-compliant.

Further Action:

Устранение технических пробелов.

Addressing technical gaps.

Preliminary Status: Minor non-compliant (Level 1)'

213. In its response to the draft compliance report identified as item 35 in Appendix I for the *Alpha Crux*, Russia had provided the following:

‘Российская сторона провела детальное расследование данных случаев. В виду повреждения файлов на носителе информации компьютера на судне, координаты ряда VME risk area отображались некорректно, что привело к непредумышленной установке ярусов в пределах VME risk area. Одновременно это не снимает ответственности судовладельца. Судовладельцу рекомендовано обеспечить установку на компьютеры надежное антивирусное программное обеспечение, дублирование информационных баз. Status Minor Non-compliant.

The Russian Federation has conducted a detailed investigation into these cases. Due to corrupted files on the ship's computer storage media, the coordinates of a number of VME risk areas were displayed incorrectly, resulting in the unintentional deployment of longlines within the VME risk area. At the same time, this does not remove the shipowner's responsibility. The shipowner was recommended to ensure the installation of reliable anti-virus software on computers and the duplication of information databases. Status: Minor non-compliant.

Further Action:

Устранение технических пробелов

Addressing technical gaps

Preliminary Status: Minor non-compliant (Level 1)'

214. In its response to the draft compliance report identified as item 36 in Appendix I for the *Alpha Crux*, Russia had provided the following:

‘Российская сторона провела детальное расследование данных случаев. В виду повреждения файлов на носителе информации компьютера на судне, координаты ряда VME risk area отображались некорректно, что привело к непредумышленной установке ярусов в пределах VME risk area. Одновременно это не снимает ответственности судовладельца. Судовладельцу рекомендовано обеспечить установку на компьютеры надежное антивирусное программное обеспечение, дублирование информационных баз. Status Minor Non-compliant.

‘The Russian Federation has conducted a detailed investigation into these cases. Due to corrupted files on the ship's computer storage media, the coordinates of a number of VME risk areas were displayed incorrectly, resulting in the unintentional deployment of longlines within the VME risk area. At the same time, this does not remove the shipowner's responsibility. The shipowner was recommended to ensure the installation

of reliable anti-virus software on computers and the duplication of information databases.

Status: Minor non-compliant.

Further Action:

Устранение технических пробелов.

Addressing technical gaps.

Preliminary Status: Minor non-compliant (Level 1)'

215. In its response to the draft compliance report identified as item 36 in Appendix I for the *Alpha Crux*, Russia had provided the following:

‘Российская сторона провела детальное расследование данных случаев. В виду повреждения файлов на носителе информации компьютера на судне, координаты ряда VME risk area отображались некорректно, что привело к непредумышленной установке ярусов в пределах VME risk area. Одновременно это не снимает ответственности судовладельца. Судовладельцу рекомендовано обеспечить установку на компьютеры надежное антивирусное программное обеспечение, дублирование информационных баз. Status Minor Non-compliant.

The Russian Federation has conducted a detailed investigation into these cases. Due to corrupted files on the ship's computer storage media, the coordinates of a number of VME risk areas were displayed incorrectly, resulting in the unintentional deployment of longlines within the VME risk area. At the same time, this does not remove the shipowner's responsibility. The shipowner was recommended to ensure the installation of reliable anti-virus software on computers and the duplication of information databases.

Status: Minor non-compliant.

Further Action:

Устранение технических пробелов

Addressing technical gaps.

Preliminary Status: Minor non-compliant (Level 1)'

216. SCIC noted that in responses to items 33, 34, 35 and 37, of Appendix I the software issues experienced at sea had been resolved to prevent future reoccurrence. SCIC also noted the fishing in these VME closed areas is a serious issue and reached a common understanding on a compliance status of non-compliant (Level 2) for all items.

217. In its response to the draft compliance report identified as item 38 in Appendix I for the *Proa Pioneer*, Uruguay had provided the following:

‘Dos periodos de pesca dentro áreas de riesgo VME:

1) Lance 16: 21 dic 2023 Lat 74.17S-112.79W;

2) Lance 19: 22 dic 2023 Lat 74.17S-112.79W.

La presencia de organismos fue muy baja y la afectación mínima.

Two fishing periods within VME risk areas:

1) Haul 16: 21 Dec 2023 Lat 74.17S–112.79W;

2) Haul 19: 22 Dec 2023 Lat 74.17S–112.79W.

La presencia de organismos fue muy baja y la afectación mínima.

Further Action:

Se advierte a la empresa sobre el incumplimiento y se condiciona renovación de la licencia de pesca.

The company was issued a warning of non-compliance and conditions were imposed for the renewal of the fishing licence.

Preliminary Status: Minor non-compliant (Level 1)'

218. In its response to the draft compliance report identified as item 39 in Appendix I for the *Proa Pioneer* Uruguay had provided the following:

‘Dos periodos de pesca dentro áreas de riesgo VME:

1) Lance 16: 21 dic 2023 Lat 74.17S-112.79W;

2) Lance 19: 22 dic 2023 Lat 74.17S-112.79W.

La presencia de organismos fue muy baja y la afectación mínima.

Two fishing periods within VME risk areas:

1) Haul 16: 21 Dec 2023 Lat 74.17S–112.79W;

2) Haul 19: 22 Dec 2023 Lat 74.17S–112.79W.

La presencia de organismos fue muy baja y la afectación mínima.

Further Action:

Se advierte a la empresa sobre el incumplimiento y se condiciona renovación de licencia.

The company was issued a warning of non-compliance and conditions were imposed for the renewal of the fishing licence.

Preliminary Status: Minor non-compliant (Level 1)'



219. SCIC considered the responses to items 38 and 39, of Appendix I and noted that the crew tried to set the fishing gear around the VME closed areas. SCIC reached a common understanding on a compliance status of non-compliant (Level 2) for both items.

#### Medida de Conservación 22-08

220. SCIC considered the implementation of CM 22-08, paragraph 1, prohibits fishing in exploratory fisheries shallower than 550 m by the Russian vessel *Alpha Crux* in item 40, Appendix I.

221. In its response to the draft compliance report for the *Alpha Crux*, Russia had provided the following:

‘После рассмотрения отчета наблюдателя в части возможного случая несоблюдения МС 22-08 не подтверждается информация о наличии несоответствия в данных постановки яруса судном. Комментарий наблюдателя не отражает процедуру заполнения формы С2 при занесении данных о постановке ярусов на свалах с резким перепадом глубин и учетом смещения ярусов под воздействием подводного течения.

After reviewing the observer's report regarding possible non-compliance with CM 22-08, the information on the inconsistency in vessel longline setting data is not confirmed. The observer's comment does not reflect the procedure for completing the C2 Form when entering longline deployment data for places with a drastic depth difference and does not reflect the allowance for the shift of longlines due to underwater currents.

Further Action: не требуется

No exigida

Preliminary Status: Compliant'

222. SCIC considered the additional explanation by Russia that the location the fishing took place had a number of seamounts which created difficulties in calculating depth, in addition to pull of the current on the fishing gear.

223. Russia suggested SCIC assign the compliance status of “Additional information required” and noted that investigation into the matter is ongoing and they will provide an update to SCIC. Several Members urged Russia to make all possible efforts to provide additional information on this incident during the meeting of CCAMLR-43, noting this issue should be able to be clarified through available data sources including VMS data and national observer records. These Members further noted their concern with proposed compliance status of “Additional information required” without providing an agreed deadline for the submission of additional information and would be willing for a compromised approach.

224. SCIC did not reach consensus on the compliance status for the Russian vessel *Alpha Crux*, in item 40, Appendix I.

Medida de Conservación 23-04

225. SCIC considered the implementation of CM 23-04, paragraph 3, which requires the total target catch must be reported by species and the total by-catch must be reported by species or to the lowest taxonomic level possible by the Russian vessel *Alpha Crux* in items 41 and 42 of Appendix I.

226. In its response to the draft compliance report for the *Alpha Crux* Russia in item 41 of Appendix I had provided the following:

‘После рассмотрения отчета наблюдателя российская сторона сообщила в Секретариат и назначающей стране-члену о неточностях, как только они выявлены. В отчете (logbook) международного наблюдателя указано 3 потерянных яруса. Координаты по всем ярусам указаны. В отчете по итогам рейса включен еще один потерянный ярус. 27 августа 2024 года получен комментарий корейской стороны. Однако ответ не проясняет расхождения с ранее предоставленной международным наблюдателем информации. Тем не менее возникли дополнительные вопросы по данной проблеме, которые требуют урегулирования сторонами.

After reviewing the observer's report, the Russian Federation informed the Secretariat and the Appointing Member State of inaccuracies as soon as they were identified. The International Observer's report (logbook) indicated three (3) lost longlines. Coordinates for all longlines are provided. One more lost longline is included in the final cruise report. A comment from Korea was received on 27 August 2024. However, the response did not clarify the discrepancy with the information previously provided by the International Observer. Nonetheless, additional issues have arisen on this matter that need to be addressed by the parties.

Further Action: Требуется дальнейшие консультации с корейской стороной.

Further consultations with Korea are required.

Preliminary Status: Additional information required’

227. In its response to the draft compliance report for the *Alpha Crux*, Russia in item 42 of Appendix I had provided the following:

‘После рассмотрения отчета наблюдателя российская сторона сообщила в Секретариат и назначающей стране-члену о неточностях 29 мая 2024 года.

By-catch data for each line was recorded by both observers on a special form that was kept on the vessel. These forms are saved and can be presented. No evidence of intentional discards of by-catch species was provided. 27 августа 2024 года получен ответ корейской стороны. Тем не менее возникли дополнительные вопросы по данной проблеме, которые требуют урегулирования сторонами.

After reviewing the observer's report, the Russian Federation informed the Secretariat and the Appointing Member State of inaccuracies on 29 May 2024. Both observers recorded by-catch data for each line on a special form kept on the vessel. These forms are saved and can be presented. No evidence of intentional discards of by-catch species

was provided. A reply from Korea was received on 27 August 2024. Nonetheless, additional issues have arisen on this matter that need to be addressed by the parties.

Preliminary Status: Additional information required'

228. Russia provided an update on their intersessional engagement with Korea on the matter and noted that their investigations verified the data recorded in the vessel's logbook but could not verify the information recorded in the observer's logbook.

229. Korea confirmed that consultations with Russia have been occurring, and noted these were needed to continue on the matter. Korea supported the proposed compliance status of "Additional information required", and committed to also provide updates on the matter.

230. Several Members, noting that there appeared to be sufficient information available to determine a compliance status, recalled their concerns with applying a compliance status of "Additional information required" without providing an agreed deadline for the submission of additional information and urged the relevant Members to make all possible efforts to provide additional information on this incident during the meeting of CCAMLR-43, and no later than 1 February 2025.

231. SCIC did not reach consensus on the compliance status for the Russian vessel *Alpha Crux* in items 41 and 42, Appendix I.

Medida de Conservación 25-02

232. SCIC considered the implementation of CM 25-02, paragraph 6, regarding the prohibition of dumping of offal and discards while longlines are being set by the Russian vessel *Alpha Crux* in item 43 of Appendix I.

233. In its response to the draft compliance report for the *Alpha Crux*, Russia had provided the following:

‘По данному вопросу проведено расследование. Несмотря на наличие расхождений по ряду позиций в отчете наблюдателя по итогу рейса к судовладельцу применен ряд санкций:

Отстранен капитан судна от возможности участия в рейсах в АНТКОМ;

Часть команды судна отправлена на проверку квалификационным требованиям;

Компания прекратила трудовые отношения с директором, отвечавшим за данный рейс.

Проведено тщательное расследование.

Despite the discrepancies on many items in the Observer's Cruise Report, several sanctions were applied to the shipowner:

- The ship's Master was suspended from the opportunity to participate in CCAMLR cruises.

- Part of the vessel's crew was referred for a qualification review.
- The company terminated its employment contract with the Director in charge of the voyage.

A thorough investigation has been carried out.

Further Action: Не требуются.

No exigida

Preliminary Status: Non-compliant (Level 2)'

234. SCIC reached a common understanding on a compliance status of non-compliant (Level 2) proposed by Russia.

235. SCIC considered the implementation of CM 25-02, paragraph 8, by the New Zealand vessel *Janas* (item 44 of Appendix I) and the Russian vessel *Alpha Crux* (item 45 of Appendix I) which requires a streamer line to be deployed during longline setting.

236. In its response to the draft compliance report for the *Janas* (item 44 of Appendix I), New Zealand had provided the following:

‘As per the requirements of CM 25-02 paragraph 8, the *Janas* had a streamer line deployed. However, during the setting of line 108, the streamer line became tangled around the rudder.

The crew responded quickly, and the streamer line was tied to the stern before it was cut whilst they deployed the spare streamer line. The cut streamer line was then pulled in by hand.

New Zealand officials believe that the *Janas* crew took all reasonable steps to ensure they remained compliant under CM 25-02 during this incident. However, during the period that these steps were taken, some magazines were set in absence of a streamer line.

Further Action: No further action required

Preliminary Status: Minor non-compliant (Level 1)'

237. SCIC reached a common understanding on a compliance status of minor non-compliant (Level 1) proposed by New Zealand.

238. In its response to the draft compliance report for the *Alpha Crux* (item 45 of Appendix I), Russia had provided the following:

‘A thorough investigation was conducted into this matter.

Two streamer lines were regularly used during vessel cruise.

One streamer line was deployed only due to heavy ice conditions.

Further Action: Требуется дополнительные консультации с корейской стороной по содержанию отчета.

Additional discussions with Korea regarding the report's content are necessary.

Preliminary Status: Additional information required'

239. Several Members, noting that there appeared to be sufficient information available to determine a compliance status, recalled their concerns with applying a compliance status of "Additional information required" without providing an agreed deadline for the submission of additional information and urged the relevant Members to make all possible efforts to provide additional information on this incident during the meeting of CCAMLR-43, and no later than 1 February 2025.

240. SCIC did not reach consensus on the compliance status for the Russian vessel *Alpha Crux* in item 45 of Appendix I.

241. SCIC considered the implementation of CM 25-02, Annex A, paragraph 3, by the French vessel *Sainte Rose* (item 46 of Appendix I) and the Russian vessel *Alpha Crux* (item 47 of Appendix I) which requires the streamer line be a minimum of 150 m in length.

242. In its response to the draft compliance report for the *Sainte Rose* (item 46 of Appendix I), France had provided the following:

'One of the observers on board during this campaign confirmed that the streamer lines complied with CCAMLR obligations. The reference to streamer lines measuring 120m is a typing error. There is no compliance issue.

Preliminary Status: Compliant'

243. SCIC reached a common understanding on a compliance status of compliant proposed by France

244. In its response to the draft compliance report for the *Alpha Crux* (item 47 of Appendix I), Russia had provided the following:

'По данному вопросу проведено расследование. При подготовке судно в рейс осуществлялись стандартные промеры the streamer line и их длина была не меньше 150 метров. В конфигурацию стримерных линий не вносились изменения. Повреждения на стримерных линиях (если имелись) возможны в результате обрыва во льдах. По данному вопросу, как и по отчету наблюдателя в целом существует ряд замечаний.

Несмотря на наличие расхождений по ряду позиций в отчете наблюдателя по итогу рейса к судовладельцу применен ряд санкций:

Отстранен капитан судна от возможности участия в рейсах в АНТКОМ;

Часть команды судна отправлена на проверку квалификационным требованиям;

Компания прекратила трудовые отношения с директором, отвечавшим за данный рейс.

This matter has been investigated. During the preparation of the vessel for the voyage, the standard measurements of the streamer lines were taken, and their length was not less than 150 metres. No changes were made to the configuration of the streamer lines. Damage to the streamer lines (if any) is possible as a result of breaking in the ice. There are many comments on this issue, as well as on the observer's report in general.

Despite the discrepancies on many items in the Observer's Cruise Report, several sanctions were applied to the shipowner:

- The ship's Master was suspended from the opportunity to participate in CCAMLR cruises.
- Part of the vessel's crew was referred for a qualification review.
- The company terminated its employment contract with the Director in charge of the voyage.

Further Action: Требуется дальнейшие консультации с корейской стороной.

Further consultations with Korea are required.

Preliminary Status: Additional information required'

245. Several Members, noting that there appeared to be sufficient information available to determine a compliance status, recalled their concerns with applying a compliance status of "Additional information required" without providing an agreed deadline for the submission of additional information and urged the relevant Members to make all possible efforts to provide additional information on this incident during the meeting of CCAMLR-43, and no later than 1 February 2025.

246. SCIC did not reach consensus on the compliance status for the Russian vessel *Alpha Crux* in item 47 of Appendix I.

247. SCIC considered the implementation of CM 25-02, Annex A, paragraph 4, which requires streamers be branched each comprising of two strands of a minimum of 3 mm diameter, by the Korean vessel *Sunstar* in item 48, Appendix I.

248. In its response to the draft compliance report for the *Sunstar*, Korea had provided the following:

'All vessels under the operation of TNS industries, including the *Sunstar*, use bright green plastic tube of 4mm diameter as branch streamers in accordance with paragraph 4 of Annex A of CM25-02. The vessels use (PP) 9mm(3S/T) ropes as streamer lines and 4mm tubes as branch streamers. The gear diagrams registered to CCAMLR websites indicate the vessels do not use ropes whose diameters are 3mm or less. Therefore, the 1.5 mm polypropylene tubes indicated in the observer's report have never been used in any of the TNS vessels.

During the steaming into the Convention Area for its operation for the 2023/24, two observers-SISO and Korean national-on board the Sunstar checked the size and specifications of the streamer lines and verified the compliance with Annex A of CM 25-02.

Also, after its trip, the vessel entered the port of Punta Arenas at 19:30 (UTC), February 14, 2024 and was inspected by the Chilean authority at 12:30 (UTC), February 15, 2024 in accordance with paragraph 5 of CM10-03, who confirmed the vessel's compliance with all the relevant CCAMLR CMs.

The operator contacted the Designating Member (South Africa) and received clarifications that the Observer's Cruise Report submitted to the Secretariat on June 1 had been incomplete, and they submitted another report to the Secretariat on August 14 that contained the correct information on the size and specification of the streamer ropes and tubes.

Further Action: No further action required

Preliminary Status: Compliant'

249. SCIC reached a common understanding on a compliance status of compliant proposed by Korea.

#### Medida de Conservación 26-01

250. SCIC considered the implementation of CM 26-01, paragraph 8, prohibiting the dumping or discharging of offal or discards south of 60°S by the Chilean vessel *Puerto Ballena* (item 49 of Appendix I), the Namibian vessel *Helena Ndume* (item 50 of Appendix I), the United Kingdom vessel *Argos Georgia* (item 52 of Appendix I), the Uruguayan vessels *Ocean Azul* (item 53, Appendix I) and *Proa Pioneer* (item 54, Appendix I) and the Russian vessel *Alpha Crux* (item 51, Appendix I).

251. In its response to the compliance report for the *Puerto Ballena* identified as item 49 in Appendix I, Chile provided the following:

'In relation to this case, we can point out that, although the Catch by set ("Haul Catch") form of the C2 forms associated with the vessel PUERTO BALLENA indicates the discard of species south of 60° S (Columns G and H), in the "Comments" field (Column N) of the mentioned form it is specified that each of the discards were processed in a crusher to later be stored in a retention pond. The retention ponds were emptied during the navigation of the vessel north of 60°, on its return transit to a Chilean port.

This is corroborated by the statement included in the Campaign Report sent to CCAMLR and prepared by the scientific observers on board the vessel. In point 6.3 of such report, regarding the treatment of fish waste, it indicates: "the waste of unprocessed fish and by-catch fauna was crushed and stored in tanks to then be thrown into the sea outside the CCAMLR Area."

Given the above, this finding would not correspond to a non-compliance, since the discard carried out by the Puerto Ballena vessel was outside the CCAMLR Area.

Preliminary Status: Compliant'

4.1.113 In its response to the compliance report for the *Helena Ndume* identified as item 50 in Appendix I, Namibia provided the following:

'Namibia consulted the vessel management and it appears misunderstanding of the word discarding and retention on completing C2 data form. The fish caught was supposed to be recorded as retained. The fish was grounded to offal and only released north of 60S as per CM 26-1, paragraph 8. The Ukrainian International Scientific Observer reported this in his report that was submitted to CCAMLR Secretariat.

Further Action: The Right Holder investigation report into the matter attached.

Namibia will conduct pre-season training session for the next fishing season on all CM to be complied with at all times.

Preliminary Status: Compliant'

252. In its response to the compliance report for the *Argos Georgia* identified as item 52 in Appendix I, the United Kingdom provided the following:

'The UK investigated this potential infringement.

For the period in question the UK reviewed the SISO observer report, which indicated there were no discards within the Convention Area.

The vessel's internal system for reporting to its shore-based operators confirmed that the discards were retained for later release outside of the Convention Area, as per the usual practice. However, this data was incorrectly entered as discarded in the relevant C2 report. As soon as the operators became aware of the issue, the C2 data was amended to correctly reflect the retention of all discards. The operator has been reminded to be vigilant when entering data into the C2 report.

Further Action: None

Preliminary Status: Compliant'

253. In its response to the compliance report for the *Ocean Azul* identified as item 53 in Appendix I, Uruguay provided the following:

'Descarte de productos orgánicos al sur Lat 60S, 11 dic 2023-28 ene 2024. Descarta 39220 ind, 33 ton aprox. 11 especies. Error en las anotaciones en el formulario C2 al no incluir como retenidas las especies a macerar y descartar posteriormente. Según el informe del observador: El vertido de desechos fue el día 08/02/2024, comenzó a las 15:15 hora UTC, latitud 60°00S-longitud 090° 06,4W y finalizó el mismo día a las 18:30 hora UTC, latitud 59°45,7S-longitud 089°24,2W, el vertido total fue de 64 m3.



Descarte de productos orgánicos al sur Lat 60S, 11 dic 2023-28 ene 2024. Discard of 39 220 ind[ividuals], 33 tonnes approx. 11 species. Error when completing the C2 Form: species to be macerated and subsequently discarded were not recorded as retained. Según el informe del observador: El vertido de desechos fue el día 08/02/2024, comenzó a las 15:15 hora UTC, latitud 60°00S-longitud 090° 06,4W y finalizó el mismo día a las 18:30 hora UTC, latitud 59°45,7S-longitud 089°24,2W, el vertido total fue de 64 m3.

Further Action: Se advierte a la empresa sobre el incumplimiento y se condiciona la renovación de la licencia de pesca.

The company was issued a warning of non-compliance and conditions were imposed for the renewal of the fishing licence.

Preliminary Status: Non-compliant (Level 2)'

254. In its response to the compliance report for the *Proa Pioneer* identified as item 54 in Appendix I, Uruguay provided the following:

‘Descarte de productos orgánicos al sur Lat 60S. 19 dic 2023-25 ene 2024. Descarta 481 ind, 1763kg de *Dissostichus mawsoni*. Posible error en la anotación del formulario C2 al no incluir los individuos que fueron almacenados para descarte posterior como "retenidos". El capitán declara que no hubo descarte fuera de la zona habilitada.

Descarte de productos orgánicos al sur Lat 60S. 19 dic 2023-25 ene 2024. Descarta 481 ind, 1763kg de *Dissostichus mawsoni*. Possible error when completing the C2 Form: fish that may have been stored for later discard would not be recorded as “retained”. El capitán declara que no hubo descarte fuera de la zona habilitada.

Further Action: La empresa fue advertida y se condiciona renovación de la licencia de pesca.

La empresa fue advertida y se condiciona renovación de la licencia de pesca.

Preliminary Status: Minor non-compliant (Level 1)'

255. SCIC requested the Scientific Committee Chair to advise on the completion of the fine-scale catch and effort reports and the declaration of discards north or south of 60° South. SCIC noted the advice to consider modifying the fine-scale catch and effort report forms. COLTO suggested that modification of the instructions be considered as an alternative.

256. SCIC reached a common understanding on a compliance status of Compliant to items 49, 50, and 52 as proposed by the respective Members and agreed to a revision of the compliance status of item 54 of Appendix I to Compliant. SCIC reached a common understanding on a compliance status of Non-compliant (Level 2) for item 53 of Appendix I as proposed by Uruguay.

256. In its response to the compliance report for the *Alpha Crux* identified as item 51 in Appendix I, Russia provided the following:

‘Несмотря на наличие расхождений по ряду позиций в отчете наблюдателя по итогу рейса к судовладельцу применен ряд санкций:

Отстранен капитан судна от возможности участия в рейсах в АНТКОМ;

Часть команды судна отправлена на проверку квалификационным требованиям;

Компания прекратила трудовые отношения с директором, отвечавшим за данный рейс.

A thorough investigation was conducted into this matter.

In general offal discarding was not take place during setting or during hauling.

70% offal and discards was crash to disposal for port side setting and hauling. And 30% offal and discards was packed in bags and stored in the freezer or fish hold for disposal on shore. For each identified fact, sanctions are applied to the ship owner.

Further Action: Не требуются

No exigida

Preliminary Status: Non-compliant (Level 2)'

257. SCIC noted the further explanation from Russia that sanctions applied to the vessel resulted in all crew removed from the *Alpha Crux* except the mechanics, with the vessel Master as the individual with ultimate responsibility of the vessel receiving a ban from participating in future CCAMLR fishing activities.

258. SCIC reached a common understanding on a compliance status of Non-compliant (Level 2) proposed by Russia.

#### Medida de Conservación 31-01

259. SCIC considered the implementation of CM 31-01, which states that for each fishing season the Commission shall establish such limitations or other measures, as necessary, around South Georgia (Subarea 48.3), in connection with the fishing activities of the United Kingdom vessels *Argos Georgia* (item 55 of Appendix I), *Argos Helena* (item 56 of Appendix I) and *Nordic Prince* (item 57 of Appendix I).

260. In its response to the draft compliance report for the *Argos Georgia* (item 55 of Appendix I), *Argos Helena* (item 56 of Appendix I) and *Nordic Prince* (item 57 of Appendix I) the United Kingdom had provided the following:

'The UK rejects the assertions contained in COMM CIRCs 24/61 and 24/70, concerning the compliance of the named vessels with CM 31-01.

COMM CIRCs 22/39, 22/51, 22/69, 23/39 and 24/69 set out the UK's consistent position in regards to the Patagonian toothfish fishery in the part of the proclaimed maritime zone of South Georgia and the South Sandwich Islands that lies within statistical Subarea 48.3.

No hay justificación científica o legal para que ningún Miembro procure el cierre de la pesquería de austromerluza negra en la Subárea 48.3. All Members of the Commission, apart from Russia, agreed that the proposed terms on which CM 41-02 was to be re-adopted at CCAMLR42 were consistent with the best available science and in accordance with the CCAMLR decision rules.

In relation to CM 31-01, this CM requires CCAMLR to ‘establish such limitations or other measures, as necessary’ for fishing in Subarea 48.3, but does not provide, or imply, that if CCAMLR does not adopt such a measure (even if objectively required), any limitation on fishing will nonetheless come into existence. In connection with this, the UK notes that fishing for toothfish took place in Subarea 48.3 prior to a catch limit being set for that species, including in the years after Conservation Measure 31-01 was adopted. There is no suggestion (such as in the records of meetings at the time) that such fishing prior to the adoption of a catch limit was contrary to the CAMLR Convention or any Conservation Measure, including Conservation Measure 31-01.

For the information of Members, the UK has operated the South Georgia toothfish fishery consistently with all relevant CCAMLR CMs including, but not limited to, CM 10-02, CM 10-04, CM 10-05 and CM 23-01.

Further Action: None

Preliminary Status: Compliant’

261. Argentina hizo la siguiente declaración:

‘Argentina considers that there is a serious breach of Conservation Measure 31-01 by the vessels Argos Georgia, Argos Helena and Nordic Prince, which is why the vessels should be listed as Non-compliant at level 3.’

262. The United Kingdom reiterated that they have already set out their position on CM 31-01 and consider the three vessels compliant with CM 31-01.

263. Russia expressed its support for the position stated by Argentina, noting that the regulation of toothfish fished in Subarea 48.3 is exercised by the Commission. Russia noted that the Commission did not reach consensus on the catch limit for Subarea 48.3 in 2023 and due to this CM 41-02 was not extended. Russia expressed regret that consensus to assign a status of non-compliance (Level 3) for these cases was blocked.

264. Some Members expressed the opinion that differences in interpretation of CM 31-01 should not stop CCAMLR from adopting a conservation measure setting a catch limit in Subarea 48.3 based upon best available science. These Members expressed their frustration on the repeated refusal of adopting such a conservation measure.

265. China expressed concerns that the issues have repeated over years. China indicated that all concerned fishing activities should be assessed against CM 31-01, and failure to reach consensus on conservation measures setting a catch limit by the Commission should not be used as an excuse for conducting illegal fishing. China urged SCIC to take effective and efficient actions to end these persistent, serious violations, which have undermined the objective of the Convention.

266. Argentina hizo la siguiente declaración:

‘Argentina wishes to reiterate, as it has been saying for a long time, that it agrees with the comments made regarding the importance of working towards the approval of a conservation measure on this issue. In this regard, it considers that work must continue to achieve consensus to approve a conservation measure that enables the fishing of Patagonian toothfish in Subarea 48.3, but until the measure is approved, it is appropriate that no fishing activity be carried out without a conservation measure that enables it.’

267. The United States made the following statement:

‘Members’ differences should not prevent us from working together toward our common goal of setting a toothfish catch limit in Subarea 48.3, based on the recommendations of the Scientific Committee and relying upon the best available science. We have been frustrated in previous years by one Member’s refusal to adopt such a Conservation Measure, and hope that we can get past that reluctance this year.

Like other Members, we believe that CCAMLR should adopt a Conservation Measure establishing catch limits, by-catch limits, mitigation measures, data collection and reporting, and other requirements for toothfish fishing in 48.3. We know that different Members have different reasons for wanting a Conservation Measure. The United States has the same position regarding this matter for the past season that we have had in previous years.’

268. SCIC did not reach consensus on the compliance status on items 55, 56 and 57 of Appendix I noting the strong divergent views by Members.

#### Medida de Conservación 31-02

269. SCIC considered the implementation by the Norwegian vessels *Antarctic Endurance* (item 58 of Appendix I), *Antarctic Sea* (item 59 of Appendix I), and *Saga Sea* (item 60 of Appendix I) of CM 31-02, paragraph 1, stating that vessels shall remove their fishing gear from the water by the notified closure date and time, and the implementation of CM 31-02, paragraph 4 that states a vessel shall notify the Secretariat should the vessel appear likely to be unable remove all its fishing gear from the water by the notified closure date and time.

270. In its response to the draft compliance report for the *Antarctic Endurance* (item 58 of Appendix I), *Antarctic Sea* (item 59 of Appendix I), and *Saga Sea* (item 60 of Appendix I), Norway had provided the following:

‘Prior to the 2023/24 fishing season the CCAMLR Secretariat issued COMM CIRC 23/123 CCAMLR operational fishery management for krill fisheries in the 2023/24 season (all areas). Paragraph 5.3 of this COMM CIRC states that “the Secretariat will notify the closure of a fishery by COMM CIRC, which will also be sent by email to Fishery Update Contacts and vessels notified and licensed to participate in the applicable fishery.” The procedure described in COMM CIRC 23/123 is consistent with the practice that has been followed for many years.

The closure was notified via COMM CIRC 24/53 of 16 May where the last paragraph states that “This closure notice has been issued as outlined in COMM CIRC 23/123 and in accordance with CM 23-01, paragraph 7, and CM 31-02.” The Secretariat has confirmed that COMM CIRC 24/53 was issued to Contracting Parties, but it was not sent separately to the individual vessels. Hence, the closure notification process was not in accordance with the procedure outlined in COMM CIRC 23/123 and not consistent with previous years’ practice.

Unfortunately, due to a public holiday in Norway, followed by a weekend, COMM CIRC 24/53 did not come to the attention of Norwegian authorities until early morning (UTC) of 20 May. Thus, the Antarctic Endurance was unaware of the closure notice at the time of closure and was not able to follow up accordingly. As soon as Norwegian authorities became aware of the closure notice, the vessel was instructed to stop fishing immediately. It was confirmed that the vessel stopped fishing and retrieved the nets once the information was received.

Norway has reviewed and improved its internal procedures to ensure that this does not reoccur.

Further Action: No further action required.

Preliminary Status: Compliant’

271. The Norway noted that the continued fishing was because the Secretariat did not email COMM CIRC 24/53 - SC CIRC 24/41 regarding the closure of the krill fishery in Subarea 48.1 to the vessels in the fishery which was noted in COMM CIRC 23/123 - SC CIRC 23/107 regarding the CCAMLR operational fishery management for krill fisheries in the 2023/24 season.

272. Russia noted that the fishing activities of the *Antarctic Endurance*, *Antarctic Sea*, and *Saga Sea* continued after the Flag State was notified of the fishery closure and this would be a basis to consider the vessels for inclusion on the CP-IUU Vessel List as per CM 10-06, and is a serious violation of CM 31-02 and should be assigned a status of seriously, frequently or persistently Non-compliant (Level 3). As such, Russia asked the Secretariat why the vessels were not included in the Draft CP-IUU Vessel List. The Secretariat clarified that they did not include the vessel on the Draft CP-IUU Vessel List due to the submission of the report on delayed fishing gear retrieval from Subarea 48.1 (COMM CIRC 24/58) and other mitigating factors which prevented a clear assessment that these vessels would meet the test for inclusion.

273. China and Russia recalled that the Secretariat fulfilled its obligations and issued a closure notice to all Contracting Parties in accordance with the requirements of CM 23-01, paragraph 7, and noted that vessels of other Members participating in this fishery did not receive an email from the Secretariat either, but ceased fishing as the fishery closed. Given the significant amount of krill, 4327 tonnes, harvested from the 3 Norwegian vessels after the fishery closure, China and Russia recommended that the proceeds associated to the catches after the closure should be seized and contributed to establish a special fund in CCAMLR.

274. Norway stated that it would take its responsibility as a Flag State and would agree to change the status from Compliant to Minor non-compliant (Level 1).

275. New Zealand noted that CM 31-02, paragraph 6, requires the investigation into the late gear retrieval to assess whether all reasonable efforts were made to remove the fishing gear from the water by the notified closure date and time or as soon as possible after the notification that it would appear the vessels will be unable to remove the fishing gear from the water by the closure. Additionally, New Zealand noted the vessel did not take all reasonable efforts to remove the gear by the notified closure date and time, but once made aware of the fishery closure the gear was removed. Acknowledging Norway's recognition of Flag State responsibility in relation to this CM, New Zealand and the United Kingdom suggested a compliance status of Minor non-compliant (Level 1) as suggested by Norway was appropriate given the mitigating circumstances described.

276. Ukraine noted in cases of possible non-compliance with Conservation Measure 31-02 by Norwegian vessels Antarctic Endurance, Antarctic Sea and Saga Sea, that Norway provided comprehensive explanations of the circumstances that led to exceeding the authorised fishing period by these vessels. These circumstances have been confirmed and should be taken into account, and we therefore consider that non-compliance (Level 1) is appropriate in assessing this case. Ukraine noted the transparency and flexibility shown by Norway in considering this precedent.

277. Some Members noted the proposal by the Secretariat in CCAMLR-43/19 to amend CM 23-01 to prevent this from happening in the future (paragraphs 3.8.12 - 3.8.13).

278. SCIC did not reach consensus on the compliance status on items 58, 59 and 60 of Appendix I noting the strong divergent views of Members.

#### Medida de Conservación 41-09

279. SCIC considered the implementation of CM 41-09, paragraph 6, by the Uruguayan vessel *Ocean Azul* (item 61 of Appendix I) which requires the vessel to cease fishing in an SSRU for the remainder of the season when the catch of *Macrourus* spp. taken by a single vessel in any two 10-day periods in any SSRU exceeds 1 500 kg in each 10-day period and exceeds 16% of the catch of *Dissostichus* spp. by that vessel in that SSRU.

280. In its response to the draft compliance report for the *Ocean Azul* Uruguay had provided the following:

‘Se excede la pesca de 1500kg de *Macrourus* spp. en periodo de 10 días por SSRU. Total de 4 oportunidades de incumplimiento, donde el *Ocean Azul* debió abandonar la pesca en área 88.1-I. Se reconoce incumplimiento.

Se excede la pesca de 1500kg de *Macrourus* spp. en periodo de 10 días por SSRU. 4 compliance issues caused the *Ocean Azul* to stop fishing in Subarea 881 I. Non-compliance was acknowledged.

Further Action: La empresa fue advertida y se condiciona renovación de la licencia de pesca.

La empresa fue advertida y se condiciona renovación de la licencia de pesca.

Preliminary Status: Non-compliant (Level 2)’

281. SCIC reached a common understanding on a compliance status of Non-compliant (Level 2) proposed by Uruguay.

Conservation Measure 91-05

282. SCIC considered the implementation by the Namibian vessel *Helena Ndume* (items 62 and 63 of Appendix I), the Russian vessel *Alpha Crux* (item 64 of Appendix I) and the Spanish vessel *Tronio* (item 65 of Appendix I) of CM 91-05, paragraph 24, which requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the RSRMPA.

283. In its response to the draft compliance report for the *Helena Ndume* (items 62 and 63 of Appendix I) Namibia had provided the following:

‘Namibia can report that the vessel experienced communication blackout during these periods that affected the emails as well. This was beyond the control of the captain and the reports was submitted as soon as communication was re-established.

Further Action: Pre-season training on all CM for all vessel management and crew for total compliance for upcoming fishing season.

Preliminary Status: Minor non-compliant (Level 1)’

284. SCIC reached a common understanding on a compliance status of Minor non-compliant (Level 1) proposed by Namibia.

285. In its response to the draft compliance report for the *Alpha Crux* (item 64 of Appendix I) Russia had provided the following:

‘Российская сторона рассмотрела данный случай и установила, что ввиду технической ошибки с судна уведомление направлено с задержкой. В этой связи проведен инструктаж по вопросам системы мониторинга.

The Russian Federation examined the case and found that the notification was sent with a delay due to a technical error on the part of the ship. In this regard, a briefing on the monitoring system has been conducted.

Further Action: Не требуется.

No exigida

Preliminary Status: Minor non-compliant (Level 1)’

286. SCIC Reached a common understanding on a compliance status of Minor non-compliant (Level 1) proposed by Russia.

287. In its response to the draft compliance report for the *Tronio* (item 65 of Appendix I) for Spain, the EU had provided the following:

‘According to preliminary enquiries, the prior entry notification was not sent in a timely manner due to human error. The competent authorities have engaged with the Master and vessel owner regarding the importance of compliance with the prior entry notification requirement and have instructed them to take extra care when sending through entry and exit notifications for the RSR MPA SRZ.

Further Action: no further action required

Preliminary Status: Minor non-compliant (Level 1)’

288. SCIC noted that the EU had provided a revised response to the draft compliance report on this matter in COMM CIRC 24/104, further noting that the vessel sent its movement notification prior to entry into the MPA, and that a revised preliminary compliance status of Compliant had been proposed.

289. SCIC reached a common understanding on a compliance status of Compliant.

#### Sistema de Observación Científica Internacional de la CCRVMA

290. SCIC considered the implementation by the Russian vessel *Alpha Crux* (item 66 of Appendix I) of the Text of the CCMALR Scheme of Scientific Observation, Part D, paragraph (b) (i), which states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not offer a scientific observer, either directly or indirectly, any gratuity, gift, favour, loan, or anything of monetary value, except for meals, accommodations or salary when provided by the vessel.

291. In its response to the draft compliance report for the *Alpha Crux* (item 66 of Appendix I) Russia had provided the following:

‘Российская сторона изучила информацию в отношении наличия на борту судна текста Меры по сохранению 26-01. Текст Мер по сохранению АНТКОМ на русском языке имелся на борту судна.

Российская сторона детально рассмотрела вопросы, обозначенные в отчете международного научного наблюдателя в отношении возможных неправомерных действий необозначенного представителя команды судна в должности навигатора (navigator). Исходя из представленных данных предположительно идентифицировано единственное лицо в данной должности, которое является гражданином Республики Корея, который был трудоустроен в период рейса и по его завершению убыл с судна. В ходе рейса международный наблюдатель не обращался к капитану судна и не информировал о таких действиях со стороны члена команды судна. Тем не менее, в виду необходимости установления всех обстоятельств дела предполагается продолжить взаимодействие с корейской стороной.



Russian Federation examined the information regarding the availability of the text of Conservation Measure 26-01 on board the vessel. The text of the CCAMLR conservation measures in Russian was available on the ship. The Russian Federation has considered in detail the issues identified in the International Scientific Observer's report regarding possible misconduct by an undisclosed ship crew member in the Navigator role. Based on the reported data, the only person in that position was presumably a citizen of the Republic of Korea, employed for the cruise period and left the vessel at the end of it. During the cruise, the International Observer did not contact the ship's captain or report such actions by a vessel crew member. Nonetheless, further cooperation with Korea is planned, given the need to establish all the circumstances of the case.

Further Action: Дальнейшая коммуникация между страной, назначавшей наблюдателя и принимающей стороной для установления всех обстоятельств.

Further communication between the country that designated the observer and the host country to establish all the circumstances.

Preliminary Status: Additional information required'

292. SCIC noted the explanation that Russia was investigating the matter but as the individual in question who allegedly offered the bribe to the observer may be a Korean national, Russia is having difficulty identifying them. Russia reiterated individuals in Russia would be prosecuted for bribery or attempted bribery of an observer.

293. Korea made the following statement:

'As the Designating Member, Korea has engaged in several consultations with Russia to assist the Flag State in investigating the matter, and we acknowledge that the Flag State has diligently carried out its investigation. As a result of our own inquiry, we found that no Korean nationals were involved in the issue but we could not specify the "navigator" indicated in his report. As a SISO designating member, Korea is actively working to strengthen protocols to address similar situations, including incidents of attempted bribery. Korea would also like to emphasise the importance of fostering an onboard environment where observers can perform their duties safely and without interference.'

294. Some Members expressed their concerns of this report of an alleged bribe, underscoring the seriousness of such a situation, and highlighted the need to ensure the integrity of the SISO and to safeguard observers, and requested Russia to continue its investigations to identify the individual or circumstances associated with the allegation and request that SCIC receive an update. These Members further urged Russia to make all possible efforts to provide additional information to the meeting of CCAMLR-43, and no later than 1 February 2025.

295. SCIC did not reach consensus on the compliance status for the Russian vessel *Alpha Crux* in item 66 of Appendix I.

296. SCIC considered the implementation by the Russian vessel *Alpha Crux* (item 67 of Appendix I) of the Text of the CCAMLR Scheme of Scientific Observation, Part D, paragraph

(b) (ii), which states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not intimidate, or interfere with the duties of a scientific observer.

297. In its response to the draft compliance report for the *Alpha Crux* (item 67 of Appendix I) Russia had provided the following:

‘A thorough investigation was conducted into this matter.

It is unclear from the observer's report how International Observer was able to identify a threat against him in a conversation between Members of the vessel's crew in a foreign language in his absence.

The International Observer was located in the first mate's quarter, which indicates respect for his status. This observer's quarter door had a lock and a matching key.

No unauthorised persons were allowed access to this cabin.

During the vessel cruise, not a single case of crew members refusing to assist the International Observer was recorded. The National observer was also not informed about the Korean observer's problems with TOA processing and biological sampling.

Any requests (verbal or written) from the International Observer to the Russian captain for additional personnel and his refusal were not recorded. In view of the differences in approaches regarding the discrepancies in the content of the observer's report, it is proposed to continue the discussion with representatives of the Republic of Korea.  
Status Compliant

Further Action: Не требуется

No exigida

Preliminary Status: Compliant’

298. Korea and Russia noted that the observer did not directly see the fight, and Russia noted that there could have been a misunderstanding in hearing the word “observer” as it sounds similar to another word when spoken in the Russian language. Russia noted that the observer was provided the appropriate conditions to secure themselves in their personal room and they could have been removed from the vessel if requested.

299. Korea made the following statement:

‘In this incident, Korea engaged in multiple discussions with Russia, during which the observer clarified that there was no direct intimidation towards him, but he felt unsafe due to a loud altercation between crew members outside his room. As noted in Russia's responses, the observer confirmed that he did not actually witness the fight. The designating authority provided the observer clear instructions to report any safety-related emergencies right away. However, the designating authority only became aware of the incident after the observer submitted his trip report.

Unfortunately, the consultations between Korea and Russia did not lead to a clear resolution, and our own investigation did not uncover further evidence to support the

allegation despite our significant concerns. Nonetheless, Korea would like to stress the importance of ensuring safe conduct on board, given the unique challenges of the operating environment on board. We also emphasise the need to create an onboard atmosphere where observers can remain and carry out their duties without any form of intimidation and the importance of ensuring observers are absolutely safe under any circumstances. As a Designating Member, Korea will work closely with all Flag State Members to ensure the safety of observers.'

300. The UK recalled the obligation not to intimidate or interfere with the duties of an observer and reiterated its view that these obligations had not been met, given the observer had reported that he felt threatened and unsafe. The UK noted that whilst the exact details of what happened may not be entirely clear, on no account could the evidence support a status of 'Compliant' and that observers have a right to expect CCAMLR to take reported concerns and issues seriously. In such circumstances the UK considered these issues to amount to serious non-compliance (Level 3).

301. Many Members noted that regardless of whether the observer saw the fight, or misheard the word observer it noted that a serious fight occurred on the vessel which resulted in a crew member being stabbed in the abdomen. The Members noted that there is also a safety of life at sea concern for the crew member, and a report under CM 10-02, paragraph 9, should have been submitted.

302. Some Members expressed that regardless of what occurred on the vessel, the observer reported that he felt unsafe.

303. Some Members queried the previous practice of SCIC in assigning the status 'Additional information required' to compliance issues. The Chair expressed her view that this status had, in general, previously been used where SCIC required further information to assign a status, rather than in instances where the relevant Member did not have the information to provide to SCIC for consideration.

304. Many Members reiterated the evidentiary value of observer reports which are made following deployment and expressed their concerns with questions on the veracity of the report to undermine the facts reported. These Members also noted that where observer safety was concerned, such questions could further risk the safety of observers.

305. Many Members noted that the role of an observer is to observe and record what is occurring on a vessel and for the SISO to work that we rely on our trained observers to make observations, most of which occur in real time.

306. Some Members noted that the WCPFC has adopted minimum standards and guidelines under their regional observer program that include a requirement for the observer provider to formally debrief observers shortly after disembarking a vessel, maintaining the integrity of the observer statement and ensuring the safety of the observer after the completion of their post. These Members suggested CCAMLR consider development of such a procedure.

307. SCIC did not reach consensus on the compliance status for the Russian vessel Alpha Crux in item 67 of Appendix I.

308. SCIC considered the implementation by the Russian vessel Alpha Crux (item 68 of Appendix I) of the Text of the CCMALR Scheme of Scientific Observation, Part D, paragraph (b) (iv), which states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not interfere with or prevent the observer from communicating with the Designating Member, including by preventing the scientific observer from having access to the vessel's communication equipment.

309. In its response to the draft compliance report for the Alpha Crux (item 68 of Appendix I) Russia had provided the following:

‘Российская сторона детально рассмотрела вопросы, обозначенные в отчете международного научного наблюдателя, в том числе и затрагивающие проблемы коммуникации. По итогам рассмотрения установлено следующее. Предоставление услуг связи, несмотря на наличие договоров между судовладельцем и компанией-оператором связи имело определенные сбои, что могло влиять на качество связи. Однако наблюдатель имел свободный доступ к судовому компьютеру для коммуникации в служебных целях. Функция электронной почты на борту судна ALPHA-CRUX работала исправно. Все электронные письма на борту судна были отправлены лично их авторами. Отправка электронных писем в Национальный научно-исследовательский институт рыболовства осуществлялась корейским наблюдателем самостоятельно и установить причины сбоев в переписке с этим институтом не представляется возможным. Статус выполнение.

The Russian Federation has considered the issues identified in the International Scientific Observer's report, including communication problems. As a result of the review, it was determined as follows. Despite agreements between the shipowner and the communication operator company, communication services suffered from certain failures, which could affect the quality of communication. However, the observer had full access to the ship's computer to facilitate official communications. Electronic mail on board the ALPHA-CRUX was functioning as intended. All emails on board the ship were personally sent by their authors. The Korean observer sent emails to the National Fisheries Research Institute independently, and it is not possible to determine the reasons for the breakdown in correspondence with that institute.

Status: Compliant.

Further Action: НЕ требуется

No exigida

Preliminary Status: Compliant’

310. SCIC noted the explanation provided by Korea that the issue may have been due to the email domain used by one of the two relevant authorities to whom the observer submitted his weekly reports as emails were still being received by the other authority.

311. SCIC reached a common understanding on a compliance status Compliant proposed by Russia.

## **Pesca ilegal, no declarada y no reglamentada (INDNR) en el Área de la Convención**

312. SCIC considered IUU fishing activity and trends in 2023/24 in the Convention Area and IUU Vessel lists as reported in CCAMLR-43/14 Rev.1. SCIC noted that no vessels included on the Contracting Party (CP) or the non-Contracting Party (NCP)-IUU Vessel Lists were reported as sighted by Members inside the Convention Area in 2023/24.

313. SCIC considered the information in CCAMLR-43/BG/18 Rev. 1 which provides an overview of potential methods and opportunities to improve awareness of activities occurring within the CAMLR Convention Area.

314. China sought to clarify the meaning of the term Maritime Domain Awareness in the context of this paper. SCIC noted that the term Maritime Domain Awareness in the context of this paper meant awareness of activity related to monitoring fishing to ensure compliance with CCAMLR conservation measures and the detection and deterrence of illegal, unreported and unregulated (IUU) fishing and fishing related activities in the CAMLR Convention Area and included this information in a footnote in CCAMLR-43/BG/18 Rev. 1.

315. SCIC expressed support for efforts to improve capabilities to better monitor activities occurring within the Convention Area including the resources and information provided in Appendix I of BG/18 to allow Member vessels on various missions to contribute to efforts to detect and deter IUU fishing and monitor compliance of fishing activity.

316. SCIC considered the Concept Note contained in Appendix I of BG/18. The United States announced that it intended to pilot that approach and that the US Coast Guard icebreaker *Polar Star* would be conducting a surveillance patrol and report vessel sighting information during its mission to and from McMurdo Station during the upcoming season.

### **Nivel actual de la pesca INDNR**

317. SCIC consideró el documento CCAMLR-43/BG/11 Rev. 1 que describe la colaboración de la CCRVMA con INTERPOL durante 2023 y 2024 para identificar y disuadir las actividades de pesca ilegal, no declarada y no reglamentada (INDNR), respaldada con una subvención de 60 000 EUR entregada por la Unión Europea (*EU Project 101092707-CCAMLRSupport2022*).

318. SCIC agradeció a la Unión Europea la concesión de esta subvención y acogió con agrado esta colaboración con INTERPOL, y tomó nota de la amenaza que representa el crimen organizado transnacional para el objetivo de la CCRVMA.

319. SCIC tuvo en cuenta el informe sobre la implementación de la Medida de Conservación 10-08 (CCAMLR-43/BG/19) y señaló que, en 2024, la Secretaría no había recibido informes nuevos que fueran relevantes para la MC 10-08.

320. Uruguay expresó su voluntad de seguir investigando la inclusión en la lista de un capitán de barco de nacionalidad uruguaya en relación con el barco *El Shaddai*, de pabellón de Sudáfrica.

321. La Unión Europea facilitó a SCIC información actualizada sobre las acciones emprendidas contra ciudadanos españoles vinculados al *Cobija* y *El Shaddai*, incluidos en la

lista de barcos de pesca INDNR. En relación con *El Shaddai*, la Unión Europea señaló que se habían hecho varios intentos durante el período entre sesiones por obtener información del Estado del pabellón sobre la identidad del capitán de pesca, y que se había recibido información el primer día de CCAMLR-43, que sería objeto de seguimiento. En lo que respecta al *Cobija*, la Unión Europea señaló que uno de los nacionales involucrados con el barco no estaba incluido en la lista de la tabla 1 (CCAMLR-43/BG/19) y facilitó a SCIC información actualizada sobre las medidas adoptadas contra el capitán y el armador del barco, así como contra su representante legal. Se impusieron multas a ambas personas, así como la imposibilidad de obtener préstamos, subvenciones o asistencia pública durante un período de cinco años y la inhabilitación para ejercer o realizar actividades de pesca durante un período de tres años.

322. SCIC señaló que la Secretaría había experimentado grandes dificultades para recopilar los datos de la tabla 1, debido a que muchas veces se encontraba con información no concluyente y que la falta de información podría reducirse, en gran medida, mediante una mayor participación de las Partes contratantes en las investigaciones pertinentes y la difusión de los resultados, tal y como exige la MC 10-08 y según proceda.

323. SCIC también indicó que la Secretaría sigue buscando el apoyo de INTERPOL y de la Célula Analítica Conjunta (JAC) para ampliar el alcance de la información disponible, analizar las pruebas existentes y compartir la información pertinente que resulte útil a las Partes contratantes para combatir la pesca INDNR en virtud de las MC 10-06 y 10-07, así como para respaldar la aplicación de la MC 10-08.

324. SCIC acogió con satisfacción los aportes adicionales de las Partes contratantes sobre las formas de mejorar la información, los recursos y los mecanismos disponibles para mejorar el intercambio de información y potenciar los análisis e investigaciones para la plena implementación de la MC 10-08.

## Listas de barcos de pesca INDNR

### Lista de barcos de pesca INDNR-PNC

325. SCIC dio consideración a la Lista provisional de barcos de pesca INDNR-PNC para 2024/25.

326. SCIC consideró una declaración de la República Islámica de Irán que solicita la eliminación del barco *Koosha 4* de la Lista de barcos de pesca INDNR-PNC. SCIC también señaló que la República Islámica de Irán había proporcionado a la Secretaría información que incluía imágenes y un video de un barco, que supuestamente era el *Koosha 4*, en proceso de desguace, información que se facilitó a SCIC para su conocimiento.

327. SCIC tomó nota de los esfuerzos realizados por la República Islámica de Irán para intentar cumplir con los requisitos de la MC 10-07, párrafo 18.

328. Algunos Miembros expresaron la opinión de que SCIC debería retrasar la eliminación del *Koosha 4* de la Lista de barcos de pesca INDNR-PNC para 2024/2025, hasta que se reciba una confirmación definitiva del desguace del *Koosha 4*.

329. SCIC tomó nota de que no se había alcanzado un consenso para la eliminación del *Koosha 4* de la Lista de barcos de pesca INDNR-PNC para 2024/2025.

330. SCIC solicitó que la Secretaría continuara poniéndose en contacto con la República Islámica de Irán para obtener más información sobre la supuesta retirada de servicio del *Koosha 4* o información que pudiera satisfacer de otro modo los requisitos establecidos en la MC 10-07.

331. La Unión Europea recordó que anteriormente la República Islámica de Irán había solicitado la eliminación del *Koosha 4* de la lista, en virtud de la MC 10-07, párrafo 18(iii), basándose en que había cambiado de propietario. La Unión Europea observó que, para que SCIC retire el *Koosha 4* de la Listas de barcos de pesca INDNR-PNC por ese motivo, la República Islámica de Irán deberá demostrar que el barco ha cambiado de armador, incluido el nombre del verdadero propietario si fuere distinto del propietario registrado, y establecer que el armador anterior ya no tiene ningún interés legal, económico o real sobre el barco, y no ejerce control sobre el mismo, y que el nuevo armador no ha participado en la pesca INDNR.

#### Lista de barcos de pesca INDNR-PC

332. SCIC consideró la Lista provisional de barcos de pesca INDNR de Partes contratantes para 2024/2025, junto con la Lista de barcos de pesca INDNR-PC para 2023/2024, y tomó nota de la propuesta de inclusión de los barcos *Argos Georgia*, *Argos Helena* y *Nordic Prince*, así como de la petición de Sudáfrica de eliminar el barco *El Shaddai* de la Lista de barcos de pesca INDNR-PC actual.

333. SCIC expresó sus condolencias por las víctimas del hundimiento del *Argos Georgia*.

334. Argentina hizo la siguiente declaración:

‘Argentina would like to clarify the reason for including the vessels *Argos Georgia*, *Argos Helena* and *Nordic Prince* in the list of vessels fishing illegally. It is very clear that this is illegal fishing because there is no conservation measure that allows such fishing, as required by Conservation Measure 31-01. On the other hand, Argentina would like to express its concern about the future consequences of this non-compliance. Conservation measure 31-01 was adopted in 1986, with the aim of preventing Subarea 48.3 from being excluded from the Convention and its multilateral order. This Conservation Measure, which the United Kingdom and another country now want to relativize in terms of its application, establishes, both in its letter and its spirit, all the conditions for fishing for Patagonian toothfish in Subarea 48.3, including a catch limit, based on the best scientific data available, approved by consensus and not unilaterally. Also in that same year, paragraph 53 of the Commission's report states that Conservation Measure 7/V, which is now 31-01, would allow the Commission at its 1987 meeting to set catch limits for the 1987/88 season as an obligatory measure, and that such a recommendation would make it possible to proceed in a similar manner for subsequent seasons. This measure was respected by all parties since 31-01 came into force, since there was always a Conservation Measure, 41-02, which established catch limits and other conditions for fishing for Patagonian toothfish in Subarea 48.3. That was the case until a few years ago, when one party did not give consensus so that this Conservation

Measure could be re-adopted. Now, since there is no conservation measure that enables fishing, fishing should not take place. And this was understood by almost all countries, since several countries that fished there stopped doing so because they understand that it is not appropriate to fish, and those who imported that fish stopped importing it, also because there is a failure to comply with Conservation Measure 31-01.

The relativization of the obligation of a conservation measure worries us because of the fact that illegal fishing is taking place at this moment, but also as a precedent for the future. We wish to highlight that, in the same way that 31-01 determines guidelines for fishing and then requires other conservation measures, so does, for example, Conservation Measure 21-02, which regulates exploratory fisheries, and on the basis of which the Commission adopts specific conservation measures in different subareas every year. If the Commission were to accept the UK's argument on the relativization of 31-01 as valid, then by analogy the adoption of a conservation measure for exploratory fisheries would not matter either, since countries would be free to take unilateral measures, which would result in a serious erosion of the Convention.'

335. Reino Unido hizo la siguiente declaración:

“The UK has previously set out its position on this issue, most recently in Comm Circ 24/69. It has also been extensively discussed in previous meetings of both SCIC and the Commission.

The UK entirely refutes any assertion that the UK vessels operating within Subarea 48.3 can be characterised as illegal, unreported or unregulated, including under Conservation Measure (CM) 10-06. There is no basis on which any of these vessels might be said to have engaged in any of the activities referred to in paragraph 5 of CM10-06 and they should not therefore have been included on the draft CP-IUU list.

The UK does not agree to the inclusion of these vessels on the final CP-IUU Vessel List on the basis of their participation in a fishery under lawful domestic regulation, consistent with the Convention.’

336. La Federación de Rusia hizo la siguiente declaración:

‘The UK’s flagged vessels *Argos Georgia*, *Argos Helena* and *Nordic Prince* engaged in prohibited activities according to subsections (iii) and (viii) of paragraph 5 of CM 10-06, as they fished in closed area in contravention of CM 31-01. In this regard, Russia recommends to include mentioned UK-flagged vessels on the CP-IUU Vessel List taking into account information circulated to Members (COMM CIRC 24/47, COMM CIRC 24/61) and current status for the *Argos Georgia*.’

337. Noruega expresó la opinión de que esta situación representaba una falla de la CCRVMA, no de un Miembro en particular, y que la ausencia de una medida de conservación consensuada para una subárea concreta no implicaba la prohibición de pescar en dicha Subárea. Noruega expresó además la opinión de que el propósito de una medida de conservación es añadir una capa reguladora adicional, no permitir una acción.

338. Ucrania señaló que no apoyaba la inclusión de los barcos *Argos Georgia*, *Argos Helena* y *Nordic Prince* en la Lista de barcos de pesca INDNR de Partes contratantes.



339. Argentina hizo la siguiente declaración:

‘Argentina’s concern is related to the fact that there are interpretations of conservation measures that seek to relativize their obligatory nature, which would allow those parties that want to fish in a certain subarea to simply block the consensus to do so, and take unilateral measures claiming that they are broadly complying with some stipulations of the Convention.

Regarding the United Kingdom’s claim to apply unilateral measures in Subarea 48.3, Argentina reiterates that the Chairman’s statement of 1980 does not authorise the United Kingdom to take this type of measure. This is because the statement, in its point 5, authorises some countries to take measures on their islands within the Convention Area in cases where State sovereignty is recognised by all Contracting Parties. The only islands in which there State sovereignty is not recognised by all the Contracting Parties are the South Georgia and the South Sandwich Islands, because there is a sovereignty dispute between the United Kingdom and Argentina, which means that at least Argentina does not recognise the sovereignty of the United Kingdom and the United Kingdom does not recognise the sovereignty of Argentina. The unilateral measures of the United Kingdom cannot be justified on the basis of International Law, either, since when there is a sovereignty dispute the parties to that dispute are obliged not to take unilateral measures that may affect the issue. In this regard, Argentina recalls and reaffirms that in Subarea 48.3 only the multilateral regime of the Convention is applicable.’

340. Reino Unido rechazó la declaración de Argentina y recuerda sus declaraciones anteriores en relación con la Declaración del Presidente de 1980.

341. China expresó su preocupación con respecto a las implicaciones de que continúe la pesca en la Subárea 48.3 en estas circunstancias y señaló que si SCIC considera que la interpretación de Noruega de que la pesca está permitida sin límites de captura fijados por la Comisión es aceptable, dicha interpretación debería ser aplicable a todos los Miembros.

342. SCIC señaló que no se alcanzó consenso para la inclusión de los barcos de pabellón de Reino Unido *Argos Georgia*, *Argos Helena*, y *Nordic Prince* en la Lista provisional de barcos de pesca INDNR-PC.

343. Sudáfrica presentó una declaración (apéndice IV) en la que expresó su opinión de que las deficiencias identificadas por el Director de la Fiscalía Pública, tal y como se exponen en la circular COMM CIRC 24/96, se han abordado, al igual que las preocupaciones planteadas anteriormente por los Miembros. Sudáfrica expresó su opinión de que las condiciones actuales son suficientes para demostrar el cumplimiento de la MC 10-06, párrafo 14(iv), y que las condiciones de los permisos y de las licencias se han revisado para definir claramente en qué parte de altamar está permitida la pesca, con el fin de que el Director de la Fiscalía Pública pueda tomar acciones judiciales. Sudáfrica declaró además que, aunque Braxton no fue procesada penalmente y su derecho de pesca de austromerluza no fue cancelado, su derecho de pesca ha sido efectivamente suspendido desde la inclusión en la Lista de barcos de pesca INDNR, lo que inhabilita a Braxton a pescar para sí misma o para ningún otro titular de derechos, lo que supone pérdidas económicas significativas que deberían actuar como un fuerte elemento disuasorio para la reiteración de cualquier contravención.

344. Muchos Miembros agradecieron a Sudáfrica por la información facilitada, tomaron nota de las medidas adoptadas por Sudáfrica para abordar las circunstancias que condujeron a la inclusión del barco *El Shaddai* en la Lista de barcos de pesca INDNR de Partes contratantes y expresaron su apoyo a la eliminación del barco de la Lista de barcos de pesca INDNR-PC, de conformidad con la MC 10-06, párrafo 14 (iv).

345. Algunos Miembros expresaron su preocupación por que las medidas adoptadas por Sudáfrica no fueran suficientes para garantizar que el barco *El Shaddai* no participara en actividades de pesca INDNR en el futuro.

346. Sudáfrica hizo otra declaración (apéndice V) en que reitera las medidas que se habían adoptado en relación con el barco *El Shaddai* y en que se ofrecen detalles adicionales sobre este asunto. Sudáfrica volvió a solicitar que SCIC refrendara la eliminación del barco *El Shaddai* de la Lista de barcos de pesca INDNR de Partes contratantes.

347. La Unión Europea agradeció a Sudáfrica por la información facilitada, pero manifestó su desacuerdo con la idea de que las pérdidas económicas derivadas de la inclusión del barco *El Shaddai* en la Lista de barcos de pesca INDNR de Partes contratantes pudieran considerarse una sanción, señalando que la imposición de sanciones es responsabilidad del Estado del pabellón. La Unión Europea señaló que habría sido preferible que se hubieran incoado procedimientos civiles o administrativos contra el operador del barco una vez que la acción penal no hubiera prosperado. La Unión Europea expresó su preocupación por que las condiciones revisadas del permiso no sean lo suficientemente claras en cuanto a dónde y en qué circunstancias se permitiría la pesca en el Área de la Convención. La Unión Europea manifestó su voluntad de seguir dialogando con Sudáfrica sobre la situación del *El Shaddai*, pero consideró que actualmente no se cumplían las condiciones para eliminar este barco de la Lista de barcos de pesca INDNR de Partes contratantes.

348. SCIC no pudo llegar a un consenso sobre la eliminación del *El Shaddai* de la Lista de barcos de pesca INDNR-PC y recomendó que este asunto fuera considerado por CCAMLR-43.

349. Sudáfrica agradeció a los Miembros que apoyaron su solicitud de eliminación de la Lista y a la Unión Europea por su continua disposición para debatir el asunto.

350. Rusia expresó su preocupación por que algunas de las condiciones obligatorias para la eliminación del *El Shaddai* de la Lista de barcos de pesca INDNR-PC presentadas por la Unión Europea van más allá de los requisitos de las medidas de conservación pertinentes.

### **Notificaciones de pesquerías**

351. SCIC consideró el informe de la Secretaría sobre notificaciones de pesquerías para la temporada 2024/2025 ([CCAMLR-43/BG/09 Rev. 1](#)).

352. Algunos Miembros solicitaron la exclusión de los tres barcos de pabellón de Reino Unido *Argos Georgia*, *Argos Helena* y *Nordic Prince* de todas las notificaciones de pesquerías, señalando la inclusión de esos barcos en el Proyecto de lista de barcos de pesca INDNR-PC para 2024/2025. La Federación de Rusia señaló que, en relación con el *Argos Georgia*, los Miembros deben presentar información de inmediato a la Secretaría sobre el reemplazo por caso de fuerza mayor, de conformidad con el párrafo 11 de la MC 21-02, pero Reino Unido no

cumplió esta obligación. Además, la Federación de Rusia instó a Noruega a eliminar las notificaciones de pesquerías de los barcos de pesca que hubieran operado en un área clausurada en la temporada anterior.

353. Algunos Miembros expresaron que el incumplimiento de Noruega era menor y que no estaban de acuerdo con que esto constituyera pesca INDNR.

354. Reino Unido señaló que cumpliría los requisitos del párrafo 11 de la MC 21-02 con respecto a un barco en reemplazo del *Argos Georgia* y, a continuación, hizo la siguiente declaración:

‘The UK has several serious concerns over the two Russian vessel notifications for the upcoming Ross Sea toothfish fishery. As we expressed last year, we have seen repeated compliance issues and there remain outstanding a number of investigations in respect of Russian-flagged vessels.

Just this year, we have been considering numerous compliance issues relating to the FV *Alpha Crux* - some of which have been addressed and some of which require further investigation. In respect of the latter, we would hope that the outcome of these further investigations will be considered by SCIC next year.

Russia has also notified for the FV *Yantar 31*. This vessel has previously experienced very high catch rates which have yet to be explained by Russia. The sister vessel *Yantar 35*, owned and operated by the same company, also experienced significantly high catch rates and subsequently had its data quarantined – again Russia has failed to provide any information or analyses to explain these extraordinarily high catch rates. We also note in SC CCAMLR 33 para 5.75 none of the 1,792 tags released by the *Yantar 35* in subareas 48.5, 88.1 and 88.2 have been recaptured. In CCAMLR 35/BG/29 Rev 1 the Russian delegation stated that a decision to suspend the shipowner from participating in fishing activities in the CCAMLR Convention Area was made – however this operator – Orion Co Ltd – is listed as the current owner/operator of *Yantar 31*.

Given these serious compliance issues we cannot support the inclusion of these vessels in the Ross Sea toothfish fishery in the upcoming season.’

355. La Federación de Rusia respondió que sus notificaciones seguían todos los requisitos de las MC, que durante la evaluación del PECC se habla abiertamente de todos los casos de incumplimiento planteados y que las preocupaciones del Reino Unido son injustificadas.

356. Algunos Miembros señalaron que no se había llegado a un acuerdo respecto de que los barcos de Reino Unido que operaron en la Subárea 48.3 realizaran pesca INDNR. Recordaron que la raíz de esta situación tan complicada es el debilitamiento de los conocimientos científicos que fundamentan las decisiones de la CCRVMA respecto del límite de captura para la Subárea 48.3, e instaron a los Miembros a seguir trabajando para llegar a un consenso sobre un límite de captura para dicha área.

357. Argentina hizo la siguiente declaración:

Argentina aligns itself with the previous point regarding the importance and need for a conservation measure in Subarea 48.3 to end the illegal fishing that has been taking place there for three seasons. Illegal fishing occurs due to non-compliance with

Conservation Measure 31-01. In this regard, we would like to point out that in the same inspection report carried out by the United Kingdom on UK vessels, this Conservation Measure appears as mandatory. The report erroneously states that vessels comply with this Conservation Measure, when they do not, because 31-01 requires a conservation measure such as 41-02. For this reason, we hope to have a conservation measure for Patagonian toothfish fishing in Subarea 48.3 in order to end the illegal fishing that has been taking place for three seasons in this Subarea.

We also emphasise that, beyond the reason why there is no conservation measure, if there is no conservation measure, we cannot fish.’

358. Algunos Miembros señalaron que Rusia ha asumido la responsabilidad por algunos casos incumplimiento en el marco del PECC, pero que continúan estando preocupados por el número de casos incumplimiento grave sin resolver. Expresaron su preocupación por los reiterados casos de incumplimiento grave y las investigaciones pendientes en relación con los barcos de pabellón de Rusia. Dichos Miembros instaron a la Federación de Rusia a que se comprometiera a completar las investigaciones y a proporcionar información adicional a esta reunión con carácter de urgencia, con el fin de demostrar que la Federación de Rusia puede ejercer un control efectivo sobre sus barcos, cumplir las normas de la CCRVMA y que los observadores del SOCI pueden operar de forma segura.

359. El Reino Unido recordó sus posiciones anteriores sobre estas cuestiones.

360. Muchos Miembros recordaron que, en virtud de las MC 21-02 y 21-03, los únicos motivos para rechazar la notificación de un barco son su inclusión en la lista de barcos INDNR, el incumplimiento del procedimiento de pago por notificación de pesca de la CCRVMA, la presentación de documentos pertinentes como los planes de operaciones de pesca (POP) y las evaluaciones de impacto ambiental sobre EMV, o una retirada formal por parte del Miembro. También se señaló que, de acuerdo con la MC 21-02, párrafo 11, el reemplazo de barcos debido a razones de funcionamiento legítimas o de fuerza mayor debe informarse de inmediato a la Secretaría.

361. SCIC tomó nota de las preocupaciones planteadas por algunos Miembros y convino en remitir el asunto a la Comisión para mayor consideración.

362. La Secretaría presentó un informe sobre la descripción de los artes de pesca en las notificaciones de pesquerías (CCAMLR-43/12), en que se destacan las discrepancias entre las descripciones de artes que figuran en el sitio web de la CCRVMA y las proporcionadas en los planes de operaciones de pesca (POP) y las evaluaciones de los ecosistemas marinos vulnerables (EMV). Varios Miembros expresaron su agradecimiento por el informe de la Secretaría e indicaron su intención de mejorar la exactitud de los datos sobre artes de pesca presentados.

363. SCIC refrendó las recomendaciones de la Secretaría de que:

- (i) la Comisión estudie la posibilidad de exigir la inclusión de un diagrama lineal técnico en el sitio web de la CCRVMA como información obligatoria para cada descripción de arte presentada por los Miembros;

- (ii) la Comisión confirme que debe haber una única descripción oficial del “arte notificado” a efectos de la MC 21-02, párrafos 6(ii)(b), 11(iii) y 13, y que esta será la descripción del arte que los Miembros presenten en el sitio web de la CCRVMA.

364. SCIC solicitó que la Secretaría elabore más detalladamente las instrucciones proporcionadas a los Miembros sobre cómo y cuándo presentar o actualizar la información relativa a los datos de los artes de pesca como parte de los procedimientos de notificación, incluyendo ejemplos descriptivos de la información técnica o los diagramas requeridos.

### **Asesoramiento del Comité Científico a SCIC**

365. SCIC dio consideración al asesoramiento del Presidente del Comité Científico, el Dr. C. Cárdenas (Chile), sobre diversos temas y le agradeció por su tiempo.

#### **Observadores científicos**

366. El Presidente del Comité Científico destacó el gran valor de los datos registrados por los observadores científicos, recordó las discusiones actuales en el Comité Científico sobre la estrategia de ordenación de la pesquería de kril y tomó nota de la necesidad de garantizar que todo recabado de datos adicional considere priorizar estos requisitos. El Presidente del Comité Científico señaló, además, la importancia de que los observadores científicos identifiquen y recaben datos precisos para disponer de más conocimientos sobre las pesquerías y los problemas actuales, tal como la captura secundaria de peces pequeños y larvas y la mortalidad incidental relacionada con la pesca.

367. SCIC y el Presidente del Comité Científico debatieron los comentarios sobre las propuestas de exigir una cobertura de observación científica del SOCI del 100 % en todos los barcos que pescan kril y en las nuevas pesquerías. El Presidente del Comité Científico recordó las discusiones en curso para explorar y evaluar las diferencias entre los observadores científicos nacionales y los del SOCI, en relación con el recabado de datos. El Presidente del Comité Científico señaló que las directrices para los observadores del SOCI son fáciles de seguir y dan prioridad a la labor del Comité Científico y de sus grupos de trabajo, y reconoció la necesidad de garantizar que se tenga en cuenta el volumen de trabajo existente al responder a estas solicitudes.

368. China cuestionó la diferencia entre los datos recabados por los observadores científicos nacionales y los recabados por los observadores científicos internacionales, dado que tanto los observadores científicos nacionales como los internacionales siguen los mismos requisitos y protocolos científicos. El Presidente del Comité Científico respondió que los observadores científicos internacionales realizan más trabajo, que incluye avistamientos y seguimiento de mamíferos marinos. El Presidente del Comité Científico señaló que, en respuesta a requisitos adicionales futuros, podría ser necesario considerar medios para designar a un segundo observador científico. Además, el Presidente del Comité Científico indicó que hubo preocupaciones con respecto a la independencia de un observador científico nacional.

369. China solicitó al Presidente del Comité Científico que proporcionara a SCIC información actualizada sobre el estado de las pesquerías en las Divisiones 58.4.1 y 58.4.2, y señaló que, anteriormente, se había considerado que estas eran "áreas de datos limitados". El

Presidente del Comité Científico confirmó que no se ha proporcionado ninguna información nueva sobre el estado de la pesca de investigación en estas áreas y señaló, además, que no se han recabado datos en estas áreas desde 2018, y de ahí la falta de datos. El Presidente del Comité Científico destacó que el Comité Científico continuará sus esfuerzos por recabar datos en esta área, a fin de proporcionar información para investigaciones futuras.

370. En respuesta a las preguntas de Australia, el Presidente del Comité Científico, en su segunda visita, informó que el Comité Científico había estudiado la propuesta de Australia, Corea y Japón (CCAMLR-43/38), pero no había formulado recomendaciones concretas a SCIC. El Presidente del Comité Científico recordó que, en 2022 y 2023, el Comité Científico deliberó que hay falta de certeza en la implementación de la MC 21-02, párrafo 6 (iii), así como en la implementación de tales planes de investigación, y se refirió, entre otras cosas, a las recomendaciones de 2023 de que la Comisión (i) considere un nuevo anexo a la MC 21 02, que especifique los requisitos de los planes de investigación de especies ícticas que se desarrollen en virtud de la MC 21 02, párrafo 6 (iii) (apéndice A); y que (ii) modifique el título de la MC 24 01, anexo 24 01/A, formato 2, para eliminar la referencia a la MC 21 02 (apéndice B), a fin de resolver dicha confusión (SC-CAMLR-42).

371. La Federación de Rusia solicitó al Presidente del Comité Científico una aclaración sobre si las pesquerías que no han estado operativas durante las dos temporadas anteriores deben considerarse como una nueva pesquería en virtud de la MC 21-01, párrafo 1 (iii).

372. El Presidente del Comité Científico declaró que no había ninguna recomendación particular del Comité Científico sobre este tema en 2024, pero que estas áreas no cumplen con los requisitos de una nueva pesquería en virtud de la MC 21-01, ya que se han presentado datos de captura y esfuerzo de estas áreas antes de las dos últimas temporadas, así como una medida de conservación vigente de pesquería exploratoria.

## Desechos

373. SCIC y el Presidente del Comité Científico tuvieron deliberaciones sobre la notificación de desechos al sur de 60° S en el formulario de datos de captura y esfuerzo a escala fina (C2, pesquerías de palangre), y señalaron que la captura que se desecha en el punto de extracción debe notificarse como “desechada” y la captura que se retiene, incluso si solo se retiene para desechar al norte de 60° S, debe notificarse como “retenida”. SCIC consideró que, si bien las instrucciones para completar los formularios de datos C2 son relativamente claras, las descripciones de los campos de datos en los formularios en sí pueden interpretarse de manera errónea. SCIC reconoció las implicaciones que una notificación incorrecta de datos como consecuencia de una interpretación errónea de los requisitos de notificación de desechos puede tener sobre estos datos y las posteriores evaluaciones del cumplimiento. SCIC señaló que aclarar las instrucciones o las descripciones de los campos de datos en el formulario C2 para distinguir entre capturas puede ayudar a remediar estas incoherencias. SCIC recomendó que la Comisión sugiera que el Comité Científico y sus grupos de trabajo relevantes consideren aclarar las instrucciones en el manual de datos comerciales, en relación con el informe de capturas desechadas o retenidas.

Izado tardío de los artes de pesca

374. Rusia pidió aclaraciones al Presidente del Comité Científico sobre los impactos sufridos como resultado del exceso de la captura tras el cierre de la pesquería de *Euphausia superba* en la Subárea 48.1 y sobre si se habían realizado análisis adicionales de los datos C1 pertinentes.

375. El Presidente del Comité Científico señaló que, hasta el momento, no se había discutido este tema durante la reunión. El Comité Científico reconoce la importancia y la complejidad del problema. El Presidente del Comité Científico señaló, además, que la estrategia propuesta para avanzar el enfoque de ordenación de la pesquería de kril podría mitigar dichos problemas en el futuro.

Simposio de Armonización

376. Corea recordó el informe del Simposio de armonización (CCAMLR-43/29) y las recomendaciones acordadas, y solicitó al Presidente del Comité Científico que confirmara si se había dado consideración a este punto durante su reunión. El Presidente del Comité Científico señaló que, si bien se habían discutido parcialmente algunas recomendaciones, se sostendrían deliberaciones adicionales en la Comisión.

### **Consideración de la Segunda Evaluación del Funcionamiento**

377. SCIC consideró el informe de avance de la Segunda Evaluación del Funcionamiento (PR2) (CCAMLR-43/06), que aportó un resumen de las medidas implementadas desde CCAMLR-XXXVII. Se alentó a SCIC a que, junto con la Comisión y el Comité Científico, identifique cualquier medida adicional que no se hubiera incluido aún en el resumen.

378. SCIC expresó su agradecimiento a la Secretaría por compilar el informe y destacó la valía de hacer un seguimiento anual de los avances en las recomendaciones de la PR2, y expresó su reconocimiento a quienes contribuyeron con los avances hasta la fecha.

379. SCIC tomó nota de las áreas específicas en las que se ha avanzado y observó que la recomendación 11 (ii), relativa al PECC, podría en realidad figurar como completada. SCIC también destacó áreas sobre las que se siguen presentando propuestas y aquellas con temas pendientes que deberían tratarse (p. ej., las recomendaciones 7 (AMP), 4 (iii) (participación de RCTA) y 12 (transbordos) de la PR2.

### **Otros asuntos**

380. SCIC consideró el documento CCAMLR-43/31, que presenta una propuesta detallada para una tercera evaluación del funcionamiento (“PR3”) que se realizaría durante el período entre sesiones 2024-2025, y la presentación del informe sobre la PR3 se presentaría a CCAMLR-44.

381. SCIC agradeció a la Unión Europea y a sus Estados miembro por esta propuesta y señaló el valor que habían aportado los informes anteriores (correspondientes a la PR1 y la PR2) junto con sus recomendaciones, y destacó que han demostrado ser muy valiosos para la CCRVMA.

382. Algunos Miembros expresaron la opinión de que sería beneficioso disponer de datos adicionales sobre el alcance, la estructura y el calendario de la PR3 propuesta. China sugirió que la tercera evaluación del funcionamiento se revisara exhaustivamente en relación con la Convención, en particular con el artículo II, y que el Comité a cargo de la evaluación incluyera a dos expertos externos, al menos un representante de la industria. En este sentido, China opinó que deberían elaborarse términos de referencia exhaustivos para la PR3 propuesta, lo que llevaría tiempo.

383. SCIC no llegó a un consenso para respaldar la propuesta de realizar una tercera evaluación del funcionamiento durante el período entre sesiones de 2024-2025.

384. SCIC consideró el documento CCAMLR-43/BG/40, presentado por ASOC, en el que se señalan a la atención de SCIC hechos relacionados con la seguridad de los barcos de pesca y el medio ambiente.

385. ASOC hizo la siguiente declaración:

‘In recent years, ASOC has brought to the attention of SCIC developments relevant to fishing vessel and environmental safety adopted by the International Maritime Organization. A number of new guidelines and now regulations have been adopted in recent years that are of direct relevance to fishing vessels operating in the CCAMLR Area, including requirements for safe navigation and voyage planning that will be mandatory for all fishing vessels over 24m in length from 1st January 2026.

ASOC would like to highlight the need for CCAMLR Resolutions 23 and 34 to be updated to reflect these new developments. Furthermore, we wish to draw attention to ongoing work by the IMO to address the threat from marine plastic litter including the marking of fishing gear and the reporting of lost or discharged fishing gear. I would also like to reiterate ASOC's recommendation that CCAMLR develop its own action plan to reduce all sources of plastics and microplastics. Finally, ASOC recommends that CCAMLR consider including the management of gray water from fishing vessels in the future workplan, including discussion of current practices and ultimately consideration of the need for regulation of untreated gray water’.

386. SCIC tomó nota de la información presentada por ASOC en CCAMLR-43/BG/40.

387. SCIC refrendó la propuesta de añadir un punto permanente en su agenda denominado “Otros asuntos” para futuras reuniones. En este nuevo punto de la agenda, SCIC considerará las diversas tareas asignadas a la Secretaría, tanto en el marco de las medidas de conservación como a través del texto de los informes, establecerá prioridades y posiblemente eliminará algunas tareas, dadas las limitaciones presupuestarias previstas.

388. La Presidenta hizo un llamado a candidaturas para designar un nuevo Presidente de SCIC para 2025-2026. Corea propuso a Adam Berry. Esta candidatura fue apoyada por Estados Unidos y refrendada por SCIC. SCIC felicitó al Sr. Berry por haber sido electo como próximo Presidente de SCIC.

389. La Presidenta hizo un llamado a candidaturas para la Vicepresidencia de SCIC, pero no se recibió ninguna.



390. La Presidenta expresó su agradecimiento a todos los delegados, así como a los intérpretes y al personal de la Secretaría por su dedicada labor durante la reunión. SCIC también expresó su aprecio a la Secretaría y su agradecimiento a la Presidenta por su liderazgo constructivo y eficiente a lo largo de toda la reunión, y también por su desempeño en el cargo de Presidenta de SCIC.

### **Clausura de la reunión**

391. La Presidenta expresó que había sido un privilegio presidir la reunión durante su permanencia en el cargo, y agradeció a los delegados por su paciencia, profesionalismo y experiencia. También agradeció a la Secretaría, a los intérpretes, a CongressRental y al personal de apoyo por su contribución a una reunión productiva.

392. SCIC expresó su sincero agradecimiento a la Sra. Engelke-Ros por su excelente presidencia durante una reunión difícil para SCIC, y por su liderazgo cooperativo, paciente y su buen humor durante su tiempo como presidenta.

### Problemas de cumplimiento 2023/2024

Reference number	Parte	Barco	Implementation summary – Secretariat
01	New Zealand		<p><b>CM 10-03, paragraph 1</b>, requires Contracting Parties to undertake inspections of all fishing vessels carrying <i>Dissostichus</i> spp. which enter their ports.</p> <p>The inspection report for the San Aotea II for the inspection undertaken by New Zealand on 12 March 2024 in Timaru, New Zealand, not that the vessel's last port call was Dunedin on 11 March 2024 due to an unscheduled emergency.</p> <p>No port inspection report was submitted for San Aotea II's port call in Dunedin.</p> <p>In response to a request for further information New Zealand stated: "The port call into Dunedin on 11 March 2024 was an unscheduled emergency stop due to one of the crew requiring urgent medical assistance. They were only docked long enough for the crew member to disembark before continuing their pre-planned schedule to Timaru."</p>
02	Chile	Puerto Ballena	<p><b>CM 10-03, paragraph 4</b>, requires vessels seeking entry to port to provide the information contained in Annex 10-03/A at least 48 hours in advance to allow adequate time to examine the required information.</p> <p>The inspection report for the Puerto Ballena for the inspection undertaken by New Zealand on 3 Jan 2024 noted that they vessel entered port without submission of the Port Inspection Report Part A (Annex 10-03/A).</p> <p>Additional information in the email submission noted the following which was reported by the inspector to the government official:</p> <p><i>"There was an issue with the vessel failing to provide us Part A 48 hours prior to entering port. When I boarded it an hour after it coming alongside it had not been completed. I asked the Master to have Part A completed and a Spanish version was completed electronically and printed by the crew. I have attached it. I marked it with the date and time I received it and signed it. I made the Master aware of my concerns that they had breached 10/03 and he wrote a statement in Spanish at my suggestion. The explanation as I understood it was that it was a communication error and overlooked due to having to offload an injured crew member. The</i></p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p><i>crew member had cut off two fingertips. He was driven to the hospital by the shipping agent. Although in need of medical attention it was certainly not an emergency at that point."</i></p> <p>And in the government official's submission to the Secretariat they also noted: "<i>Slight issue with lack of required notification but this is an internal NZ issue which we have remedied, the safety of crew member was paramount in this situation</i>"</p>
03	República de Corea		<p><b>CM 10-03, paragraph 5</b>, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Panamanian-flagged vessel Procyon entered the Korean port of Busan at 06:00 16 Sep 2023 and was inspected at 10:00 18 Sep 2023.</p> <p>Tiempo de demora de la inspección después del plazo de 48 h: 4 h.</p>
04	Uruguay		<p><b>CM 10-03, paragraph 5</b>, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Uruguayan-flagged vessel Ainoha entered the Uruguayan port of Montevideo at 2100 28 Oct 2023 and was inspected at 1100 31 Oct 2023.</p> <p>Tiempo de demora de la inspección después del plazo de 48 h: 14 h.</p>
05	Francia		<p><b>CM 10-03, paragraph 8</b>, 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 French-flagged vessel Sainte Rose occurred on 08 March 2024 by French port officials and the transmission of the port inspection report occurred on 16 April 2024. The fishing activity occurred in Division 58.4.2 and Subareas 88.1 and 88.2.</p> <p>Tiempo de demora de la inspección después del plazo de 30 días: 9 días.</p>
06	Sudáfrica		<p><b>CM 10-03, paragraph 8</b>, 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 Secretariat identified the port inspection report by South Africa for the Korean-flagged vessel Southern Ocean which corresponded with the issuance of DCD KR-24-0009-E had not been submitted. The Secretariat emailed the South African CCEP Contacts on 9 July 2024 requesting a copy of the port inspection report.</p> <p>The port inspection report was submitted on 29 July 2024 reporting the inspection on 10 March 2024.</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
Tiempo de demora de la inspección después del plazo de 30 días: 111 días.			
<b>CM 10-04</b>			
07	Chile	Antarctic Endeavour	<p><b>CM 10-04, paragraph 13</b>, 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 21 Mar 2024 0225 UTC for the Antarctic Endeavour entry into Subarea 48.1 notifying the entry time of 20 Mar 2024 0126 UTC.</p> <p>Time delay after the 24-hour deadline: 59 minutes</p>
08	Francia	Albius	<p><b>CM 10-04, paragraph 13</b>, 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 1 Aug 2023 1300 UTC for the Albius entry into Subarea 58.6 notifying the entry time of 31 Jul 2023 0812 UTC.</p> <p>Retraso tras el plazo de 24 h: 4 h 48 min.</p>
09	Francia	Albius	<p><b>CM 10-04, paragraph 13</b>, 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 02 Oct 2023 0635 UTC for the Albius entry into Division 58.5.1 notifying the entry time of 01 Oct 2023 0400 UTC.</p> <p>Retraso tras el plazo de 24 h: 2 h 35 min.</p>
10	Francia	Sainte Rose	<p><b>CM 10-04, paragraph 13</b>, 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>Analysis of VMS data identified that a movement notice had not been provided by the Sainte Rose for entry into Subarea 48.1. The Secretariat requested a movement notice from the French VMS Contact Officers on 04 Feb 2024 2313 UTC.</p> <p>A movement notification was provided to the Secretariat 05 Feb 2024 0803 UTC for the Sainte Rose entry into Subarea 48.1 notifying the entry time of 02 Feb 2024 1030 UTC.</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			Retraso tras el plazo de 24 h: 45 h 33 min.
11	República de Corea	Greenstar	<p><b>CM 10-04, paragraph 13</b>, 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 16 Apr 2024 0949 UTC for the Greenstar entry into Subarea 48.1 notifying the entry time of 13 Apr 2024 2245 UTC.</p> <p>The Secretariat identified the missing entry notification and requested it from Korea on 16 Apr 2024. Korea provided the following explanation along with the notification:  The Greenstar regarded she was still in the 88.3 when she was entering the subarea 48.1.  That is why she reported that she exited the CCAMLR from the 88.3 in the below email. It was our mistake. The office also has a responsibility to monitor our vessel’s movement and to educate our crews.  However, the office failed to monitor her movement during the weekend. We apologize for this mistake.</p> <p>Retraso tras el plazo de 24 h: 35 h 04 min.</p>
12	España	Tronio	<p><b>CM 10-04, paragraph 13</b>, 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>Analysis of VMS data identified that a movement notice had not been provided by the Tronio for the exit from Division 58.4.4a and entry into Division 58.4.4b at approximately 0916 UTC 28 Oct 2023.</p> <p>The Secretariat contacted Spain to clarify the movement notices provided by Tronio in the 2023/24 season. Spain advised the Secretariat that they had investigated the matter and found that the Master of the vessel used the SSRU Map in CM 41-01 and reported movements based upon the SSRUs listed.</p>
13	Reino Unido	Nordic Prince	<p><b>CM 10-04, paragraph 13</b>, 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 18 Apr 2024 1444 UTC for the Nordic Prince entry into Subarea 48.3 notifying the entry time of 13 Apr 2024 1533 UTC.</p> <p>The Secretariat identified the missing entry notification and requested it from the United Kingdom on 18 Apr 2024.</p> <p>Retraso tras el plazo de 24 h: 95 h 11 min.</p>
<b>MC 10-05</b>			

Reference number	Parte	Barco	Implementation summary – Secretariat
14	Argentina		<p>La MC 10-05, párrafo 6, exige que cada Parte contratante o Parte no contratante que coopera con la CCRVMA a través de su participación en el SDC exija que cada cargamento de <i>Dissostichus spp.</i> importado a su territorio, o exportado o reexportado desde el mismo, vaya acompañado de un DED o un DRED. La importación, exportación o reexportación de <i>Dissostichus spp.</i> sin un DED o DRED está prohibida. The import, export or re-export of <i>Dissostichus spp.</i> without a DED or DRED is prohibited.</p> <p>La MC 10-05, párrafo 7, exige que los DED y DRED se completen como se describe en el anexo 10-05/A. La utilización del SDCE para generar, validar y rellenar un DED o un DRED es obligatoria. Un DED y/o DRED no se completa ni se valida en el SDCE sin la verificación proporcionada por un funcionario del Estado correspondiente en la sección 5 del formulario tipo del DED ('paso 4: confirmación del Estado de exportación' en el SDCE). Sin esta validación, el Estado importador no tendrá acceso al documento en el SDCE.</p> <p>Analysis of the e-CDS data has identified Argentina 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 export. The identified DED accounts for &lt;1% of Argentina's exports and &lt;1% of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 1 DED was issued between 11 - 20 days after declared export date</p> <p>The DED document number is available as an attachment to this record on the website.</p>
15	Chile		<p>La MC 10-05, párrafo 6, exige que cada Parte contratante o Parte no contratante que coopera con la CCRVMA a través de su participación en el SDC exija que cada cargamento de <i>Dissostichus spp.</i> importado a su territorio, o exportado o reexportado desde el mismo, vaya acompañado de un DED o un DRED. La importación, exportación o reexportación de <i>Dissostichus spp.</i> sin un DED o DRED está prohibida. The import, export or re-export of <i>Dissostichus spp.</i> without a DED or DRED is prohibited.</p> <p>La MC 10-05, párrafo 7, exige que los DED y DRED se completen como se describe en el anexo 10-05/A. La utilización del SDCE para generar, validar y rellenar un DED o un DRED es obligatoria. Un DED y/o DRED no se completa ni se valida en el SDCE sin la verificación proporcionada por un funcionario del Estado correspondiente en la sección 5 del formulario tipo del DED ('paso 4: confirmación del Estado de exportación' en el SDCE). Sin esta validación, el Estado importador no tendrá acceso al documento en el SDCE.</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>El análisis de los datos del SDCe identificó que Chile validó 75 DED después de la fecha de exportación declarada. Por lo tanto, estos cargamentos no tenían DED completos que los acompañaran en el momento de la exportación.</p> <p>The identified DEDs account for 2.6 % of Chile's exports and 1.5 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are:  5 DEDs were issued between 1 - 2 days after declared export date  68 DEDs were issued between 6 - 10 days after declared export date  1 DED was issued between 11 - 20 days after declared export date  1 DED was issued between 51 - 100 days after declared export date</p> <p>En el sitio web figura un listado de los números de los DED, que hace la función de archivo adjunto a este registro.</p>
16	Francia		<p>La <b>MC 10-05, párrafo 6</b>, exige que cada Parte contratante o Parte no contratante que coopera con la CCRVMA a través de su participación en el SDC exija que cada cargamento de <i>Dissostichus spp.</i> importado a su territorio, o exportado o reexportado desde el mismo, vaya acompañado de un DED o un DRED. La importación, exportación o reexportación de <i>Dissostichus spp.</i> sin un DED o DRED está prohibida. The import, export or re-export of <i>Dissostichus spp.</i> without a DED or DRED is prohibited.</p> <p>La MC 10-05, párrafo 7, exige que los DED y DRED se completen como se describe en el anexo 10-05/A. La utilización del SDCe para generar, validar y rellenar un DED o un DRED es obligatoria. Un DED y/o DRED no se completa ni se valida en el SDCe sin la verificación proporcionada por un funcionario del Estado correspondiente en la sección 5 del formulario tipo del DED ('paso 4: confirmación del Estado de exportación' en el SDCe). Sin esta validación, el Estado importador no tendrá acceso al documento en el SDCe.</p> <p>Analysis of the e-CDS data has identified France validated 3 DEDs after the declared export date. Por lo tanto, estos cargamentos no tenían DED completos que los acompañaran en el momento de la exportación.</p> <p>The identified DEDs account for 1 % of France's exports and &lt;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 11 - 20 days after declared export date  1 DED was issued between 21 - 50 days after declared export date</p> <p>En el sitio web figura un listado de los números de los DED, que hace la función de archivo adjunto a este registro.</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
17	Países Bajos		<p>La MC 10-05, párrafo 6, exige que cada Parte contratante o Parte no contratante que coopera con la CCRVMA a través de su participación en el SDC exija que cada cargamento de <i>Dissostichus spp.</i> importado a su territorio, o exportado o reexportado desde el mismo, vaya acompañado de un DED o un DRED. La importación, exportación o reexportación de <i>Dissostichus spp.</i> sin un DED o DRED está prohibida. The import, export or re-export of <i>Dissostichus spp.</i> without a DED or DRED is prohibited.</p> <p>La MC 10-05, párrafo 7, exige que los DED y DRED se completen como se describe en el anexo 10-05/A. La utilización del SDCe para generar, validar y rellenar un DED o un DRED es obligatoria. Un DED y/o DRED no se completa ni se valida en el SDCe sin la verificación proporcionada por un funcionario del Estado correspondiente en la sección 5 del formulario tipo del DED ('paso 4: confirmación del Estado de exportación' en el SDCe). Sin esta validación, el Estado importador no tendrá acceso al documento en el SDCe.</p> <p>Analysis of the e-CDS data has identified the Kingdom of the Netherlands validated 2 DREDs after the declared export date. Therefore, these shipments did not have a completed DRED available to accompany them at the time of export. The identified DREDs account for 13 % of Kingdom of the Netherlands' exports and &lt;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 3 - 5 days after declared export date 1 DRED was issued between 11 - 20 days after declared export date</p> <p>En el sitio web figura un listado de los números de los DED, que hace la función de archivo adjunto a este registro.</p>
18	Perú		<p>La <b>MC 10-05, párrafo 6</b>, exige que cada Parte contratante o Parte no contratante que coopera con la CCRVMA a través de su participación en el SDC exija que cada cargamento de <i>Dissostichus spp.</i> importado a su territorio, o exportado o reexportado desde el mismo, vaya acompañado de un DED o un DRED. La importación, exportación o reexportación de <i>Dissostichus spp.</i> sin un DED o DRED está prohibida. The import, export or re-export of <i>Dissostichus spp.</i> without a DED or DRED is prohibited.</p> <p>La MC 10-05, párrafo 7, exige que los DED y DRED se completen como se describe en el anexo 10-05/A. La utilización del SDCe para generar, validar y rellenar un DED o un DRED es obligatoria. Un DED y/o DRED no se completa ni se valida en el SDCe sin la verificación proporcionada por un funcionario del Estado correspondiente en la sección 5 del formulario tipo del DED ('paso 4: confirmación del Estado de</p>



Reference number	Parte	Barco	Implementation summary – Secretariat
			<p data-bbox="842 248 2007 304">exportación' en el SDCe). Sin esta validación, el Estado importador no tendrá acceso al documento en el SDCe.</p> <p data-bbox="842 344 2007 432">Analysis of the e-CDS data has identified Peru validated 6 DEDs after the declared export date. Por lo tanto, estos cargamentos no tenían DED completos que los acompañaran en el momento de la exportación. The identified DEDs account for 6 % of Peru's exports and &lt;1 % of all CDS exports.</p> <p data-bbox="842 472 2007 616">The time difference between the export and validation for the identified documents are:  3 DEDs were issued between 1 - 5 days after declared export date  1 DED was issued between 3 - 5 days after declared export date  1 DED was issued between 11 - 20 days after declared export date  1 DED was issued between 21 - 50 days after declared export date</p> <p data-bbox="842 647 2007 703">En el sitio web figura un listado de los números de los DED, que hace la función de archivo adjunto a este registro.</p>
19	Sudáfrica		<p data-bbox="842 727 2007 879">La MC 10-05, párrafo 6, exige que cada Parte contratante o Parte no contratante que coopera con la CCRVMA a través de su participación en el SDC exija que cada cargamento de <i>Dissostichus spp.</i> importado a su territorio, o exportado o reexportado desde el mismo, vaya acompañado de un DED o un DRED. La importación, exportación o reexportación de <i>Dissostichus spp.</i> sin un DED o DRED está prohibida. The import, export or re-export of <i>Dissostichus spp.</i> without a DED or DRED is prohibited.</p> <p data-bbox="842 919 2007 1086">La MC 10-05, párrafo 7, exige que los DED y DRED se completen como se describe en el anexo 10-05/A. La utilización del SDCe para generar, validar y rellenar un DED o un DRED es obligatoria. Un DED y/o DRED no se completa ni se valida en el SDCe sin la verificación proporcionada por un funcionario del Estado correspondiente en la sección 5 del formulario tipo del DED ('paso 4: confirmación del Estado de exportación' en el SDCe). Sin esta validación, el Estado importador no tendrá acceso al documento en el SDCe.</p> <p data-bbox="842 1126 2007 1214">Analysis of the e-CDS data has identified South Africa validated 18 DEDs after the declared export date. Por lo tanto, estos cargamentos no tenían DED completos que los acompañaran en el momento de la exportación. The identified DEDs account for 38 % of South Africa's exports and &lt;1 % of all CDS exports.</p> <p data-bbox="842 1254 2007 1342">The time difference between the export and validation for the identified documents are:  8 DEDs were issued between 6 - 10 days after declared export date  10 DEDs were issued between 21 - 50 days after declared export date</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			En el sitio web figura un listado de los números de los DED, que hace la función de archivo adjunto a este registro.
20	España		<p>La MC 10-05, párrafo 6, exige que cada Parte contratante o Parte no contratante que coopera con la CCRVMA a través de su participación en el SDC exija que cada cargamento de <i>Dissostichus spp.</i> importado a su territorio, o exportado o reexportado desde el mismo, vaya acompañado de un DED o un DRED. La importación, exportación o reexportación de <i>Dissostichus spp.</i> sin un DED o DRED está prohibida. The import, export or re-export of <i>Dissostichus spp.</i> without a DED or DRED is prohibited.</p> <p>La MC 10-05, párrafo 7, exige que los DED y DRED se completen como se describe en el anexo 10-05/A. La utilización del SDCe para generar, validar y rellenar un DED o un DRED es obligatoria. Un DED y/o DRED no se completa ni se valida en el SDCe sin la verificación proporcionada por un funcionario del Estado correspondiente en la sección 5 del formulario tipo del DED ('paso 4: confirmación del Estado de exportación' en el SDCe). Sin esta validación, el Estado importador no tendrá acceso al documento en el SDCe.</p> <p>Noting CCAMLR-42, paragraph 90, 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.</p> <p>Analysis of the e-CDS data has identified Spain validated 4 DREDs after the declared export date. Therefore, these shipments did not have a completed DRED available to accompany them at the time of export. The identified DREDs account for 2 % of Spain's exports and &lt;1 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are:  3 DREDs were issued between 201 - 300 days after declared export date  1 DREDs was issued between 501 - 600 days after declared export date</p> <p>En el sitio web figura un listado de los números de los DRED, que hace la función de archivo adjunto a este registro.</p>
21	United States of America		<p>La MC 10-05, párrafo 6, exige que cada Parte contratante o Parte no contratante que coopera con la CCRVMA a través de su participación en el SDC exija que cada cargamento de <i>Dissostichus spp.</i> importado a su territorio, o exportado o reexportado desde el mismo, vaya acompañado de un DED o un DRED. La importación, exportación o reexportación de <i>Dissostichus spp.</i> sin un DED o DRED está prohibida. The import, export or re-export of <i>Dissostichus spp.</i> without a DED or DRED is prohibited.</p> <p>La MC 10-05, párrafo 7, exige que los DED y DRED se completen como se describe en el anexo 10-05/A. La utilización del SDCe para generar, validar y rellenar un DED o un DRED es obligatoria. Un DED y/o DRED</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>no se completa ni se valida en el SDCE sin la verificación proporcionada por un funcionario del Estado correspondiente en la sección 5 del formulario tipo del DED ('paso 4: confirmación del Estado de exportación' en el SDCE). Sin esta validación, el Estado importador no tendrá acceso al documento en el SDCE.</p> <p>Noting CCAMLR-42, paragraph 90, 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.</p> <p>Analysis of the e-CDS data has identified the United States of America validated 1 DRED after the declared export date. Therefore, this shipment did not have a completed DRED available to accompany it at the time of export.</p> <p>The identified DRED account for &lt;1 % of the United States of America's exports and &lt;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 501 - 600 days after declared export date</p> <p>En el sitio web figura un listado de los números de los DED, que hace la función de archivo adjunto a este registro.</p>
22	Uruguay		<p>La MC 10-05, párrafo 6, exige que cada Parte contratante o Parte no contratante que coopera con la CCRVMA a través de su participación en el SDC exija que cada cargamento de <i>Dissostichus spp.</i> importado a su territorio, o exportado o reexportado desde el mismo, vaya acompañado de un DED o un DRED. La importación, exportación o reexportación de <i>Dissostichus spp.</i> sin un DED o DRED está prohibida. The import, export or re-export of <i>Dissostichus spp.</i> without a DED or DRED is prohibited.</p> <p>La MC 10-05, párrafo 7, exige que los DED y DRED se completen como se describe en el anexo 10-05/A. La utilización del SDCE para generar, validar y rellenar un DED o un DRED es obligatoria. Un DED y/o DRED no se completa ni se valida en el SDCE sin la verificación proporcionada por un funcionario del Estado correspondiente en la sección 5 del formulario tipo del DED ('paso 4: confirmación del Estado de exportación' en el SDCE). Sin esta validación, el Estado importador no tendrá acceso al documento en el SDCE.</p> <p>El análisis de los datos del SDCE identificó que Uruguay validó 31 DED después de la fecha de exportación declarada. Por lo tanto, estos cargamentos no tenían DED completos que los acompañaran en el momento de la exportación.</p> <p>The identified DEDs account for 29 % of Uruguay's exports and &lt;1 % of all CDS exports.</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>The time difference between the export and validation for the identified documents are:            10 DEDs were issued between 1 - 2 days after declared export date            8 DEDs were issued between 3 - 5 days after declared export date            9 DEDs were issued between 6 - 10 days after declared export date            3 DEDs were issued between 11 - 20 days after declared export date            1 DED was issued between 21 - 50 days after declared export date</p> <p>En el sitio web figura un listado de los números de los DED, que hace la función de archivo adjunto a este registro.</p>
<b>Medida de Conservación 10-09</b>			
23	Panamá	Frio Aegean	<p>La MC 10-09, párrafo 2, expresa que toda Parte contratante, en su calidad de Estado del pabellón, notifique a la Secretaría con una antelación mínima de 72 horas si alguno de sus barcos proyecta efectuar un transbordo dentro del Área de la Convención. 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 1032 UTC 04 Apr 2024 from the Frio Aegean notifying its intention to tranship Krill and fuel with the Sejong at 0700 UTC 7 Apr 2024.</p> <p>Diferencia de tiempo: 68 horas y 28 minutos.</p>
24	Panamá	Frio Aegean	<p>La MC 10-09, párrafo 2, expresa que toda Parte contratante, en su calidad de Estado del pabellón, notifique a la Secretaría con una antelación mínima de 72 horas si alguno de sus barcos proyecta efectuar un transbordo dentro del Área de la Convención. 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 1243 UTC 13 Apr 2024 from the Frio Aegean notifying its intention to tranship fuel with the Shen Lan at 1200 UTC 16 Apr 2024.</p> <p>Diferencia de tiempo: 71 horas y 17 minutos.</p>
25	Panamá	Frio Marathon	<p>La MC 10-09, párrafo 2, expresa que toda Parte contratante, en su calidad de Estado del pabellón, notifique a la Secretaría con una antelación mínima de 72 horas si alguno de sus barcos proyecta efectuar un transbordo dentro del Área de la Convención. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transshipment of harvested marine living resources, bait or fuel.</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>The Secretariat received a notification on 1531 UTC 13 July 2023 from the Frio Marathon notifying its intention to tranship krill with the Sejong at 1030 UTC 16 July 2023.</p> <p>Diferencia de tiempo: 66 horas y 59 minutos.</p>
26	Panamá	Frio Oceanic	<p>La MC 10-09, párrafo 2, expresa que toda Parte contratante, en su calidad de Estado del pabellón, notifique a la Secretaría con una antelación mínima de 72 horas si alguno de sus barcos proyecta efectuar un transbordo dentro del Área de la Convención. 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 1654 UTC 24 Feb 2024 from the Frio Oceanic notifying its intention to tranship krill with the Sejong at 1400 UTC 27 Feb 2024.</p> <p>Diferencia de tiempo: 69 horas y 06 minutos.</p>
27	Panamá	Procyon	<p>La MC 10-09, párrafo 2, expresa que toda Parte contratante, en su calidad de Estado del pabellón, notifique a la Secretaría con una antelación mínima de 72 horas si alguno de sus barcos proyecta efectuar un transbordo dentro del Área de la Convención. 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 1247 UTC 22 Apr 2024 from the Procyon notifying its intention to tranship Krill with the Fu Xing Hai at 1100 UTC 25 Apr 2024.</p> <p>Diferencia de tiempo: 70 horas y 13 minutos.</p>
28	Ucrania	More Sodruzhestva	<p>La MC 10-09, párrafo 2, expresa que toda Parte contratante, en su calidad de Estado del pabellón, notifique a la Secretaría con una antelación mínima de 72 horas si alguno de sus barcos proyecta efectuar un transbordo dentro del Área de la Convención. 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 1937 UTC 23 Jan 2024 from the More Sodruzhestva notifying its intention to tranship fuel with the Antarctic Provider at 1800 UTC 26 Jan 2024.</p> <p>Diferencia de tiempo: 70 horas y 23 minutos.</p>
29	Noruega		<p>La MC 10-09, párrafo 3, establece que cada Estado del pabellón deberá notificar a la Secretaría con al menos 2 h de antelación a las operaciones previstas de transbordo de artículos que no sean recursos vivos marinos extraídos, carnada o combustible.</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>The Secretariat received notification from the Norwegian-flagged vessel the Antarctic Provider on 1601 UTC 29 Mar 2024 their intended transshipment of crew and provisions with the Saga Sea at 1630 UTC 29 March 2024.</p> <p>Time difference: 29 minutes</p>
30	Uruguay	Ocean Azul	<p>La MC 10-09, párrafo 3, establece que cada Estado del pabellón deberá notificar a la Secretaría con al menos 2 h de antelación a las operaciones previstas de transbordo de artículos que no sean recursos vivos marinos extraídos, carnada o combustible.</p> <p>The Secretariat received a notification on 12 Dec 2023 0838 UTC from the Ocean Azul notifying its intention to tranship spare parts with the Helena Ndume on 12 Dec 2023 1000 UTC.</p> <p>Time difference: 1 hour 22 minutes</p>
31	Noruega		<p>La MC 10-09, párrafo 5, establece que cada Estado de pabellón confirmará a la Secretaría la información proporcionada para un transbordo en un plazo de 3 días hábiles después de haber realizado el transbordo, de acuerdo con los párrafos 2 y 3.</p> <p>The Secretariat received notification from the Norwegian-flagged vessel the Antarctic Provider on 1601 UTC 29 Mar 2024 their intended transshipment of crew and provisions with the Saga Sea at 1630 UTC 29 March 2024.</p> <p>Ni el <i>Antarctic Provider</i>, ni el <i>Saga Sea</i> ni Noruega confirmaron este transbordo.</p>
32	Vanuatu	Hai Feng 718	<p>La MC 10-09, párrafo 8, prohíbe a cualquier barco realizar transbordos dentro del Área de la Convención para los cuales no se haya enviado notificación previa.</p> <p>The Secretariat received a confirmation on 9 Feb 2024 1243 UTC from the Hai Feng 718 confirming its transshipment of Krill and Fuel with the Hua Xiang 9 from 07 - 08 Feb 2024.</p> <p>No prior notification was provided.</p>
	<b>Medida de Conservación 22-07</b>		

Reference number	Parte	Barco	Implementation summary – Secretariat
33	Reino Unido	Argos Georgia	<p><b>CM 22-07, paragraph 8</b>, states that vessels shall report in accordance with CM 23-07 total benthos recovered in a daily period.</p> <p>In the C2 report for the Argos Georgia for December 2023 8.1 specimens of VME indicators reported on 19 December 2023. The corresponding daily catch and effort report did not report catches of any VME species</p>
34	Russian Federation	Alpha Crux	<p><b>CM 22-07, paragraph 9</b>, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC 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. El Registro de EMV de la CCRVMA se encuentra disponible en: <a href="https://www.ccamlr.org/es/document/data/ccamlr-vme-registry">https://www.ccamlr.org/es/document/data/ccamlr-vme-registry</a></p> <p>The Alpha Crux reported in C2 data for 24 Dec 2023 on haul 9 line which intersected with the VME risk area "CCAMLR_VMERiskArea_881" which has a latitude of 72.321 S and 176.272 E.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
35	Russian Federation	Alpha Crux	<p><b>CM 22-07, paragraph 9</b>, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>La MC 22-07, párrafo 2 (v), define a 'Zona de Riesgo' a la que tiene un radio de 1 milla náutica a partir del punto medio de la sección de la línea de la cual se recuperaron 10 o más unidades indicadoras de EMV. El Registro de EMV de la CCRVMA se encuentra disponible en: <a href="https://www.ccamlr.org/es/document/data/ccamlr-vme-registry">https://www.ccamlr.org/es/document/data/ccamlr-vme-registry</a></p> <p>The Alpha Crux reported in C2 data for 27 Dec 2023 on haul 15 setting and hauling a line which intersected with the VME risk area "CCAMLR_VMERiskArea_881" which has a latitude of 72.321 S and 176.272 E. A C2 VME segment midpoint was also reported within the VME risk area.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
36	Russian Federation	Alpha Crux	<p><b>CM 22-07, paragraph 9</b>, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>La MC 22-07, párrafo 2 (v), define a 'Zona de Riesgo' a la que tiene un radio de 1 milla náutica a partir del punto medio de la sección de la línea de la cual se recuperaron 10 o más unidades indicadoras de EMV. El Registro de EMV de la CCRVMA se encuentra disponible en: <a href="https://www.ccamlr.org/es/document/data/ccamlr-vme-registry">https://www.ccamlr.org/es/document/data/ccamlr-vme-registry</a></p> <p>The Alpha Crux reported in C2 data for 3 Jan 2024 on haul 26 setting a line which intersected with the VME risk area "CCAMLR_VMERiskArea_881" which has a latitude of 72.321 S and 176.272 E. A C2 VME segment midpoint was also report within the VME risk area.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
37	Russian Federation	Alpha Crux	<p><b>CM 22-07, paragraph 9</b>, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>La MC 22-07, párrafo 2 (v), define a 'Zona de Riesgo' a la que tiene un radio de 1 milla náutica a partir del punto medio de la sección de la línea de la cual se recuperaron 10 o más unidades indicadoras de EMV. El Registro de EMV de la CCRVMA se encuentra disponible en: <a href="https://www.ccamlr.org/es/document/data/ccamlr-vme-registry">https://www.ccamlr.org/es/document/data/ccamlr-vme-registry</a></p> <p>The Alpha Crux reported in C2 data for 4 Jan 2024 on haul 29 setting and hauling which intersected with the VME risk area "CCAMLR_VMERiskArea_881" which has a latitude of 72.321 S and 176.272 E. Three C2 VME midpoints were also reported with the VME risk area.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
38	Uruguay	Proa Pioneer	<p><b>CM 22-07, paragraph 9</b>, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>La MC 22-07, párrafo 2 (v), define a 'Zona de Riesgo' a la que tiene un radio de 1 milla náutica a partir del punto medio de la sección de la línea de la cual se recuperaron 10 o más unidades indicadoras de EMV. El Registro de EMV de la CCRVMA se encuentra disponible en: <a href="https://www.ccamlr.org/es/document/data/ccamlr-vme-registry">https://www.ccamlr.org/es/document/data/ccamlr-vme-registry</a></p> <p>The Proa Pioneer reported in C2 data for 21 Dec 2023 on haul 16 setting and hauling a line which intersected with the VME risk area "CCAMLR_VMERiskArea_882_205028" which has a latitude of 74.17 S and 112.7933 W. A C2 VME midpoint was also reported with the VME risk area.</p>



Reference number	Parte	Barco	Implementation summary – Secretariat
			A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments
39	Uruguay	Proa Pioneer	<p><b>CM 22-07, paragraph 9</b>, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>La MC 22-07, párrafo 2 (v), define a 'Zona de Riesgo' a la que tiene un radio de 1 milla náutica a partir del punto medio de la sección de la línea de la cual se recuperaron 10 o más unidades indicadoras de EMV. El Registro de EMV de la CCRVMA se encuentra disponible en: <a href="https://www.ccamlr.org/es/document/data/ccamlr-vme-registry">https://www.ccamlr.org/es/document/data/ccamlr-vme-registry</a></p> <p>The Proa Pioneer reported in C2 data for 22 Dec 2023 on haul 19 setting and hauling a line which intersected with the VME risk area "CCAMLR_VMERiskArea_882_205028" which has a latitude of 74.17 S and 112.7933 W.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
			<b>CM 22-08</b>
40	Russian Federation	Alpha Crux	<p><b>CM 22-08, paragraph 1</b>, prohibits fishing in exploratory fisheries for <i>Dissostichus</i> spp. other than for scientific research purposes in depths shallower than 550 m.</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 10 - " At 09:50 (UTC) on December 17, 2023, a tow was initiated from 491m in SET.4, and subsequently, the depth and tow location were adjusted to reflect a tow from 563m. "</p>
			<b>CM 23-04</b>
41	Russian Federation	Alpha Crux	<p><b>CM 23-04, paragraph 3</b>, requires the total target catch must be reported by species and the total by-catch must be reported by species or to the lowest taxonomic level possible (e.g. species or genus).</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>In Part 10 - " Although 86 sets of deployment and retrieval were recorded, a total of 87 sets were actually carried out. The first deployment occurred on December 11, 2023, at 15:30 (UTC), followed by retrieval starting at 19:15 (UTC) of the same day. However, due to damage to the main line, rendering all lines unable to be retrieved, the set was deleted without reporting the loss. "</p> <p>Section 7.2 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, instructs the procedure for reporting in the C2 data when gear has been lost.</p> <p>The Secretariat was notified as per SISO, Part A, paragraph h, of communications on 29 May 2024 between Russia (the Receiving Member) and Korea (the Designating Member) of discrepancies identified by Russia in the observer report which relate to this compliance issue. The Secretariat has not been notified by either party that they were unable to resolve such issues, as required by SISO, Part A, paragraph h.</p>
42	Russian Federation	Alpha Crux	<p><b>CM 23-04, paragraph 3</b>, requires the total by-catch must be reported by species or to the lowest taxonomic level possible (e.g. species or genus).</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 4 - "CHW gathered at one location at the hauling station and transported to the restaurant for consumption.(Figure 3) The weight and quantity were not recorded. In some sets, intentional exclusion of by-catch was observed. This practice was not discouraged by the Russian captain and crew. "</p> <p>Figure 2 contains a photo of by-catch</p> <p>Figure 3 contains a photo of Chionobathyscus dewitti (Dewitt's icefish) in a tank with the caption "CHW edible"</p> <p>Figure 4 photo caption states "By-catch deliberate dropout "</p> <p>In Part 10 - " The investigation into by-catch species was not properly conducted. Intentionally, without confirming the quantity or weight, by-catch either deliberately stripped off during fishing operations or brought into the processing area was either ground up and discharged or released intact without inspection. When intentionally discarding by-catch species, neither the Russian captain, Russian navigator, nor any Russian crew members intervened. Regarding CHW, it was not sent to the processing area for consumption but was stored on the mid-deck and utilized for consumption without its quantity or weight being measured. It</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>was also noted that the details of the Observed Haul Catch related to by-catch were arbitrarily altered without the knowledge of the "</p> <p>The Secretariat was notified as per SISO, Part A, paragraph h, of communications on 29 May 2024 between Russia (the Receiving Member) and Korea (the Designating Member) of discrepancies identified by Russia in the observer report which relate to this compliance issue. The Secretariat has not been notified by either party that they were unable to resolve such issues, as required by SISO, Part A, paragraph h.</p>
	<b>MC 25-02</b>		
43	Russian Federation	Alpha Crux	<p><b>CM 25-02, paragraph 6</b>, prohibits the dumping of offal and discards while longlines are being set.</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 6 in response to the question "On what percentage of sets did offal discarding take place during setting?" the observer reported "1.15"</p> <p>Figure 15 photo caption states: "On setting the line was disposal offal"</p>
44	New Zealand	Janas	<p><b>CM 25-02, paragraph 8</b>, requires a streamer line to be deployed during longline setting.</p> <p>The SISO observer on the New Zealand-flagged Janas from 14 Nov 2023 to 15 Feb 2024 reported in observer trip report number 2455, the following:</p> <p>"Whilst setting line 108, it was noted that the vessel had backed up into tori line (and the line caught in the propeller) prior to setting. There was no tori line during setting from mag 1 – 5, the crew quickly responded to the incident and assembled another. "</p>
45	Russian Federation	Alpha Crux	<p><b>CM 25-02, paragraph 8</b>, requires a streamer line to be deployed during longline setting.</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>Part 6.1 - " The first set did not deploy streamer lines due to heavy ice conditions. "</p>
46	Francia	Sainte Rose	<p><b>CM 25-02, Annex A, paragraph 3</b>, states that the streamer line shall be a minimum of 150 m in length.</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>The SISO observer on the French-flagged Sainte Rose from 26 Nov 2023 to 7 Mar 2024 reported in observer trip report number 2500, the following:</p> <p>"Streamer line length (m): 120m The streamer achieved a horizontal extent of 60 m, calculated with the number of visible aerial lines. The streamer line is a polypropylene 10mm of 120 meters long. Streamers are PEBD double 6mm from 1 to 8 meters long with 3 meters apart."</p>
47	Russian Federation	Alpha Crux	<p><b>CM 25-02, Annex A, paragraph 3</b>, states that the streamer line shall be a minimum of 150 m in length.</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Figure 11: Configuration of bird scaring lines, the streamer line length (m) is reported as 70.</p>
48	República de Corea	Sunstar	<p><b>CM 25-02, Annex A, paragraph 4</b>, states that the streamers must be branched each comprising of two strands of a minimum of 3 mm diameter.</p> <p>The SISO observer on the Korean-flagged Sunstar from 26 Oct 2023 to 14 Feb 2024 reported in observer trip report number 2506, the following:</p> <p>"The total streamer length deployed by the vessel was 157m, made up of 1.5mm polypropylene line that consisted of 10 single streamers joined at intervals of 4.5m, Figure 16"</p>
	<b>Medida de Conservación 26-01</b>		
49	Chile	Puerto Ballena	<p><b>La MC 26-01, párrafo 8</b>, prohíbe el desecho o la descarga en el mar, al sur de los 60° S.</p> <p>Section 7.3 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, states that any species that is caught and retained on the vessel for discard at a later date shall be reported in the C2 data as "Retained" and any species landed on the vessels and then discarded overboard without processing is to be reported as "Discarded".</p> <p>From 02 Dec 2023 to 03 Feb 2024 the Puerto Ballena reported in their C2 data discarding south of 60°S 4 659 individuals (6 665.92 kg) across 22 different species.</p>
50	Namibia	Helena Ndume	<b>La MC 26-01, párrafo 8</b> , prohíbe el desecho o la descarga en el mar, al sur de los 60° S.

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>Section 7.3 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, states that any species that is caught and retained on the vessel for discard at a later date shall be reported in the C2 data as "Retained" and any species landed on the vessels and then discarded overboard without processing is to be reported as "Discarded".</p> <p>From 13 Dec 2023 to 29 Jan 2024 the Helena Ndume reported in their C2 data discarding south of 60°S 10 108 individuals (5 224.73 kg) across 6 different species.</p>
51	Russian Federation	Alpha Crux	<p><b>La MC 26-01, párrafo 8,</b> prohíbe el desecho o la descarga en el mar, al sur de los 60° S.</p> <p>All fishing effort for the Alpha Crux within the Convention Area occurred south of 60°S in Subarea 88.1</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 1 - " 70% offal and discards was port side setting and hauling to disposal, 30% offal and discards was packed in bags and stored in the freezer or fish hold for disposal on shore "</p> <p>In Part 4 - " 70% offal and discards was crash to disposal for port side setting and hauling The quantity and weight were not recorded. "</p> <p>In Part 6 in response to the question "On what percentage of sets did offal discarding take place during setting?" the observer reported "1.15"</p> <p>In Part 6 in response to the question "On what percentage of sets did offal discarding take place during hauling?" the observer reported "70"</p> <p>In Part 8 - "70% offal and discards was crash to disposal for port side setting and hauling, 30% offal and discards was packed in bags and stored in the freezer or fish hold for disposal on shore."</p> <p>Figure 14 contains a photo taken by the observer of offal disposed on ice</p> <p>Figure 15 photo caption states: "On setting the line was disposal offal"</p>
52	Reino Unido	Argos Georgia	<p><b>La MC 26-01, párrafo 8,</b> prohíbe el desecho o la descarga en el mar, al sur de los 60° S.</p> <p>Section 7.3 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, states that any species that is caught and retained on the vessel for discard at a later date shall be reported in the C2 data as</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>"Retained" and any species landed on the vessels and then discarded overboard without processing is to be reported as "Discarded".</p> <p>From 09 Dec 2023 to 01 Jan 2024 the Argos Georgia reported in their C2 data discarding south of 60°S 3 835 individuals (5 404.94 kg) across 6 different species.</p>
53	Uruguay	Ocean Azul	<p><b>La MC 26-01, párrafo 8</b>, prohíbe el desecho o la descarga en el mar, al sur de los 60° S.</p> <p>Section 7.3 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, states that any species that is caught and retained on the vessel for discard at a later date shall be reported in the C2 data as "Retained" and any species landed on the vessels and then discarded overboard without processing is to be reported as "Discarded".</p> <p>From 11 Dec 2023 to 28 Jan 2024 the Ocean Azul reported in their C2 data discarding south of 60°S 39 220 individuals (33 082.02 kg) across 11 different species.</p>
54	Uruguay	Proa Pioneer	<p><b>La MC 26-01, párrafo 8</b>, prohíbe el desecho o la descarga en el mar, al sur de los 60° S.</p> <p>Section 7.3 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, states that any species that is caught and retained on the vessel for discard at a later date shall be reported in the C2 data as "Retained" and any species landed on the vessels and then discarded overboard without processing is to be reported as "Discarded".</p> <p>From 19 Dec 2023 to 25 Jan 2024 the Proa Pioneer reported in their C2 data discarding south of 60°S 481 individuals (1 763.75 kg) of <i>Dissostichus mawsoni</i>.</p>
<b>CM 31-01</b>			
55	Reino Unido	Argos Georgia	<p>As stated in COMM CIRCs 24/61 and 24/70: CM 31-01 states that for each fishing season the Commission shall establish such limitations or other measures, as necessary, around South Georgia (Subarea 48.3).</p> <p>Argos Georgia was identified fishing for <i>Dissostichus eleginoides</i> in Subarea 48.3 in 2024 which Comm Circs 24/61 and 24/70 allege is contrary to CM 31-01</p> <p>A response from the United Kingdom has been circulated in COMM CIC 24/69</p> <p>Este hecho se consideró en más detalle en la propuesta de Lista de barcos de pesca INDNR (COMM CIRC 24/68).</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
56	Reino Unido	Argos Helena	<p>As stated in COMM CIRCs 24/61 and 24/70: CM 31-01 states that for each fishing season the Commission shall establish such limitations or other measures, as necessary, around South Georgia (Subarea 48.3).</p> <p>Argos Helena was identified fishing for <i>Dissostichus eleginoides</i> in Subarea 48.3 in 2024 which Comm CIRC 24/61 and 24/70 allege is contrary to CM 31-01</p> <p>A response from the United Kingdom has been circulated in COMM CIC 24/69</p> <p>Este hecho se consideró en más detalle en la propuesta de Lista de barcos de pesca INDNR (COMM CIRC 24/68).</p>
57	Reino Unido	Nordic Prince	<p>As stated in COMM CIRCs 24/61 and 24/70: CM 31-01 states that for each fishing season the Commission shall establish such limitations or other measures, as necessary, around South Georgia (Subarea 48.3).</p> <p>Nordic Prince was identified fishing for <i>Dissostichus eleginoides</i> in Subarea 48.3 in 2024 which Comm CIRC 24/61 and 24/70 allege is contrary to CM 31-01</p> <p>A response from the United Kingdom has been circulated in COMM CIC 24/69</p> <p>Este hecho se consideró en más detalle en la propuesta de Lista de barcos de pesca INDNR (COMM CIRC 24/68).</p>
<b>MC 31-02</b>			
58	Noruega	<i>Antarctic Endurance</i>	<p><b>CM 31-02, paragraph 1</b>, states that following notification by the Secretariat of the closure of a fishery, all vessels in the area subject to the closure notice, shall remove their fishing gear from the water by the notified closure date and time.</p> <p><b>CM 31-02, paragraph 4</b>, states that a vessel or vessel shall notify the Secretariat should the vessel appear likely to be unable remove all its fishing gear from the water by the notified closure date and time and the vessel shall make all reasonable efforts to remove all its fishing gear from the water as soon as possible.</p> <p>In COMM CIRC 24/53 the Secretariat notified that the trawl fishery for <i>Euphausia superba</i> in Subarea 48.1 will close at 2359 h UTC on 18/05/2024.</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>Following the closure of the fishery C1 data for the Antarctic Endurance reported 17 unique trawls of two nets from 00:00 19 May 2024 to 10:00 20 May 2024 with a green weight Euphausia superba catch of 2 106 749 kg.</p> <p>Continuous trawl vessels report a "unique trawl" for every two hour period the net is in the water. The net setting and hauling date and time is also reported in the C1 data. The net was set before the closure date and hauled at 10:00 on 20 May 2024.</p> <p>A report on the delayed gear retrieval was provided by Norway in COMM CIRC 24/58</p>
59	Noruega	<i>Antarctic Sea</i>	<p><b>CM 31-02, paragraph 1</b>, states that following notification by the Secretariat of the closure of a fishery, all vessels in the area subject to the closure notice, shall remove their fishing gear from the water by the notified closure date and time.</p> <p><b>CM 31-02, paragraph 4</b>, states that a vessel or vessel shall notify the Secretariat should the vessel appear likely to be unable remove all its fishing gear from the water by the notified closure date and time and the vessel shall make all reasonable efforts to remove all its fishing gear from the water as soon as possible.</p> <p>In COMM CIRC 24/53 the Secretariat notified that the trawl fishery for Euphausia superba in Subarea 48.1 will close at 2359 h UTC on 18/05/2024.</p> <p>Following the closure of the fishery C1 data for the Antarctic Sea reported 9 unique trawls of two nets and 1 trawl of one net from 00:00 19 May 2024 to 19:22 19 May 2024 with a green weight Euphausia superba catch of 1 077 404 kg.</p> <p>Continuous trawl vessels report a "unique trawl" for every two hour period the net is in the water. The net setting and hauling date and time is also reported in the C1 data. The net was set before the closure date and hauled at 19:22 on 19 May 2024.</p> <p>A report on the delayed gear retrieval was provided by Norway in COMM CIRC 24/58</p>
60	Noruega	Saga Sea	<p><b>CM 31-02, paragraph 1</b>, states that following notification by the Secretariat of the closure of a fishery, all vessels in the area subject to the closure notice, shall remove their fishing gear from the water by the notified closure date and time.</p> <p><b>CM 31-02, paragraph 4</b>, states that a vessel or vessel shall notify the Secretariat should the vessel appear likely to be unable remove all its fishing gear from the water by the notified closure date and time and the vessel shall make all reasonable efforts to remove all its fishing gear from the water as soon as possible.</p>



Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>In COMM CIRC 24/53 the Secretariat notified that the trawl fishery for <i>Euphausia superba</i> in Subarea 48.1 will close at 2359 h UTC on 18/05/2024.</p> <p>Following the closure of the fishery C1 data for the Saga Sea reported 16 trawls of two nets and 1 trawl of one net from 00:00 19 May 2024 to 10:00 20 May 2024 with a green weight <i>Euphausia superba</i> catch of 1 143 056 kg.</p> <p>Continuous trawl vessels report a "unique trawl" for every two hour period the net is in the water. The net setting and hauling date and time is also reported in the C1 data. The net was set before the closure date and hauled at 10:00 on 20 May 2024.</p> <p>A report on the delayed gear retrieval was provided by Norway in COMM CIRC 24/58</p>
<b>MC 41-09</b>			
61	Uruguay	Ocean Azul	<p><b>CM 41-09, paragraph 6</b>, If the catch of <i>Macrourus</i> spp. taken by a single vessel in any two 10-day periods in any SSRU exceeds 1 500 kg in each 10-day period and exceeds 16% of the catch of <i>Dissostichus</i> spp. by that vessel in that SSRU, the vessel shall cease fishing in that SSRU for the remainder of the season.</p> <p>Two breaches of the move-on rule were identified for the Ocean Azul in Small Scale Research Unit 88.1 I. The C2 data reported the following:</p> <p>For ten day period starting 21 Dec 2023  <i>Macrourus</i> spp. total: 2 053.60 kg  <i>Dissostichus</i> spp. total: 2 877.97 kg  <i>Macrourus</i> spp. percentage of <i>Dissostichus</i> spp. catch: 71.36%</p> <p>For ten day period starting 01 Jan 2024  <i>Macrourus</i> spp. total: 2 189 kg  <i>Dissostichus</i> spp. total: 5 858.23 kg  <i>Macrourus</i> spp. percentage of <i>Dissostichus</i> spp. catch: 37.37%</p> <p><i>Move-on rule now triggered, vessel should have left SSRU 88.1_I</i></p> <p>For ten day period starting 11 Jan 2024  <i>Macrourus</i> spp. total: 4 245 kg  <i>Dissostichus</i> spp. total: 6 951.92 kg  <i>Macrourus</i> spp. percentage of <i>Dissostichus</i> spp. catch: 61.06%</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>For ten day period starting 21 Jan 2024  Macrourus spp. total: 4 635.50 kg  Dissostichus spp. total: 11 360.59 kg  Macrourus spp. percentage of Dissostichus spp. catch: 40.80%</p>
			<b>Medida de Conservación 91-05</b>
62	Namibia	Helena Ndume	<p><b>CM 91-05, paragraph 24</b>, requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the MPA.</p> <p>A movement notification for the Helena Ndume was provided on 15 Dec 2023 0210 UTC which notified entry into RSR MPA SRZ on 14 Dec 2023 2240 UTC.</p> <p>Diferencia de tiempo: 3 horas 30 minutos después de la entrada.</p>
63	Namibia	Helena Ndume	<p><b>CM 91-05, paragraph 24</b>, requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the MPA.</p> <p>A movement notification for the Helena Ndume was provided on 19 Dec 2023 0141 UTC which notified entry into RSR MPA GPZ(i) on 18 Dec 2023 2143 UTC.</p> <p>Diferencia de tiempo: 3 horas 58 minutos después de la entrada.</p>
64	Russian Federation	Alpha Crux	<p><b>CM 91-05, paragraph 24</b>, requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the MPA.</p> <p>A movement notification for the Alpha Crux was provided on 14 Dec 2023 0517 UTC which notified entry into RSR MPA SRZ on 14 Dec 2023 0137 UTC.</p> <p>Diferencia de tiempo: 3 horas 40 minutos después de la entrada.</p>
65	España	Tronio	<p><b>CM 91-05, paragraph 24</b>, requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the MPA.</p> <p>A movement notification for the Tronio was provided on 26 Dec 2023 1614 UTC notifying entry into RSR MPA SRZ on 26 Dec 2023 0340 UTC.</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>A revision was provided on 26 Dec 2023 1955 UTC notifying entry time as 26 Dec 2023 0447 UTC.</p> <p>Time difference between when the Secretariat was first notified and the final movement time: 11 hours 27 minutes after entry</p>
66	Russian Federation	Alpha Crux	<p><b>Text of the CCAMLR Scheme of International Scientific Observation, Part D, paragraph (b) (i)</b>, states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not offer a scientific observer, either directly or indirectly, any gratuity, gift, favour, loan, or anything of monetary value, except for meals, accommodations or salary when provided by the vessel.</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 10 - " During the investigation period of the vessel, on January 10, 2024, attempts were made to communicate with the Russian captain regarding CCAMLR Conservation Measure 26-01, but it was not properly conveyed. Subsequently, a request was made to the National Institute of Fisheries Science to receive the latest version of Conservation Measure 26-01 via email. However, the email was not delivered to the Korean observer, only confirmed by the Russian captain. A few days later, the navigator suggested twice that they could pretend not to know about the fishing situation on the vessel if a bribe of \$10,000 to \$20,000 was provided. Both offers were naturally declined. "</p>
67	Russian Federation	Alpha Crux	<p><b>Text of the CCAMLR Scheme of International Scientific Observation, Part D, paragraph (b) (ii)</b>, states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not intimidate, or interfere with the duties of a scientific observer.</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 10 - " On January 1, 2024, while Russian crew members were gathering in the wheelhouse and drinking, a physical altercation ensued. During the altercation, verbal abuse and physical violence were exchanged, with the word "OBSERVER" being mentioned twice. Shortly afterward, while the Korean observer was sleeping, a Russian crew member opened the door to their quarters, stepped inside, observed quietly for 1-2 minutes, then left. Upon investigation, it was found that during the altercation, a Russian processor, who was assisting the Korean observer with biological sampling, was stabbed in the abdomen by another Russian crew member. Subsequently, the Russian processor was incapacitated, rendering them unable</p>

Reference number	Parte	Barco	Implementation summary – Secretariat
			<p>to perform their duties. As a result, the Korean observer was left alone to handle TOA processing and biological sampling. Requests for additional personnel from the Russian captain were met with refusal. "</p> <p>The Secretariat was notified as per SISO, Part A, paragraph h, of communications on 29 May 2024 between Russia (the Receiving Member) and Korea (the Designating Member) of discrepancies identified by Russia in the observer report which relate to this compliance issue. The Secretariat has not been notified by either party that they were unable to resolve such issues, as required by SISO, Part A, paragraph h.</p>
68	Russian Federation	Alpha Crux	<p><b>Text of the CCAMLR Scheme of International Scientific Observation, Part D, paragraph (b) (vii)</b>, states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not interfere with or prevent the observer from communicating with the Designating Member, including by preventing the scientific observer from having access to the vessel's communication equipment.</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 10 - " The communication methods onboard the vessel were limited to wired telephone and email, but the email function was not operating properly. While emails sent to the Resource Management Authority were successfully transmitted, emails sent to the National Fisheries Research Institute were inexplicably failing to send for reasons unknown. "</p>

Apéndice II

**Lista propuesta de barcos de pesca INDNR de las Partes no contratantes de 2024/25 (MC 10-07)**

No se recomiendan cambios por parte del SCIC a la lista [Lista de barcos de pesca INDNR-PNC 2023/24](#)

Apéndice III

**Lista propuesta de barcos de pesca INDNR de las Partes contratantes de 2024/25 (MC 10-06)**

No se recomiendan cambios por parte del SCIC a la [Lista de barcos de pesca INDNR-PC 2023/24](#)

Apéndice IV

Sudáfrica hizo la siguiente declaración:

‘The *El Shaddai* is currently listed on the CCAMLR IUU fishing vessel list, following alleged unlawful fishing in the Southern Indian Ocean Fisheries Agreement (SIOFA) area 51 and CCAMLR closed areas.

When these transgressions from 2015 and 2016 came to the attention of the Department in August 2020, the Department conducted a comprehensive investigation in respect thereof. The findings of this investigation we presented to the Director of Public Prosecutions (DPP) for a decision regarding the prosecution of Braxton Security Services as the owner of the vessel.

On 18 April 2023 the DPP advised the Department that it had decided not to prosecute Braxton. On 19 June 2023 the DPP provided his full complete assessment of the evidence and shortcomings of the case. A copy is attached as appendix 1.

In his decision not to prosecute the, DPP advised, amongst others, that the permit conditions attached to the Braxton Patagonian Toothfish permit issued in terms of Section 13 of the Marine Living Resources Act did not clearly define where on the High seas Braxton was permitted to fish. In addition, it was stated that there were no conditions attached to Braxton’s high seas vessel license issued in terms of Section 41 of the Marine Living Resources Act explaining the permissible and impermissible fishing areas.

During October 2023, South Africa attended CCAMLR 42, SCIC and Commission meetings where South Africa representatives provided an overview of the actions undertaken by South Africa in respect of the *El Shaddai*. South Africa formally requested and motivated for the removal of the vessel from the contracting party IUU vessel list as per conservation measure 10-06 paragraph 14 (ii) and (iv).

South Africa’s motivation was based on the actions taken by the country following the decision not to prosecute Braxton due to unclear permit conditions relating to where the vessel was and was not permitted to fish. These actions included:

- inclusion of a comprehensive set of license conditions as part of the high seas fishing licenses.

- a complete review of the Patagonian Toothfish permit conditions clearly stipulating applicable international measures including those under CCAMLR.
- updating the Department 's vessel monitoring system to specifically include RFMO boundaries, so that it could be immediately determined when a vessel might be fishing inside a closed area for example.
- engagement with owners, rights holders and representatives of the *El Shaddai*, clearly explaining the nature of the contraventions and the seriousness of the conduct.
- commitment to the amendment of the Marine Living Resources Act.

At SCIC meetings last year some member countries indicated that the delisting of the *El Shaddai* would be more appropriately considered under conservation measure 10-06 paragraph 14 (iv) and not conservation measure 10-06 paragraph 14 (ii) as it was believed by members that South Africa had not taken effective action in response to the IUU activities, as no prosecution had occurred, and no sanctions were imposed. Concerns were also raised, amongst others, as to whether the measures which South Africa has taken was sufficient to ensure the vessel would not again engage in IUU fishing and that the High Seas license and fishing permit conditions submitted by South Africa remained unclear, including their application to the CCAMLR area. It was subsequently noted that there was an insufficient basis to remove the vessel from the contracting party IUU vessel list.

Consensus was not reached to remove the *El Shaddai* from the contracting party IUU vessel list at the CCAMLR 42.

Despite this the SCIC members encouraged South Africa to continue to explore avenues by which enforcement action could be pursued, including administrative and civil action against the vessel owner and invited South Africa to report back to this SCIC on further changes affected to the conditions of the high seas licenses and fishing permits and on amendments to the relevant legislation to demonstrate that the requirements of CM 10-06 (ii) and (iv) now have been met.

On return from the CCAMLR 42 engagements, South Africa extensively explored all avenues by which action could be pursued and accordingly hereby wish to inform CCMLR and the contracting party members countries of such actions taken.

Amendments were made to the conditions of the high seas vessel license in line with input received from members. These conditions, amongst others, made it clear where fishing can take place, where it cannot take place and where additional authorizations are required before such fishing can take place. A copy of these updated license conditions is attached as appendix 2 and members are referred specifically to condition 2 which deals with fishing areas.

Conditions attached to Patagonian Toothfish permits were likewise revised and enhanced. These permit conditions now specifically state that permit holders may not fish in any area which is subject to a RFMO / international agreement or treaty, which is located outside of the Prince Edward islands EEZ, (without following the relevant notification and other rules and measures of that body), even if part of that area is located within the PEI-EEZ - in this instance the permit holder may only fish in that part of the area subject to an R FM O/ international agreement/ treaty, which is located within the Prince Edward Island EEZ. Links to available map services have also been incorporated. As with the license conditions, feedback received from members of CCAMLR was considered in updating these permit conditions and the conditions were vetted through our Legal Department. A copy of these updated conditions is attached as appendix 3 and members are referred specifically to condition 3 which deals with fishing areas. Comm 24-96

The Department monitors the movement of vessels via VMS and on an electronic system, the Oceans And Coast Information Management System (OCIMS) to specifically include RF MO boundaries, including those previously excluded like SIOFA FAO 51 so that vessels in these areas can be monitored by officials from the operations room.

These officials were also briefed and tasked to prioritize the monitoring of South African vessels operating within the CCAMLR area of competence as well as other RFMO's. The importance of closely monitoring and reporting the movement of these vessels whilst in these areas has been strongly emphasized and reinforced.

South Africa has also visited the Norwegian Government Trade Fisheries Department during April 2024 and is currently cooperating to improve marine domain awareness to detect, address, deter and prevent IUU fishing and related activities.

The Department has, over the years engaged extensively with the owners and representatives of the *El Shaddai*.



As members are aware the criminal prosecution avenue was unsuccessfully exhausted. Another option available to South Africa would be to commence an administrative process to cancel or suspend Braxton's Patagonian Fishing right, meaning that Braxton could only fish for other right holders on the *El Shaddai* if the vessel is delisted, but not for itself. The administrative process was considered but not pursued as South Africa was of the view that similar arguments relating to the interpretation and clarity of permit conditions would be raised. These administrative processes would therefore have been subject to the same constraints and vulnerabilities as a criminal case.

However, since the IUU listing of the vessel, the Department has not issued Braxton with a fishing permit to fish and as such this has in effect meant that Braxton's right has been suspended for some three years since its listing in 2021, which is one of the likely sanctions which would have been imposed had the administrative process been finalized as described above. In addition, Braxton was unable to fish on behalf of the four Right Holders for which they previously fished. These consequences of the IUU vessel listing caused Braxton to suffer financial harm over an extended period of time.

With this in mind the Department requested Braxton to provide financial statements to explain their estimated financial losses caused by the IUU vessel listing. Braxton was specifically requested to provide financial statements for the period of the CCAML and SIOFA infringements accompanied by a signed affidavit explaining its financial statements and projected losses. This affidavit is also required to explain and consider profits from the sale of the Patagonian Toothfish sold during the specific CCAML and SIOFA infringement. This was forwarded to parties in COMM CIRC 24-101.

The Department has embarked on a process to amend the Marine Living Resources Act which is the primary legislation in South Africa which governs fishing. In this regard, the Department has been cooperating and engaging with international partners including the Food and Agricultural Organization (FAO).

Although this process has commenced, it is a lengthy process requiring Parliamentary approval and it is therefore unlikely to be finalized soon. However, in this process, members' comments made during CCAML 43 will be considered and appropriate references to relevant RFMOs and international laws will be included.

It should be noted that Section 42 of the act currently deals with the implementation of international conservation and management measures and subsection 4 thereof states that the minister may from time to time publish by notice in The Gazette particulars of

any international conservation and management measures or international agreement concerning marine living resources. In addition Section 58 (2)(a) of the MLRA makes it an offence to contravene any international conservation or management measures. As such there are currently express references in the MLRA to international agreements. However, these provisions will, as indicated above, be further clarified with specific reference to RFMO's and where appropriate CCAMLR itself.

South Africa is of the view that the shortcomings identified by the DPP as set out above have been addressed as have concerns previously raised by members. The conditions now clearly specify where fishing is and is not permitted and Braxton has been repeatedly advised of the nature of the non-compliance and seriousness of the contraventions, including correct interpretation of the relevant RFMOs, which makes future transgression unlikely to take place. However, should there be a contravention of a conservation measure going forward, South Africa is of the view that the interpretational challenges faced by the DPP in the Braxton matter will not arise during prosecution and any other processes which may be instituted.

In addition, although Braxton was not criminally prosecuted and its Patagonian Toothfish right was not cancelled, its fishing right has effectively been suspended since the IUU listing, rendering Braxton unable to fish for itself or any other right holder, resulting in significant financial losses which ought to act as a strong deterrent to any repeated contravention.

In the light of above, South Africa hereby request CCAMLR to consider the removal of the *El Shaddai* from each IUU vessel list in terms of CM 10-06 (14)(iv).

We trust that you will find the above in order should you have any further inquiries please do not hesitate to contact us.'

Sudáfrica hizo la siguiente declaración:

‘As members are aware, the *El Shaddai* was listed on the CCAMLR IUU Vessel List three years ago in 2021. At the SCIC meeting last year South Africa requested that the vessel be removed from the IUU Vessel List and explained what action it had taken both in respect of effective action and to guard against any future IUU fishing by a South African flagged vessel.

Australia then noted that the request should be in terms of paragraph 14(ii) of CM 10-06 and not 14(iv) as it was said that South Africa had not taken effective action because the prosecuting authority declined to prosecute. It was noted that under paragraph 14(ii) some actions were ongoing (such as amendments to licence and permit conditions) and it was therefore decided by SCIC that there was an insufficient basis to remove the vessel from the IUU list at that time.

Members requested South Africa do further work on the conditions and to report back on further actions taken including changes to licence and permit conditions and any civil or administrative action taken.

On 14 December 2023, South Africa responded by email to questions posed by members of SCIC around the licence and permit conditions. Correspondence in this regard was sent to Australia, the EU, Korea and the United States. South Africa advised that it had incorporated certain of the suggested amendments to the conditions and provided a response to each query. No response or follow up questions were received.

Following the lack of consensus at last year’s SCIC, COMM CIRC 24/96 was circulated to all members of the Commission on 18 September 2024 which detailed an exhaustive list of measures that South Africa had taken to date to guard against any future listing of a South African flagged vessel as well as advised why the administrative enforcement process was not formally followed.

South Africa had hoped that by circulating the extensive document to members 30 days prior to SCIC, any concerns which members had could be addressed upfront and prior to the meeting. Unfortunately, no comments on the COMM CIRC were received by South Africa.

However, during this SCIC meeting on 15 October 2024, three questions were posed to South Africa which South Africa promptly responded to. The first question related to what the fines are for these types of offences if there is a successful prosecution, the second again related to why South Africa did not take administrative or civil action (which had already been answered in the Coms Circ) and the third was why there is still no explicit reference to SIOFA in the High Seas Vessel Licence conditions. All of these questions have been answered and an amended set of conditions provided to the EU which explicitly prohibits fishing in SIOFA areas.

After the meeting, the EU submitted extensive comments on the High Seas Licence Conditions and Patagonian Toothfish Permit Conditions most of which were unrelated to the specific transgression which led to the listing of *El Shaddai*.

South Africa has done its best to respond to the EU's extensive comments on permit and licence conditions in a very short space of time (less than 24 hours) and in the interests of good faith South Africa has also made, and agreed to make, certain further amendments to the Licence and Permit conditions.

This commitment and willingness by South Africa to further cooperate with the EU must be understood in light of the fact that amending permit conditions is not a quick exercise and it takes time to ensure that any proposed amendments do not result in unintended consequences having regard to SA's broader legal framework. Despite this, it is South Africa's view, the conditions as they stand are more than sufficient to demonstrate compliance with paragraph 14(iv) of CM 10.06 and have incorporated comments made by members at last year's SCIC.

Against this background, South Africa believes that it has cooperated extensively with members and is grateful for the guidance provided by members throughout this process. At this point South Africa is of the view that it has addressed the concerns raised by SCIC last year and done everything possible to guard against any future transgression and to ensure that if such transgression transpires appropriate punishment will follow.

In addition, South Africa has committed to amending its legislative framework to further clarify and broaden the framework with respect to internal agreements and measures during the current amendment process underway in conjunction with the FAO.

At this time it is South Africa's position that further amendments to the permit and licence conditions as proposed at this late stage by the EU ought not to be determinant

on whether the delisting is supported or not. Conditions can always be improved and this is why South Africa updates all its conditions annually (it will be updated prior to next season starting 1 Dec – and which will consider the EU input received during this SCIC). South Africa believes that the conditions are now robust but despite this has committed to working with the EU to improve them where necessary.

Although South Africa has requested the removal of the vessel under paragraph 14(iv) and not 14(ii) of CM10-06, the EU again raised the issue of South Africa not cancelling Braxton's right under section 28 of the Marine Living Resources Act for non-compliance with a provision of that Act.

As members are aware, South Africa extensively explored all avenues by which action could be pursued as was described in comm circ 24\_96. The criminal prosecution avenue was unsuccessfully exhausted, as per the Director of Public Prosecutions (DPP) detailed reasons provided in the comm circ 24\_96.

As indicated, another option available to South Africa would have been to commence an administrative process to cancel or suspend Braxton's Patagonian Fishing right (Under sec 28 of the MLRA), meaning that Braxton could only fish for other right holders on the *El Shaddai* if the vessel is delisted, but not for itself. The administrative process was considered but not perused as South Africa was of the view that similar arguments relating to the interpretation and clarity of permit conditions would be raised. These administrative processes would therefore have been subject to the same constraints and vulnerabilities as a criminal case. The EU disagrees and says that South Africa might be successful in the section 28 process to cancel the right if reliance instead of being placed on permit conditions, is placed on section 58(2) of the Marine Living Resources Act.

Section 58(2) is the offence provision and provides that Section 58. (2) Any person who contravenes—

(a) a provision of an international conservation and management measure inside or outside South African waters, or otherwise fails to comply with any provision of Part 7 of Chapter 3, by means of a vessel registered in the Republic; or

(b) the conditions imposed in a high seas fishing permit or high seas fishing vessel licence, shall be guilty of an offence and liable on conviction to a fine not exceeding three million rand.

shall be guilty of an offence and liable on conviction to a fine not exceeding three million rand.

It should be noted in that section 58(2) was heavily relied on in the criminal process and was included as a standalone charge in the criminal case. Nothing prevented the prosecutor from proceeding based on this discreet offence and excluding the offences relating to non-compliance with permit conditions. He however declined to do so as in his view the permit conditions were unclear and had a bearing on Braxton's guilt. The Department raised the legal maximum that ignorance of the law was no excuse, yet this was not accepted because of the view which he took on the permit conditions. It is therefore South Africa's view, particularly in light of the prosecutor's decision, that the same arguments will be raised in any administrative proceedings and that any decision to cancel the right in terms of section 28 would be susceptible to a successful challenge if taken on review to the high court who would likely share the sentiments of the prosecutor as that document would form part of the record. This court process would take an estimated 3 years to conclude.

In addition, there was a sanction in the sense that Braxton was not issued permits to exercise its right for a three-year period which resulted in losses to the company. The Department could have issued such permits, nothing in law prevented this even while the criminal case was ongoing, and Braxton could have exercised its right on another vessel, but this did not happen. The right was effectively suspended.

However, as mentioned South Africa has not requested the removal of the vessel from the IUU list in terms of paragraph 14(ii) but rather 14(iv) as was suggested at last year's SCIC. The impression created at that SCIC was that removal could be requested under either paragraph and indeed that is how we understand paragraph 14.

In light of this, South Africa again formally requests the delisting of the *El Shaddai* with the support of all members.'