

**COMMISSION FOR THE CONSERVATION OF
ANTARCTIC MARINE LIVING RESOURCES**

**REPORT OF THE FORTY-FIRST MEETING
OF THE COMMISSION**

HOBART, AUSTRALIA
24 OCTOBER – 4 NOVEMBER 2022

CCAMLR
181 Macquarie Street
Hobart 7000
Tasmania AUSTRALIA

Telephone: 61 3 6210 1111
Facsimile: 61 3 6224 8744
Email: ccamlr@ccamlr.org
Website: www.ccamlr.org

Chair of the Commission
November 2022

Abstract

This document is the adopted record of the Forty-first Meeting of the Commission for the Conservation of Antarctic Marine Living Resources held in Hobart, Australia, from 24 October to 4 November 2022. Major topics discussed at this meeting included: compliance with conservation measures in force and illegal, unreported and unregulated fishing in the Convention Area; the Report of the Forty-first meeting of CCAMLR's Scientific Committee; research proposals, the management of toothfish, icefish and krill fisheries and the impact of fishing activities on non-target species; spatial management; climate change; budget and administrative matters; and cooperation with other international organisations, including within the Antarctic Treaty System.

Contents

	Page
Opening of the meeting	1
Organisation of the meeting	9
Adoption of agenda	9
Status of the Convention	9
Chair's report	11
Report from SCAR	11
Implementation of Convention objectives	12
Objectives of the Convention	12
Second Performance Review (PR2)	16
Management of marine resources	18
Advice from the Scientific Committee	18
Rules for Access and Use of CCAMLR Data	18
Krill resources	19
Fish resources	21
Icefish	21
Toothfish (<i>Dissostichus</i> spp.)	21
Scientific research under Conservation Measure 24-01	27
Non-target species	28
Fish and invertebrates	28
Seabirds and marine mammals	28
Bottom fishing and vulnerable marine ecosystems	29
Marine debris	30
Spatial management	30
Proposals for marine protected areas (MPAs)	31
Review of existing MPAs	39
General issues related to spatial management	41
Impacts of climate change on the conservation of Antarctic marine living resources	43
Implementation and compliance	50
Advice from SCIC	50
CDS Fund expenditure	50
Implementation of the CDS	50
Vessel inspections implementation	51
Vessel monitoring system (VMS)	51
Transshipment	51
NCP Engagement Strategy	51
Proposals for new and revised conservation measures	51
CCAMLR Compliance Evaluation Procedure (CCEP)	53
Illegal, unreported and unregulated (IUU) fishing in the Convention Area	57
Fishery notifications	58

CCAMLR Scheme of International Scientific Observation	59
Conservation measures	59
Implementation and Compliance	60
General fishery matters	61
Fishery regulations	61
Exploratory fisheries	62
Toothfish catch limits	62
Icelandic catch limits	63
Krill fisheries	64
Other fishery matters	64
Administration and Finance	64
Advice from SCAF	64
Review of the 2022 budget, the 2023 budget and forecast budget for 2024	65
Administration matters	65
Other business	66
Cooperation with the Antarctic Treaty System and international organisations ...	66
Cooperation with the Antarctic Treaty System	66
Cooperation with international organisations	67
Reports of observers from international organisations	67
Reports from CCAMLR representatives at meetings of international organisations in the previous intersessional period and nominations of representatives to forthcoming meetings of relevant international organisations	69
Cooperation with regional fisheries management organisations (RFMOs)	70
Administrative matters	70
Election of officers	70
Invitation of observers	71
Next meeting	72
Other business	73
Report of the Forty-first Meeting of the Commission	77
Close of the meeting	77
Table	79
Annex 1: List of Registered Participants	81
Annex 2: List of Documents	111
Annex 3: Opening address by the Governor of Tasmania, Her Excellency the Honourable Barbara Baker AC	121
Annex 4: Agenda	125
Annex 5: Summary of activities of the Commission during the 2021/22 intersessional period – Report of the Chair	129

Annex 6:	Proposal for an extraordinary meeting of the Commission on Spatial Planning and Marine Protected Areas.....	135
Annex 7:	Report of the Standing Committee on Implementation and Compliance (SCIC).....	145
Annex 8:	Report of the Standing Committee on Administration and Finance (SCAF).....	243

**Report of the Forty-first
Meeting of the Commission**
(Hobart, Australia, 24 October to 4 November 2022)

Opening of the meeting

1.1 The Forty-first Annual Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR-41) met at its Headquarters in Hobart, Australia, from 24 October to 4 November 2022. It was chaired by Dr J. Granit (Sweden).

1.2 The following Members of the Commission were represented: Argentina, Australia, Belgium, Chile, People's Republic of China (China), Ecuador, European Union (EU), France, Germany, India, Italy, Japan, Republic of Korea (Korea), the Kingdom of the Netherlands (Netherlands), New Zealand, Norway, Russian Federation (Russia), South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland (UK), United States of America (USA) and Uruguay. Namibia did not attend the meeting. Brazil and Poland were not present in person at the meeting but connected to the online streaming of the proceedings.

1.3 The following Contracting Parties were represented as Observers in person or online: Canada, Finland, Mauritius, Panama and Peru.

1.4 The following non-Contracting Parties (NCPs) were represented as Observers: Luxembourg and Singapore.

1.5 The following Observers were represented in person or online: the Agreement on the Conservation of Albatrosses and Petrels (ACAP), the Association of Responsible Krill harvesting companies (ARK), the Antarctic and Southern Ocean Coalition (ASOC), the Antarctic Treaty Secretariat, the Coalition of Legal Toothfish Operators (COLTO), the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the International Union for Conservation of Nature and Natural Resources – the World Conservation Union (IUCN), Oceanites Inc., the Scientific Committee on Antarctic Research (SCAR), the Southern Indian Ocean Fisheries Agreement (SIOFA), the South Pacific Regional Fisheries Management Organisation (SPRFMO) and the Western and Central Pacific Fisheries Commission (WCPFC).

1.6 The List of Participants is given in Annex 1. The List of Documents presented to the meeting is given in Annex 2.

1.7 The Chair acknowledged that the meeting was held on the traditional lands of the Muwinina people, welcomed all participants to the meeting and introduced Her Excellency, the Honourable Barbara Baker AC, the Governor of Tasmania, who delivered the opening address (Annex 3).

1.8 On behalf of the meeting, Mr F. Lopez Crozet (Vice-Chair, Argentina) thanked the Governor for her welcome.

1.9 A number of statements were made by Members.

1.10 The USA made the following statement:

‘I am here to talk about what CCAMLR can do to advance conservation efforts in the Antarctic.

But I must first condemn the unprovoked war one Member has waged against another Member of this organisation. Russia’s unprovoked war on Ukraine is a direct affront against the basic principles embodied in international law, including the United Nations Charter, and the principles of sovereignty and territorial integrity that underpin global security and stability.

The US delegation cannot ignore the threat to the rules-based international order that Russia’s brutal war of aggression against Ukraine presents.

In addition, we specifically condemn the heavy damage the National Antarctic Scientific Center of Ukraine in Kyiv has sustained due to ongoing war.

As Secretary Blinken said recently, “Moscow can knock out the lights across Ukraine, but it cannot, it will not, extinguish the Ukrainian spirit. President Putin thought he could divide the transatlantic alliance. Instead, he’s brought us even closer together.”

Russia must withdraw its troops from Ukraine and immediately cease its aggression against Ukraine, a sovereign and independent state defending its internationally recognised borders.’

1.11 Ukraine made the following statement:

‘Hopefully, this CCAMLR meeting will allow us to do together the important steps to achieve significant progress on all the actual challenges in the context of the Convention’s Article II.

However, we should like to inform all attendees, that, unfortunately, this CCAMLR meeting is starting in a situation of continuing unprovoked aggression of the Russian Federation against Ukraine.

So, that is a reality that the one CCAMLR Member country has initiated a war against another CCAMLR nation to achieve its political goals, in particular to obtain new territories. They consider this as a suitable way to achieve it by destroying Ukrainian economy and killing Ukrainian people.

Nearly 20% of Ukraine’s territory remain occupied by Russia. In the recently occupied areas, Russia reproduces the same patterns it has been using in Crimea and parts of Donbas since 2014; it appoints occupation administration, imposes Russian passports, and recruits Ukrainian men into the Russian armed forces.

Last week Russia was attacking Ukrainian critical civilian infrastructure, in particular energy infrastructure, using missiles and kamikaze drones. Currently nearly 40% of Ukraine’s energy facilities were damaged or destroyed. That is a way by which Russia is hoping to leave Ukrainian citizens without energy, heating and water.

We consider all this absolutely unacceptable and as a crime against humanity. Silent consent to Russia to continue their war against Ukraine is something what is breaking our World, our civilisation, not only that of Ukraine.

This terror should be finished as soon as possible. We are urging every CCAMLR party to do their maximum efforts to stop this war.’

1.12 The UK confirmed its solidarity with Ukraine and condemned in the strongest possible terms the illegal war of Russia on Ukraine. The UK demanded that Russia immediately cease this illegal war and respect Ukraine’s independence and sovereignty. The UK expressed delight at seeing Ukraine at the meeting and encouraged all Members to engage fully in the meeting and the commitments under the Convention.

1.13 The EU and its Member States made the following statement:

‘The EU and its Member States wish to express their full solidarity with Ukraine and the Ukrainian people. We condemn in the strongest possible terms Russia’s unprovoked and unjustified act of aggression against Ukraine, which grossly violates international law and the UN Charter, and undermines international security and stability.

The EU and its Member States demand that Russia immediately cease its military actions, withdraw all its troops from the entire territory of Ukraine and fully respect Ukraine’s territorial integrity, sovereignty and independence within its internationally recognised borders and abide by UN General Assembly resolution titled “Aggression against Ukraine” supported by 141 states at the 11th emergency special session.

We resolutely support Ukraine’s inherent right of self-defence and the Ukrainian armed forces’ efforts to defend Ukraine’s territorial integrity and population in accordance with Article 51 of the UN Charter. At all times Russia must respect its obligations under international law, including international humanitarian and human rights law, including with respect to the protection of civilians, women and children. Russia also needs to stop its disinformation campaign and cyber attacks.’

1.14 Australia made the following statement:

‘Australia condemns Russia’s unilateral, illegal and immoral aggression against the people of Ukraine.

The invasion is a gross violation of international law, including the Charter of the United Nations, and it is unacceptable that one CCAMLR Member has invaded another.

Russia’s missile strikes target civilians in Ukraine, including in Kyiv. We note also the damage to the National Antarctic Scientific Center of Ukraine. President Putin’s continued threats of escalation are reprehensible.

Australia strongly supports Ukraine’s sovereignty and territorial integrity and we thank Ukraine for their background paper detailing the challenges faced by its national Antarctic program in the context of the current invasion by Russia, which we will discuss under Agenda Item 3. We respect Ukraine’s efforts to make a full contribution to the Antarctic Treaty System.

Australia calls on Russia to immediately withdraw its forces from Ukrainian territory, required by the legally binding decision of the International Court of Justice on 16 March 2022.’

1.15 New Zealand affirmed its support of the statements made previously and condemned Russia’s invasion of Ukraine. New Zealand emphasised its solidarity with Ukraine, welcomed the incoming Chair, and looked forward to progressing the important and urgent work of the Commission and delivering on the objective of the Convention at this meeting.

1.16 Norway aligned itself with the previous speakers and strongly condemned the war in Ukraine.

1.17 Italy made the following statement:

‘Italy strongly supports the declarations of the USA, UK, the EU, Australia, New Zealand and Norway, and it also wishes to express its full solidarity with Ukraine and the Ukrainian people.’

1.18 Japan made the following statement:

‘Japan echoes the positions expressed by my previous speakers in support of Ukraine. Japan’s position on the aggression against Ukraine has been expressed and explained at many international meetings and stays the same. Japan urges Russia to withdraw from Ukraine immediately.’

1.19 Russia made the following statement:

‘First of all, I would like to note that the Convention on the Conservation of Antarctic Marine Living Resources is the fundamental document for the activities of the CCAMLR Commission.

In accordance with Article II of the Convention, its purpose is to conserve Antarctic marine living resources.

According to Article IX of the Convention, the function of the Commission is to implement the purposes and principles set out in Article II of the Convention. These features are clearly limited.

Nevertheless, anti-Russian rhetoric was voiced in CCAMLR today by individual countries. Politicisation undermines the foundations of CCAMLR’s activities, diverting from the achievement of the goals of the Convention.

We remind you that the Commission is called upon to focus on the conservation of marine living resources and the management of their fisheries.

Separately, we draw attention to the fact that the content of the Ukrainian document does not comply with the mandate of CCAMLR and the Scientific Committee in particular does not address issues of conservation of Antarctic marine living resources and the principles of the Convention.

We have already encountered similar stuffing, the sole purpose of which is to whip up anti-Russian rhetoric, at another Antarctic forum. The implications of this discussion are well known. We would like to avoid repeating this scenario in CCAMLR.

The Russian Delegation is against the politicisation of CCAMLR's work. Bringing political issues into CCAMLR's activities is a dangerous precedent that can permanently undermine the foundations of future activities and cause irreparable damage to the organisation's international reputation.

Once again, we urge the parties to return to depoliticised discussions within the mandate of this unique platform. We proceed from the fact that issues that are not within the competence of CCAMLR cannot be included in its report.'

1.20 The Chair noted that, in his opinion, a number of Members left the meeting room during the reading of Russia's statement.

1.21 The Chair invited Members to make a second round of statements.

1.22 The USA made the following opening statement:

'I'm glad to be here as a demonstration of the USA's unwavering commitment to conserving and protecting the Antarctic – an increasingly fragile and precious part of our planet.

And this is a pivotal moment for both Antarctica and for the world – climate change is changing this region faster than any of us thought possible. Which is why the actions we take at this meeting in Hobart and in future global meetings over the next six months will shape the future health of the planet – and all its inhabitants – for generations.

It is important to meet in person – for the first time in three years – to re-invigorate the collaborative spirit that has characterised CCAMLR and the Antarctic Treaty system. But that cooperation is crumbling and so I urge that we come together now and reach consensus on the key issues, such as the creation of a system of marine protected areas, that have been languishing for far too long.

The cooperation and open collaboration that is required by CCAMLR had been its strength. But frankly it is now holding back progress. Countries that have prioritised their individual needs have weakened our ability to meet the shared conservation objectives on which this body was founded.

For example, CCAMLR has adopted some of the most comprehensive fishery management measures for the toothfish fishery, setting a global standard and nearly eliminating IUU fishing in the area.

Which is why it was extremely disappointing that CCAMLR was not able to reach consensus last year on catch limits for toothfish in Subarea 48.3. CCAMLR has always managed this fishery based on precaution and sound science. This fishery is now a source of division among like-minded nations due to a Russian "conservation" objection that is not supported by this body's Scientific Committee.

We urge Members to work together at this session to resolve this situation so that CCAMLR remains able to meet its conservation objectives while allowing limited, well-managed fishing for high-value species.

We must recommit to the “Hobart Spirit” of cooperation and consensus and find ways to come together as we have for more than 40 years.

And in the face of climate change, we must renew this ethos of international cooperation here in Antarctica more than ever. This past summer, NASA released a study showing that Antarctica is shedding icebergs faster than the ice can be replaced – doubling previous estimates of ice loss from 6 trillion metric tonnes to 12 trillion metric tonnes.

To echo NASA scientist Chad Greene, Antarctica truly is “crumbling at its edges.” And these “edges” have a real effect on the rate of global sea-level rise. If emissions continue at their current pace, the Antarctic ice sheet will have crossed a critical threshold by about 2060, committing the world to a sea-level rise that is not reversible on human timescales.

In the face of this new data, we need to act to protect Antarctica to conserve its biodiversity and do our best to mitigate the effects of climate change on the Antarctic ecosystem.

We have a clear path forward.

CCAMLR should now – at this meeting – establish a representative system of marine protected areas in the Southern Ocean.

We have less than a decade to conserve or protect at least 30 percent of the global ocean, and MPAs in the Southern Ocean are a critical piece of that goal. A series of MPAs will help create a nature-positive world and support ecosystems, migratory pathways, and endemic ocean species. CCAMLR’s decision in 2016 to establish the Ross Seas region marine protected area proves this institution has the wherewithal to implement this type of meaningful, positive change.

And for those with questions, I would point to our Members reporting on research activity that demonstrates the resounding success of the Ross Sea region MPA. This research includes more than 460 projects by 20 CCAMLR Members, 2 Acceding States, and 7 Cooperating Parties, related to 11 MPA objectives. This is what a collective effort can achieve.

So, I want to urge any nations with objections to drop them before it is too late to save what we can of this precious place – and its penguins, whales and seabirds. The proposed MPAs are essential to delivering on our treaty objective to conserve Antarctic marine living resources and to furthering our understanding of climate change impacts in the Southern Ocean.

If we cannot come to agreement now, then the USA will provide a voluntary contribution of US\$75 000 to help offset the cost of hosting a special meeting on MPAs early next year.

This is also the time to modernise the management of the krill fishery. CCAMLR has already set precautionary catch limits for krill. There are clear steps such as requiring port inspections for 100 percent of vessels carrying krill or krill products. Krill fishing effort could also be updated as well as the dispersion of fishing to ensure that it is not too highly concentrated.

As I mentioned, we are entering a critically important stretch of international engagement on climate change, biodiversity, the ocean, plastic pollution and more.

The actions we take here at CCAMLR can build on the momentum we have seen so far this year, and drive action at COP27, CITES, the launch of the plastic pollution agreement, CBD COP15, the completion of BBNJ negotiations, and the 8th Our Ocean conference in Panama, to name just a few!

It's time to move from ambition to action.

Let's make Hobart 2022 an historic moment for the conservation of the Antarctic living marine resources.'

1.23 The EU and its Member States made the following opening statement:

'The EU and its Member States are very pleased to be back in Hobart. We would like to thank the Australian government for hosting CCAMLR and the Secretariat for their excellent work in organising this annual meeting.

It is a relief that after two virtual meetings due to the COVID pandemic, we can finally meet in person again. It offers a real opportunity for progress.

We return to Hobart with a renewed sense of purpose and urgency.

Urgency because the challenges we face are considerable. The dual global crises of climate change and biodiversity loss have created unprecedented challenges, nowhere more so than in Antarctica. Climate change is already having profound and potentially irreversible impacts on the Southern Ocean.

But while the situation is certainly very serious, there is also hope. Marine protected areas can help conserve marine biodiversity, maintain ecosystems and build ocean resilience against climate change.

We are still far from achieving CCAMLR's objective to create a representative system of marine protected areas in the Convention Area, despite the fact that proposals to establish marine protected areas in East Antarctica and the Weddell Sea have been on the table for many years. This year marks the 10th anniversary of the first submission of the East Antarctica marine protected area proposal.

Considering what is at stake, this is deeply worrying.

Biodiversity loss and the climate emergency are outpacing us, going faster than we had ever anticipated. There is therefore no room for complacency or time to lose. We therefore urge all Members to support the adoption of the proposed marine protected areas and to work towards establishing a representative system of such areas.

We should also step up efforts to fully integrate climate change considerations into CCAMLR's work. We call on all Members to support the adoption of the updated CCAMLR resolution on climate change. We look forward to the SCAR lecture which will contribute to our understanding of how climate change is affecting Antarctica.

Another area where further progress is essential is to ensure that CCAMLR's fisheries monitoring, control and surveillance framework keeps pace with new developments.

We are convinced that CCAMLR can only address these challenges effectively by working together in a spirit of openness and compromise.

We therefore appeal to CCAMLR Members to engage in genuine dialogue and to make constructive efforts to progress the important work of CCAMLR.'

1.24 Argentina highlighted that the main objective of CCAMLR is conservation, and that to achieve this objective there are several tools such as the establishment of marine protected areas (MPAs). Argentina expressed that it has supported, and continues to do so, the MPA proposals, and jointly with Chile has presented the MPA proposal in Domain 1, which meets the requirements to be approved.

1.25 Argentina added that other essential tools to fulfill the objective of the Convention are the conservation measures. In that sense, it stated that the fact that there is a special circumstance with respect to Subarea 48.3 does not in any way enable any Member to take measures outside of, and against, the Convention. Argentina regretted that there was a serious breach of Conservation Measure (CM) 31-01 in said subarea during the 2021/22 season and urged all Parties to comply with the conservation measures. Finally, it expressed its hope that this irregular situation would not constitute a precedent for CCAMLR.

1.26 The UK endorsed the comments previously made by the USA, the EU and Argentina in respect of the importance of conservation with regard to the impact of climate change and emphasised the importance of effective conservation measures that accurately reflect CCAMLR's understanding of climate change and its impact on Antarctica. The UK stated that it regards the actions of Russia as preventing the best science being utilised in Subarea 48.3. The UK stated that it has set out its position in this regard in circulars COMM CIRCs 22/31, 22/51, 22/69 and 22/99 and re-endorsed that position.

1.27 Russia made the following statement:

'Russia, acting in a spirit of cooperation, actively participates in the implementation of the basic objectives of CCAMLR, aimed, among other things, at the development of scientifically based measures for the management of Antarctic marine living resources. In this regard, confirming their commitment to the implementation of the CCAMLR Convention we consider it of principal importance that the management of Antarctic marine living resources be based on a balance between conservation and rational use.

In this context, we believe it is important to note that marine protected areas can be considered as one of the management tools, but not the main one in relation to the conservation of marine living resources. At the same time, climate change issues are global in nature and should be considered comprehensively, and not in isolation for individual regions.

With regard to the management of the toothfish fishery in Subarea 48.3, the Russian side has repeatedly pointed out that the longline fishery for toothfish in Subarea 48.3 is based on fish of the recruitment group and under the influence of the fishery there are critical changes that do not allow talking about the rational use of this living resource. Over the past five years, Russia has presented a number of documents at CCAMLR meetings reflecting its position on the management of toothfish resources in Subarea 48.3.

In the absence of CCAMLR conservation measures, the toothfish fishery ceased on Subarea 48.3. The Russian side sees no reason to take unilateral measures to manage the toothfish fishery in Subarea 48.3, bypassing CCAMLR, which, among other things, was reflected in its circulars addressed to the CCAMLR Secretariat. In this regard, we express our regret that such a unilateral decision is based on economic interests, and not science.’

1.28 At the time of report adoption of the report, Members of the Commission expressed different views regarding how to include paragraphs 1.10 to 1.20 in the report.

1.29 The Chair closed Agenda Item 1.

Organisation of the meeting

2.1 The Chair confirmed that Ms M. Engelke-Ros (USA) would chair the Standing Committee on Implementation and Compliance (SCIC) and Ms S. Langerock (Belgium) would chair the Standing Committee on Administration and Finance (SCAF). The USA proposed Dr C. Jones (USA) as Chair of the ad hoc Conservation Measures Drafting Group. The proposal was **endorsed** by the Commission.

Adoption of agenda

2.2 The provisional agenda was amended to include the presentation of the paper by SCAR, (SC-CAMLR-41/21) as Agenda Item 2.4.

2.3 The agenda, as amended, was **adopted** (Annex 4).

Status of the Convention

2.4 Australia, as Depositary of the Convention on the Conservation of Antarctic Marine Living Resources 1980 (the Convention), reported that Ecuador acceded to the Convention on 24 June 2022, with entry into force on 24 July 2022. The number of Contracting Parties to the Convention is now thirty-seven (37). A copy of the status list for the Convention is available on the Australian Treaties Database.

2.5 Australia also reported that the Republic of Ecuador became a Member of the Commission on 19 October 2022 in accordance with Article VII(2)(d) of the Convention. On behalf of the Commission, the Chair welcomed Ecuador to Membership of the Commission.

2.6 Ecuador provided the following statement on its acceptance to the Commission as a Member:

‘It is an honour to be here today, and to represent the Republic of Ecuador in this special occasion. Besides the celebration of the 40th Anniversary of the Convention, this meeting constitutes a milestone for Ecuador, since this is the very first time we participate in this forum as a full Member of CCAMLR.

We received the notification of this great news just a few days ago. This was a process that took us some years to finalise, but thanks to the perseverance of our Executive Secretary, Dr David Agnew and the work of the Embassy and the Government of Ecuador, this has become a reality, and we are now officially part of the CCAMLR family.

The adhesion to the Convention for the Conservation of Antarctic Marine Living Resources, was in effect since 24 July 2022, and this ratifies the commitment of the Republic of Ecuador to the management of fisheries, their traceability throughout the entire production chain and marketing, and the sustainability of its activity, under the precautionary principle established in the Convention. It also means that Ecuador can make an important contribution to the regional position in sustainable fishing, and scientific contributions to the conservation of Antarctic marine living resources.

Ecuador, as one of the most biodiverse countries in the world, is an internationally recognised example of good practices in the conservation of marine biodiversity, through measures such as the creation of marine protected areas, which have proved to be effective, not only for marine resources in the Galápagos Islands and the coastal region of the country, but along the whole Pacific Ocean, especially regarding the protection of highly migratory species.

In the multilateral sphere, Ecuador has led the implementation of important conservation policies and regulations both, at a regional and global level. Ecuador, therefore, is no stranger to the concern for the regulation of the exploitation of marine living resources in the fragile Antarctic ecosystem, some of them on the brink of extinction.

Conservation and fisheries management have been at the core of Ecuadorian policies and legislation for decades, in accordance with the Antarctic Treaty. It is also the case of the control of marine pollution. We currently lead at the United Nations the creation of a UN Convention against Plastics in the Ocean. The international scientific community has witnessed the research of the Ecuadorian scientific vessel *Orion*, and the Pedro Vicente Maldonado Scientific Station in the Antarctic, in accordance to the Ecuadorian Antarctic Institute plans and goals, led by the National Navy. Ecuador has also participated in several joint research projects with other countries and international organisations, like the South Pacific Permanent Commission (CPPS).

It is important to mention that Ecuador, coordinates and promotes scientific research projects of national interest in Antarctica, within the Technical-Scientific Program,

which is part of the different Ecuadorian Antarctic expeditions, through the Ecuadorian Antarctic Program PROANTEC – INOCAR (1988–2004), the Ecuadorian Antarctic Institute (2004–2020), and currently through the Oceanographic and Antarctic Institute of the Navy (2020 to date), within the framework of the provisions of the Antarctic Treaty.

So far, 25 Antarctic expeditions have taken place, in which approximately 180 research projects have been carried out with the participation of Public Institutes, the Academy, and the cooperation of other International Antarctic Programs. The projects have been implemented mainly in the areas of influence of the Pedro Vicente Maldonado scientific station located on Greenwich Island-South Shetland, and some projects on the Ecuadorian navy ship *Orion*, that participated in the I, II and VII Ecuadorian Antarctic expeditions.

Antarctic scientific research is aimed to obtain new knowledge, bridging gaps in science, and supporting decision-making in terms of governance, administration and environmental protection in Antarctica.

The past, present, and future guidelines for the development of Antarctic and Southern Ocean research proposed by Ecuador are oriented and articulated within the research priorities of the Scientific Committee on Antarctic Research (SCAR), as well as with areas and lines of research determined at the national level.

The participation of Ecuador in this forum is vital to our country, in order to enhance the coordination of the implementation of our research programs, and to combine and acquire the knowledge from the other members.

We are looking forward to cooperating and working together in a more active and efficient manner, and we have no doubt that all the more experienced Members of the Convention will guide us, so we can fully contribute with our experience and knowledge and gain as well from the expertise of all of you.’

Chair’s report

2.7 The Chair introduced his report (CCAMLR-41/BG/03) as read (Annex 5). He recalled that this year saw the 40th anniversary of the entry into force of the Convention on 7 April 1982 and expressed appreciation for the 40th anniversary book that has been compiled and edited by the Secretariat from contributions by Members, Acceding States and Observers.

2.8 The Chair expressed the Commission’s condolences to Japan on the passing of Mr K. Yonezawa, Chair of the Commission for 2003 and 2004.

Report from SCAR

2.9 In accordance with the decision taken at CCAMLR-38, paragraph 8.5, the Commission invited Prof. S. Chown (SCAR) to present SC-CAMLR-41/BG/21, Antarctic Climate Change and the Environment (ACCE): A Decadal Synopsis and Recommendations for Action. This

report, which is a major update to the ACCE, provided an infographic summary of the ACCE Decadal Synopsis, key findings relevant to CCAMLR, a summary of risks for ecosystems and particular species and a series of recommendations derived from these findings. The report concluded that climate change is largely the consequence of anthropogenic greenhouse gas emissions, that impacts on Antarctic species such as krill and seabirds, and on Antarctic marine ecosystems, are already clear, and will worsen into the future without urgent action to mitigate global greenhouse gas emissions, and that considerations of climate change should be included in the conservation and management of Antarctic ecosystems and marine living resources. In his presentation, Prof. Chown made clear that currently, a critical window for regional Antarctic action is open, and that without urgent action, impacts on Antarctic ecosystems and species would unfold that would not be reversible within two or three decades.

2.10 The Commission thanked SCAR for its informative lecture. It recalled Resolution 30/XXVIII, which encourages wide dissemination of SCAR's report on ACCE and encourages SCAR's input to inform CCAMLR's decision-making. Many Members also encouraged SCAR to provide updates of the ACCE report as available.

2.11 The Commission congratulated SCAR and the many scientists who contributed to the landmark report and noted that the SCAR report represented a synopsis of the latest peer-reviewed scientific literature relating to climate change in Antarctica. The Commission noted that the implications of climate change were of great importance to CCAMLR, and its conservation measures given the rapid change in the Antarctic ecosystems due to climate effects.

2.12 The Commission drew attention to the Antarctic Treaty Consultative Meeting (ATCM) Resolution 4 (2022) in which the Antarctic Treaty Parties welcomed SCAR's Decadal Synopsis and its advice that urgent action is required to prevent irreversible changes to Antarctica. The Commission requested that SCAR keep the Commission updated on climate change and the environment.

2.13 In response to questions raised by a number of delegations, SCAR noted that whilst the causes of climate change may lie beyond the boundaries of the Convention Area, it will be important to seek both global and local solutions to mitigate its impacts, including using MPAs to provide protection to ecosystems and refuge for species vulnerable to climate change. SCAR also indicated that models of the impact of climate change on the future state of marine living resources which extended substantially into the future would be needed to allow CCAMLR to manage them effectively. SCAR concluded with the statement that not to use all of the conservation tools available to the Commission now would be a bold statement that everyone is prepared to let these ecosystems go.

2.14 The Chair closed Agenda Item 2.

Implementation of Convention objectives

Objectives of the Convention

3.1 The Commission considered CCAMLR-41/BG/30 submitted by Ukraine which outlined the main challenges faced by its National Antarctic Program.

3.2 Ukraine made the following statement:

‘Following condemned by world community attempted by Russian annexation of the Autonomous Republic of Crimea in 2014 and four Ukrainian oblasts – Luhansk, Donetsk, Zaporizhzhia and Kherson in 2022, Ukraine lost several scientific infrastructure facilities including four marine research institutions and scientific personnel. This created significant difficulties in the implementation of oceanographic research by Ukraine, also within the framework of the National Antarctic Program.

Russia’s war of aggression against Ukraine, which began on 24 February 2022, led to killing of many Ukrainian citizens, destroying civil and critical infrastructure, a significant drop down in economic indicators, and this continuing currently. Armed invasion of Russia to Ukraine resulted reorientation of the country’s economy to martial law and the sequestration of budget allocated for areas such as education, science, culture and directing the released funds to the needs of state defence and ensuring the safety of citizens.

As the budget of the National Antarctic Program of Ukraine was also significantly cut, Ukrainian research vessel’s *Noosfera* research plan for the Southern Ocean was much reduced, and return of the vessel to Ukraine is temporarily impossible now. Possible long demurrage of the vessel *Noosfera* caused by reduction of marine researches raises a question of finding temporary home port for the off-season.

Due to current hostilities, there are significant logistical problems. There are not any functioning airport and safe ground way in Ukraine due to permanently possible Russian missile and drone attacks. It is real challenge now for Ukrainian specialists (scientists, officials, technical specialists), who is involved to the National Antarctic Program, to achieve their destination points in the Antarctic region.

In October 2022, as a result of a massive missile strike by the Russian Federation on the territory of Ukraine, the building of the National Antarctic Research Center in Kyiv, as well as all equipment, was significantly damaged and which led to impossibility to use these facilities by staff for further work. Currently the rebuilding works are going, but it meet such difficulty as continuing attacks of the Ukrainian capital by kamikaze drones.

So, all the above is clearly demonstrate why the Russian aggression, considered by Ukraine as a crime against humanity, undoubtedly hinder the development of Ukraine’s scientific capacity and has a direct impact to the CCAMLR effectiveness, being directed for breaking economical and scientific potential of the other CCAMLR Member.

In this regard we call to the CCAMLR Parties to respond as a CCAMLR community to unfriendly actions (including military actions), taken by one Party towards another Party, as well as develop preventive measures to preserve the CCAMLR unity in this situation.

Ukraine believes that lessons learned from current situation should be duly taken into account by other CCAMLR Parties and become a platform for further consultations to adjust our Commission to emerging challenges.

We consider very important to note that Russia's war of aggression against Ukraine is a main cause of a global food crisis, which entails serious political and economic consequences.

Taking into account the above, Ukraine proposes to express, on behalf of CCAMLR, an unequivocal condemnation of Russian war of aggression against Ukraine, as an unacceptable way of satisfying political ambitions in the modern World, noting that such unlawful actions destroy the principles of international cooperation and threatens catastrophic consequences for the whole world. In this regard, to call on the aggressor country to immediately stop its actions in Ukraine with the unconditional withdrawal of troops from the territory of Ukraine within its internationally recognised borders.'

3.3 Many Members expressed support for Ukraine and referred to statements they had made previously during Agenda Item 1. Most Members condemned the actions of Russia and stated that the damage to Ukraine's scientific capabilities due to the ongoing war in Ukraine was regrettable and undermines the Antarctic Treaty System and objectives of the Convention, including its fisheries management. Many Members offered their support to Ukraine and its Antarctic program. Some Members emphasised Ukraine's commitment to CCAMLR and its call for unity even in these circumstances.

3.4 Russia stated that the paper from Ukraine was provocative and aimed to create anti-Russian sentiment. Russia claimed the allegations provided in CCAMLR-41/BG/30 were unfounded and that time should be spent on the important issues facing CCAMLR and not used for discussion of rhetoric which undermines the Commission's work.

3.5 China stated that the objective of the CAMLR Convention is the conservation of Antarctic marine living resources, and the operation of the Commission should focus on this objective and not be disturbed by regional disputes.

3.6 The Commission considered CCAMLR-41/BG/26 submitted by Argentina and Chile. Chile introduced the paper and highlighted challenges facing the Commission, including climate change, recalling that proposals such as the draft update of the climate change resolution and the creation of a representative system of MPAs are closely linked to the objective of the Convention. Chile noted the current challenges CCAMLR is facing in carrying out its work. Chile also noted the benefits of consensus and its importance within the Antarctic Treaty System and encouraged delegations to reflect on whether enough is being done to reach consensus on priority issues. Chile also noted the ignoring of sound scientific advice on specific issues, with consequences on the decision-making process. Chile also recalled the damage unilateral decisions may have on the Antarctic Treaty System. Chile reiterated that the intent of the paper was to encourage Members to look for creative solutions to advance the objective of the Convention.

3.7 Argentina stressed that CCAMLR was a fundamental part of the Antarctic Treaty System, so the interaction between the ATCM and the CEP, with this Commission and the Scientific Committee was essential for the comprehensive conservation of the Antarctic continent and the surrounding oceans. Argentina also pointed out that situations of blockade and the adoption of unilateral measures do not contribute to the achievement of CCAMLR's objective, and that not all actions that are not expressly prohibited within the Antarctic Treaty System are automatically permitted, but rather require a multilateral decision authorising them. In that sense, Argentina highlighted the relevance of multilateralism and international

cooperation. Argentina encouraged Members to reflect on the objective of the CAMLR Convention and the importance of cooperation to reach consensus. Argentina noted that while consensus requires hard work, many great achievements have been made by the Commission using consensus and they urged Members to reflect on that point.

3.8 The Commission thanked Chile and Argentina for their paper. Many Members supported the conclusions of the CCAMLR-41/BG/26, noting that all the Members' considerable efforts to build consensus are essential for fulfilling the objective of the Convention. Many Members supported the recommendations contained in the paper and supported its call for unity, peace and cooperation in all of CCAMLR's work.

3.9 The EU and its Member States expressed concern about the functioning of the Scientific Committee, in particular the approach of some Members to apply different standards to similar issues, depending on their own interests. They considered that such an approach undermines the work of the Commission and the Convention, as it is inconsistent with the principles of basing decision-making on the best available science and the precautionary approach. They also noted that one Member continues to block consensus on a range of issues based on arguments that have no scientific merit and that have been refuted repeatedly. They called on all Members to use their decision-making powers responsibly and to make genuine efforts to build consensus.

3.10 The UK made the following statement:

'We are grateful to Argentina and Chile for developing this paper. We endorse their call for unity and cooperation in CCAMLR and for a collective approach to find solutions for the challenges we face. We do not, however, agree with all of the arguments in the paper. Notably in respect of the characterisation in the paper of CM 31-01, we have set out our position in COMM CIRC 22/39, 22/51 and 22/69 and also in detail at SCIC last week, so I will not repeat here. We also do not recognise the characterisation of the role of the CEP in the paper.

Nevertheless, we completely recognise the reasoning for tabling this paper and fear that the circumstances that lead to the highly unfortunate outcome of last year's meeting are going to repeat. Russia has again predetermined its position on a number of agenda items, without submitting any new scientific evidence or analysis. Notably in relation to its position on Subarea 48.3, its previous assertions about the status of the toothfish stock in this region were comprehensively addressed by the Scientific Committee working groups in 2019. There is just no evidence to suggest that there is anything unusual about the stock in Subarea 48.3 compared to any other toothfish fishery managed by CCAMLR. Yet Russia persists in its position. Similarly, Russia continues to block research and progress on the development of a stock assessment in Division 58.4.1, also on the basis of a spurious position not recognised by other Members of the Scientific Committee and without any engagement or constructive approach to finding a way forward.

In the view of the UK, the most damaging behaviour for the effective functioning of this Commission is behaviour that prevents the Commission from discharging its mandated functions under the Convention – notably to adopt conservation measures based on the best available science. We are dangerously close to sleepwalking into the denigration of the regulatory framework we have developed over the past 40 years. We therefore call

on all Members to engage in the work of the Commission in good faith. If it were really acceptable for each Member to simply develop political positions, based on subjective, rather than statistical, interpretations of 20 year old data, whilst simply stating that other Members need to do more scientific work – as is evidently the approach of Russia – then we could all save ourselves a great deal of time and money by closing down the CCAMLR scientific process and also engaging here on the basis of pre-determined “positions”.

The UK remains fully committed to the conservation of the Southern Ocean. We will continue to ensure UK fishing vessels operate to the highest standards, and that our scientists produce world leading, verifiable science to the highest standards. We will also continue to play our part in protecting the Convention Area from illegal, unregulated and unreported fishing activities.’

3.11 The Commission noted that climate change advice has been considered in the Scientific Committee, and these considerations have been embedded in every item in the Scientific Committee’s agenda and under the specific climate change agenda item.

3.12 Belgium reconfirmed its commitment to the objective of the Convention, to maintaining CCAMLR’s high standards, and to upholding the integrity of both this organisation as well as the Antarctic Treaty System. Belgium emphasised the strong need for cooperation between Members, especially within the scientific community and including the active engagement and different research programs of all Members. Belgium further emphasised the importance of the precautionary principle as well as the importance of the conservation of Antarctic biodiversity and ecosystems. Belgium noted that any sustainable use of marine living resources relies on adherence to these principles and to Article II of the CAMLR Convention.

3.13 The Commission considered CCAMLR-41/BG/17, submitted by ASOC and COLTO. COLTO introduced this joint paper noting that CCAMLR now finds itself in a difficult situation, with it increasingly unable to progress on routine tasks. ASOC and COLTO believe CCAMLR needs to consider new processes to assist it in reaching consensus, and hope CCAMLR can find ways to move past the current stalemate and reclaim its status as a leading organisation.

Second Performance Review (PR2)

3.14 The Commission noted the report by the Executive Secretary on the progress of the recommendation of the Second Performance Review (PR2). The Executive Secretary referred delegates to CCAMLR-41/06 recalling this is the first update to the Commission on the progress of the PR2 since CCAMLR-38 due to the effects of the global pandemic.

3.15 The Commission noted that significant progress has been made across the recommendations of PR2 and **agreed** that the Secretariat should continue to track this progress and keep Members informed of the progress by maintaining the progress of the performance review on the CCAMLR website.

3.16 Korea specifically recalled Recommendations 11 and 18, noting that a proposal was discussed by SCIC for the review of the CCAMLR Compliance Evaluation Procedure (CCEP), Recommendation 12, noting a proposal was discussed for the review of CM 10-02 to address non-Contracting Party (NCP) vessels in transshipments.

3.17 The EU and France noted Recommendations 4 and 25, stating that work on both recommendations should be considered by the Commission. Furthermore, the EU encouraged the development and adoption of a monitoring procedure for climate change decisions.

3.18 Many Members noted Recommendation 7, regarding the identification and designation of a representative system of MPAs. Russia recalled that MPAs was a regular item on the agenda.

3.19 Australia welcomed progress on Recommendation 7 and noted that it would like to see further progress on developing a representative system of MPAs. Australia noted Recommendation 4(iii), requesting the Commission to give further consideration for the joint meeting of CCAMLR and ATCM delegates to identify opportunities for coordination and cooperation on matters of mutual interest. Additionally, Australia recalled Recommendations 5, 8 and 25, noting it would like to see further progress.

3.20 Russia noted that the significant progress has been achieved on several recommendations and recalled the discussions of SCIC on illegal, unreported and unregulated (IUU) fishing, vessel safety, and International Maritime Organization (IMO) rules to be particularly important.

3.21 China noted significant progress has been made and regarding krill management, noting that there is still a need for improvement to the scientific knowledge and to streamline this information into the management procedures. Additionally, China expressed a desire for this to be included in future work.

3.22 The Chair of the Scientific Committee (Dr Dirk Welsford (Australia)) recalled paragraphs 11.7 to 11.9 of SC-CAMLR-41, reporting on the Scientific Committee's discussion of PR2, and he highlighted the significant overlap between the performance review and the Scientific Committee's five-year Strategic Plan.

3.23 The SCIC Chair noted the discussion held in SCIC (SCIC-2022, paragraphs 157 to 160) on the second performance review and that Members were interested in making preparations for a third performance review with consideration whether there could be a focus on specific topics. Additionally, Russia noted that the financial health of the organisation is an important consideration for the future and should be included in future considerations.

3.24 ASOC noted the importance of independent performance reviews but suggested the summary provided an optimistic view of what work has been undertaken. ASOC noted its difficulty in identifying significant progress on MPAs since 2017 and recalled that Recommendation 10 on the polar code has not been implemented. ASOC noted they look forward to future reporting on the progress of the performance review.

3.25 The Chair closed Agenda Item 3.

Management of marine resources

Advice from the Scientific Committee

4.1 The Chair of the Scientific Committee presented the report of the Scientific Committee (SC-CAMLR-41). He highlighted that the Working Group on Incidental Mortality Associated with Fishing (WG-IMAF) had been reconvened for the first time in 11 years and that a Scientific Committee Symposium was held (SC-CAMLR-41, Annex 4) which resulted in a five-year strategic workplan and updated draft workplans and draft terms of reference for all Scientific Committee working groups, which were finalised at the 2022 Scientific Committee meeting (SC-CAMLR-41, Tables 6 to 10 and Annex 11). The Chair of the Scientific Committee thanked all Members who had participated in the deliberations of the Scientific Committee and its expert working groups. He also thanked the Secretariat for its support.

4.2 The Commission noted the Scientific Committee's advice, recommendations and detailed workplan of research and data requirements and congratulated the Chair of the Scientific Committee and the conveners of its working groups and the many scientists who had contributed to the successful outcomes of their meetings despite challenging circumstances.

4.3 Many Members expressed concern that for several topics the Scientific Committee had not been able to provide consensus advice while most Members agreed that there is clear advice based on best available science (see also SC-CAMLR-41, Annex 4, paragraph 4.1(b)i). Many Members recalled that the Commission's mandate allows it to make policy decisions based on best available science even if the Scientific Committee is not able to provide consensus advice.

4.4 Regarding the provision of best available science, the Chair of the Scientific Committee noted that scientific disagreements needed to be supported by testable hypotheses. The Commission noted that in order to ensure the integrity of science-based management approaches, there should be improved separation between the provision of advice and decision-making.

4.5 The Commission noted that the Scientific Committee has had a number of discussions on integrating climate change considerations into its analysis and advice in recent years (SC-CAMLR-41, paragraph 7.8). It also noted the Scientific Committee's agreement to hold a climate change workshop (SC-CAMLR-41, paragraph 7.10). It noted that the Scientific Committee had included into the revised terms of reference for all working groups a request that they include consideration of the impact of climate and environmental change in their advice.

Rules for Access and Use of CCAMLR Data

4.6 The Commission noted CCAMLR-41/08, which provided a summary of the working group reviews of the Rules for Access and Use of CCAMLR Data, and the discussions held during the Scientific Committee (SC-CAMLR-41, paragraphs 11.30 to 11.35).

4.7 The Commission noted that the Rules for Access and Use of CCAMLR Data are complex and that the modifications to these rules proposed by the working groups require further consideration. The Commission **endorsed** the Scientific Committee request (SC-CAMLR-41, paragraph 11.35) that the Secretariat provide a simple process diagram to

outline the workflow for data requests and that the Data Services Advisory Group (DSAG) coordinate further discussion through the DSAG e-group and the Scientific Committee working groups for consideration at CCAMLR-42. The Commission agreed to work on potential revisions to the Rules for Access and Use of CCAMLR Data intersessionally.

Krill resources

4.8 The Commission noted discussions during the Scientific Committee meeting regarding the status and trends of krill resources (SC-CAMLR-41, paragraphs 3.2 to 3.4), acoustic surveys of krill (SC-CAMLR-41, paragraphs 3.5 to 3.11), the planned krill observer workshop (SC-CAMLR-41, paragraph 3.14) and acoustic biomass estimates (SC-CAMLR-41, paragraphs 3.16 to 3.25). The Commission also noted that the SCAR Krill Expert Group (SKEG) intended to convene an online expert group to discuss and develop krill stock hypotheses in 2023 (SC-CAMLR-41, paragraph 3.28).

4.9 The Commission **endorsed** the recommendation from the Scientific Committee that details on the mesh size of any codend liners should be included as part of fishery notifications (SC-CAMLR-41, paragraph 3.17).

4.10 The Commission noted the progress made towards establishing a krill stock assessment (SC-CAMLR-41, paragraphs 3.30 to 3.34) and the spatial overlap assessment (SC-CAMLR-41, paragraphs 3.35 to 3.39). It noted that the revised estimate of gamma of 0.0338, to be used in the calculation for the Subarea 48.1 catch limits, was the first revision to this parameter for several decades.

4.11 The Commission noted with concern the >80% reported decline of the population of fur seals in the South Shetland Islands (SSI), and discussed that this could be attributed to a combination of reduced summertime krill availability, female population ageing and increased leopard seal predation of pups possibly due to climate-change induced shifts in leopard seal distributions. It noted the potential for additional pressure to be put on the population by the krill fishery and that such impacts needed to be quantified. The Commission noted that the Domain 1 MPA (D1MPA) proposal, if adopted, would holistically protect several components of the ecosystem, including the declining fur seal population. It further noted that the revised krill management approach has considered these components, including krill predator demand in spatial overlap analysis and precautionary harvest rate estimate, and the impact of climate change incorporated in krill average biomass estimates, and encouraged the continuation of the work.

4.12 The Commission welcomed the significant progress made by the Scientific Committee and recognised the extensive amount of work that had been undertaken this year, which had resulted in it being able to apply the new krill management approach to calculate new catch limits in management units within Subarea 48.1 (SC-CAMLR-41, paragraphs 3.45 and 3.46 and Table 2). It noted the Scientific Committee's consideration of the management implications of applying these new catch limits, in particular the need to acquire new monitoring data as catch limits increase, and the integration of krill management approaches in Subarea 48.1 with the D1MPA proposal (SC-CAMLR-41, paragraphs 3.43 to 3.66) to coordinate efforts and develop a coherent approach for the conservation and rational use of marine living resources.

4.13 The Commission noted that the Scientific Committee was unable to provide consensus advice (SC-CAMLR-41, paragraphs 3.67 to 3.69).

4.14 The Commission considered SC-CAMLR-41/12, submitted by China, which provided options for the implementation of an interim krill management approach for Subarea 48.1, including to simultaneous revisions of CM 51-01 and CM 51-07 together, and CM 51-07 alone, and noted that all three components of the revised management approach, including krill biomass estimation, precautionary harvest rate assessment, and krill–predator spatial overlap analysis, have been endorsed by the Scientific Committee and also noted the involvement of many Members which contributed to this success.

4.15 The Commission noted CCAMLR-41/37, submitted by Russia, which considered the establishment of a system of synoptic and regional standardised acoustic surveys in Area 48 to be a prerequisite for updating CMs 51-01 and 51-07 based on contemporary information at the scale of the krill population in this area.

4.16 Many Members noted the suggestion in SC-CAMLR-41, paragraph 3.59(ii), that the revised krill management strategy could be implemented using a staged approach by incrementally increasing catch limits, was a possible way forward.

4.17 The Commission noted that further consideration was needed regarding:

- (i) the monitoring of catch limits at smaller spatial scales (SC-CAMLR-41, paragraph 3.51)
- (ii) the harmonisation and/or integration of different spatial management initiatives within Subarea 48.1, including the ARK voluntary restricted zones and the DIMPA proposal (SC-CAMLR-41, paragraph 3.65)
- (iii) future monitoring of krill biomass and other components of the ecosystem, including fish by-catch, krill dependent predator species, especially in data-limited areas such as the Gerlache Strait, and the assessment of the potential impacts of the increased fishery on the ecosystem (SC-CAMLR-41, paragraph 3.49).

4.18 The Commission discussed a workplan to progress a holistic approach to management in Subarea 48.1, including with the DIMPA proposal and the organisation of a collaborative CCAMLR symposium integrating science, policy and industry. Time did not permit its final adoption at CCAMLR-41, but the Commission acknowledged the valuable contributions from many Members to this work and agreed that the proposal could form the basis for intersessional discussions, work by the Scientific Committee’s working groups, and a future symposium, and retained the draft workplan as CCAMLR-41/BG/43.

4.19 The Commission welcomed SC-CAMLR-41/BG/07, BG/08 and BG/09 by ARK which reported its activities and some recommendations for improvement of the fishery. The Commission thanked ARK for maintaining the voluntary restricted zones to ensure the fishery was precautionary and encouraged ARK to maintain those buffer zones until such time that the Commission agrees on the implementation of the new krill management plan.

4.20 The Commission noted SC-CAMLR-41/BG/29, presented by ASOC, which provided a series of recommendations to ensure precautionary management of the krill fishery.

4.21 The Commission **agreed** to carry CM 51-04 and CM 51-07 forward to the 2022/23 fishing season.

Fish resources

Icefish

4.22 The Commission **endorsed** the advice of the Scientific Committee on catch limits for mackerel icefish (*Champscephalus gunnari*) in Subarea 48.3 for the 2022/23 season and Division 58.5.2 for the 2022/23 and 2023/24 seasons (SC-CAMLR-41, paragraphs 3.81 and 3.84).

Toothfish (*Dissostichus* spp.)

4.23 The Commission considered the advice of the Working Group on Statistics, Assessments and Modelling (WG-SAM), the Working Group on Fish Stock Assessment (WG-FSA) and the Scientific Committee on catch limits for the toothfish fishery in Subarea 48.3. Many Members had agreed that the catch limit for the toothfish fishery in Subarea 48.3 is based on the best available science. This issue generated a significant number of statements from Members during the meeting this year (paragraphs 1.25 to 1.27) as it had last year (CCAMLR-40, paragraphs 6.18 to 6.37).

4.24 The Commission noted that the Scientific Committee could not provide consensus advice on catch limits for Patagonian toothfish (*Dissostichus eleginoides*) in Subarea 48.3 (SC-CAMLR-41, paragraph 3.110). Many Members considered that the catch limits referred to in SC-CAMLR-41, paragraph 3.109, were based on best available science and should be the basis of the decision of the Commission. Many Members strongly encouraged the Commission to agree a catch limit by consensus based on the advice of the Scientific Committee. Russia reiterated its view that an international survey should be undertaken in Subarea 48.3 in the 2022/23 season, but many Members noted that the suggestions did not have any scientific justification.

4.25 Many Members supported the proposal that the catch limit specified in SC-CAMLR-41, paragraph 3.109 (1 970 tonnes for 2022/23 and 2023/24) be adopted and that it would be consistent with the precautionary yield estimated using the CCAMLR decision rules, the process for setting catch limits in previous years, and the use of best available science.

4.26 Many Members expressed their concern with the situation, noting that consensus requires an active engagement in finding solutions to problems and noted that one Member has persistently avoided engagement to discuss the way forward, resulting in a lack of consensus on a number of issues. Furthermore, many Members noted that, in their opinion, Russia was ignoring and actively blocking the use of the best available science provided by the Scientific Committee and its working groups. Some Members noted that, in their view, in the Scientific Committee, Russia had indicated that there was no science that could be presented that would change its position on the issue of the Subarea 48.3 toothfish fishery (SC-CAMLR-41, paragraph 3.106).

4.27 Russia noted that the documents submitted to CCAMLR meetings for 2021 and 2022 show that, as before, fish from 5 to 7 years of age are involved in the toothfish fishery in Subarea 48.3 and are actively caught. The basis of the toothfish fishery in Subarea 48.3 is immature fish 8–13 years old at all depths (SC-CAMLR-41, paragraph 3.93).

4.28 Russia noted that the precautionary catch limit calculated using the CCAMLR decision rules will be achieved by the catch of immature fish and emphasised the need to clarify how such a fishery responds to the rational use of the *D. eleginoides* resources in Subarea 48.3. Russia has repeatedly highlighted this specific management of the toothfish fishery in Subarea 48.3 and has urged CCAMLR to pay attention to the irrational use of the resource for *D. eleginoides* in the CAMLR Convention Area.

4.29 Russia maintained its position that the *D. eleginoides* population in Subarea 48.3 needs to be protected and maintains the proposal that the precautionary approach to the use of the *D. eleginoides* stock in the CCAMLR area (Subarea 48.3) should be reviewed as the current approach does not ensure the sustainable and rational use of this *D. eleginoides* resource (SC-CAMLR-40/15; SC-CAMLR-40, paragraphs 3.47 and 3.48).

4.30 Russia noted that its specific proposals regarding the regulation of the toothfish fishery in Subarea 48.3 (limiting the size of *D. eleginoides* catches, fishing only at depths of 1 000 m, reducing the catch limit to 500 tonnes, according to the fishing grounds with depths from 1 000 to 2 250 m; conducting an international survey to assess toothfish stock) (SC-CAMLR-XXXVII/14 Rev. 2), were ignored.

4.31 Russia noted the principles and objectives of the Convention, and considered it fundamentally important that the management of *D. eleginoides* resources in Subarea 48.3 be carried out on the basis of a balance between conservation and rational use (Article II of the Convention).

4.32 Some Members noted that according to CM 31-01, limitations of catch permitted in Subarea 48.3 shall be based upon the advice of the Scientific Committee.

4.33 The USA made the following statement:

‘We find the Scientific Committee’s discussion on the toothfish fishery in Subarea 48.3 to be compelling; there is no scientific reason to close the toothfish fishery in Subarea 48.3. In our view, the Commission should adopt the catch limit advised in paragraph 3.109 of the Scientific Committee’s report, reinstate CM 41-02, and authorise fishing for toothfish in the subarea during the 2022/23 fishing season.

We are not convinced by Russia’s assertion that this fishery is somehow overexploited, in fact, it is clear from the scientific record that this assertion is based on a falsified hypothesis. We cannot find any rationale for why Russia continues to ignore new data and analyses that disprove its hypothesis and simply conclude that Russia’s approach is intended to sow discontent and crush the spirit of collaboration that many of us share in CCAMLR.

Colleagues, we would like to work with all of you to negotiate a solution to this problem; doing so is in all our best interests and can demonstrate that CCAMLR remains a

premier venue for international cooperation. If we are not able to agree again this year, we fear this organisation may be viewed by the international community as a failure.’

4.34 The UK noted that Russia continues to block consensus on a catch limit for the Subarea 48.3 toothfish fishery based on a spurious scientific rationale that has been rejected by all other Members in the scientific working groups, the Scientific Committee and Commission since 2018. The UK has provided additional scientific analysis, at considerable cost, to further demonstrate the precautionary nature of the fishery, in line with all other toothfish fisheries in the Convention Area.

4.35 The UK agreed with previous speakers that there is no evidence that there is any difference between the Subarea 48.3 fishery and other directed toothfish fisheries or that the Subarea 48.3 fishery was the only directed fishery in the Convention Area as incorrectly stated by Russia during the meeting of the Scientific Committee. Russia continues to ignore the best available science, instead referencing selected data prior to 2006, despite there being no evidence of overexploitation as agreed by all other Members.

4.36 The UK requested clarification from the Chair of the Scientific Committee concerning his comment that one Member had stated during the working group that ‘no science could be presented that would change its position’, specifically whether this one Member was Russia and whether this comment was made in relation to the Subarea 48.3 toothfish fishery. The Scientific Committee Chair nodded in confirmation. The UK noted this meant that Russia must have no credible scientific reason for blocking the adoption of this catch limit and could only be pursuing political objectives.

4.37 The Commission discussed three options regarding the Subarea 48.3 fishery for the 2022/23 season.

4.38 The Commission was unable to reach consensus on any of the three options put forward for discussion.

4.39 The Commission **endorsed** the advice of the Scientific Committee (SC-CAMLR-41, paragraph 3.108) for an independent review of relevant data, stock assessment and application of CCAMLR decision rules for all toothfish fisheries subject to the CCAMLR harvest control rule, including Subarea 48.3, in 2023, to further ensure that the management of toothfish is precautionary and underpinned by the best available science.

4.40 The Commission **endorsed** the advice of the Scientific Committee (SC-CAMLR-41, paragraph 3.112) for the catch limit for Antarctic toothfish (*D. mawsoni*) in Subarea 48.4.

4.41 The Commission **endorsed** the advice that the prohibition of directed fishing for *D. eleginoides* in Divisions 58.5.1 and 58.5.2 and Subareas 58.6 and 58.7 outside areas of national jurisdiction will remain in force (SC-CAMLR-41, paragraph 3.113).

4.42 The Commission considered the advice of the Scientific Committee to refine the requirements for research plans in exploratory fisheries conducted in accordance with CM 21-02, paragraph 6(iii), by adding a new annex to CM 21-02 (SC-CAMLR-41, paragraph 3.116). However, the Commission did not reach consensus on the development of such a new research plan annex to CM 21-02.

4.43 The Commission **endorsed** the Scientific Committee’s advice on the use of the updated decision tree for the trend analysis (WG-FSA-2022, Figure 2).

4.44 The Commission **endorsed** the advice of the Scientific Committee to use of the catch limits in SC-CAMLR-41, Table 4, for toothfish fisheries in Subareas 48.6 and 88.2 and Division 58.4.2 (SC-CAMLR-41, paragraphs 3.117, 3.118, 3.124 and 3.125).

4.45 The Commission **endorsed** the research plan for the exploratory toothfish fishery by Australia, France, Japan, Korea and Spain in Division 58.4.2, but it did not reach consensus on this research plan for Division 58.4.1 (SC-CAMLR-41, paragraph 3.136).

4.46 Russia reminded the Commission that the Scientific Committee considered the assessment of *Dissostichus* spp. in data-limited fisheries to be of a high priority, with special attention needed on the use of different longline gear types in research plans and issues associated with gear effects (SC-CAMLR-XXIX, paragraphs 3.125 to 3.145; SC-CAMLR-XXX, Annex 7, paragraph 6.74; SC-CAMLR-XXXVI, paragraph 3.115).

4.47 Russia noted that the use of different gear types and constructions for the implementation of the research plan for the *Dissostichus* spp. exploratory fishery in East Antarctica (Divisions 58.4.1 and 58.4.2) is a critical factor for the efficiency and reliability of this research plan in data-limited fisheries. Russia noted that using different gear affects the performance of tag releases and recaptures and reminded the Commission that tag survival rate varied by gear type. It also recalled that 5 509 fish were tagged with 26 tagged fish recaptured during the period from 2011/12 to 2017/18 during the implementation of the research plan in East Antarctica.

4.48 Russia noted that the research plan for the *Dissostichus* spp. exploratory fishery in East Antarctica (Divisions 58.4.1 and 58.4.2) should fully comply with the requirements of CM 24-01 (Annex 24-01/A, format 2), including standardisation of the fishing gear. There are no provisions in the Rules of Procedure of the Scientific Committee and the Commission for partial implementation of a CCAMLR conservation measure.

4.49 Russia stated that the new research plan for the *D. mawsoni* exploratory fishery in East Antarctic (Divisions 58.4.1 and 58.4.2) in the 2022/23 to 2025/26 seasons does not comply with CM 21-02 and will not provide adequate data to achieve the main goals and objectives of this new research plan.

4.50 Australia made the following statement:

‘Australia is disappointed that the Commission could again not find consensus on our research plan proceeding in Division 58.4.1. The lack of consensus is based again on the claim by Russia that multiple gear types could not be used in this area. There is no such requirement for standardised gear types.

Since 2018, the co-proponents of the Division 58.4.1 research plan have provided considerable scientific evidence to the Scientific Committee and its working groups supporting CCAMLR’s approach for the use of various longline gear types in exploratory fisheries, and that we can account for various longline gear types in analyses and integrated assessments.

Indeed, as has been stated many times now, a number of integrated assessments, including the one in the Ross Sea, have been developed and are currently in use in the Convention Area, and they are based on data collected using mixed gear types.

Russia has repeatedly stated that multiple gear types cannot be used in Division 58.4.1 but has yet to provide any scientific evidence supporting this claim. In addition, it is unclear why this purported requirement applies only to Division 58.4.1, but not other areas (WG-FSA-2022, paragraph 5.31). Australia is hopeful that a new annex to CM 21-02, as recommended by the Scientific Committee, could resolve this issue, and provide clarity, which is why we support this annex and the recommendation of the Scientific Committee in this regard.

However, we are pleased that the research plan for Division 58.4.2 has been endorsed by the Scientific Committee and the Commission.’

4.51 France made the following statement:

‘France considers that the research plan is fully compliant with the conservation measures in force, including the mention of “calibration/standardisation” which is clearly assessed on page 13 of the research plan. France also stresses its commitment to the success of the research plan for Divisions 58.4.1 and 58.4.2.

We recall that the resumption of fishing in Division 58.4.1 is very important for the collection of data needed to enable toothfish stock assessment in this area, and which are also necessary for a better knowledge of the functioning of the ecosystem. France stresses that it is regrettable that no exploratory fishing activities can take place in Division 58.4.1, despite the solid scientific information available, accumulated by the Members participating in the research plan over the last few years.

We note that the blocking by one Member of this exploratory fishery also interrupted an important research effort into the functioning of the ecosystem in this vast and little explored area. The multi-Member research plan involving Australian, French, Japanese, Korean and Spanish scientists allowed for coverage of a wide range of scientific disciplines, which would not otherwise have been possible. France regrets that this collaborative work cannot go ahead.’

4.52 Korea made the following statement:

‘Korea thanks those Members who are working on a joint research plan with Korea. The joint research in Division 58.4.1 has been halted from 2018, and over the four years, the Commission has been deprived of good opportunities to collect important data that would have significantly contributed to the objectives of the Commission.

This year, the Members submitted a new research plan for the 2022/23 fishing season with an updated stock hypothesis based on the scientific advice that gear standardisation does not affect the result of the research operation, and the merit of scientific research outweighs formatting issues. Also, gear standardisation does not mean that all gears should be identical, and we are not convinced as to why this issue should serve as a reason for the research not being able to go ahead.

Korea is extremely concerned that the last three years' effort has not made any difference and frustrated that a research plan that has a solid scientific foundation cannot be accepted by one Member. The continued lack of data in the data-limited area will significantly undermine the information and database that is absolutely necessary for science-driven conservation and management of Antarctic marine living resources.

Korea calls on the Member to reconsider its position and to exercise flexibility so that this long-halted research operation can resume and make contributions to the information base of the Commission.'

4.53 Many Members voiced concern that Russia was once again blocking the research fishery proposal for Division 58.4.1 but also blocking consensus to add an annex to CM 21-02 which would alleviate Russia's misinterpretation of the use of standardised gear contained in the annex. The UK recalled that Russia continues to present spurious scientific arguments to block consensus for fisheries in which it is not involved.

4.54 The Commission also considered the position of some Members in SCIC (SCIC-2022, paragraph 152) highlighting that a requirement to include all considerations listed in CM 24-01, Annex 24-01/A, format 2, would require longline fishing vessels to describe trawl net configurations, and therefore this position cannot be reflective of the conservation measure requirements.

4.55 The Commission **endorsed** the advice of the Scientific Committee that both the tagging rate, and tag-overlap statistic, be specified and applied at the smallest area to which a catch limit applies (SC-CAMLR-41, paragraph 3.121).

4.56 The Commission noted the joint COLTO–CCAMLR tagging workshop to be held in March 2023 in Hobart, Australia (SC-CAMLR-41, paragraph 3.122).

4.57 The Commission **endorsed** the advice of the Scientific Committee that the Ross Sea Data Collection Plan commence for the 2023/24 to 2027/28 fishing seasons, as outlined in WG-FSA-2022, Tables 1 and 2 (SC-CAMLR-41, paragraph 3.142).

4.58 To improve spatial structure in the small-scale research unit (SSRU) 882H fishery, the Commission **endorsed** the Scientific Committee's advice to use option 3 in Table 3 of WG-FSA-2022, where structured fishing with research hauls on minor seamounts (which have been less fished to date as specified in WG-FSA-2021/29, Figure 2) would precede fishing elsewhere in the SSRU. In addition, the Commission **agreed** delaying the start of fishing in this SSRU by two weeks, as this would increase the likelihood that sea-ice conditions would allow vessels to access an increased number of seamounts in this region, and so increase to value of data collected during research hauls in this SSRU (SC-CAMLR-41, paragraphs 3.145 and 3.146).

4.59 The Commission considered the number of research hauls (CM 41-01, paragraph 4) to be required on SSRU 882H minor seamounts (as defined in WG-FSA-2021/29) prior to vessels fishing elsewhere in the SSRU. The Commission **agreed** that five research hauls on minor seamounts should be completed each season prior to fishing elsewhere in the SSRU.

4.60 The Commission considered CCAMLR-41/38, submitted by Russia, proposing the Commission review the procedural and implementational aspects of *D. mawsoni* fisheries

classifications in the regulatory framework and establish the status of existing fisheries (to clarify fishery nomenclature). Russia believed the outcome of the first stage should be a CCAMLR regulatory framework approved by the Commission in its entirety, including the procedural and implementational aspects of fisheries classification. The outcome of stage two should be a status allocated to each existing fishery in the Convention Area as approved by the Commission.

4.61 The Commission encouraged Members to work collaboratively to clarify the regulatory framework intersessionally in the ‘Regulatory framework and clarification on fisheries nomenclature’ e-group.

Scientific research under Conservation Measure 24-01

4.62 The Commission considered the advice of the Scientific Committee on activities conducted in 2021/22 relating to the three proposals under CM 24-01 (SC-CAMLR-41, paragraphs 4.1 to 4.8 and 3.137 to 3.140).

4.63 The Commission **endorsed** the recommendation by the Scientific Committee (SC-CAMLR-41, paragraph 4.8) that the research plan for *Dissostichus* spp. by Korea and Ukraine in Subarea 88.3 should continue, noting that the catch limits are based on the trend analysis as shown in SC-CAMLR-41, Table 4.

4.64 The Commission **endorsed** the recommendation of the Scientific Committee (SC-CAMLR-41, paragraph 3.138) to continue the Ross Sea shelf survey to monitor abundance of *D. mawsoni* in the southern Ross Sea.

4.65 The Commission **endorsed** the catch limits for the Ross Sea shelf survey for the next three seasons of this survey:

- (i) 2022/23: 99 tonnes (including the core strata and the Terra Nova Bay stratum)
- (ii) 2023/24: 69 tonnes (including the core strata and the McMurdo Sound stratum)
- (iii) 2024/25: 99 tonnes (including the core strata and the Terra Nova Bay stratum).

4.66 The Commission considered three methods for allocating catch for the Ross Sea shelf survey.

4.67 The UK, although noting that it would not block consensus, recalled that method 3 would be in contravention of CM 91-05 and questioned the failure of the Commission to adhere to requirements it had agreed for itself, on this and other issues.

4.68 The Commission **agreed** to use method 3 which was used previously from 2019/20 to 2021/22 (SC-CAMLR-41, Table 5).

4.69 The Commission **endorsed** the recommendation of the Scientific Committee (SC-CAMLR-41, paragraph 4.2) regarding the proposal by Ukraine to conduct a local acoustic trawl survey of *C. gunnari* in Subarea 48.2.

4.70 The Commission noted the catch limits proposed by the Scientific Committee (SC-CAMLR-41, paragraphs 4.5 and 4.6) and **endorsed** a precautionary catch limit of

120 tonnes of *C. gunnari*. The Commission also **agreed** a krill by-catch limit of 279 tonnes and that any krill caught in the survey should be included in the total catch for krill in Subarea 48.2.

Non-target species

Fish and invertebrates

4.71 The Commission noted the discussions of the Scientific Committee on fish and invertebrate by-catch (SC-CAMLR-41, paragraphs 5.1 to 5.7), including the monitoring of by-catch species in the Ross Sea region toothfish fishery as part of the Ross Sea medium-term research plan (WG-FSA-2022/45).

4.72 The Commission noted the proposed inclusion of a poster and training video for skate handling and injury assessment (SC-CAMLR-41, paragraph 5.6) on the CCAMLR website and the proposed toothfish tagging workshop which will include discussion on handling practices to maximise skate survival after release.

4.73 The Commission **endorsed** the inclusion of an additional field on the fine-scale catch and effort data form (C1 trawl fisheries) to identify if information on the form was collected by the crew or the scientific observer.

Seabirds and marine mammals

4.74 The Commission noted the discussions of the Scientific Committee on the outcomes of WG-IMAF (SC-CAMLR-41, paragraphs 5.8 to 5.37).

4.75 The Commission welcomed the information that the extrapolated number of seabird mortalities from provisional data resulting from CCAMLR longline fishing in 2022 was the lowest total on record.

4.76 The Commission noted that the success of seabird mortality reductions in CCAMLR through the implementation of mitigation measures was due to the past efforts of WG-IMAF. The Commission further noted the recovery of the white-chinned petrel (*Procellaria aequinoctialis*) population at Possession Island (Crozet Islands, Subarea 58.6), and recognised that integrated management of ecosystems through all tools available, including fisheries management actions through a combination of effective seabird by-catch mitigation measures on fishing vessels and actions implemented to reduce IUU fishing in the Convention Area, and ecosystem management actions through the control of introduced species, particularly rodents and cats, as one of the main objectives of the management plan of the French Southern Territories National Nature Reserve in Kerguelen and Crozet have made it possible to achieve this remarkable objective.

4.77 The Commission noted the inclusion of ACAP guidelines for the safe handling and release of live-caught seabirds hooked or entangled in longline fishing gear into the Scheme of International Scientific Observation (SISO) manuals, and publication of the guideline sheets on the CCAMLR website for Members to access (SC-CAMLR-41, paragraph 5.30).

4.78 The Commission noted the recommendation of the Scientific Committee to reintroduce recording of the severity of warp strikes by seabirds on krill vessels using the protocols for SISO observers on finfish trawl vessels (SC-CAMLR-41, paragraph 5.11).

4.79 The Commission **endorsed** the recommendation of the Scientific Committee for the extension of the existing derogation on the use of net monitoring cables in CM 25-03 for one year, with additional conditions outlined in SC-CAMLR-41, paragraph 5.32, where applicable.

4.80 The Commission noted the establishment of the ‘IWC–SC-CAMLR collaboration’ e-group including experts from the Scientific Committee of the IWC (IWC-SC) intersessional group on whale entanglement in the krill fishery, for developing a data collection template and accompanying instructions for vessels to report standardised data in the event of a whale by-catch event (SC-CAMLR-41, paragraphs 5.21 and 5.22).

4.81 The Commission further supported the development of training materials to support the collection of data on incidental mortalities of seals, and the development of a gear library to document the marine mammal exclusion devices used by trawl vessels operating within the Convention Area (SC-CAMLR-41, paragraphs 5.26 to 5.28).

4.82 The Commission welcomed the offer from Norway to circulate information on modifications made to marine mammal exclusion devices to minimise the risk of whale by-catch and encouraged the further development of technologies and mitigation measures to decrease the risk of entanglement and by-catch of marine mammals (SC-CAMLR-41, paragraph 5.29).

4.83 Russia noted that research conducted on board the RV *Atlantida* in 2020 in Subareas 48.1 and 48.2 (WG-EMM-2021/31) included observation of krill-dependent predators on 180 hauls and during acoustic survey transects and undertook to present the results of these observations to the 2023 meeting of the Working Group on Ecosystem Monitoring and Management (WG-EMM).

4.84 The Commission noted the Scientific Committee decision to provide a standing invitation to experts from ACAP, ARK, COLTO and IWC at future meetings of WG-IMAF, noting their valuable input to the meeting.

Bottom fishing and vulnerable marine ecosystems

4.85 The Commission noted the discussions of the Scientific Committee on bottom fishing and vulnerable marine ecosystems (SC-CAMLR-41, paragraphs 5.37 to 5.46).

4.86 The Commission **endorsed** the addition of eight new vulnerable marine ecosystems (VMEs) in Subarea 48.1 to be included in the CCAMLR VME registry (SC-CAMLR-41, paragraph 5.38).

4.87 ASOC welcomed the endorsement of the eight VMEs, and noted it was encouraged by the approach to documenting these VMEs, which brought together governmental organisations and civil society. ASOC also thanked Germany for its work on fish nesting habitat and noted it was important for CCAMLR’s credibility to protect these areas.

4.88 The Commission noted the recommendation of the Scientific Committee to use a modification of CM 22-06 as a mechanism to protect ‘fish nest areas’ detailed in SC-CAMLR-41/BG/05.

4.89 The Commission noted that no consensus could be reached on amending CM 22-06 as recommended by the Scientific Committee. Some Members considered that these recommendations could be better addressed through a self-standing conservation measure. The EU and its Member States submitted a proposal for a new conservation measure to protect fish nest areas in the Convention Area, which was discussed under agenda item 9 (paragraphs 9.14 to 9.18).

4.90 Many Members noted that the advice from the Scientific Committee on the importance of protecting fish nest areas was clear (SC-CAMLR-41, paragraph 5.42).

4.91 Some Members considered that protecting sensitive areas such as fish nests was conceptually different from protecting other benthic features, and required a management framework, additional science, and indicators to be developed so that it could be applied to other areas in the Convention Area.

Marine debris

4.92 The Commission noted the discussions by the Scientific Committee on marine debris (SC-CAMLR-41, paragraphs 5.47 to 5.52).

4.93 The Commission **endorsed** the recommendations of the Scientific Committee that:

- (i) marine debris and lost gear be summarised in the report by the Scientific Committee to the CEP
- (ii) the ‘Intersessional Correspondence Group on Marine Debris’ e-group be used to progress discussions on marine debris intersessionally.

4.94 Recalling the request by the Scientific Committee (SC-CAMLR-41, paragraphs 5.50 and 8.3) and SCIC (SCIC-2022, paragraph 116), the Commission **recommended** that discussions be reinitiated on the mechanisms to reduce gear loss through improved marking techniques in the ‘Unidentified fishing gear in the Convention Area’ e-group.

4.95 COLTO noted the decreasing trend in lost longline gear (WG-FSA-2022, paragraph 6.28) and advised it would be working closely with longline fishing gear manufacturers to further minimise lost fishing gear via an industry-led workshop. COLTO looked forward to working with the Scientific Committee to find practical solutions to this issue in CCAMLR.

4.96 The Chair closed Agenda Item 4.

Spatial management

5.1 The Commission noted the discussions held during the meeting of the Scientific Committee on the proposal to merge the management plans for Antarctic Specially Protected

Area (ASPAs) No. 152 Western Bransfield Strait and ASPA No. 153 Eastern Dallmann Bay (SC-CAMLR-41, paragraphs 6.30 to 6.39) and noted CCAMLR-41/BG/29 which presented highlights of scientific research results in these ASPAs.

5.2 Some Members noted that the proposed expansion of ASPA Nos 152 and 153 sent to CCAMLR for approval was a major change and that both the justification for the change as requested by WG-EMM and the revised management plan had not been provided to the Scientific Committee and the Commission for evaluation. China noted that it was therefore impossible to evaluate to what extent the updated management plan would affect CCAMLR-related activities.

5.3 Many Members did not agree with the comments made by China and Russia.

5.4 The Commission was informed by the USA that the revised management plan has been available from the CEP website and had been provided to the Scientific Committee (Agenda Item 6.2, WG-EMM-2022/45) and in a supplemental document which was presented orally to the Scientific Committee.

5.5 The Commission did not reach consensus to approve the revised management plan for ASPAs Nos 152 and 153.

5.6 Many Members noted that the intent of ATCM Decision 9 (2005) was to allow CCAMLR to identify the actual harvesting, or potential capability of harvesting, of marine living resources which might be restricted by a site designation, and that the proposal would not cause any such restrictions. Furthermore, most Members considered that sufficient scientific justification for the revised ASPA management plans had been provided to the Commission and Scientific Committee. In addition, they further noted that the lack of consensus will send a message of non-cooperation to the CEP and ATCM as these bodies relied on CCAMLR's consideration of the issue. Some Members noted that these ASPAs did not meet the outlined criteria for Decision 9 (2005) and that the Commission did not need to review the proposal.

5.7 The Commission requested the Chair of the Scientific Committee report on this discussion to the CEP in 2023.

5.8 Many Members and ASOC noted that Annex V of the Protocol states that any area, including any marine area, may be designated as an ASPA or Antarctic Specially Managed Area (ASMA) and that ATCM Decision 9 (2005) confirms that prior CCAMLR approval is not required for all ASPAs or ASMAs, but only to those that may affect CCAMLR activities. As such, these Members and ASOC noted that the ASPAs considered could be endorsed without further delay.

5.9 The Commission **endorsed** the revised management plan proposal for ASPA No. 145.

Proposals for marine protected areas (MPAs)

5.10 The Commission considered CCAMLR-41/34, submitted by Argentina and Chile, which presented a revised proposal for a conservation measure establishing an MPA in Domain 1 (Western Antarctic Peninsula and South Scotia Arc). The proponents highlighted the modifications made to the proposal over the years following feedback from interested parties

through a consultative, transparent and inclusive process. The proponents noted that the Antarctic Peninsula is one of the areas most affected by climate change on the globe and that these effects are compounded by other stressors such as tourism and fishing activities. The proponents indicated that the proposal included a krill fishery zone which allowed flexibility for the future revision of the krill management strategy. They highlighted the envisioned interplay between the proposed MPA and the fishery whereby the MPA would enable a spill-over effect, increased productivity, the determination of reference points to assess fishery impacts and provide protection for krill nursery areas, while the fishery would assist in scientific research through data collection.

5.11 The Commission congratulated the proponents for the extensive work and the adjustments made to the proposal following feedback from Members and, while noting the 143 data layers used to establish a baseline dataset relevant to the proposal, it recalled that the Scientific Committee had noted that Domain 1 was one of the relatively data-rich regions in the Convention Area, and that the research activities identified could provide a firm basis for developing a research and monitoring plan (RMP) for the D1MPA (SC-CAMLR-41, paragraph 6.2). It also noted that the D1MPA encompassed the area of concern to fur seal populations (South Shetland Islands; SC-CAMLR-41, paragraphs 3.36 and 3.39; paragraph 4.11).

5.12 Most Members supported the proposal and noted it presented the best available science. They recalled the Commission's engagement to establish a representative network of MPAs by 2012 and that under CM 91-04 the development of an RMP was not a prerequisite to the establishment of an MPA. They also noted the need for harmonisation between the different area-based management tools in the region (paragraph 4.18).

5.13 Russia noted its concern, as outlined in CCAMLR-41/BG/33, relating to the scientific and legal aspects of this MPA that required clarification. Russia noted the need for criteria to assess conservation objectives, the need for baseline data collection and an RMP prior to MPA establishment, the development of indicators to assess the effectiveness of the MPA, justifications for the proposed boundaries and duration, and explanation of the relationship between the D1MPA and the South Orkney Islands southern shelf (SOISS) MPA. Russia emphasised that MPA proposals should be considered in conjunction with the other conservation measures to ensure systemic approach to conservation of marine living resources. It stressed the significant difference of requirements applicable to establish limitations under conservation measures and under MPAs as proposed.

5.14 Russia noted the need for clarity on how the creation of the D1MPA will contribute to the protection of marine ecosystems, biodiversity and habitats from climate change. In Russia's opinion, CCAMLR-41/34, Draft CM 91-XX, does not contain sufficient procedural and implementation measures, namely: procedures for reviewing the boundaries and duration of the D1MPA; procedures for monitoring and the periodic review of MPAs; procedures and criteria in accordance with which the MPA ceases to exist, including setting precedents for early closure. Russia noted that it did not agree with paragraph 14 (Draft of CM 91-XX), according to which the D1MPA can exist without an approved RMP for many years. In Russia's opinion, establishing the D1MPA should be carried out by approving the entire package of necessary documents by the Commission, and an integral part of such a package is the MPA RMP. Russia noted that key characteristics of ecosystem processes and biodiversity, as well as their associated measurable monitoring indicators and indicators of achievement of the objectives of the MPA, should be recorded in the RMP for the D1MPA. In Russia's opinion, such information

must precede the establishment of a D1MPA and not be the focus of long-term research conducted under the RMP as envisaged by the Draft of CM 91-XX (Draft of CM 91-XX, Annex 91-XX/C, paragraph 4).

5.15 China shared some of these concerns and noted that many issues have been raised over the years since 2017 and are still outstanding in the Scientific Committee. China appreciated the information provided by the proponents on the comprehensive scientific activities of Members in this region, and encouraged the proponents to provide scientific data for updating priority elements for the RMP for the MPA proposal. Thus, China noted the proposal did not constitute best available scientific data, and that it was not mature enough for approval. China also noted the rich discussion on the scientific research and management related to the krill fisheries in this year.

5.16 Argentina thanked Russia and China for their comments, and noted that proponents had already answered these concerns through working and background papers submitted both to the Scientific Committee and Commission (SC-CAMLR-37/BG/07; SC-CAMLR-37/BG/08; SC-CAMLR-38/BG/22; SC-CAMLR-41/BG/30; CCAMLR-38/BG/22), and also during plenary discussions (SC-CAMLR-37, paragraph 6.53; SC-CAMLR-38, paragraphs 6.55 and 6.56; CCAMLR-37, paragraphs 6.48 and 6.54; CCAMLR-39, paragraph 5.51). Argentina noted that proponents are open to have conversations regarding these concerns, and that most of the issues could be addressed through the RMP, encouraging all Members to take part in its development. Finally, Argentina does not agree that CM 91-04 establishes the requisite of an RMP prior to the adoption of an MPA, and the D1MPA proposal has all the required elements.

5.17 The Commission noted that CM 91-04 stipulated that the conservation measures establishing MPAs shall include priority elements of an RMP and any interim research and monitoring arrangement until those plans are adopted (CM 91-04, paragraph 3iv), and most Members considered that such elements were set out in the proposal.

5.18 Most Members congratulated the proponents for addressing feedback through the years, reiterated that their proposal constituted best scientific evidence available and was well justified, clear and had attainable objectives. They recalled the SCAR lecture (paragraphs 2.9 and 2.13) and the existence of strong evidence supporting the role of MPAs in protecting biodiversity and as providers of refuge for adaptation to climate change in the absence of human activities. They also noted that the D1MPA would enable ecosystem resilience to climate change impacts in the area of the globe most affected by climate change.

5.19 Some Members also noted the 143 data layers included in the D1MPA proposal and highlighted the disparity between the amount of information that is requested for conservation initiatives to be adopted versus the minimum scientific and monitoring requirements for fishing activities to proceed, denoting the need to balance such disparities which seem to be making the work of this Commission increasingly stray from the objectives of the CAMLR Convention.

5.20 ASOC also thanked Argentina and Chile for their strong proposal for an MPA in Domain 1, noting that over 140 data layers had been compiled to support the future development of an RMP. ASOC also encouraged the Commission to harmonise the development of this MPA with the revised management of the krill fishery and to designate the D1MPA without delay.

5.21 The Commission considered CCAMLR-41/27, submitted by Australia, the EU and its Member States, India, New Zealand, Norway, Korea, Ukraine, the UK, the USA and Uruguay,

which presented a draft conservation measure for an East Antarctic MPA. The proponents noted that the proposed MPA will conserve representative areas of biodiversity, including nursery areas for krill and toothfish, and foraging areas for predators and establish scientific reference areas for monitoring natural variability, human activities and long-term change. The proposal balanced conservation and rational use, and was based on the best scientific evidence available as agreed by the Scientific Committee. The proponents noted that the proposal was ready for adoption by the Commission and called on all Members to support it.

5.22 Australia made the following statement:

‘The Commission has committed to establishing a representative system of marine protected areas in the Convention Area.

We underline the Scientific Committee endorsed the East Antarctic marine protected area proposal as based on the best available science.

The establishment of the East Antarctic marine protected area will contribute to the Convention’s objective to conserve Antarctic marine living resources.

Like other MPAs, the East Antarctic marine protected area will: ensure protection of marine ecosystems, biodiversity and habitats to maintain their viability and integrity in the long term; protect key ecosystem processes, habitats and species, including populations and life-history stages; and establish scientific reference areas for monitoring natural variability, human activities and long-term change.

It also allows for sustainable fishing, consistent with the scientific and conservation objectives of the MPA.

This will be to the benefit of all Members. Australia looks forward to further discussion on progressing MPAs at this meeting. Given there is no impediment to adopting this MPA, we urge the Commission to do so.’

5.23 On behalf of Mr O. Poivre d’Arvor (Ambassador of France for the Poles and Maritime Issues), France read his statement:

‘France fully supports the statement already made on behalf of the EU and its Member States.

I would like to address this agenda item dedicated to MPAs in order to stress the extent to which the work of our Commission is scrutinised and expected throughout the world, well beyond these walls. Governments and public opinion alike fail to understand why the discussions we started several years ago have not yet reached a satisfactory conclusion. This inertia undermines the credibility of our mutual commitment to protect Antarctica. Furthermore, it challenges the work accomplished by our predecessors by casting doubt on our ability to follow their example.

Only half a century ago, in the midst of the Cold War and despite intense international tensions, our countries were able to wisely carry the vision of Antarctica that brings us together today, the vision of an exceptional continent, which is “in the interest of all mankind” as defined in the Antarctic Treaty, to which twelve countries were the original Consultative Parties: Argentina, Australia, Belgium, Chile, France, Japan, New

Zealand, Norway, South Africa, the United Kingdom, the United States and the USSR, i.e. today's Russia. This exemplary Treaty was joined by other countries as Consultative Parties, including China in 1983, and many other nations, represented here today.

In 1975, the Antarctic Treaty Consultative Parties decided to seek agreement to establish a wide-ranging conservation convention for the protection of Antarctic species against irreversible damage caused by unregulated fishing. This led to the adoption, on 20 May 1980, of the Convention on the Conservation of Antarctic Marine Living Resources, which entered into force on 7 April 1982, 40 years ago!

These commitments made by our forebears, to the conservation and protection of the Antarctic and the surrounding waters were visionary. Overcoming their differences, sovereignty claims and economic interests, they founded a community based on goodwill and science around a continent about which little was known at the time.

Antarctica has since spoken. In the 1980s, Russian and French teams in particular were able to identify what is known today as climate change from ancient ice cores. Antarctica sounded the alarm, pointing to greenhouse gas emissions (CO₂) as a threat for the coming decades. As we all know, global warming, the tragedy of which we are the witnesses, actors and victims, is the major issue for our generation and generations to come. In addition to the irreversible melting of the Greenland ice sheet, the movement of Antarctic glaciers, both in the West and now in the East, promises a dramatic rise in sea levels. From recent conversations with IPCC experts, I understand that by 2100 they could be as much as one and a half to two metres above present levels worldwide. This would mean the displacement of two billion people due to climatic changes, and significant damage to the world's entire coastline, which would be a deplorable scenario.

Antarctica is in trouble. Antarctica's glaciers are suffering. Antarctica, which contains 70% of the world's fresh water and whose Southern Ocean is an irreplaceable carbon sink and oxygen supplier, is in danger. The exceptional biodiversity of its waters, fauna and flora, to which the Commission is dedicated to protect, is seriously threatened.

The alarm is raised, and we are walking on thin ice. And what are we doing today, unworthy of the commitments of our predecessors and founders of the Antarctic Treaty? For years we have been arguing with each other, in vain, on the subject of the designation of MPAs. However, is arguing the right word in this instance? The vast majority of countries represented here, with their scientists working on the continent and its surrounding waters, are calling for the designation of MPAs for the East Antarctic, the Weddell Sea and the Domain 1 proposal in the Antarctic Peninsula with a view to finally establish the representative system of Antarctic MPAs as planned in 2011, which will allow for the primary objective of conservation to be achieved at this pivotal time.

Today I would like to appeal to representatives of two countries whose scientific communities are crucial parts of global research efforts and who, like us all, hold Antarctica close to their heart. I reach out to my Russian and Chinese counterparts to ask them to join the community of those who are willing to protect Antarctica while it is under threat. We have been discussing these issues for 10 years now. One cannot always be against everyone else. Russia and China, as great scientific nations, cannot

opt for isolation when we so badly need to act collectively, as one. What would be the risks in accepting these designations today? What better message could we send to our youth, our citizens who are threatened by climate change and who do not comprehend why nations are arguing over the merits of protecting the waters and endemic species of the continent dedicated to peace and science.

Therefore, I urge all of us to adopt the proposals during this meeting and to meet again soon, in a few months, whatever the international situation and conflicts, for a special meeting dedicated to these marine protected areas. The world will be watching us, our children will be watching us, and we will then have the opportunity to write or not to write a new page in the glorious history of the unique relationship between humanity and the Antarctic.’

5.24 Most Members recalled that the proposal was based on the best scientific evidence available, in line with Article II of the Convention, part of the Commission’s commitment to establish a representative network of MPAs, and comprehensive and mature enough to be adopted. They further noted that the adoption of this MPA would also be an important step towards meeting the UN Sustainable Development Goal 14, Life below water.

5.25 Russia noted its concern, as outlined in CCAMLR-41/BG/35, relating to the scientific and legal aspects of this MPA that required clarification. Russia noted the need for recent baseline data, justification for the proposed boundaries, the establishment of performance indicators, and the need for separate conservation measures for each area. Russia noted that not all of the MPA’s objectives might be met, in particular in the case of species adaptation to climate change.

5.26 China recalled that this proposal was initially proposed as elaborating a system of MPAs in data-limited regions, and noted that the East Antarctic region is a data-limited region with a paucity of time-series data that can be used to describe the structure and process of the ecosystem. China noted that it had been considered best scientific evidence available eight years ago, as well as issues of paucity of time-series data for the region relevant to the quantitative assessment of some important fish and krill stocks, the possible increase of IUU fishing activities, the capacity for research and monitoring, and the heterogeneity of scientific data availability that was noted by the Scientific Committee. China noted that after almost 10 years, the ecosystem and the environment may have experienced many changes, and that more recent data needed to be considered. China noted that the proposal aimed at protecting biodiversity and the areas instead of marine living resources, which was a concept that further operation elements needed to be clarified in the context of the Convention. China also noted that an MPA cannot address the root cause of climate change.

5.27 Most Members questioned China’s views indicating that the lack of recent ‘best scientific evidence available’ qualification had been caused by the blocking of this proposal by China and Russia for the last 10 years. They further indicated their confusion regarding the need to clarify the concept of biodiversity and noted that the conservation of marine biodiversity was an integral part of CM 91-04. They expressed strong concern that the Presidency of COP15 of the United Nations Convention on Biological Diversity was questioning what biodiversity entails. They further noted that MPAs were known to be effective in mitigating climate change impacts by providing refuge to marine living resources from additional stressors such as fishing pressure.

5.28 France stressed that the methodology used to determine the spatial boundaries of the proposal was specifically designed for data limited regions. France indicated that the proposal had been updated to account for recent ecosystem changes, such as that caused by glacier calving leading to two years of null reproductive success of Adélie penguins (*Pygoscelis adeliae*), and the discovery of remarkable diversity of fish and benthic organisms in inner shelf depressions. France further highlighted recent independent scientific studies, including in East Antarctica, pertaining to marine predators' Areas of Ecological Significance (RAATD) and Important Marine Mammal Areas (IMMA), which both confirmed the perimeter of the proposed MPA.

5.29 Most Members supported the proposal and considered it ready for adoption. They further noted that the proposal had addressed two Members' concerns over the years, had no scientific counter arguments, and that not adopting it was a decision that had implications for the rest of world. Some Members requested that the two Members not joining consensus clarify how to achieve the Commission's objective to establish a representative system of MPAs.

5.30 ASOC supported the interventions by Members on the strong scientific basis for the proposal. ASOC considered that the proposal was fully mature and should be designated without delay.

5.31 The Commission considered CCAMLR-41/28, submitted by the EU and its Member States, Norway, Uruguay, Australia, the UK, New Zealand, the USA, Korea, India and Ukraine, which presented a draft conservation measure establishing an MPA across the Weddell Sea region. Following discussions at CCAMLR-40, the paper described updates to the proposal, including a new recital about the location of the wreck of Ernest Shackleton's *Endurance* and the addition of the area where in 2021 a large colony of demersal fish nests was discovered, within the proposed special protected zone (SPZ).

5.32 Most Members supported the proposal which represented the best available science and was an integral part of the Commission's commitment to establish a representative system of MPAs.

5.33 Russia noted that the consideration of rational use was lacking from the objectives of the proposal for establishing an MPA across the Weddell Sea region and encouraged the identification of areas for protection and fishing activity in phase 1 of the proposal. Russia noted that revision of the Weddell Sea MPA (WSMPA) proposal is needed, requiring new information on the commercial potential for dominant fish species in the MPA to designate areas for protection and fishing activity. Russia noted that this new information may be provided from research programs in the Weddell Sea. Russia further noted that part of the MPA would be inaccessible to monitoring due to ice cover and that more data was needed to strengthen the proposal.

5.34 China noted the great effort of the proponents but that substantial issues, discussed for the past five years, were still outstanding. Further, China questioned the large size of the proposed MPA that is covered by heavy sea ice all the year round, and noted that justifications for the MPA needed clarification as the area was less impacted by climate change than other areas, and the fishing activities were managed well and at low levels. China also noted that the area was data limited, especially for quantified marine living resources and ecosystems, and suggested simplifying the dual system of objectives and providing baseline data for the proposed objectives and indicators.

5.35 Germany clarified that rational use was accounted for in the proposal as, among other things, it had been developed in consultation with Japan and South Africa who have been fishing in research blocks in Subarea 48.6 for many years. Germany further noted that the permanent presence of sea ice in large parts of the Weddell Sea had not prevented conducting ship-based science (e.g. with the research icebreaker *Polarstern*) in the area since 1982, and that modern technologies such as satellite observation and autonomous systems were routinely used as additional monitoring tools. Germany noted that climate change was impacting the entire planet, including the waters around Antarctica. Germany noted that scientific data indicate that the Weddell Sea will be an area which will experience a delay in the onset of climate change impacts, and where sea-ice conditions might remain relatively stable in the foreseeable future. In the light of this, Germany noted that the Weddell Sea will act as a refuge for cold-adapted species and ecosystems and that this was an explicit part of the WSMMPA conservation objectives. Finally, Germany noted that Russia's and China's feedback had been addressed in the past, that the proposal included Russian data and thanked them for their contribution.

5.36 Most Members reiterated that this proposal was sound, provided sufficient details for its adoption and recalling the SCAR lecture, noted that inaction would signal that CCAMLR had not understood the urgency and importance of adopting MPAs for the Southern Ocean ecosystems, and by extension the global marine ecosystem.

5.37 Chile notified the Commission that it will join the co-proponents of this MPA proposal for its next iteration.

5.38 Uruguay made the following statement:

‘Uruguay would like to reassert its support for MPAs as a fundamental tool for the conservation of the Antarctic ecosystem. The proposals co-sponsored by Uruguay are in line with the objective of the Convention, which is the conservation of Antarctic marine living resources, where conservation includes rational use in accordance with the provisions of the Convention and the conservation principles in Article II.

At the same time, we understand that MPAs have been found to contribute towards the achievement of the Sustainable Development Goals, particularly, Goals 2, 13, 14 and 17.

Some scientific studies have shown that MPAs can help to make vulnerable ecosystems more resilient to the impacts of climate change through the elimination of other ecosystemic stressors, such as fishing.

Networks of MPAs also contribute to species adaptation to climate change or to their capacity to evolve or modify their behaviour in response to changes in habitat conditions, through the establishment of protected pathways for migration and for the areas of distribution of most Antarctic species. MPAs can therefore make a significant contribution to achieving the global goals of ocean protection and sustainable use of the world's fishing resources.

We must also consider that the waters in these areas constitute natural laboratories to study how pristine marine ecosystems react to the warming and acidification of the ocean.

Uruguay hopes that during the current meeting of the Commission a favourable consensus can be reached regarding the proposals for the establishment of MPAs, namely, the East Antarctica MPA and the Weddell Sea MPA, which are co-sponsored by our country.’

5.39 The Commission did not reach consensus on any of the three MPA proposals.

5.40 The Commission considered CCAMLR-41/BG/42, in which Norway summarised the progress made towards developing the proposal for phase 2 of the WSMPA , including convening a workshop in September 2022 with invited experts from CCAMLR Members and Observers, updates to the WSMPA phase 2 atlas (<https://tryggve.npolar.no/WEB/maudatlas/Atlas-3.0.html>) and the development of an interactive visualisation tool (<https://mathmarecol.shinyapps.io/WSMPA2>). A proposal for WSMPA phase 2 is planned for submission to the Commission in 2023.

5.41 The Commission congratulated Norway on the progress made and for hosting a successful in-person workshop with virtual attendance. Norway encouraged all Members, including those who were not able to engage in the workshop, to contribute to the further development of the WSMPA phase 2 proposal.

5.42 The Commission noted the lack of consensus on MPA proposals and discussed the possibility of establishing a roadmap to help identify steps to enable progress on these issues.

Review of existing MPAs

5.43 The Commission noted the Scientific Committee discussions on existing MPAs (SC-CAMLR-41, paragraphs 6.8 to 6.21), including on RMPs (SC-CAMLR-41, paragraph 6.15), activity reports (SC-CAMLR-41, paragraph 6.18) and CMIR activities (SC-CAMLR-41, paragraph 6.19).

5.44 The Commission considered CCAMLR-41/40, submitted by Russia, which presented comments on the status of the SOISS MPA relating to its scientific and legal aspects, noting that clarification was essential for developing a system of MPAs in the Convention Area. The paper discussed the paucity of scientific research in the MPA during the first and second review periods. Russia noted that the SOISS MPA is currently operating under CM 91-03, despite the existence of CM 91-04 (2011) governing the development and existence of MPAs in the Convention Area. In Russia’s opinion, this duality enabled the prolongation of the SOISS MPA for the second review period (2015–2019) and then for the third review period (2020–2024), despite the absence of an RMP and the achievement of an assessment of the MPA’s objectives for the reporting period, approved by the Scientific Committee and the Commission and well as the lack of consensus on its RMP due to the absence of criteria for assessing the achievement of specific objectives of the MPA and the need to align CM 91-03 and CM 91-04. Russia believed that the transition of the SOISS MPA to governance under CM 91-04 should be carried out as soon as possible by consensus of the Scientific Committee and the Commission. In Russia’s opinion, in the absence of consensus, the existence of the SOISS MPA should be suspended.

5.45 China noted that it was impossible for the Commission to assess if the MPA was achieving its objectives due to the lack of scientific data, in contrast to the expectation of the Scientific Committee in 2006 that the establishment of this MPA may stimulate robust scientific research, and argued that future MPAs should be better implemented.

5.46 Most Members noted the MPA is achieving its objectives and is based on a world-leading scientific and legal framework. Many Members noted that this was a CCAMLR MPA and belonged to all Members and noted that the papers submitted by Russia and China contained ideas towards the harmonisation of MPAs in the Convention Area.

5.47 The Commission considered CCAMLR-41/BG/20, submitted by Italy, New Zealand and the USA, which presented the Ross Sea region MPA (RSRMPA) RMP (SC-CAMLR-XXXVI/20, endorsed by the Scientific Committee in 2017) and a five-year report on research and monitoring. The paper celebrated the five-year anniversary of the MPA and updated the Commission on the five-year reports on the research and monitoring. Reported research to date comprised 460 projects related to all 11 MPA objectives, carried out collaboratively (20 CCAMLR Members, 2 Acceding States and 7 Cooperating Parties), with information accessible through the ‘RSRMPA Member activities 2022’ e-group, the CCAMLR MPA Information Repository (CMIR), SC-CAMLR-41/BG/36 and WG-EMM-2022/37.

5.48 Most Members congratulated the Commission and its Members on the five-year anniversary of the RSRMPA and the research done under the RMP.

5.49 China noted that the Commission will adopt an RMP for an MPA on the basis of advice from the Scientific Committee in accordance with CM 91-04 and CM 91-05, and recalled that an RMP had yet to be adopted for this MPA and that this was a matter of concern. China sought clarification from the Commission on how Members can proceed with the RMP for the RSRMPA, and urged the proponents of the RSRMPA to lead the work to undertake the initial update and additional update to the draft RMP, so that it can be adopted by the Commission based on the advice of the Scientific Committee. China noted CCAMLR-41/BG/25 had provided concrete proposals on how to improve the draft RMP for the RSRMPA, which contents did not need to be reiterated as they had been discussed in the past.

5.50 Russia shared China’s concern and further noted that the provisions of CM 91-05 were not met and recalled that a catch limit for research programs implemented in the frame of the RMP had yet to be agreed for the RSRMPA.

5.51 Most Members noted the substantial amount of collaborative research conducted, and that these contributions represented a great example of how an MPA could achieve its objectives. They noted that the Scientific Committee endorsed the RMP in 2017 (SC-CAMLR-2017, paragraph 5.45) and that the RMP is ready to be endorsed by the Commission, that it is intended to be a living document which could be improved upon over the years through the contributions of all Members, and urged Russia and China to join consensus to adopt the RMP.

5.52 ASOC also congratulated Members on the extensive research they had carried out in support of the RMP, and noted that CCAMLR is showing leadership in demonstrating how research and monitoring can be carried out in large-scale remote MPAs. ASOC considered that this sets a positive precedent for demonstrating that CCAMLR Members have the capacity and will to carry out effective research and monitoring in other MPAs, including those currently being considered for adoption.

5.53 The USA made the following statement applicable to all of the MPA-related papers submitted by China and Russia:

‘As our time is limited, we will not address the papers point by point. As a suggestion to the rapporteurs, rather than restate our view after every paper it might be simpler to include it once after all these papers have been summarised.

The USA does not currently agree with all the conclusions nor endorse all the recommendations made by China and Russia regarding MPAs and associated research and monitoring plans. We are, however, keen to establish a system of CCAMLR MPAs around Antarctica and understand that a general “reset” of the MPA discussion is needed to achieve such a system. We are thus open to a more constructive dialog on MPAs and RMPs in the future, starting with a Special Meeting in 2023. As we noted in the discussions on krill, we think the work to revise the management strategy for krill in Subarea 48.1 demonstrates how Members can work constructively to advance complex issues. Integrating the development of the krill fishery with that of the D1MPA proposal thus also provides fertile ground for all of us to find a way forward with MPAs.’

General issues related to spatial management

5.54 The Commission considered CCAMLR-41/09, submitted by the CCAMLR Secretariat and the Chair of the Commission, which presented a proposal for an extraordinary meeting of the Commission on spatial planning and MPAs. Taking into account comments provided to the ‘Commission special session on MPAs’ e-group and during the Heads of Delegation meeting of 7 June 2022, the paper presented draft terms of reference and included proposed practical arrangements for a meeting.

5.55 The Commission thanked the Secretariat and the Chair of the Commission for developing the paper. The Commission welcomed the offer by Chile to host the meeting in the first half of 2023 and the offers from Australia to contribute A\$100 000 and the USA to contribute US\$75 000 (paragraph 1.22) towards the costs of the meeting. The Commission agreed that observers should be invited to the meeting under Rule 30 of the Rules of Procedure.

5.56 The Commission considered the terms of reference and draft agenda. There was agreement that the meeting should consider the way forward for the Commission to progress MPA design, designation, implementation and the establishment of RMP consistent with the Convention and based on the best scientific evidence available.

5.57 Russia stressed that the Host State grossly violated the Headquarters Agreement between the Commission and the government of Australia and did not provide visas to all Members of the Russian Delegation to CCAMLR-41 from the Ministry of Foreign Affairs. Under any circumstances the possibilities for equal participation of all Members should be ensured.

5.58 Australia noted for the record that Australia is proud to host the Commission and strongly supports its objective to conserve Antarctic marine living resources. Australia takes its international obligations seriously and is acting in accordance with the Headquarters Agreement.

5.59 The Commission **agreed** to carry out an extraordinary meeting of the Commission on spatial planning and MPAs in 2023. The terms of reference and arrangements were agreed by the Commission as an updated version of CCAMLR-41/09 (see Annex 6). The date for the meeting will be agreed in consultation with the host country (Chile) from the options in Annex 6.

5.60 The Commission considered CCAMLR-41/41, submitted by Russia, which presented comments and proposals on developing unified criteria for establishing MPAs in the Convention Area. The paper argued that there were insufficient procedural and implementation measures to manage a single unified process for designating scientifically based MPAs and to regulate their operation by the CAMLR Commission. The paper outlined several proposals, including the development and adoption of an agreed definition of ‘marine protected areas’, the adoption of a mandatory MPA checklist for the establishment of MPAs, the requirement for a RMP as part of MPA proposals and a change to CM 91-04 to specify that sufficient best available data will be required to establish MPAs. Russia proposed that this MPA checklist for the establishment of MPAs in the Convention Area could be endorsed as Annex 1 to CM 91-04, as well as clear and transparent criteria and requirements for developing RMPs for MPAs could be adopted as Annex 2 to CM 91-04. Russia also stressed to add the following to CM 91-04: ‘Marine protected areas may be established on the basis of the best available data, which shall be sufficient to provide a scientific basis for the designation of MPAs in a particular area’. Russia noted unified criteria should be endorsed by the Commission and used in the establishment of new MPAs as well as in the review of existing MPAs.

5.61 The Commission did not reach consensus on the proposals presented by Russia and noted that the process currently in place for the designation of MPAs was described in CM 91-04.

5.62 Some Members noted that MPAs were all different and that each had its own merits and specificities, and that some flexibility in processes is required. They encouraged Russia to submit a draft of an edited version of CM 91-04 in the future to facilitate consideration of their proposal by the Commission.

5.63 China noted that elements of the proposal presented by Russia could contribute to a roadmap for MPA establishment (paragraph 5.42).

5.64 Most Members noted that further discussions on MPAs were needed to progress the issue and looked forward to the extraordinary meeting of the Commission on spatial planning and MPAs (paragraph 5.59) to reach consensus on spatial management issues and, in particular, MPAs.

5.65 The Commission considered CCAMLR-41/BG/23, submitted by China, which revisited the establishment of MPAs in the waters surrounding Antarctica and provided suggestions that have been raised in previous meetings in the context of the Convention, including to elaborate on a definition of MPA, to improve and integrate CCAMLR Ecosystem Monitoring Program (CEMP) results, to devise a scientific approach to identify the requirement of ‘further special consideration’, to develop a mandatory scientific checklist for MPA proposals, and to design a framework for research and monitoring plans.

5.66 The Commission considered CCAMLR-41/BG/24, submitted by China, which discussed the development of RMPs for CCAMLR MPAs with a specific proposal drawn on

the guidelines from the United Nations and the EU on the research, monitoring and assessment of the oceans and seas to interact with decision-making process. China also noted the necessity to consider the cost-effectiveness of the choice of different management tools to give effect to the objective and principles of the Convention, taking into account the cost of Antarctic activities, including scientific monitoring in the harsh Antarctic environment.

5.67 The Commission **agreed** that MPAs are one of the conservation tools, and most Members noted that the establishment of a representative system of MPAs has been a Commission objective since 2009.

5.68 The Commission considered CCAMLR-41/BG/32, submitted by ASOC, which presented recommendations regarding CCAMLR's MPAs. Noting that CCAMLR is now 10 years past the agreed 2012 deadline to establish a representative system of MPAs in the waters surrounding Antarctica, and that in addition to co-sponsoring proposals, 24 of 26 Members have stated their support for the adoption of at least one of the MPAs currently under consideration, ASOC recommended to: (i) adopt the three currently proposed MPAs, (ii) approve the RSRMPA RMP, and (iii) make progress on MPA proposals for MPAs in the remaining planning domains.

5.69 Recalling CCAMLR-38/BG/53, the EU enquired whether China still intended to propose an MPA in the near future and indicated it would be happy to collaborate on this endeavour. China clarified that the intent of that paper was to provide information on the scientific research plans intended to address the paucity of scientific data in the East Antarctic sector and that the results will help identify the conservation necessity and the development of management tools.

5.70 The Chair closed Agenda Item 5.

Impacts of climate change on the conservation of Antarctic marine living resources

6.1 The Commission noted the discussions of the Scientific Committee on climate change (SC-CAMLR-41, paragraphs 7.1 to 7.23), and further noted discussions in its report regarding the SCAR lecture (paragraphs 2.9 to 2.13).

6.2 The UK presented CCAMLR-41/29, a summary of the current understanding of the roles played by Antarctic krill and continental shelf benthic ecosystems in carbon export and storage and introduces a new initiative to map carbon storage hotspots. The authors recommended that CCAMLR recognises the important contribution of Antarctic marine living resources and their habitats to the processes of carbon export and storage.

6.3 The Commission recognised that climate change is already having effects in the Convention Area and that these effects will have global implications as also recognised by COP26 and the ATCM. Furthermore, climate change effects elsewhere will also impact the Antarctic and may influence the ability of the Commission to achieve Article II.

6.4 The Commission noted that the Scientific Committee has incorporated climate change into its advice (SC-CAMLR-41, paragraph 7.8) and through discussions at the SC-Symposium (SC-CAMLR-41, Annex 11) has also added climate change to the work plans and terms of reference of its working groups (SC-CAMLR-41, paragraph 7.14).

6.5 The Commission agreed that it needed to act urgently to prepare for, and adapt to, the effects of climate change on the marine ecosystems within the Convention Area.

6.6 Some Members shared concern about the effects of climate change and indicated the need for more integrated analysis of ecosystem trends to assess the effects of climate change and to align the management response with the appropriate management tool.

6.7 CCAMLR-41/31 Rev. 1 presented the proposal for a workshop on integrating climate change and ecosystem interactions into CCAMLR science, noting that evaluating the effects of climate change on Antarctic marine living resources is a priority topic for CCAMLR and was identified by the recent Scientific Committee Symposium as a key area of research.

6.8 The Commission welcomed the Scientific Committee's agreement to hold a workshop on climate change in the first half of 2023 and supported the conceptual design for the workshop of regional hubs with remote access which would expand the ability of experts to participate while minimising the carbon footprint (SC-CAMLR-41, paragraph 7.10). The Commission also encouraged the inclusion of a range of scientific experts as well as policy makers to foster integration of the best available science into management actions.

6.9 The UK made the following statement:

‘The UK has taken serious note of SCAR’s Decadal Synopsis Report on Antarctic Climate Change and Environment. We have heard the clear message that climate change is having a profound impact on Antarctica and the Southern Ocean, and that these impacts have consequential global effects. Last year the UK hosted COP26 where the Antarctic had a significant profile, due to international concern regarding climate change in the region and the need for urgent action. Members can review the paper ATCM44/WP29, submitted by the UK, nine other Parties, SCAR and ASOC which provides a list of COP26 Antarctic events and briefings. The UK will also engage in COP27. It is imperative that all of our governments act on the urgency of, at the very least, meeting the Nationally Determined Contributions of the Paris Climate Agreement, and SCAR’s call to communicate the implications of climate change for Antarctica and the Southern Ocean to a wide audience.

The UK welcomes the work set out by the Scientific Committee on climate changes and we look forward to further work on blue carbon (outlined in the UK paper CCAMLR-41/29) and we look forward to future reports of that project. We are also very pleased that the proposed climate change workshop (CCAMLR-41/31 Rev. 1) has been agreed, alongside the inclusion of climate change considerations to the terms of reference of all Scientific Committee working groups.

The UK believes CCAMLR must urgently consider whether our approach to delivering some of the founding principles of the Convention – particularly the way in which we assess the prevention or minimisation of risk of changes and their reversibility over two or three decades – are fit for purpose in light of the key messages from SCAR.’

6.10 CCAMLR-41/30 submitted by the UK, Korea, the EU and its Member States, Australia and the USA presented a proposal to amend CM 24-04 on establishing time-limited special areas for scientific study in newly exposed areas following ice-shelf retreat or collapse. The

proposal sought to extend its application to the whole Antarctic continental coast, in order to provide for the designation of Special Areas for Scientific Study in all regions where ice-shelf collapse or retreat may occur.

6.11 Most Members offered full support to the proposal, noting the scientific basis was compelling and simple. They agreed that the risk of exposure of new marine areas to an ice-free environment due to ice-shelf collapse is not limited to the Antarctic Peninsula and supported the expansion of CM 24-04 to the entire coast of the continent to promote research into the effects of climate change on marine ecosystems under an agreed framework.

6.12 Some Members considered that a more comprehensive plan for addressing ice-shelf collapse in other areas should be developed which may include developing RMPs, as well as reporting requirements for each of the areas of concern. Other Members requested that those Members bring concrete proposals to advance the discussions, noting that planning and scheduling expeditions to study ice shelves requires complex planning.

6.13 China noted that spatial data files on ice shelves are not included as part of the CCAMLR geographic information system (GIS) or in the *Schedule of Conservation Measures* as it was before 2016 and requested this information be added. The Secretariat indicated that ice shelves were now considered to be dynamic features and that, accordingly, the most recent data on their extent would be acquired from the SCAR Antarctic Digital Database to be added to the CCAMLR GIS and displayed as dotted lines in the schedule.

6.14 China also recalled that CM 24-04 was proposed with the aim to facilitate research on the fast alteration of the ecosystems and benthic habitats in newly exposed marine waters due to the collapse and retreat of ice shelves. However, little scientific research has been conducted in the newly exposed waters in such areas as Larsen C and the Pine Island so far, China therefore proposed to include requirement for scientific research on the ecosystems for review by the Scientific Committee in its review at the end of the stage 1 Period.

6.15 There was no consensus to revise CM 24-04.

6.16 The Commission considered CCAMLR-41/32 Rev. 1, submitted by the EU and its Member States, the UK, Australia, Chile, New Zealand, Norway, the USA, Uruguay and Korea. Based on the unambiguous findings of the recent Intergovernmental Panel on Climate Change (IPCC) reports (IPCC 2019; 2021; 2022) with respect to the future likely implications for Antarctica and the waters surrounding Antarctica, coupled with the impacts of climate change already observed in the Convention Area, including as a result of warming trends already in the global system, and the urgent need to take action now, the authors recommended that the Commission adopt an updated resolution on climate change.

6.17 The Commission recalled the SCAR presentation on the opening day of the Commission, on SC-CAMLR-41/BG/21, and noted that climate change is largely the consequence of anthropogenic greenhouse gas emissions, and that impacts on Antarctic marine living resources and marine ecosystems are already observed (paragraphs 2.9 to 2.13).

6.18 The EU presented CCAMLR 41/32 on behalf of its Member States, the UK, Australia, Chile, Korea, New Zealand, Norway, the USA and Uruguay which proposed a CCAMLR resolution on climate change.

6.19 The UK made the following statement:

‘UK fully supports this resolution and hopes we will adopt it this year, especially following the presentation of the SCAR ACCE Report, which provides us with unequivocal evidence that climate impacts are affecting Antarctic marine living resources.

The Resolution would be a collective expression of the importance the Commission attaches to its work to develop adaptive management that takes climate change implications into account in all its decision-making.

As well as taking collective action by agreeing to this resolution, we also call on all CCAMLR Members to consider what further we can all take ourselves. For example, the UK delegation to CCAMLR has made a commitment to consider the implications of climate change in all our activities. We have dedicated ecosystem climate science experts on our delegation and through the wider engagement of the British Antarctic Survey with the delegation, as the UK national Antarctic science program, we ensure an integrated and multi-disciplinary approach to UK scientific input to CCAMLR. As a delegation, we have agreed a standing agenda item on climate change at all of our meetings, to consider our scientific input to CCAMLR; our role in communicating Antarctic climate change research findings and implications outside of CCAMLR to other stakeholders and interested parties; and how to work together as a delegation to deliver our objectives in a climate responsible way.

We would be pleased to share best practice and learn from other delegations who have already, or who are ready to make a similar commitment.’

6.20 Belgium made the following statement:

‘Belgium as one of the co-proponents of the resolution in front of us fully aligns with the interventions of the EU and other co-proponents and supporters. We also want to express our support for the work being done by the Scientific Committee on climate change and welcome the organisation of the climate change workshop. We join others in thanking SCAR for its valuable report and Prof. Steven Chown for the presentation he gave last week. This lecture highlighted the dramatic effect of climate change on Antarctica and the Convention Area and underlined the need for urgent action. We fully support the recommendations put forward in the Decadal Synopsis on Antarctic Climate Change and the Environment.

Having listened to discussions the past few days, it seems like some Members around this table are of the opinion that CCAMLR operates in a vacuum. I’m sorry to say that we are not.

We are not operating in a geo-political vacuum. Still, we remain hopeful that, together, we can find our way back to true cooperation, genuine collaboration and to dedicate Antarctica to peace and science in accordance with the commitment all of us made.

We are not operating in an organisational vacuum as CCAMLR is both part of the Antarctic Treaty System as well as of the international community. That is why we have an agenda item on cooperation with other international organisations.

And last but not least CCAMLR is not operating in an environmental vacuum. As was illustrated in the presentation of Prof. Chown, the Southern Ocean is the central connection between all ocean basins. At the ecological level, there is ample evidence of biological exchanges across the Antarctic Convergence at all trophic levels. What happens in the Southern Ocean doesn't stay in the Southern Ocean, and equally important: what happens outside of the Southern Ocean has an impact on the Southern Ocean.

In order to conserve Antarctic marine living resources it is of utmost importance to take into account all drivers that impact them. This includes climate change, pollution, direct exploitation and changes in sea use. Not taking these into consideration will lead to "changes in the marine ecosystem which are not potentially reversible over two or three decades".

In CCAMLR we can take action to reduce the cumulative impact of climate change and other drivers on the Antarctic ecosystems. Even more: we need to take action! Not just for us, but also for future generations.

As mentioned yesterday, Belgium is not prepared to give up on the Antarctic ecosystems. In this regard we express our disappointment that we were not able to find consensus on the revision of CM 24-04 earlier today. We call upon all Members to join forces to take urgent action and to adopt this resolution.'

6.21 Australia made the following statement:

'Thank you to the EU for introducing this draft resolution on this fundamental important issue that has profound implications for all of our work.

We have heard from the experts that, on the current trajectory of human-derived emissions of CO₂ and other greenhouse gases, the atmosphere and ocean will continue to warm, the ocean will continue to acidify, atmospheric and ocean circulation will be altered, the cryosphere will continue to lose ice, and sea level will rise.

As a co-sponsor, Australia would like to join those supporting the draft resolution.

Australia would like to note also the recent ATCM resolutions on climate change (Resolutions 8 and 4 (2022)).

We thank China for its intervention, and appreciate the engagement and the suggestions made. Australia shares the hope that we can have a new amended resolution on climate change this year. We very much look forward to gathering the fruit for this meeting together.

We urge the Commission to continue to show our commitment to considering the implications of climate change in our work by adopting this resolution on climate change.'

6.22 Uruguay made the following statement:

'Uruguay considers that climate change is the most important global environmental challenge of our times, and that multilateralism is the only possible way to deal with the urgency of this global problem.

Uruguay is a country particularly vulnerable to the adverse impacts of climate change despite contributing with a minimum percentage to global emissions of greenhouse gases. Due to this reason, we have shown a very active participation in all multilateral fora where the issue is being considered. In this sense, we coincide with the draft resolution with regard to the fundamental role of this Commission as responsible for the conservation of Antarctic marine living resources.

In previous interventions we had highlight our concern with regard to the climate change impacts on the Antarctic ecosystem. We agree with the reports of the Intergovernmental Panel on Climate Change (IPCC) that climate change is having a profound impact on Antarctica and in this regard, we believe that the draft resolution presented is needed and pertinent, and it is the reason why it counts with my country's co-sponsorship.

The draft has been revised and it contains several modifications which were included with the aim of accommodating the different positions among delegations. We expect this text to be finally adopted during this session.'

6.23 Norway made the following statement:

'CCAMLR recognised the need for management responses to climate change over a decade ago, including by adopting a climate change resolution in 2009. A lot of good science relevant to this issue has been produced since then, and the best available science has been assessed and summarised inter alia by the IPCC and SCAR.

The Southern Ocean is among the parts of the worlds oceans that are projected to change the most due to the combination of global warming and ocean acidification. These changes will increasingly affect the marine ecosystem of the Southern Ocean, with likely consequences for biodiversity as well as productivity, abundance and distribution of marine living resources in the convention area. Norway is concerned that rapidly changing environments of Antarctica and the ocean surrounding it will require similarly rapid and receptive environmental governance and management responses. In some cases we are already moving in the right direction, for example by developing feedback-based management of krill, and by exploring how to take future climate change into consideration in conservation planning, as we are currently trying to do in our work on WSMPA phase 2.

The draft resolution encourages Members to commit to integrating climate change considerations across all CCAMLR activities to better prepare for and respond to unavoidable impacts through adaptation measures that can ensure ecosystem resilience. This is in everyone's interest, since failing to do so will mean that we are much less likely to achieve the goals of CCAMLR. Active engagement in, and support of climate science, including through SCAR, will be key to develop our common knowledge base for adaptation.

The draft resolution also urges the Scientific Committee to continue to develop its management advice based on and fully integrating current understanding of climate change impacts on Antarctica and the Convention Area; not adapting to climate change is not a rational option for CCAMLR.

Norway strongly encourages all Members to adopt the draft resolution on climate change.'

6.24 South Africa made the following statement:

‘South Africa would like to thank the CCAMLR Scientific Committee for tackling the effects of climate change. The ongoing changes in trend, status and general weather patterns as a result of an average rise in the temperature of the earth’s surface have impacted both Antarctica and the Southern Ocean’s biodiversity. This rise in the average global temperature, is primarily due to increased concentration of gases emitted through increased human activities.

Currently, the global climate is changing much more rapidly as a result of global warming, leading to, among others, the melting of polar and glacier ice, sea-level rise, ocean acidification, changes in rainfall and snowfall patterns, more frequent floods and droughts and increased frequency and intensity of extreme weather events.

Along the western Antarctic Peninsula, there have been recent losses of ice and decreases of ice-dependent Adélie penguins, but increases and a southward range extension of gentoo penguins, which do not depend on ice. It is believed that changes in sea-ice distribution influence breeding success and impact the viability of colonies of emperor penguins.

South Africa acknowledged the importance of the Southern Ocean in maintaining global climate change. We also encourage the integration of climate change and ecosystem interactions relevant scientific information into analysis of CCAMLR’s science work program and its terms of reference and support the hosting of the workshop and request that this should be held both virtually and in person.’

6.25 Sweden stressed the importance of climate change research, and spatial management, including MPAs, as a tool to strengthening ecosystem resilience to climate change. Climate change is one of the main drivers of biodiversity loss according to the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, and it is important to address these challenges together. Sweden therefore highlighted the need to fully integrate climate change considerations across all CCAMLR activities.

6.26 ASOC noted that although CCAMLR cannot directly influence the main causes of climate change, it could take climate change action, including generating and disseminating Antarctic climate research, establishing area-based tools for ecosystem resilience and scientific reference, and reducing regional stressors from fisheries. ASOC considered that CCAMLR-41/29 to 41/32 proposed the absolute bare minimum climate change actions that CCAMLR should be taking. ASOC hoped that these proposals would be adopted this year and expressed concern that the update of CM 24-04 (CCAMLR-41/30) has already been rejected. ASOC noted 17 Members contributed to one or more of the four climate change papers, and 24 Members co-sponsored the adoption of MPAs which contribute to climate change resilience. ASOC encouraged CCAMLR to communicate its current and future climate actions to the 2022 United Nations Climate Change Conference and encouraged CCAMLR Members to meet their own nationally determined contributions.

6.27 SCAR made the following statement:

‘SCAR strongly supports the proposed update to Conservation Measure 24-04 and supports and welcomes the revised Resolution on Climate Change. We recall that in his

presentation to the Commission on behalf of SCAR, Prof. Chown made clear that we have a critical window in which to urgently act, otherwise further impacts on Antarctic ecosystems and species will occur that will not be reversible within two or three decades. The ACCE Report, which is grounded in IPCC research, also makes clear that urgent action is needed to include considerations of climate change in the conservation and management of Antarctic systems and marine living resources. CCAMLR is the responsible body to take such management action. SCAR stands ready to assist to share its expertise with the Commission and Scientific Committee and its associated working groups where helpful, including in the forthcoming climate change workshop.’

6.28 The Commission adopted Resolution 36/41.

6.29 The Chair closed Agenda Item 6.

Implementation and compliance

Advice from SCIC

7.1 The Chair of SCIC, Ms Engelke-Ros, presented the SCIC-2022 report (Annex 7). The Chair of SCIC thanked the Secretariat, interpreters, translators, rapporteurs and support staff for their dedicated service throughout the meeting, and Members for their constructive and cooperative engagement.

CDS Fund expenditure

7.2 The Commission noted that the Catch Documentation Scheme for *Dissostichus* spp. (CDS) Fund Review Panel was convened to consider one proposal from the Secretariat (CCAMLR-41/20) for the expenditure of A\$165 000 from the CDS Fund. The CDS Fund Review Panel, which consisted of representatives from Australia, France, Korea, New Zealand, the UK and the USA, approved the proposal.

7.3 The Commission **endorsed** the recommendation of SCIC to adopt the proposal (SCIC-2022, paragraph 9) and thanked the Secretariat for the work undertaken thus far to enhance the e-CDS.

Implementation of the CDS

7.4 The Commission noted the consideration by SCIC of the current cooperating status granted to Mexico and Singapore as per CM 10-05, Annex 10-05/C, paragraph C9 (SCIC-2022, paragraphs 12 to 14). The Commission **agreed** that Mexico and Singapore maintain their cooperative status with CCAMLR and encouraged Members to reach out to Mexico via appropriate diplomatic channels to assist the Secretariat in facilitating Mexico’s implementation of CM 10-05.

Vessel inspections implementation

7.5 The Commission noted that nine CCAMLR port inspection reports were reported to have been undertaken without a physical inspection of the vessel and further noted that port inspections undertaken remotely do not meet the requirements of the relevant CM 10-03.

7.6 The Commission **endorsed** the recommendation that the Secretariat undertake a review of the CCAMLR port inspection report forms to develop a form which can be used alongside the Port State Measures Agreement (PSMA) form to reduce duplication, along with conforming amendments with CM 10-03, for presentation to SCIC-2023.

7.7 The Commission **endorsed** the recommendation that the Secretariat investigate other electronic means of submitting port and at-sea inspection reports, including the possibility for the completion and submission of forms in an electronic application or directly through the website, and requested that the Secretariat report its findings at SCIC-2023.

7.8 The Commission thanked Chile for its efforts in undertaking at-sea inspections, noting the significant efforts these activities require in difficult sea conditions, and the benefits of these activities for all Members.

Vessel monitoring system (VMS)

7.9 The Commission **endorsed** the recommendation that the Secretariat further investigate the requirements and estimated costs of implementing an automated vessel monitoring system (VMS) movement notification system, with a review of what changes to CM 10-04 would be necessary, noting that this would be presented in 2023 or 2024.

Transshipment

7.10 The Commission **endorsed** the proposal by the Secretariat to revise CM 10-09 to revise the transshipment notification form and time zone reporting (CCAMLR-41/18).

NCP Engagement Strategy

7.11 The Commission **endorsed** the proposed NCP Engagement Strategy (CCAMLR-41/17, Annex 1) and action plan for 2023–2024 (CCAMLR-41/17, Annex 2) and noted the expansion of the strategy to include parties involved in the harvest of any Antarctic marine living resources within the Convention Area, and *Dissostichus* spp. globally.

Proposals for new and revised conservation measures

7.12 The Commission noted SCIC's consideration of a number of proposals to amend conservation measures (SCIC-2021, paragraphs 37 to 66) and **endorsed** the proposed amendments to CMs 10-02, 10-04, 10-05, 10-09, 23-06 and 26-01.

7.13 COLTO noted, regarding CM 10-02, that there are better tools to avoid collisions at sea instead of automatic identification systems (AIS), such as Automatic Radar Plotting Aids (ARPA). COLTO further noted ARPA can detect a range of targets, including sea ice and vessels that do not have this technology installed, and that there is a negligible risk of IUU fishing operators being able to track vessels remotely, which can easily be done when using AIS. COLTO requested the Commission to consider exploration of other options before agreeing to the proposed changes, as AIS data will provide the real time location of all fishing vessels in the Convention Area via publicly available systems.

7.14 The Commission noted that the proposed changes to CMs 10-05, 10-09, 10-10, 21-01 and 31-02 and most of the conservation measures submitted in the proposal from the USA and Australia (CCAMLR-41/36 Rev. 1) for improved management of CCAMLR's krill fisheries (CMs 10-03, 10-04, 10-09, 51-01, 51-02, 51-03, 51-06 and 51-07), were not endorsed by SCIC and were referred to the Commission for further discussion.

7.15 Many Members thanked Korea for its proposal to amend CM 10-09 (CCAMLR-41/24 Rev. 1) noting the need to improve the Commission's regulation of transshipment activities and the recently adopted FAO Voluntary Guideline for Transshipment. Russia noted that a balance needs to be found between control and barriers to entry for transshipment vessels, noting control should be better focused on the harvesting vessels. Korea expressed its concern that the current CM 10-09 requires rudimentary information on carrier vessels that engage in transshipment activities, but this falls short of what is required in other fisheries-related organisations, and indicated it is willing to continue working with Members to move forward with improving transshipment management.

7.16 ASOC thanked Korea and other Members who had made proposals for improving the monitoring and control of transshipments. ASOC noted that, unfortunately, CCAMLR lagged behind other organisations in regulating transshipments, and therefore ASOC hoped that progress could be made on this issue in the coming years.

7.17 Some Members noted their disappointment regarding the lack of consensus on the proposal by EU and its Member States, Korea and the USA (CCAMLR-41/35) to amend CM 10-10 following months of intersessional work and expressed concern that the current CCEP is stifling the progress and ambition of the Commission.

7.18 China and Russia noted that the discussion on CM 10-10 was constructive and were welcoming further discussion, noting their concerns with the current proposal. China further noted that the Commission was able to adopt a Compliance Report as a whole by consensus, while noting that consensus on some individual items was not reached.

7.19 Some Members noted that this process could be the precedence for future CCEP Report adoptions without the need for any amendments to CM 10-10.

7.20 Many Members thanked the USA and Australia for their proposals for improved management of CCAMLR's krill fisheries (CCAMLR-41/36 Rev. 1) and noted the need to improve the standard of management to bring the krill management to the standard of the CCAMLR toothfish fisheries, alongside progressing research and monitoring of krill, and spatial management, including the DIMPA.

7.21 Some Members noted there are some differences between the operation of toothfish and krill fisheries, but there is no reason for monitoring, control and surveillance to be different in these two fisheries.

7.22 China and Russia noted their concerns with the proposals, citing that krill management is currently operating well, noting that discussions are ongoing regarding catch limits and the harmonisation of spatial management. China further noted that the krill fishery has much fewer compliance issues compared to the toothfish fishery as can be seen in the SCIC report.

7.23 Many Members encouraged cooperation to find ways to progress the improvement of krill management in CCAMLR, such that krill fisheries are managed to a similar standard as toothfish fisheries. Those Members requested the Secretariat to provide information on the technical requirements and costs to either expand the *Dissostichus* CDS to krill or to develop a parallel CDS for krill to be presented at CCAMLR-42.

7.24 ASOC thanked the USA and Australia for their proposal, which it considered to be very timely and important, and echoed the comments of Members on the need to work on all aspects of the krill fishery, including compliance. ASOC further noted that CCAMLR had many successes in managing toothfish fisheries, and that it was logical to apply these successful measures to the krill fishery.

CCAMLR Compliance Evaluation Procedure (CCEP)

7.25 The Commission considered the compliance table as presented in SCIC-2022, Appendix I, noting that SCIC did not reach consensus on a compliance status for six matters in the Summary CCAMLR Compliance Report, but that the SCIC report summarised the discussion on all issues.

7.26 Russia noted that consensus was not reached on four matters under CM 31-01 and expressed its deep regret that a compliance status of ‘seriously, frequently or persistently non-compliant (Level 3)’ was not applied to the UK-flagged vessels *Argos Georgia*, *Argos Helena*, *Nordic Prince* and *Polar Bay*. Russia noted that, in its opinion, the activities of the vessels were a blatant example of violation of CM 31-01. Russia further noted that the activity was encouraged by the UK and did not include a Flag State response.

7.27 Ukraine made the following statement:

‘It is important in evaluating this issue to draw attention to all relevant factors. There are several facts to be clear and evident for the majority of us. This is a fact that the Patagonian toothfish fishery in Subarea 48.3 (CM 31-01 continuation) has been blocked by the Russian Federation. No other CCAMLR party agreed to the Russian Federation’s arguments. Furthermore, it was noted at the level of the Scientific Committee, that the toothfish fishery in Subarea 48.3 is managed on a high scientific level, fully complying with the precautionary approach, and most experts recognised that the Russian Federation’s interventions to the toothfish fishery in Subarea 48.3 seems to be a political action, technically performed by blocking consensus.

Therefore, the Russian Federation should take their part of responsibility for raising this issue which brought damage to the CCAMLR unity. On the other hand we can’t compare

a typical IUU fishery aiming to receive a commercial benefit by illegal fishery actions with the case of UK fishing vessels conducting managed fishery in Subarea 48.3 in harmony with the main CCAMLR approaches, with submitting regular and summarised fishery reports.

Taking into account all above mentioned, we will rather refrain of formal CCAMLR decision on this issue, the nature of which is outside the CCAMLR competence by comprehensive way. We mean that it can't be evaluated as usual within Compliance Report procedure, as well as it can't be taken as a comprehensive basis for including UK fishing vessels on the IUU list. At the same time, we are assuring our respect to the national interests of the CCAMLR nations, and we are far from any evaluations on the field of general politics the UK's response to Russia's destructive activities in CCAMLR. We hope to save the CCAMLR unity, which is really necessary for moving forward together to achievement the Convention's objectives.'

7.28 Argentina made the following statement:

'Argentina expresses its deep concern that Ukraine did not raise these considerations during the discussion of CCEP during SCIC. Argentina recalls its statement that the behaviour of one Member should never lead another Member to act outside of the Convention. In particular, for Patagonian toothfish in Subarea 48.3, the rules of the Convention are applied through CM 31-01. CM 31-01 states that "the Commission shall establish" the criteria according to which said fishing should be carried out, which were established, until recently, in CM 41-02. Argentina recalls the UK expressing their regret that CM 41-02 had not been extended to the 2021/22 season, thus recognising that there is no measure that allows for this fishing. However, Argentina notes that the UK was the only Member that proceeded to undertake fishing activities in Subarea 48.3 without a conservation measure. Argentina states that all other Members refrained from fishing in said subarea and from importing the produce of such fishing in order to comply with CCAMLR provisions.

Argentina recalls CCAMLR-41/BG/36, highlighting that the paper clearly explains why the *D. eleginoides* fishery in Subarea 48.3 should not have proceeded as it contravened CM 31-01, which clearly states that it is the Commission's obligation to establish total allowable catch limits, among other conditions, for toothfish fishery in said subarea. Argentina expresses its deep concern that the four UK-flagged vessels were not considered non-compliant, in spite of having incurred, as we understand, in a Level 3 serious non-compliance. There was no consensus either to include them on the IUU list.

Also, Argentina recalls that the letter and spirit of CM 31-01 mandate that the conditions for fishing for *Dissostichus eleginoides* in Subarea 48.3, including the catch limit, must be determined by the Commission on the basis of the most accurate scientific data available, and by consensus, not unilaterally. However, that was exactly what the UK has done the past season, arrogating itself the right to unilaterally define all the parameters hitherto included in CM 41-02. Argentina alerts that were this situation to continue, there is a risk of returning, not only Subarea 48.3 but also the entire Convention Area, to the legal situation in force in the 1960s and 1970s, thus severely thwarting the progress achieved so far in the management of Antarctic marine living resources by serving only commercial interests instead of complying with CCAMLR's conservation objectives. Argentina adds that it had unsuccessfully requested the UK to

provide data about catches and exports for this fishery, following the standard procedures in CCAMLR. Argentina recalls that it had also requested the Secretariat not to allow the use of the CDS for this fishery this season, which had nonetheless been utilised by the UK-flagged vessels. Argentina requests the Secretariat not to enable the use of the CDS for any vessel that might fish without a conservation measure in the 2022/23 season.’

7.29 The Executive Secretary stated that, in his view, CM 10-05 does not give the Secretariat power to comply with the request made by Argentina. It would require a decision made by the Commission.

7.30 Argentina made the following statement:

‘Argentina regrets the view just expressed by the Executive Secretary on CM 10-05, which reveals there is a legal void in the CDS in these situations of blatant non-compliance that must be addressed.’

7.31 Chile and Uruguay noted that they had refrained from fishing in said subarea and also from importing the produce of such fishing in order to comply with CCAMLR provisions.

7.32 Norway made the following statement:

‘Non-renewal of CM 41-02 does not lead to prohibition against fisheries in Subarea 48.3:

None of the provisions in the Convention may be interpreted as imposing a general prohibition against fishing in Subarea 48.3. Any such prohibition would have to be established by a conservation measure.

The non-renewal of CM 41-02 at the Commission meeting in 2021 does not mean that toothfish fisheries in Subarea 48.3 are generally prohibited, or “closed”, as some parties have suggested.

CM 31-01 is clear in placing a responsibility on the Commission to decide upon renewal of conservation measures for fishing around South Georgia. And I quote: “For each fishing season after 1987/88, the Commission shall establish such limitations or other measures, as necessary, around South Georgia on a similar basis at the meeting of the Commission immediately preceding that season.” – end of quote.

The non-renewal of CM 41-02 is indeed a failure of the Commission to live up to the expectation placed on it in CM 31-01. But the Commission is a political organ and it decides for itself whether it wishes to exercise its competence, in this case by renewing the measures in question and live up to the expectations placed on it in CM 31-01. Its failure to do what CM 31-01 calls for is deeply regrettable, but it does not lead to a prohibition against fisheries in Subarea 48.3. CM 31-01 stipulates no such thing, explicitly or implicitly. Prohibitory rules of such magnitude cannot simply be assumed to exist without any basis in the wording of the resolution that the parties negotiated and agreed on.

Participation in fisheries in Subarea 48.3 for the 2022 season is not a basis for IUU-listing of vessels. CM 10-06 is clear that IUU listing requires that the relevant vessel

“have engaged in fishing activities in the Convention Area in a manner which has diminished the effectiveness of CCAMLR conservation measures in force”. As there is no conservation measure prohibiting fisheries in Subarea 48.3 and CM 41-02 is not in force, the simple fact that a vessel has engaged in fishing in that area does not justify IUU listing of that vessel.’

7.33 The UK made the following statement:

‘The UK fully agrees with the interventions from Ukraine and Norway. This is a highly sensitive issue that has been brought into this Commission by the behaviour of Russia. Behaviour with which they persist. Today within CCAMLR their attention is on the UK; tomorrow it could be on any other Member.

The UK has set out its position on the interpretation of CM 31-01, Argentina’s background paper CCAMLR-41/BG/36 and the other issues they raised, in detail in the SCIC report and the series of COMM CIRCUS issued over this year.

We reject the characterisation of the situation by Russia and Argentina. The UK again draws the Commissions attention to Article IV of the Convention and our rights enshrined therein.’

7.34 Argentina made the following statement:

‘Argentina refutes Norway’s claims that non-renewal of CM 41-02 would permit fishing activities, noting an active conservation measure like CM 31-01 is required for the management of fishing activities as it defines the catch limits and all other regulations essential for that fishery to occur. Argentina recalls that CM 31-01 was adopted in 1986 precisely to prevent the area in question from being left outside the CCAMLR regime and its multilateral management.

Argentina notes that the South Georgias, South Sandwich and Malvinas Islands are an integral part of the Argentine territory, and that its territorial integrity was violated by the UK 190 years ago, also recalling that the sovereignty dispute over these territories is recognised not only by the UK itself but also by the United Nations. In this regard, Argentina states that for that reason, the UK could not be deemed a Coastal State in said areas according to UNCLOS and neither had the right to adopt “national” measures under the Statement of the Chairman of the Conference of 1980, as paragraph 5 of said Statement requires recognition by all Contracting Parties of the existence of State sovereignty over the South Georgias and South Sandwich Islands, which is not the case. Moreover, Argentina recalls that the United Nations General Assembly has approved numerous resolutions in which it urges the Parties in the dispute to refrain from adopting decisions that entail unilateral changes in the situation while said territories are subject to the process recommended in Resolutions 2065/XX and 3160/XXVIII, adding that the unilateral action of the UK was not compatible either with the letter or the spirit of those resolutions.

In addition, concerning the UK’s arguments stated in COMM CIRC 22/51, Argentina recalls that what enables fishing under the Convention regime, is not the non-existence of a prohibition, but the existence of a conservation measure that allows it.

Finally, Argentina reiterates that it does not believe that the UK – or any Party fishing for toothfish in Subarea 48.3 without a conservation measure authorising it – should be able to benefit from CCAMLR’s CDS mechanism to trade the illegally caught *Dissostichus* spp. with Contracting Parties or non-Contracting Parties that use the CDS.’

7.35 Some Members expressed regret that this issue was being raised again in the Commission and noted that their views were reflected in the SCIC report.

7.36 The UK made the following statement:

‘The UK has responded to Argentina’s points during the SCIC discussion, and in the interests of time, we will not repeat them. We must, however, reject Argentina’s statement, including its interpretation of the Convention and Chairman’s Statement. The UK also reiterates that it has no doubt over its sovereignty of the Falkland Islands, South Georgia and the South Sandwich Islands and their surrounding maritime zones, which is well known to all delegates.’

7.37 The Commission noted that consensus was not reached for those four issues.

7.38 The Commission **adopted** the CCAMLR Compliance Report.

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

7.39 The Commission noted some information has been provided by INTERPOL to CCAMLR regarding the SEAFO IUU listed vessel *Cobija*, suspected of conducting fishing activities targeting toothfish within Divisions 58.4.2 and/or 58.4.3, which remains detained in Yemen. The Commission **endorsed** the recommendation that the Secretariat continue engagement with INTERPOL with respect to the *Cobija* and to circulate relevant information as it becomes available.

7.40 The Commission **endorsed** the recommendations that the Secretariat review CCAMLR’s data holdings to identify organisations, vessel masters and fishing masters which are associated with known IUU vessels and IUU fishing activity and develop a plan of action for the enhanced sharing of information and collaboration to combat IUU fishing and related activities, with both tasks to be presented to SCIC-2023.

7.41 The Commission noted that there were no updates to the NCP-IUU Vessel List and **adopted** the 2022/23 NCP-IUU Vessel List.

7.42 Some Members recalled their statements in SCIC-2022 in respect of the British-flagged vessels *Argos Georgia*, *Argos Helena*, *Nordic Prince* and *Polar Bay* included on the Provisional CP-IUU Vessel List.

7.43 Norway recalled its previous statement and stated that fishing in Subarea 48.3 in the 2021/22 season is not a legal basis for IUU listing.

7.44 Argentina expressed its deep concern that the four UK-flagged vessels were not included either in the CP-IUU Vessel List or the Compliance Report despite their serious breach of CM 31-01. Argentina expressed its surprise that although early notes from the UK had urged

Members to reach a multilateral agreement on fishing activities in Subarea 48.3, this Member later decided to take unilateral measures outside of the CCAMLR regime and went on to block consensus on the CP-IUU Vessel Listing and compliance status in the Compliance Report. Argentina reminded Members of their obligations under CM 10-08 and that Contracting Party nationals, natural or legal persons, such as vessel owners, beneficiaries and associated companies of the *Argos Georgia*, *Argos Helena*, *Nordic Prince* and *Polar Bay* must be made aware of the conservation measures they must comply with. Finally, Argentina urged all Members to work in good faith and cooperatively so as to reinstate a conservation measure allowing for the Patagonian toothfish fishery in this subarea, and therefore abide by the provisions of the CAMLR Convention.

7.45 On the issue of the proposed listing of the UK vessels *Argos Georgia*, *Argos Helena*, *Nordic Prince* and *Polar Bay* on the CP-IUU Vessel List, Russia viewed the illegal activities during the 2021/22 season in Subarea 48.3 as egregious and noted that they appear to be part of a pattern of illegal activity by these vessels. Russia also noted that the response of the UK appears part of a pattern to ignore the legal framework of the CCAMLR, including Article XXI of the Convention, not conducting full investigations, not granting SCIC and the Commission a possibility to access relevant data to support compliance evaluation, and not holding its vessels accountable for illegal activity. In this regard, Russia recommended to include the UK-flagged vessels *Argos Georgia*, *Argos Helena*, *Nordic Prince* and *Polar Bay* on the CP-IUU Vessel List.

7.46 The UK rejected the Russian comments and made the following statement:

‘The UK has already set out its position on this issue in detail, as is recorded in the SCIC report. Consistent with our position on the operation of the fishery more generally, we refute any assertion that the British vessels that have been operating in the South Georgia toothfish fishery can be characterised in any way as illegal, unreported or unregulated.’

7.47 The Commission noted that there was no consensus to include the *Argos Georgia*, *Argos Helena*, *Nordic Prince* and *Polar Bay* on the CP-IUU Vessel List and the CP-IUU Vessel List was **adopted** with no changes from CCAMLR-40.

Fishery notifications

7.48 The Commission noted SCIC’s discussion on the fishery notifications for the 2022/23 season (SCIC-2022, paragraphs 142 to 145). Russia noted its concern that four vessels notified from the UK had obtained commercial gain from participating in the *D. eleginoides* fishery in Subarea 48.3 in the 2021/22 season and were considered for the CP-IUU Vessel List.

7.49 On the issue of notifications for exploratory fisheries, Russia requested for the removal of the UK from paragraph 1 of CMs 41-09 and 41-10 because of serious concerns about the activities of the UK vessels *Argos Georgia*, *Argos Helena*, *Nordic Prince* and *Polar Bay* that led to the recommendation that it be listed on the CP-IUU Vessel List. Russia also noted that mentioned vessels benefit from illegal activity in Subarea 48.3 and should not claim the right to carry out commercial activities in the CCAMLR area.

7.50 The UK made the following statement:

‘The notifications for the four British-registered vessels were submitted in accordance with the relevant conservation measures. A few years ago, Russia called for assurances that all delegations and vessels be treated indiscriminately and double standards not be applied. We have set out our position on the wider issue relating to the South Georgia toothfish fishery during the SCIC meeting. It is wholly unreasonable and political for Russia to seek to bully the UK into agreeing a Ross Sea fishery without British vessels.’

7.51 The Commission noted that Ms Engelke-Ros was nominated for, and accepted, a second term as SCIC Chair. There were no nominations for a Vice-Chair of SCIC.

7.52 The Chair closed Agenda Item 7.

CCAMLR Scheme of International Scientific Observation

8.1 The Commission thanked China for offering to host a three-day krill fishery workshop in Shanghai in 2023 to improve krill sampling protocols and priorities for data collection (SC-CAMLR-41, paragraphs 9.2 to 9.8). The Commission encouraged interested Members and ARK to attend.

8.2 The Chair closed Agenda Item 8.

Conservation measures

9.1 The Commission’s consideration of revised and new conservation measures and resolutions, and related matters, is reported in this section. Conservation measures and resolutions adopted at CCAMLR-41 will be published in the *Schedule of Conservation Measures in Force 2022/23*.

9.2 The Commission noted that the following conservation measures and resolutions will remain in force for 2022/23:

Measures on compliance

10-01 (2014), 10-03 (2019), 10-06 (2016), 10-07 (2016), 10-08 (2017) and 10-10 (2019).

Measures on general fishery matters

21-01 (2019), 21-02 (2019), 21-03 (2019), 22-01 (1986), 22-02 (1984), 22-03 (1990), 22-04 (2010), 22-05 (2008), 22-06 (2019), 22-07 (2013), 22-08 (2009), 22-09 (2012), 23-01 (2016), 23-02 (2016), 23-03 (2016), 23-04 (2016), 23-05 (2000), 23-07 (2016), 24-01 (2019), 24-02 (2014), 24-04 (2017) and 25-02 (2018).

Measures on fishery regulation

31-01 (1986), 31-02 (2007), 32-01 (2001), 32-02 (2017), 32-18 (2006), 33-01 (1995), 41-08 (2021), 42-01 (2021), 51-01 (2010), 51-02 (2008), 51-03 (2008) and 51-06 (2019).

Measures on protected areas

91-01 (2004), 91-02 (2012), 91-03 (2009), 91-04 (2011) and 91-05 (2016).

Resolutions

7/IX, 10/XII, 14/XIX, 15/XXII, 16/XIX, 17/XX, 18/XXI, 19/XXI, 20/XXII, 22/XXV, 23/XXIII, 25/XXV, 27/XXVII, 28/XXVII, 29/XXVIII, 30/XXVIII, 31/XXVIII, 32/XXIX, 33/XXX, 34/XXXI and 35/XXXIV.

9.3 The Commission **adopted** the following revised conservation measures and the new climate change resolution:

Measures on compliance

10-02 (2022), 10-04 (2022), 10-05 (2022) and 10-09 (2022).

Revised measures on general fishery matters

23-06 (2022), 24-05 (2022), 25-03 (2022) and 26-01 (2022).

Revised measures on fishery regulation

32-09 (2022), 33-02 (2022), 33-03 (2022), 41-01 (2022), 41-03 (2022), 41-04 (2022), 41-05 (2022), 41-06 (2022), 41-07 (2022), 41-09 (2022), 41-10 (2022), 41-11 (2022), 42-02 (2022), 51-04 (2022) and 51-07 (2022).

New resolutions

Resolution 36/41.

Implementation and Compliance

9.4 The Commission **adopted** a revision to CM 10-02 to require fishing vessels from the 2023/24 season to be fitted with a fully functional AIS and to have it switched on at all times when in the Convention Area except for when the operation of the AIS might compromise the safety or security of the vessel or where security incidents are imminent (CM 10-02, paragraph 2vii).

9.5 The Commission **adopted** a revision to CM 10-04 requiring Contracting Parties who are requesting VMS data to use the VMS data request form for surveillance or inspection (CM 10-04, Annex 10-04/D).

9.6 The Commission **adopted** a revision to CM 10-05 updating contact information required on a *Dissostichus* Catch Document (DCD) (CM 10-05, Annex 10-05/A5i).

9.7 The Commission **adopted** a revision to CM 10-09, updating the details on the transshipment notification template (CM 10-09, Annex 10-09/A).

General fishery matters

9.8 The Commission **adopted** a revision to CM 23-06 regarding by-catch, seabird and marine mammal data reporting requirements for krill fishing vessels (CM 23-06, paragraphs 4 and 5).

9.9 The Commission **adopted** a revision to CM 24-05 which details fishing for research purposes pursuant to CM 24-01 (CM 24-05, Table 1).

9.10 The Commission **adopted** a revision to CM 25-03 to extend the trial of mitigation devices for krill fishing vessels who use a net monitoring cable.

9.11 The Commission **adopted** a revision to CM 26-01.

9.12 The Commission noted the withdrawal of the proposal to amend CMs 21-01, 21-02 and 23-05, submitted by the EU (CCAMLR-41/25 Rev. 1).

Fishery regulations

9.13 The Commission noted the withdrawal of the proposal by Russia for amending CM 31-02 (CCAMLR-41/39), to expand the reporting of data associated with delayed retrieval of fishing gear at the time of fishery closures. The Commission encouraged interested Members to hold intersessional discussions and to return with a revised proposal.

9.14 The Commission considered the proposal from the EU and its Member States for a new CM 32-XX to protect fish nests in the Convention Area to give effect to the recommendations of the Scientific Committee on this matter (SC-CAMLR-41/BG/05; SC-CAMLR-41, paragraph 5.44). Some Members stated that they could not support the proposal, noting that further work was needed in the Scientific Committee, including to define the term ‘fish nest area’, to identify relevant indicators, and to refine the review process for opening and closing fish nest areas to bottom fishing activities.

9.15 The Commission noted that there was no consensus on the proposal.

9.16 The EU and its Member States made the following statement:

‘The EU and its Member States are very disappointed that the Commission was unable to agree on the protection of fish nest areas in the waters surrounding Antarctica. As you know, the discovery of the world’s largest fish nest colony with an estimated 60 million nests in the Weddell Sea has attracted a lot of attention around the world, not only in the scientific community, also among the general public. That we could not agree on

protecting these extraordinary biological features due to the opposition of one Member, Russia, will be regarded as a failure by CCAMLR to act in the light of irrefutable scientific evidence. If we cannot even agree to protect these fish nest areas, then what is worth protecting? CCAMLR's scientific community has given us clear advice that fish nest areas require immediate protection, wherever and whenever they are being observed or discovered in the Convention Area. The recommendations coming forward from the EMM and FSA Working Groups and from the Scientific Committee could not have been clearer. Fish nests are indicators of vulnerable marine ecosystems that should be protected in a timely manner. All scientists that participated in these discussions in the Scientific Committee agreed on this. It is deeply concerning that Russia chose to ignore that advice.'

9.17 Germany made the following statement on behalf of the EU and its Member States:

'There is also another concern here. As you know, CCAMLR bases its decision-making on the best available science. Best available science is based on data that is not only coming forward from fishing vessels. In fact, most data, especially those essential for CCAMLR's commitment to apply a precautionary and ecosystem-based approach in the conservation of Antarctic marine living resources, comes from work carried out under national Antarctic programs. These programs and the scientists working on them, dedicate a considerable amount of time and effort in order to provide their knowledge and research results to CCAMLR. The work they do is essential for understanding the ecological relationships that underlie the functioning of the Antarctic marine ecosystems, including Antarctic marine living resources. Continuously ignoring the scientific evidence provided by these experts may be considered as a form of disrespect for their hard work and make them doubt their relationship with and any further contributions to CCAMLR.

If this vital source of expert knowledge and information dries up, then the objective of the Convention, to conserve the Antarctic marine living resources, cannot be achieved.'

9.18 Some Members supported the statements by the EU and its Member States.

Exploratory fisheries

9.19 The Commission **adopted** a revision to CM 41-01 to require research hauls to be conducted in Subarea 88.2 SSRU H (CM 41-01, Annex 41-01/B).

Toothfish catch limits

9.20 The Commission **endorsed** the advice of the Scientific Committee on catch limits in the fisheries for *D. eleginoides* in Subarea 48.4 and **adopted** CM 41-03 (2022).

9.21 The Commission considered the arrangements for exploratory fisheries for *D. mawsoni* in Subareas 48.6, 88.1 and 88.2 and Divisions 58.4.1 and 58.4.2. Russia noted that it did not agree with the notifications of four UK vessels to participate in the Subarea 88.1 and 88.2 fisheries (paragraph 7.49).

9.22 The UK made the following statement

‘We have clearly heard that Russia will block the Ross Sea exploratory fishery unless four UK vessels are deleted from the list of those who may participate. The UK is not Russia. We are not going to jeopardise a scientifically derived catch. Nor are we going to hold other Members ransom. Therefore, while we are exasperated by Russia’s stance, we accept that we cannot prevent it from exercising its power of veto. This said, however, we must record the duplicity of the situation. Russia claims the South Georgia toothfish fishery is unsustainable because on average it has 25% immature fish in the catch. The Ross Sea fishery catches an average of 50% immature fish. And on a stock that is demonstrably more vulnerable to the impacts of climate change. This is not science. It’s politics. It is what it is.’

9.23 Many Members supported the notification of four UK vessels for the fisheries in Subareas 88.1 and 88.2, however, no consensus was reached on the inclusion of these vessels.

9.24 Some Members recalled a recent example of a Russian-flagged vessel that was nominated for the provisional CP-IUU Vessel List but was not included on the CP-IUU list and was then notified to fish for the following season.

9.25 Russia noted that it does not have information about any precedence about the issuance of licences to conduct toothfish fishery in violation of CCAMLR conservation measures.

9.26 The Commission **endorsed** the Scientific Committee’s advice on catch limits (SC-CAMLR-41, Tables 4 and 5). The Commission **adopted** the following conservation measures for fisheries targeting *D. mawsoni* and/or *D. eleginoides*:

- CM 41-04 – exploratory fishery for *D. mawsoni* in Subarea 48.6
- CM 41-05 – exploratory fishery for *D. mawsoni* in Division 58.4.2
- CM 41-06 – exploratory fishery for *D. eleginoides* in Division 58.4.3a
- CM 41-07 – exploratory fishery for *D. mawsoni* in Division 58.4.3b
- CM 41-09 – exploratory fishery for *D. mawsoni* in Subarea 88.1
- CM 41-10 – exploratory fishery for *D. mawsoni* in Subarea 88.2
- CM 41-11 – exploratory fishery for *D. mawsoni* in Division 58.4.1.

9.27 There was no consensus that directed fishing for *D. mawsoni* shall take place in 2022/23 in Division 58.4.1. Accordingly, the Commission **adopted** CM 41-11 which provides that directed fishing for *D. mawsoni* shall not take place in 2022/23 in Division 58.4.1.

Icefish catch limits

9.28 The Commission **endorsed** the Scientific Committee’s advice on the limits for the fishery for *C. gunnari* in Division 58.5.2 and **adopted** CM 42-02.

Krill fisheries

9.29 After extensive discussions (paragraphs 4.10 to 4.21) the Commission **agreed** a rollover of CM 51-07 for one year and **adopted** CM 51-07 (2022).

9.30 The Commission considered a proposal by the USA and Australia to improve the management of Antarctic krill (*Euphausia superba*) fisheries in CCAMLR (CCAMLR-41/36 Rev. 1). The Commission did not reach consensus on the proposed amendments to CMs 10-03, 10-04, 10-09, 51-01, 51-02, 51-03, 51-06 and 51-07 and encouraged the proponents to work intersessionally with interested Members on the proposal.

Other fishery matters

9.31 Australia advised the Commission that any fishing or fisheries research activities in that part of Divisions 58.4.3a, 58.4.3b and 58.5.2 that constitutes the Australian exclusive economic zone (EEZ) around the Australian Territory of Heard Island and McDonald Islands must have the prior approval of Australian authorities. The Australian EEZ extends up to 200 n miles from the Territory. Unauthorised or illegal fishing in these waters is a serious offence under Australian law. Australia seeks the assistance of other CCAMLR Members in ensuring their nationals and vessels are aware of the limits of the Australian EEZ and the need for prior permission to fish there. Australia has implemented strict controls to ensure that fishing in its EEZ occurs only on a sustainable basis. Presently, fishing concessions are fully subscribed and no further concessions for legal fishing in the EEZ are available. Australian legislation provides for large penalties for illegal fishing in Australia's EEZ, including the immediate forfeiture of foreign vessels found engaged in such activities. Any enquiries about fishing in the Australian EEZ should be made initially to the Australian Fisheries Management Authority.

9.32 The Chair closed Agenda Item 9.

Administration and Finance

Advice from SCAF

10.1 The Chair of SCAF, Ms Langerock, presented the report of SCAF-2022 (Annex 8).

10.2 The Commission **endorsed** the advice of SCAF and accepted the Audited Financial Statements (SCAF-2022, paragraphs 4, 5 and 7).

10.3 The Commission **did not endorse** the recommendation of SCAF to adopt the Australian equivalents to the International Financial Reporting Standards (A-IFRS) after the adoption of these standards was opposed by Russia (SCAF-2022, paragraphs 6). The accounting standards under which the annual financial statements of CCAMLR would be audited remain the International Financial Reporting Standards (IFRS). The Chair of SCAF indicated that this would be conveyed to the Australian National Audit Office (ANAO). The Secretariat indicated that it was uncertain of the impact of the decision but would inform the Chair of SCAF accordingly.

10.4 The Commission **endorsed** the decision of SCAF to appoint ANAO as the external auditor for 2023 and 2024.

10.5 The Commission **endorsed** the decisions of the General Capacity Building Fund Panel and the recommendations from SCAF regarding capacity building (SCAF-2022, paragraphs 18 to 21).

10.6 The Commission welcomed the report of the Executive Secretary (CCAMLR-41/05) and **endorsed** the Strategic Plan for 2023–2026 (CCAMLR-41/01 Rev. 1) (SCAF-2022, paragraph 16).

10.7 The Commission accepted the advice of SCAF on staffing matters (SCAF-2022, paragraph 17) and **endorsed** the Staff Regulations as adopted in 2019 (CCAMLR-38, paragraph 4.4), the revised CCAMLR Staffing and Salary Strategy 2023–2026 (CCAMLR-41/07, Annex 1) and the revised Job Classification Scheme (CCAMLR-41/07, Annex 2) as the three parts of CCAMLR’s staffing policies.

Review of the 2022 budget, the 2023 budget and forecast budget for 2024

10.8 The Commission **adopted** the revised 2022 budget, the 2023 budget as amended by SCAF and the forecast budget for 2024 (SCAF-2022, paragraphs 22 and 58, Appendix I and Appendix II).

Administration matters

10.9 The Commission **endorsed** the recommendations of SCAF regarding the development of a Code of Conduct for the Commission which will be progressed intersessionally by an e-group led by Australia (SCAF-2022, paragraphs 59 to 63).

10.10 Noting paragraph 259 of the Final Report of the Forty-fourth Antarctic Treaty Consultative Meeting, the Commission agreed with the proposal of the UK to endorse a similar statement for CCAMLR: everyone working on CCAMLR matters, it’s work and activities in the Convention Area, should be safe, welcomed, respected and free from discrimination.

10.11 The Commission **endorsed** the recommendations of SCAF regarding meeting arrangements for the Commission meetings and intersessional meetings during 2023 and 2024 (SCAF-2022, paragraphs 68 to 73).

10.12 Russia noted that the proposal in paragraph 76(ii) in the SCAF report differed from the recommendations of the Scientific Committee concerning this issue (SC-CAMLR-41, paragraph 11.24). The Commission did not endorse this proposal.

10.13 The Commission **endorsed** the recommendations on access to meeting documents in paragraphs 11 to 16 of CCAMLR-41/10, with the amendments contained in SCAF-2022, paragraph 76(i) and (iii).

Other business

10.14 The Commission thanked the Chair of SCAF for the efficient manner in which SCAF conducted its business.

10.15 The Commission noted that SCAF does not have a Vice-Chair and was seeking expressions of interest.

10.16 The Chair of SCAF agreed to remain as Chair for another year while a new Chair was being sought.

10.17 The Chair closed Agenda Item 10.

Cooperation with the Antarctic Treaty System and international organisations

Cooperation with the Antarctic Treaty System

11.1 The Commission considered CCAMLR-41/BG/01, submitted by the Executive Secretary, which presented a summary report of the Forty-fourth ATCM held in Berlin, Germany, from 24 May to 2 June 2022.

11.2 The Commission thanked the Executive Secretary and reaffirmed the importance of the collaboration between CCAMLR and the ATCM.

11.3 The UK recalled that CCAMLR has arrangements or memorandums of understanding (MOUs) with a number of international organisations and that to streamline knowledge exchange it might be useful if other organisations were able to share their reports.

11.4 The Executive Secretary informed the Commission that he prepared an annual summary report of CCAMLR's activities on issues of interest to the ATCM for presentation at ATCM, but did not prepare such a report for other international organisations. He proposed to share his annual summary report of CCAMLR activities with Members acting as observers at other international meetings as it could prove useful to their presentation of CCAMLR activities at the meeting they are observing.

11.5 This issue will be further explored in the intersessional period.

11.6 The Executive Secretary of the Antarctic Treaty Secretariat, Mr A. Lluberas Bonaba, highlighted that for the next ATCM, the Meeting agreed to hold a full-day joint session of the CEP and the ATCM, with SCAR and COMNAP, to consider the implementation of the Decadal Synopsis Report on the ACCE Report's recommendations at ATCM XLV, and encouraged Members, Observers and experts to submit papers on the topic to ATCM XLV and to join the meeting to support this work. In addition, he recalled that a topical session on the harmonisation of the implementation of the Polar Code was going to be held during the meeting, with the aim of facilitating a common understanding of its implementation.

Cooperation with international organisations

11.7 The Commission noted CCAMLR-41/BG/21, submitted by New Zealand, which presented an update on progress by the IMO to extend safety measures to vessels not certified under the Convention for Safety of Life at Sea (SOLAS Convention).

11.8 Dr W. Misiak (ACAP), thanked CCAMLR for its longstanding cooperation and noted that the CCAMLR–ACAP MOU had been renewed in November last year. She noted that ACAP was pleased to accept the invitation for an expert to participate in WG-IMAF's discussions and encouraged CCAMLR Members to continue their efforts to better understand the potential impacts on seabirds from trawl warp and net monitoring cable strikes. She noted that ACAP welcomed the current total estimated seabird mortality numbers in CCAMLR longline fisheries for 2022 as the lowest on record, and was encouraged by the recovery of the white-chinned petrel population at Possession Island, which showed how a combination of management strategies at sea and on land can lead to positive conservation outcomes.

Reports of observers from international organisations

11.9 Canada drew the Commission's attention to the Agreement to Prevent Unregulated Fishing in the High Seas of the Central Arctic Ocean (CAOFA), noting the opportunity for knowledge sharing between CCAMLR and the CAOFA in the future, in particular, on scientific and technical issues. Parties to the CAOFA include, among others, many CCAMLR Members collaborating on issues pertinent to IUU fishing, fishery sustainability, data sharing and the use of indigenous and local knowledge. Canada indicated that the first Conference of the Parties (COP) will be hosted by Korea in Incheon, from 23 to 25 November 2022 in a hybrid format. Korea indicated that it will report back at CCAMLR-42 on the inaugural session of CAOFA and that the Agreement and Commission would benefit from each other through cooperation through various means. Korea also invited Members to consider future cooperation between CCAMLR and CAOFA going forward.

11.10 The Commission welcomed this information. Some Members noted that it was premature to make a decision on possible forms and contents of future collaboration with CAOFA, and looked forward to further information for consideration on this matter.

11.11 The Commission noted the papers submitted by ARK: SC-CAMLR-41/BG/08 which presented recommendations for improving transparency and safety in the CCAMLR krill fishery, SC-CAMLR-41/BG/09 which presented recommendations to aid in developing and implementing the new management strategy for the krill fishery, and SC-CAMLR-41/BG/07 which presented a report on its members' fishing fleet activities over the past year.

11.12 Dr J. Arata (ARK) thanked the Commission for the opportunity to attend the meeting and acknowledged the significant progress the Scientific Committee achieved in advancing the new management strategy for the krill fishery. He welcomed the recognition that there is enough krill to sustain increased catches, underscoring the healthy status of the Antarctic krill population, and welcomed the future work planned on this issue. He highlighted that allocating quotas at the agreed spatial subdivision would not translate into an increase in catches to the designated catch limits, as not all areas and seasons represented feasible fishing grounds. ARK has adopted voluntary restricted zones since the 2018/19 season and is pleased to see that the

Commission is now considering a work plan on the harmonisation of krill and spatial management. Dr Arata noted that the fishing industry will be able to support the increasing data demands providing that CCAMLR scientists and the fishing industry work together. He encouraged the implementation of daily catch and effort reporting when the remaining allowable catch within a specific stratum/period would be below 30 000 tonnes and suggested that each fishing notification by Flag States should provide a list of companies to be used for transshipment in the coming season, and that scientific observers could start collecting data on transshipment events to improve the Commission's knowledge of this crucial activity for fishing operations.

11.13 The Commission thanked ARK for its papers and noted the valuable contribution the fishing fleet had made and will continue to provide to science in the context of the revision of the krill management approach.

11.14 The Commission considered SC-CAMLR-41/BG/19, submitted by SCAR, which presented the annual report of SCAR to CCAMLR, providing information on recent and future activities of relevance to the Scientific Committee and the Commission. SCAR's science groups, research programs and specialised subsidiary groups have undertaken a wide variety of activities, a range of which were presented this year in SC-CAMLR-41/BG/19, BG/20, BG/21, BG/22, BG/23, BG/24 and BG/25. On behalf of SCAR, Prof. M.-A. Lea highlighted SC-CAMLR-41/BG/21 which provided a major update to the ACCE Report which has been compiled based largely on the findings of the IPCC's Sixth Assessment Reports and provided a series of recommendations, which were also the basis for the SCAR lecture given to the Commission on its first day. She indicated that SCAR would be pleased to give such a presentation each year if it should be the desire of the Commission.

11.15 The Commission welcomed SCAR's important contributions and thanked SCAR for its lecture (paragraphs 2.9 to 2.13). It welcomed future lectures from SCAR on climate change and other topics and envisioned a dynamic interaction between SCAR and CCAMLR in the future. It noted that CCAMLR would benefit from advice and recommendations from SCAR on specific topics and agreed to consider the delivery of yearly lectures by SCAR during the intersessional period.

11.16 The Commission considered CCAMLR-41/BG/31, submitted by ASOC, which presented the organisation's work over the past year and noted the six background papers it submitted to CCAMLR-41. ASOC reported that over the past year, ASOC and its member organisations had participated in a variety of activities to support Antarctic conservation, such as funding scientific research, facilitating opportunities for discussion between CCAMLR stakeholders, and organising numerous educational and outreach activities. These activities focused on the designation of MPAs in the waters surrounding Antarctica, educational outreach on the dual crises of climate change and biodiversity loss, and protection for species and habitats. ASOC and its member organisations supported scientific research relevant to CCAMLR's work, including projects on: southern right whales, mesopelagic ecosystems, phylogenetic diversity in the waters surrounding Antarctica, blue carbon, vulnerable marine ecosystems, and estimates of the foraging needs of krill predators. Furthermore, ASOC and its members celebrated the first-ever World Krill Day on 11 August. ASOC and its member organisations celebrated the day by promoting the holiday on social media, and hosting events such as a webinar on krill for participants in China, Japan and Korea.

11.17 The Commission noted SC-CAMLR-41/BG/13, submitted by Oceanites, which presented a report summarising the present status of Antarctica's five penguin species based on data from the Mapping Application for Penguin Populations and Projected Dynamics (MAPPPD, www.penguinmap.com). The data indicated that since 2020, chinstrap penguins continued to decline in Subareas 48.1 and 48.2, Adélie penguins continued to decline in Subarea 48.1, gentoo penguins continued to increase in Subarea 48.1, and Adélie penguins increased in Subarea 88.1 and Divisions 58.4.1 and 58.4.2.

Reports from CCAMLR representatives at meetings of international organisations in the previous intersessional period and nominations of representatives to forthcoming meetings of relevant international organisations

11.18 The Commission noted the following background papers summarising the main outcomes of meetings of other organisations of interest to CCAMLR:

- CCAMLR-41/BG/06 – Report from the CCAMLR Observer (Executive Secretary) to the 35th meeting of FAO Committee on Fisheries (COFI) and the 9th meeting of the Regional Fishery Bodies Secretariats' Network (RSN).
- CCAMLR-41/BG/09 – Report from the CCAMLR Observer (USA) to the 2021 International Commission for the Conservation of Atlantic Tunas (ICCAT) Annual Meeting (Virtual meeting, 15 to 23 November 2021).
- CCAMLR-41/BG/10 – Report from the CCAMLR Observer (USA) to the Eighteenth Regular Session of the Western and Central Pacific Fisheries Commission (WCPFC) (Virtual meeting, 1 to 7 December 2021).
- CCAMLR-41/BG/14 – Report from the CCAMLR Observer (Argentina) to the resumed Fifth Session of the United Nations Environment Assembly of the United Nations Environment Programme (Nairobi, Kenya, 28 February to 2 March 2022).
- CCAMLR-41/BG/15 – Report from the CCAMLR Observer (European Union) to the 9th Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement (SIOFA) (Hybrid format, 4 to 8 July 2022).
- CCAMLR-41/BG/27 – Report from the CCAMLR Observer (Australia) to the 5th Special Session and 26th Annual Meetings and the 4th Special Session of the Indian Ocean Tuna Commission (IOTC) (Videoconference, 29 November 2021).
- CCAMLR-41/BG/28 – Report from the CCAMLR Observer (Australia) to the Seventh Session of the Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels (MoP7) (Virtual meeting, 9 to 13 May 2022).
- CCAMLR-41/BG/38 – Report from the CCAMLR Observer (Norway) to the 40th Annual Meeting of the North-East Atlantic Fisheries Commission (NEAFC) (Hybrid meeting, 9 to 12 November 2021).

- CCAMLR-41/BG/41 – Report from the CCAMLR Observer (European Union) to the 44th annual meeting of the Northwest Atlantic Fisheries Organization (NAFO) (Porto, Portugal, 19 to 23 September 2022).

11.19 The Commission considered CCAMLR-41/BG/07, submitted by the CCAMLR Secretariat, which presented the calendar of 2022/23 meetings of organisations or arrangements with nominated observers for the Commission. The table was modified to specify nominated observers (Table 1).

Cooperation with regional fisheries management organisations (RFMOs)

11.20 The Commission considered CCAMLR-41/11 Rev. 1, submitted by the CCAMLR Secretariat, which presented arrangements for cooperation under the formal Arrangements and MOUs that CCAMLR has signed with other regional organisations. The Secretariat recommended that the Commission note the increasing level of cooperation with these organisations (SIOFA, SPRFMO, SEAFO, WCPFC, CCSBT and ACAP), and authorise the extension of the Arrangement with the CCSBT for another three years.

11.21 The Commission **agreed** to authorise the extension of the Arrangement with CCSBT for another three years.

11.22 The Chair closed Agenda Item 11.

Administrative matters

Election of officers

12.1 The Commission welcomed Ukraine to serve as Chair of the Commission for the 2023 and 2024 meetings, in accordance with the procedure agreed by the Commission at its first meeting and reflected in the Rules of Procedure (Rule 8 and footnote 4). The Commission noted that Ukraine will take office at the conclusion of this meeting per the Rules of Procedure (Rule 10). In accepting this position, Ukraine advised that Mr Vitalii Tsymbaliuk (a Ukrainian Diplomat) would assume the role.

12.2 Mr Tsymbaliuk made the following statement:

‘As we approach this historic period of Ukraine’s chairmanship of CCAMLR, we would like to stress that the Commission has always been, and remains, the leading international organisation that assumes responsibility for human activities in relation to Antarctic marine living resources, as well as related ecosystems.

Recognising the great honour and privilege of chairing the Commission, Ukraine is inspired to seize this opportunity to make its remarkable contribution in order to achieve the objectives of the Convention as effectively as possible.

Article II of the Convention fully reflects our overall objectives, both short term and long term. We remain faithful to the principles and priorities of CCAMLR. In this

regard, in my capacity as the future Chair of the Commission, I will do my utmost to promote CCAMLRL's activities effectively, create the conditions for productive dialogue and decisions that are important to us all.

We believe that all CCAMLRL nations together have the capacity to act in a fair and fruitful manner, respecting human rights and the rights of sovereign nations to their own path and development. It would be truly great to act in the situation of peace in the world, when political ambitions serve for a better world for all humanity.

Despite the very difficult situation caused by the war against my country, we will do our utmost to create a constructive atmosphere in the Commission, which will facilitate work and consensus on the most important and relevant issues.

We would also like to thank Dr Jakob Granit for successfully leading the work of the Commission during the difficult years of the COVID-19 pandemic. It was a great challenge to ensure the fulfilment of the main functions of the Commission under conditions where face-to-face meetings were not possible. We believe it is clear to everyone that Dr Jakob Granit did an excellent job in this task, which was also facilitated by the highly professional and dedicated work of the CCAMLRL Secretariat under the leadership of Executive Secretary, Dr David Agnew.

Taking on the role of Chair of the Commission, it is much easier for me to look to the future, understanding that this will be an interesting job in collaboration with the best professionals who have looked after CCAMLRL for many years.

I thank you all for your attention and remain open to cooperation to achieve better mutual understanding and resolution of important issues for the benefit of all CCAMLRL Members.'

12.3 Russia, noting this statement and recalling the Rules of Procedure (Rule 8), stated its expectation that the Chair of the Commission would continue the tradition of maintaining non-political impartial objectivity in leading the Commission through its business and decision-making.

12.4 The Commission expressed its gratitude to Ms Langerock for her service as Chair of SCAF over the last two years and welcomed her agreement to serve for one additional year in 2023. The Commission also encouraged Members to consider nominations for Chair of SCAF from the end of the 2023 meeting.

12.5 The Commission thanked Ms Engelke-Ros, Chair of SCIC, for guiding the meetings over the last two years, and welcomed Ms Engelke-Ros' appointment for a second term for the 2023 and 2024 meetings.

Invitation of observers

12.6 The Commission will invite the following to attend the Forty-second Meeting of the Commission as Observers:

- non-Member Contracting Parties – Bulgaria, Canada, Cook Islands, Finland, Greece, Mauritius, Islamic Republic of Pakistan, Republic of Panama, Peru and Vanuatu.

- Other States in dialogue with CCAMLR – Indonesia and Luxembourg.
- NCPs trading in re-exported *Dissostichus* spp. that has not been previously landed in the port of a Contracting Party or NCPs cooperating with CCAMLR by participating in the CDS, who are cooperating with CCAMLR through limited access to the e-CDS – Mexico and Singapore.
- NCPs not participating in the CDS but possibly involved in harvesting, landing and/or trade of toothfish in accordance with the NCP Engagement Strategy – Bermuda, Brunei Darussalam, Cambodia, Colombia, Kuwait, Lebanon, Malaysia, Republic of the Maldives, Republic of the Philippines, Qatar, Thailand, Turkey, United Arab Emirates and Viet Nam.
- NCP Flag States of vessels listed on CCAMLR NCP-IUU Vessel List – Republic of Angola, The Gambia, Islamic Republic of Iran, Nigeria, St. Vincent and the Grenadines, Tanzania and Togo.

12.7 The following intergovernmental organisations will be invited to attend CCAMLR-42 as Observers: ACAP, CCSBT, CEP, CITES, COMNAP, FAO, IATTC, ICCAT, IOC, INTERPOL, IUCN, IWC, RPOA-IUU, SCAR, SCOR, SEAFO, SIOFA, SOOS, SPRFMO, UNEP and WCPFC.

12.8 The following non-governmental organisations will be invited: ARK, ASOC, COLTO, IAATO and Oceanites Inc.

Next meeting

12.9 The Commission reconfirmed the decision at CCAMLR-38 (paragraph 13.9) that CCAMLR-42 will take place in person at the CCAMLR Headquarters building (181 Macquarie Street) in Hobart, Australia, from 16 to 27 October 2023 (COMM CIRC 20/23).

12.10 The Commission recalled its decision in paragraph 10.11 in respect of meeting arrangements for 2023 and 2024.

12.11 Russia expressed concern regarding the late or null issuance of visas to some Russian delegates by the host country (Australia), which reduced Russia's ability to provide full representation across the 2022 in-person meetings.

12.12 Australia rejected Russia's statement, noting that as host country, it is acting in accordance with the CCAMLR Headquarters' Agreement. Australia reminded the Commission of its commitment to supporting the needs of CCAMLR.

12.13 The Chair closed Agenda Item 12.

Other business

13.1 Argentina made the following statement:

‘I would like to begin my presentation by reminding all Members that despite the great progress made by the international community in terms of decolonisation, even today, in the 21st century, there are still 17 colonial situations in the world, 10 of which involve the United Kingdom. Unfortunately, one of those 10 has affected the Argentine Republic for almost 190 years.

The Government of the Argentine Republic would like to recall that the Malvinas, South Georgias and South Sandwich Islands and the surrounding maritime areas are an integral part of the Argentine national territory and are illegitimately occupied by the United Kingdom, being the subject of a sovereignty dispute recognised by the United Nations General Assembly’s Resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25. This controversy has also been recognised by the UN Special Committee on Decolonization in its Resolutions, which call on both parties to the sovereignty dispute – Argentina and the United Kingdom – to resume negotiations until a just, peaceful and definitive solution to the dispute is reached, taking due account of the interests of the inhabitants of the Malvinas Islands.

Argentina reiterates that in Statistical Subareas 48.3 and 48.4 only the multilateral regulations of this Convention are applicable.

In addition, Argentina recalls that the following actions are illegal and invalid:

- activities carried out in the CAMLR Convention Area by vessels registered either in the Malvinas Islands or the South Georgias and the South Sandwich Islands, or operating from their bases in those islands, or flying the flag of alleged British authorities of those islands, which Argentina does not recognise; as well as:
 - port and at sea inspections carried out by those alleged authorities
 - the issuance of, or the intervention in, catch documents by those alleged authorities
 - the imposition of fishing licenses by those alleged authorities
 - any other unilateral action taken by the aforementioned colonial authorities in those territories.

The Argentine Republic reaffirms its sovereign rights over the Malvinas, South Georgias and South Sandwich Islands, and the surrounding maritime zones.’

13.2 The UK made the following statement:

‘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 and the South Sandwich Islands, and their surrounding

maritime zones, as is well known to all delegates. We also recall the statements we have made about the management of the South Georgia fisheries earlier in this meeting, and in previous years.'

13.3 Argentina made the following statement:

'Argentina rejects the UK's statement and reaffirms its legal position regarding its sovereignty over the Malvinas Islands, South Georgias and the South Sandwich Islands as is well known by all the Parties.'

13.4 The EU and its Member States made the following statement:

'At the conclusion of the 41st meeting of the Commission for the Conservation of Antarctic Marine Living Resources, the EU and its Member States wish to underscore our commitment to conserving Antarctic marine living resources.

We welcome CCAMLR's many important achievements over the past four decades, including substantially decreasing IUU fishing in the Convention Area, significantly reducing mortality of seabirds during fishing, and adopting an impressive suite of conservation measures to conserve unique marine ecosystems and to ensure fisheries are sustainably managed. CCAMLR is also responding to the increasing impacts of climate change on the Convention Area and the marine living resources and ecosystems within it.

These achievements underscore the ongoing need for this unique international organisation. CCAMLR is a place where Members have demonstrated that they can set their geopolitical differences aside and cooperate together to conserve Antarctic marine living resources effectively.

It is in this context that we express our serious concern with the approach of the Russian Federation to the discussions at this meeting. As an original signatory of the CAMLR Convention, Russia has committed to the principle of utilising the best available science to conserve Antarctic marine living resources.

However, Russia has repeatedly ignored scientific information provided to inform key management decisions to achieve political objectives. These decisions relate to a range of important issues such as marine protected areas, VME protection, fisheries management and research.

Russia's repeated rejection of the best available scientific information amounts to an abuse of its commitment to participate in consensus-based decision-making. Russia's actions undermine the integrity of CCAMLR's decision-making processes and our collective ability and responsibility to achieve the objective of the Convention.

We call on Russia to return to its approach of working with other Members in good faith and a spirit of collaboration, and to respect the principle of science-based decision-making and the ecosystem approach that underpin CCAMLR's work.'

13.5 Ukraine aligned itself with the statement by the EU and its Member States.

13.6 Argentina made the following statement:

‘Argentina deeply regrets that the Commission has not been able to adopt a conservation measure that would have allowed the operation of the toothfish fishery in Subarea 48.3 during the 2022/23 season, as required by CM 31-01 for each fishing season.

We are very concerned that the Commission has not reached consensus to include the four UK-flagged vessels with British-Norwegian shipowners – that is the *Argos Georgia*, *Argos Helena*, *Nordic Prince* and *Polar Bay* – in the CP-IUU Vessel List and in the CCAMLR Compliance Report, taking into account the blatant breach of this Commission’s conservation measures. This organisation’s failure to sanction this action sets a grave precedent and severely affects its reputation.

Argentina also regrets that the UK has used Russia’s blocking of the consensus in CCAMLR-40 as an excuse for not complying with the rules of the Convention, in stark contrast to the actions of other Members who refrained from carrying out fishing activities in Subarea 48.3 or from buying the resulting produce, as they accurately considered that they did not comply with the regulations approved by the Commission.

Fishing in this subarea without a conservation measure adopted by the Commission contravenes the CAMLR Convention. We therefore urge all CCAMLR Members to observe the Convention’s regulations and refrain from fishing for toothfish in Subarea 48.3.

Argentina would like to contribute to finding a solution to this issue. To this effect, we aim to carry out a scientific research cruise to Subarea 48.3, with the objective of studying *Dissostichus eleginoides* (Patagonian toothfish) and *Champscephalus gunnari* (icefish) populations, and therefore provide relevant data that can be used to work on a scientific solution to the present problem. In this regard, Argentina offers Members access to the data that will arise from the mentioned cruise.

We encourage all Members of the Commission to act responsibly and in a spirit of Antarctic cooperation to facilitate CCAMLR’s correct functioning.’

13.7 Norway made the following statement:

‘Norway aligns itself with the statement by the EU and its Member States. CCAMLR is a vital component of the Antarctic Treaty System. Norway is particularly concerned that Russia, as an original signatory to the Antarctic Treaty and the CAMLR Convention, and as a country with a proud history of contributing to the international scientific and political cooperation in Antarctica, is effectively undermining the Antarctic Treaty System.’

13.8 Chile, New Zealand, Korea, Australia, the UK and the USA aligned themselves with the statements made by the EU and its Member States, Ukraine and Norway.

13.9 Russia made the following statement:

‘In the light of individual groundless statements against the Russian Federation, we believe it is important to note the following.

The Russian Federation has a responsible attitude to the fulfillment of obligations under the Convention. During the 41st meeting, Russia submitted a significant number of papers with substantiated proposals on a wide range of issues.

Despite diverging views, consensus was reached on a climate resolution and a special session of CCAMLR.

At the same time, unlike representatives of a number of other countries, Russia refrained from politicising the negotiation process within the framework of CCAMLR, going beyond the CCAMLR mandate.

Also, the Russian Federation pays special attention to compliance with CCAMLR conservation measures and cannot agree with statements that there are grounds for fishing for toothfish in Subarea 48.3 in the absence of a CCAMLR conservation measure. Fishing in violation of CCAMLR CM 31-01 is considered as IUU fishing.

International scientific research cruise should form the basis for a CCAMLR decision to resume fisheries for toothfish in Subarea 48.3. In this context, we positively consider Argentina's initiative to conduct research in this area.

For our part, in order to search for mutually acceptable solutions, we are ready to interact constructively on all issues within the competence of CCAMLR.'

13.10 The UK made the following statement:

'The UK is disappointed by the position taken by Argentina with respect to the operation of the South Georgia toothfish fishery, and that despite all the exchanges we have had on this matter, they have again raised the issue here, at such length and on the final night of the meeting.

The UK recalls the various statements we have made before and during this meeting on this matter. We also note that Argentina has made a number of lengthy and emotional statements, and we are concerned that some of the detail of these may not have been entirely clear on the translations we heard. We therefore reject all of the statements by Argentina on this matter, which include a number of elements that we do not recognise to be true. We also reject this latest statement and in respect of the scientific cruise just announced by Argentina, we reserve our position.

The UK would also, however, like to associate itself with the statement made by the EU and its Member States. Russia has sought to sow discord in this Commission and prevent it from making progress against its objectives. We reject Russia's statement.'

13.11 Argentina made the following statement:

'Argentina states that it is surprised by UK's negative attitude towards the scientific research cruise announced by Argentina, given that science is the most important activity that Members should carry out in the Area of the Convention, and that Argentina is planning said cruise, at considerable financial costs, in order to contribute to reaching a long-term solution to the current situation in Subarea 48.3.'

13.12 COLTO made the following statement:

‘COLTO would like to express its deep concern for the ever-increasing politicisation of this Commission.

COLTO has 50 members across 12 countries. COLTO Members have operated in the Convention Area, fully supporting and underpinning the scientific requirements of CCAMLR whilst constantly improving the environmental and safety standards of research fishing in the region. COLTO provides practical innovation to address emerging impacts created by fishing activities, such as helping to reduce seabird mortality to negligible levels in the Convention Area, the effective elimination of IUU fishing from the Convention Area, and work on target species by-catch, whale depredation, and benthic interactions to name a few.

However, year on year we are seeing proposals that are based on best available science, being blocked.

We are seeing measures designed to improve the safety of life at sea, being blocked.

We are seeing measures designed to improve the compliance process, being blocked.

Now we are seeing two of the best managed fisheries in the world, the Ross Sea Antarctic toothfish fishery and the Patagonian toothfish fishery in Subarea 48.3, being held hostage.

We cannot keep going along like this. Something needs to change.’

13.13 The Chair closed Agenda Item 13.

Report of the Forty-first Meeting of the Commission

14.1 The report of the forty-first meeting of the Commission was adopted.

Close of the meeting

15.1 At the close of the meeting, the Chair thanked the host country Australia, the Chairs of SCIC, SCAF and the Scientific Committee, all Members and Observers for their contributions to CCAMLR-41, and noted the richness of the experience for him personally. The Chair also noted how challenging the organisation of the meeting had been due to the COVID-19 pandemic, and despite geopolitical issues existing between Members, he expressed gratitude for the willingness of Members to work together to achieve the outcomes detailed in this report. He also thanked the Executive Secretary and the Secretariat, the interpreters, Congress Rental and all support staff for their hard work in the lead up to and during CCAMLR-41. Finally, the Chair welcomed Mr Tsymbaliuk as Chair of the Commission for the next two years from the conclusion of the 41st meeting.

15.2 Argentina, on behalf of the Commission, thanked Dr Granit for his excellent guidance and leadership throughout the year and during this meeting. Argentina further thanked him for his dedication in applying the spirit of cooperation and consulting widely with CCAMLR Members through his two-year tenure.

15.3 Belgium thanked the Chair and all Members for their contributions, and noted the growing diversity of representatives in both Commissioner and meeting chair roles.

15.4 The Executive Secretary presented Dr Granit with an engraved gavel marking his tenure as Chair of the Commission.

15.5 The Chair closed the meeting.

Table 1: List of 2022/23 meetings of organisations or arrangements with nominated observers for the Commission.

Entity	Dates (where available)	Venue (where available)	Observer
The Agreement for the Conservation of Albatrosses and Petrels (ACAP) MoP	2025	New Zealand	Australia
The Antarctic Treaty Consultative Meeting (ATCM)	29 May to 8 June 2023	Helsinki, Finland	*
The FAO COFI Sub-Committee on Fisheries Management	2023	Online	*
The Commission for the Conservation of Southern Bluefin Tuna (CCSBT)	9 to 12 October 2023	Busan, Korea	New Zealand
The Inter-American Tropical Tuna Commission (IATTC)	31 July to 11 August 2023	Canada	
The International Commission for the Conservation of Atlantic Tunas (ICCAT)	14 to 21 November 2022	Vale do Lobo, Portugal	United States
The Indian Ocean Tuna Commission (IOTC)	8 to 12 May 2023	Mauritius	Australia
The World Conservation Union (IUCN)	2025	TBD	
The International Whaling Commission (IWC)	2024	Lima, Peru	Australia
The Northwest Atlantic Fisheries Organization (NAFO)	18 to 22 September 2023	TBD	EU
The North East Atlantic Fisheries Commission (NEAFC)	15 to 18 November 2022	London, UK	Norway
The South East Atlantic Fisheries Organisation (SEAFO)	30 November to 1 December 2022	Swakopmund, Namibia	
The Southern Indian Ocean Fisheries Agreement (SIOFA)	3 to 7 July 2023	Mauritius	EU
The South Pacific Regional Fisheries Management Organisation (SPRFMO)	7 to 17 February 2023	Manta, Ecuador	Chile
The United Nations Environment Programme (UNEP)	26 February to 1 March 2024	Nairobi, Kenya	Argentina
The Commission for the Conservation and Management of the Highly Migratory Fish Stocks of the Western and Central Pacific Ocean (WCPFC)	27 November to 3 December 2022	Da Nang, Viet Nam	

* The Commission normally requests the Executive Secretary to be its nominated Observer at these meetings.

The Secretariat also notes that in 2017 (SC-CAMLR-XXXVI, paragraph 10.32) the Scientific Committee agreed that information on upcoming meetings was no longer required given the improved dissemination of details of meetings, and that the Scientific Committee Bureau could deal with intersessional requests for representatives from CCAMLR to attend scientific meetings.

List of Registered Participants

List of Registered Participants

Chair		Dr Jakob Granit Swedish Agency for Marine and Water Management
Chair, Scientific Committee		Dr Dirk Welsford Australian Antarctic Division, Department of Agriculture, Water and the Environment
Chair, Standing Committee on Implementation and Compliance		Ms Meggan Engelke-Ros National Oceanic and Atmospheric Administration (NOAA)
Acting Chair, Standing Committee on Administration and Finance		Ms Stephanie Langerock FPS Health, DG Environment, Multilateral & Strategic Affairs
Argentina	Head of Delegation:	Mr Fausto Lopez Crozet Ministry of Foreign Affairs and Worship
	Alternate Representatives:	Mrs Marina Abas Argentine Ministry of Foreign Affairs, Trade and Worship
		Mr Máximo Gowland Ministry of Foreign Affairs, International Trade and Worship
		Ms Cynthia Mulville Ministerio de Relaciones Exteriores, Comercio Internacional y Culto
	Advisers:	Ms Andrea Capurro Private Consultant
		Mr Javier De Cicco Argentine Ministry of Foreign Affairs, Trade and Worship
		Dr Dolores Deregibus Instituto Antártico Argentino/CONICET
		Mr Darío Dzięwezo Polski Embassy of Argentina in Australia

Mrs Paola Gucioni
Ministerio de Relaciones Exteriores, Comercio
Internacional y Culto

Ms Maria Isabel Molina Carranza
Subsecretaría de Pesca y Acuicultura

Dr Enrique Marschoff
Instituto Antártico Argentino

Dr Emilce Florencia Rombolá
Instituto Antártico Argentino

Dr María Mercedes Santos
Instituto Antártico Argentino

Australia

Head of Delegation:

Ms Gaia Puleston
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Alternate
Representatives:

Ms Harriet Baillie
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Mr Viv Fernandes
Australian Fisheries Management Authority

Advisers:

Mr Nigel Abery
Australian Fisheries Management Authority

Ms Dahlia Bar
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Ms Bailey Bourke
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Ms Sally Carney
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Ms Taha Cowen
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Mr George Day
Department of Agriculture, Fisheries and
Forestry

Ms Emily Grilly
WWF – Australia

Dr So Kawaguchi
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Mr Frank LaMacchia
Department of Foreign Affairs and Trade

Mr Dale Maschette
Institute for Marine and Antarctic Studies
(IMAS), University of Tasmania

Prof. Jeffrey McGee
University of Tasmania

Mr Malcolm McNeill
Australian Longline Pty Ltd

Mr Russell Miles
Department of Foreign Affairs and Trade

Dr Cara Miller
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Ms Romana Pomeroy
Department of Foreign Affairs and Trade

Mr Todd Quinn
Department of Foreign Affairs and Trade

Ms Karen Rees
Department of State Growth (Tasmania)

Ms Selina Stoute
Australian Fisheries Management Authority

Ms Marguerite Tarzia
Australian Fisheries Management Authority

Ms Sally Truong
Department of Agriculture, Fisheries and
Forestry

Mr Jordan Tsirimokos
Attorney-General's Department

Mr Liam Tucker
Department of Agriculture, Fisheries and
Forestry

Ms Claire Wallis
Australian Fisheries Management Authority

Prof. Nicole Webster
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Ms Anna Willock
Australian Fisheries Management Authority

Dr Philippe Ziegler
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Belgium	Head of Delegation:	Ms Stephanie Langerock FPS Health, DG Environment, Multilateral & Strategic Affairs
	Alternate Representative:	Dr Anton Van de Putte Royal Belgian Institute for Natural Sciences
	Adviser:	Ms Zephyr Sylvester University of Colorado Boulder
Brazil	Alternate Representative:	Mrs Christiana Lamazière Ministry of External Relations of Brazil – Brazilian Embassy in Australia
Chile	Head of Delegation:	Mr Francisco Berguño Ministerio de Relaciones Exteriores de Chile
	Alternate Representatives:	Mr Julio Salas Subsecretaría de Pesca y Acuicultura

Ms Christine Stockins
Ministry of Foreign Affairs of Chile-Antarctic
Division

Advisers:

Ms Paola Natividad Arroyo Mora
Dirección General del Territorio Marítimo

Dr César Cárdenas
Instituto Antártico Chileno (INACH)

Mr Francisco Miguel Fernández Urzúa
Servicio Nacional de Pesca y Acuicultura

Mr Fernando Gallegos
Directorate General of the Maritime Territory
and Merchant Marine, Chilean Navy

Mrs Aurora Guerrero
Subsecretaría de Pesca y Acuicultura

Mr Julio Jorquera Guerrero
Subsecretaria de Pesca y Acuicultura

Dr Lucas Krüger
Instituto Antártico Chileno (INACH)

Mr Sebastián Molina
Ministerio de Relaciones Exteriores

Mr Gonzalo Pereira
Fisheries Development Institute (IFOP)

Mr Cristian Quezada
Undesecretary of Fishing and Aquaculture

Dr Lorena Rebolledo
Instituto Antártico Chileno (INACH)

Ms Macarena Quezada
Embassy of Chile in Australia

Ms Jacqueline Salas
Undersecretariat for Fisheries and Aquaculture

Mr Francisco Santa Cruz
Instituto Antartico Chileno (INACH)

Mr Juan Santibañez
Undersecretary for Fishing and Aquaculture

**China, People's
Republic of**

Head of Delegation:

Mr Marcos Troncoso Valenzuela
Subsecretaría de Pesca y Acuicultura

Mr Linlin Li
Ministry of Foreign Affairs of China

Alternate
Representatives:

Dr Le Li
MARA of China

Mr Lei Yang
Chinese Arctic and Antarctic Administration

Mr Yang Zhang
Ministry of Foreign Affairs

Dr Xianyong Zhao
Yellow Sea Fisheries Research Institute,
Chinese Academy of Fishery Science

Advisers:

Mr Gangzhou Fan
Yellow Sea Fisheries Research Institute

Mr Chuen-chi Lai
Agriculture, Fisheries and Conservation
Department

Ms Lai Fun Virginia Lee
Agriculture, Fisheries and Conservation
Department

Ms Tinglin Li
China Overseas Fisheries Association

Dr William, Ho Lim Siu
Agriculture, Fisheries and Conservation
Department

Dr Jianye Tang
Shanghai Ocean University

Mr Yuhao Tang
Ministry of Foreign Affairs

Mr Wan yong Wang
Jiangsu Sunline Deep Sea Fishery Co., Ltd

Dr Xinliang Wang
Yellow Sea Fisheries Research Institute,
Chinese Academy of Fishery Science

Dr Yi-Ping Ying
Yellow Sea Fisheries Research Institute

Mr Han Yu
Liaoning Pelagic Fisheries Co., Ltd

Dr Di Zhang
Polar Research Institute of China

Mr Gang Zhao
China Overseas Fisheries Association

Dr Yunxia Zhao
Yellow Sea Fisheries Research Institute

Ms Yingqin Zheng
Shanghai Institutes for International Studies

Prof. Guoping Zhu
Shanghai Ocean University

Mr Jiancheng Zhu
Yellow Sea Fisheries Research Institute,
Chinese Academy of Fishery Science

Ecuador

Head of Delegation:

Mr Andrés Arens
Viceministry of Aquaculture and Fisheries
Resources

Alternate
Representatives:

Ambassador Arturo Cabrera
Ministry of Foreign Affairs of Ecuador

Mr Alejandro Moya
Subsecretaría de Recursos Pesqueros

Advisers:

Mr Jose Isidro Andrade Vera
Ministry of Production, Foreign Trade,
Investments and Fisheries

Mrs Mildred Barzola Reyes
Instituto Oceanográfico y Antártico de la
Armada del Ecuador

Mr Fausto Bustos
Ministerio de Relaciones Exteriores y
Movilidad Humana

Mr Santiago Coral
Instituto Oceanográfico y Antártico de la
Armada (INOCAR)

Mr Jorge Costain
Transmarina S.A.

Mrs Rebeca Espinoza Bernal
Ministerio de Producción, Comercio Exterior,
Inversiones y Pesca

Mrs Manuela Rosalía Fernández de Córdova
Ministerio de Relaciones Exteriores y
Movilidad Humana

Mrs Mónica Riofrío
Instituto Oceanográfico y Antártico de la
Armada (INOCAR)

European Union Head of Delegation: Mr Luis Molledo
European Union

Alternate Representative: Ms Fiona Harford
European Union

Advisers: Ms Marie Houdart
European Commission

Ms Alessandra Lamotte
European Union

Dr Sebastián Rodríguez Alfaro
European Union

France Head of Delegation: Ms Caroline Krajka
Ministry of Foreign Affairs

Alternate
Representatives: Ms Jeanne Bayle
Ministère de l'Europe et des Affaires
étrangères

Ambassador Olivier Poivre d'Arvor
Ministry for Europe and Foreign Affairs

Advisers: Mr Guillaume Cottarel
Terres Australes et Antarctiques Françaises

Dr Marc Eléaume
Muséum national d'Histoire naturelle

Ms Maude Jolly
Ministère de la Transition Ecologique

Prof. Philippe Koubbi
Sorbonne Université

Mr Matthieu Piron
French Ministry for the Sea

Dr Jacques Raharinaivo
MEAE

Dr Yan Ropert-Coudert
IPEV

Germany

Head of Delegation: Mr Bernd Söntgerath
Federal Ministry of Food and Agriculture

Alternate Representative: Mr Julian Wilckens
Project Management Juelich – German Federal
Ministry of Education and Research

Advisers: Prof. Thomas Brey
Alfred Wegener Institute for Polar and Marine
Research

Ms Patricia Brtnik
German Oceanographic Museum

Dr Stefan Hain
Alfred Wegener Institute for Polar and Marine
Research

Dr Heike Herata
German Environment Agency

Mr Stefan Hübner
Federal Ministry of Food and Agriculture
(BMEL)

Ms Anne Ochsendorf
Federal Ministry for the Environment, Nature
Conservation, Nuclear Safety and
Consumer Protection

Mr Christian Schulz
Federal Foreign Office

		Dr Katharina Teschke Alfred Wegener Institute for Polar and Marine Research
India	Head of Delegation:	Dr GVM Gupta Ministry of Earth Sciences Govt. of India
	Alternate Representatives:	Dr Vijay Kumar Ministry of Earth Sciences
		Mr Saravanane Narayanane Centre for Marine Living Resources and Ecology
		Dr Anoop Kumar Tiwari National Centre for Polar and Ocean Research, Ministry of Earth Sciences, Government of India
Italy	Head of Delegation:	Mr Orazio Guanciaie Ministry of Foreign Affairs and International Cooperation
	Alternate Representatives:	Dr Maurizio Azzaro Institute of Polar Sciences
		Dr Anna Maria Fioretti Italian Ministry of Foreign Affairs
	Advisers:	Dr Laura Ghigliotti National Research Council of Italy (CNR), Institute for the study of the anthropic impacts and the sustainability of the marine environment (IAS)
		Dr Carla Ubaldi ENEA – Antarctic Technical Unit
		Dr Marino Vacchi National Research Council of Italy (CNR), Institute for the study of the anthropic impacts and the sustainability of the marine environment (IAS)
Japan	Head of Delegation:	Prof. Joji Morishita Special Adviser to the Minister of Agriculture, Forestry and Fisheries

Alternate Representative: Mr Masahiro Akiyama
Fisheries Agency of Japan

Advisers: Mr Naohiko Akimoto
Japanese Overseas Fishing Association

Mr Toshihisa Fujiwara
Ministry of Foreign Affairs of Japan

Mr Yuya Hayano
Ministry of Economy, Trade and Industry

Ms Saori Kenmochi
Ministry of Economy, Trade and Industry

Dr Taro Ichii
Fisheries Resources Institute, Japan Fisheries
Research and Education Agency

Mr Satoshi Matsunaga
Fisheries Agency of Japan

Mr Naohisa Miyagawa
Taiyo A & F Co. Ltd.

Dr Takehiro Okuda
Fisheries Resources Institute, Japan Fisheries
Research and Education Agency

Mr Takeshi Shibata
Taiyo A & F Co. Ltd.

Mr Kyo Uehara
Taiyo A & F Co. Ltd.

Ms Mako Yoshida
Fisheries Agency of Japan

**Korea, Republic
of**

Head of Delegation: Mr Hyun-tae Kim
Ministry of Oceans and Fisheries

Alternate
Representatives: Mr Sungho Chung
Ministry of Foreign Affairs of the Republic of
Korea

Ms Jung-re Riley Kim
The Ministry of Oceans and Fisheries of Korea

Advisers:

Mr Gap-Joo Bae
Hong Jin Corporation

Mr Yang-Sik Cho
TNS Industries Inc.

Mr DongHwan Choe
Korea Overseas Fisheries Association

Mr Hyun Joong Choi
TNS Industries Inc.

Mr Sang-jin Choi
Korea Overseas Fisheries Association

Dr Sangdeok Chung
National Institute of Fisheries Science (NIFS)

Mr Seonjung Jeon
Insung Corp.

Mr Kunwoong Ji
Jeong Il Corporation

Mr Taebin Jung
TNS Industries

Dr Eunhee Kim
Citizens' Institute for Environmental Studies

Mr Seunghyun Kim
Fisheries Monitoring Center

Ms Taerin Kim
Fishery Monitoring Center

Mr Yoonhyung Kim
Dongwon Industries

Mr Hae Jun Lee
Hongjin Company

Dr Jaebong Lee
National Institute of Fisheries Science (NIFS)

Mr Min Jae Park
NQFS, Ministry of Oceans and Fisheries of
Korea

Dr Won Sang Seo
Korea Polar Research Institute

Mr Tae-hoon Won
Korea Overseas Fisheries Cooperation Center

**Netherlands,
Kingdom of the**

Head of Delegation: Mr Martijn Peijs
Department of Nature and Biodiversity

Alternate Representative: Dr Erik Molenaar
Netherlands Institute for the Law of the Sea
(NILOS)

Adviser: Dr Fokje Schaafsma
Wageningen Marine Research

New Zealand

Head of Delegation: Ms Jana Newman
Ministry of Foreign Affairs and Trade

Alternate
Representatives: Mr Arun Jain
Ministry of Foreign Affairs and Trade

Mr Enrique Pardo
Department of Conservation

Advisers: Mr Adam Berry
Ministry for Primary Industries

Dr Nancy Bertler
Antarctica New Zealand

Prof. Ian Hawes
Antarctic Science Platform

Ms Alexandra Macdonald
Department of Conservation

Ms Monique Messina
Ministry for Primary Industries

Prof. Sandra Morrison
Antarctic Science Platform/ University of
Waikato

Ms Julia Robinson
Ministry of Foreign Affairs and Trade

Mr Darryn Shaw
Sanford Ltd

Mr Andy Smith
Self employed

Mr Nathan Walker
Ministry for Primary Industries

Mr Barry Weeber
ECO Aotearoa

Norway

Head of Delegation: Ms Mette Strengehagen
Ministry of Foreign Affairs

Alternate Representative: Mr Petter Meier
Ministry of Trade, Industry and Fisheries

Advisers: Ms Astrid Charlotte Høgestøl
Norwegian Polar Institute

Dr Bjørn Krafft
Institute of Marine Research

Ms Birgit Njåstad
Norwegian Polar Institute

Ms Hanne Østgård
The Directorate of Fisheries

Dr Cecilie von Quillfeldt
Norwegian Polar Institute

Ambassador Anne Grete Riise
Royal Norwegian Embassy

Mr Knut Seim
Ministry of Foreign Affairs Norway

Mr Fredrik Juell Theisen
Norwegian Ministry of Climate and
Environment

Poland

Head of Delegation: Mrs Justyna Szumlicz
The Long Distance Fisheries and International
Affairs Unit, Fisheries Department,
Ministry of Agriculture and Rural
Development

Alternate Representative: Mrs Jolanta Mosor
Ministry of Agriculture and Rural
Development

Russian Federation	Head of Delegation:	Mr Dmitry Kremenyuk Federal Agency for Fisheries
	Alternate Representatives:	Mr Andrey Kalinin Ministry of Foreign Affairs of the Russian Federation
		Dr Svetlana Kasatkina AtlantNIRO
	Advisers:	Dr Andrey Petrov Federal Agency for Fisheries
Ms Yulia Zhuzhginova Ministry of Foreign Affairs of the Russian Federation		
South Africa	Head of Delegation:	Dr Lisolomzi Fikizolo Department of Environmental Affairs
	Alternate Representative:	Mr Yamkela Mngxe Department of Environmental Affairs
	Advisers:	Mr Johan de Goede Department of Forestry, Fisheries and the Environment
		Mr Bernard John Liedemann Department of Forestry, Fisheries and the Environment
		Dr Azwianewi Makhado Department of Environmental Affairs
		Ms Zimbini Nkwintya Department of Forestry, Fisheries and the Environment
Spain	Head of Delegation:	Mrs Elena Consuegra Ministerio de Agricultura, Pesca y Alimentación
	Advisers:	Mr Victor Franco Embajada de España en Camberra
		Mr Joost Pompert Pesquerias Georgia, S.L

Sweden	Head of Delegation:	Dr Pia Norling Swedish Agency for Marine and Water Management
	Alternate Representative:	Dr Thomas Dahlgren University of Gothenburg
	Advisers:	Mr Staffan Danielsson Ministry of the Environment
		Dr Niels Krabbe Ministry for Foreign Affairs
Mr Frank Zhang Swedish Agency for Marine and Water Management		
Ukraine	Head of Delegation:	Dr Kostiantyn Demianenko Institute of Fisheries and Marine Ecology (IFME) of the State Agency of Melioration and Fisheries of Ukraine
	Alternate Representative:	Mr Oleh Klochak State Agency of Melioration and Fisheries of Ukraine
	Advisers:	Mr Andrii Chuklin IKF LLC
		Mr Andrii Fedchuk National Antarctic Scientific Center of Ukraine
Mr Dmytro Marichev LLC Fishing Company NEPTUNO		
Mr Artem Ogorodnik State Agency of Melioration and Fisheries of Ukraine		
		Dr Leonid Pshenichnov Institute of Fisheries and Marine Ecology (IFME) of the State Agency of Fisheries of Ukraine
		Dr Larysa Samchyshyna Institute of Fisheries and Marine Ecology, Institute of Fisheries, NAAS

Mr Volodymyr Shalkivskyi
Embassy of Ukraine in Australia

Mr Vitalii Tsymbaliuk
Ministry of Foreign Affairs of Ukraine

Mr Oleksandr Yasynetskyi
Terra Trans LLC

United Kingdom Head of Delegation: Ms Jane Rumble
Foreign, Commonwealth and Development
Office

Alternate Representative: Ms Kylie Bamford
Foreign, Commonwealth and Development
Office

Advisers:

Dr Mark Belchier
British Antarctic Survey

Dr Rachel Cavanagh
British Antarctic Survey

Dr Martin Collins
British Antarctic Survey

Dr Chris Darby
Centre for Environment, Fisheries and
Aquaculture Science (Cefas)

Dr David Goddard
Foreign, Commonwealth and Development
Office

Ms Sue Gregory
Foreign, Commonwealth and Development
Office

Mr Patrick Halling
Foreign, Commonwealth and Development
Office

Dr Oliver Hogg
Centre for Environment, Fisheries and
Aquaculture Science (Cefas)

Mrs Rhona Kent
WWF UK

		Ms Georgia Robson Centre for Environment, Fisheries and Aquaculture Science (Cefas)
		Mr Peter Thomson Argos Froyanes
United States of America	Head of Delegation:	Ms Elizabeth Phelps US Department of State
	Alternate Representatives:	Ms Mi Ae Kim National Oceanographic and Atmospheric Administration (NOAA)
		Mrs Monica Medina US Department of State
	Advisers:	Ms Natalia Arenas US Embassy
		Mr Everett Baxter NOAA National Marine Fisheries Service, Office of Law Enforcement
		Ms Nicole Bransome The Pew Charitable Trusts
		Mr Thomas Chidiac US Consulate General Melbourne – US Department of State
		Ms Kimberly Dawson National Oceanic and Atmospheric Administration (NOAA), Fisheries
		Dr Lauren Fields National Oceanic and Atmospheric Administration (NOAA)
		Mr Jacob Goldschlager US Consulate General Melbourne – US Department of State
		Mr Keith Hagg National Oceanic and Atmospheric Administration (NOAA)

Dr Jefferson Hinke
National Marine Fisheries Service, Southwest
Fisheries Science Center

Dr Christopher Jones
National Oceanographic and Atmospheric
Administration (NOAA)

Mr Justin Kenney
US Department of State

Ms Mahvish Madad
US Department of State

Mr David Pearl
NOAA Fisheries Office of International
Affairs

Dr Polly A. Penhale
National Science Foundation, Division of Polar
Programs

Dr Nancy Sung
National Science Foundation

Mr Michael Sullivan
US Embassy

Dr Andrew Titmus
National Science Foundation

Dr George Watters
National Marine Fisheries Service, Southwest
Fisheries Science Center

Uruguay

Head of Delegation:

Ambassador Dianela Pi
Ministry of Foreign Affairs

Alternate
Representatives:

Mr Ernesto Danzov
Instituto Antártico Uruguay (IAU)

Dr Yamandú Marin
Dirección Nacional de Recursos Acuáticos
(DINARA)

Prof. Oscar Pin
Dirección Nacional de Recursos Acuáticos
(DINARA)

Ambassador Gustavo Miguel Vanerio Balbela
Ministry of Foreign Affairs

Observers – Acceding States

Canada	Head of Delegation:	Ms Maya Gold Department of Fisheries and Oceans Canada
	Advisers:	Mr Robert Apro Fisheries and Oceans Canada
		Ms Katharine Ferri Fisheries and Oceans Canada
		Ms Olivia Lassaline Fisheries and Oceans Canada
		Ms Julie Plourde Global Affairs Canada
		Mr David Taillefer Environment and Climate Change Canada
		Ms Beatrice Toutant Global Affairs Canada
Finland	Head of Delegation:	Ambassador Satu Mattila-Budich Embassy of Finland in Canberra
Mauritius	Head of Delegation:	Mr Hirikeshing Unnuth Ministry of Foreign Affairs, Regional Integration and International Trade
	Alternate Representative:	Mr Devanand Bolaky Ministry of Blue Economy, Marine Resources, Fisheries and Shipping
Panama	Head of Delegation:	Mr Mario Aguilar ARAP
	Advisers:	Ms Vivian Quiros S. Aquatic Resources Authority of Panama
Mrs Yarkelia Vergara Autoridad de los Recursos Acuáticos de Panamá		

SCAR	Head of Delegation:	Prof. Mary-Anne Lea Institute for Marine and Antarctic Studies (IMAS)
	Alternate Representative:	Prof. Cassandra Brooks University of Colorado Boulder
	Advisers:	Prof. Steven Chown Monash University, School of Biological Sciences
		Dr Susie Grant British Antarctic Survey
		Dr Yeadong Kim Korea Polar Research Institute
		Dr Chandrika Nath Scientific Committee on Antarctic Research
		Dr Keith Reid Antarctic Environments Portal
SIOFA	Head of Delegation:	Mr Thierry Clot Southern Indian Ocean Fisheries Agreement/APSOI
	Adviser:	Dr Marco Milardi Southern Indian Ocean Fisheries Agreement
SPRFMO	Head of Delegation:	Mr Craig Loveridge South Pacific Regional Fisheries Management Organisation
	Adviser:	Ms Susana Delgado South Pacific Regional Fisheries Management Organisation
WCPFC	Head of Delegation:	Mr Tim Jones Western and Central Pacific Fisheries Commission

Observers – Non-Governmental Organisations

ARK	Head of Delegation:	Dr Javier Arata Association of Responsible Krill harvesting companies (ARK)
------------	---------------------	-----------------------------------------------------------------------------------

Alternate
Representatives:

Mrs Valeria Carvajal
Federación Industrias Pesqueras del Sur
Austral (FIPES)

Mr Pål Einar Skogrand
Aker BioMarine

Advisers:

Ms Natasha Exel
Association of Responsible Krill harvesting
companies (ARK)

Mr Xu Gao
CNFC

Mr Enrique Gutierrez
Pesca Chile

Mr Sang-Yong Lee
Jeong-Il Corporation

Mr Jun Rong Luo
Fujian Zhengguan Fishery Development Co.,
Ltd.

Mr Steven Rooney
Rimfrost AS

Ms Genevieve Tanner
ARK Secretariat

Ms Hong Zhang
China National Fisheries Corporation (CNFC)

ASOC

Head of Delegation:

Ms Claire Christian
Antarctic and Southern Ocean Coalition

Advisers:

Ms Kimberly Aiken
Antarctic and Southern Ocean Coalition

Ms Olive Andrews
Antarctic and Southern Ocean Coalition

Mr Evan T. Bloom
Woodrow Wilson International Center for
Scholars

Mr Jiliang Chen
Greenovation Hub

Ms Barbara Cvrkel
The Pew Charitable Trusts

Ms Ruth Davis
University of Wollongong

Mr Emil Dediu
The Pew Charitable Trusts

Mr Yutian Ding
Greenovation: Hub

Ms Lyn Goldsworthy
Institute for Marine and Antarctic Studies,
University of Tasmania

Mr Randal Helten
Friends of the Earth Japan (FoE Japan)

Mr Robert Hill
Antarctica2020

Ms Andrea Kavanagh
The Pew Charitable Trusts

Mr Nicholas Kirkham
The Pew Charitable Trusts

Dr Susanne Lockhart
Southern Benthics

Mr Willie MacKenzie
Greenpeace

Dr Laura Meller
Greenpeace Norden

Dr Ricardo Roura
Antarctic and Southern Ocean Coalition

Ms Meike Schuetzek
Antarctic and Southern Ocean Coalition

Dr Masha Vorontsova
Antarctic and Southern Ocean Coalition

Dr Rodolfo Werner
The Pew Charitable Trusts & Antarctic and
Southern Ocean Coalition

Ms Lena Zharkova
Antarctic and Southern Ocean Coalition.

Ms Wei Zhou
Greenpeace

Mr Zhengguang Zhu
WWF-China

COLTO

Head of Delegation: Mr John Alexander Reid
Polar Seafish Ltd

Alternate Representative: Mr Rhys Arangio
Coalition of Legal Toothfish Operators

Advisers: Mr Richard Ball
SA Patagonian Toothfish Industry Association

Mr Jason Bryan
Archipelago

Ms Delphine Ciolek
Syndicat des armements réunionnais de
palangriers congélateurs (SARPC)

Dr Deborah Davidson
Argos Ltd

Mr Brian Flanagan
SAPTIA

Mr Brad Milic
Australian Longline Fishing

Mr Andrew Newman
Argos Froyanes Ltd

Mr Ismael Pérez
Lafonia Sea Foods SA

Ms Brodie Plum
Talley's Ltd

Mr James Ragg
Argos Froyanes Limited

Mrs Emilie Richard
Comata-Scapêche

		Mr Hamish Tijssen Talley's Ltd
Oceanites	Head of Delegation:	Mr Ron Naveen Oceanites, Inc.
	Alternate Representative:	Mr Steven Forrest Oceanites, Inc.
	Advisers:	Dr Grant Humphries Black Bawks Data Science
		Prof. Philip Trathan Oceanites, Inc

Secretariat

Executive Secretary

Dr David Agnew

Science

Science Manager

Dr Steve Parker

Fisheries and Observer Reporting Coordinator

Isaac Forster

Science Data Officer

Daphnis De Pooter

Fisheries and Ecosystems Analyst

Dr Stephane Thanassekos

Fisheries Monitoring and Compliance

Fisheries Monitoring and Compliance Manager

Todd Dubois

Compliance Officer

Eldene O'Shea

Fisheries Monitoring and Compliance Data Officer

Henrique Anatole

Research, Monitoring and Compliance Analyst

Claire van Werven

Data Administration Officer

Alison Potter

Finance, Administration and Human Resources

Finance, Administration and Human Resources Manager

Deborah Jenner

Finance Support Officer

Christine Thomas

Human Resources Officer

Angie McMahon

Administrative Services Officer

Amelia Stoneham

Administration Support

Rebecca Stride

Communications

Communications Manager

Doro Forck

Publications Officer

Belinda Blackburn

French Translator/Team Coordinator

Floride Pavlovic

French Translator

Marie Lecomte

French Translator

Bénédicte Graham

Russian Translator/Team Coordinator

Olga Kozyrevitch

Russian Translator

Anar Umerkhanova

Russian Translator

Blair Denholm

Spanish Translator/Team Coordinator

Jesús Martínez

Spanish Translator

Facundo Alvarez

Spanish Translator

Alejandra Sycz

Data and Information Systems

Data and Information Systems Manager

Gary Dewhurst

Database Administrator/Technical Analyst

Thomas Williams

Systems Analyst

Ian Meredith

IT Support Officer

James Eisenhower

Software Developer

Mingyun Qie

Technical Business Analyst

Mitchell John

Web Project Officer

Dane Cavanagh

Interpreters (ONCALL Conference Interpreters)

Ms Cecilia Alal
Ms Patricia Avila
Mrs Elena Bocharova-Booth
Ms Sabine Bouladon
Ms Vera Christopher
Mr Andrey Efimenko
Ms Claire Garteiser
Dr Erika Gonzalez
Ms Isabelle Guinebault
Prof. Sandra Hale
Mr Andrei Heimann
Ms Evgenia Ignatova
Ms Silvia Martinez
Dr Marc Orlando
Mr Philippe Tanguy

List of Documents

List of Documents

CCAMLR-41/01 Rev. 1	CCAMLR Secretariat Strategic Plan 2023–2026 Executive Secretary
CCAMLR-41/02	Developing a Code of Conduct for CCAMLR meetings Secretariat
CCAMLR-41/03 Rev. 1	Examination of the audited financial statements for 2021 Executive Secretary
CCAMLR-41/04	Review of the 2022 Budget, Draft 2023 Budget and Forecast Budget for 2024 Executive Secretary
CCAMLR-41/05	Executive Secretary’s Report, 2022, including the Fourth Year Implementation Report for the Secretariat’s Strategic Plan (2019–2022) Executive Secretary
CCAMLR-41/06	Performance Review 2 – summary of outcomes Secretariat
CCAMLR-41/07	CCAMLR Staffing and Salary Strategy (2023–2026) Executive Secretary
CCAMLR-41/08	Review of the Rules for Access and Use of CCAMLR Data Chair of the Data Services Advisory Group (DSAG)
CCAMLR-41/09	Proposal for an extraordinary meeting of the Commission on Spatial Planning and Marine Protected Areas Secretariat and the Chair of the Commission
CCAMLR-41/10	Access to meeting documents Secretariat
CCAMLR-41/11 Rev. 1	Arrangements for cooperation with other organisations Secretariat
CCAMLR-41/12	Options for future meeting arrangements Secretariat
CCAMLR-41/13 Rev. 1	Activities of the General Capacity Building Fund (GCBF) – 2021–2022 GCBF Panel
CCAMLR-41/14 Rev. 1	Proposed changes to CCAMLR reporting – move to Australian Equivalents to International Financial Reporting Standards Secretariat

CCAMLR-41/15	CCAMLR Compliance Evaluation Procedure (CCEP) Summary Report and analysis Secretariat
CCAMLR-41/16 Rev. 2	IUU fishing activity and trends in 2021/22 and IUU Vessel Lists Secretariat
CCAMLR-41/17	NCP engagement strategy review and plan Secretariat
CCAMLR-41/18	Transshipment implementation report Secretariat
CCAMLR-41/19	Vessel monitoring system (VMS) implementation report Secretariat
CCAMLR-41/20	CDS Fund expenditure proposal Secretariat
CCAMLR-41/21	Inspection Implementation Report Secretariat
CCAMLR-41/22	CDS Implementation and Data Analysis Secretariat
CCAMLR-41/23 Rev. 1	Proposal to amend CM 10-02 Delegation of the Republic of Korea
CCAMLR-41/24 Rev. 1	Proposal to amend CM 10-09 Delegation of the Republic of Korea
CCAMLR-41/25 Rev. 1	Amendments to CCAMLR Conservation Measures 21-01, 21-02 and 23-05 Delegation of the European Union
CCAMLR-41/26 Rev. 1	Proposal to amend Conservation Measure 26-01 Delegation of the European Union
CCAMLR-41/27	Draft conservation measure for an East Antarctic Marine Protected Area Delegations of Australia, the European Union and its Member States, India, New Zealand, Norway, Republic of Korea, Ukraine, the United Kingdom, the USA and Uruguay
CCAMLR-41/28	Draft conservation measure establishing a Marine Protected Area across the Weddell Sea region Delegations of the EU and its Member States, Norway, Uruguay, Australia, the United Kingdom, New Zealand, the USA, Republic of Korea, India and Ukraine

CCAMLR-41/29	Antarctic Blue Carbon Delegation of the United Kingdom
CCAMLR-41/30	Proposed update to Conservation Measure 24-04 (2017) on Establishing time-limited Special Areas for Scientific Study in newly exposed marine areas following ice shelf retreat or collapse Delegation of the United Kingdom, Republic of Korea, the European Union and its Member States, Australia and the USA
CCAMLR-41/31 Rev. 1	Proposed workshop on integrating climate change and ecosystem interactions into CCAMLR science Delegations of the United Kingdom, Australia, France, New Zealand, Norway, Sweden and the USA
CCAMLR-41/32 Rev. 1	Resolution on climate change Delegations of the EU and its Member States, the United Kingdom, Australia, Chile, New Zealand, Norway, the USA, Uruguay and the Republic of Korea
CCAMLR-41/33	Proposal to amend CM 10-03 (2019) – Port inspections of fishing vessels carrying Antarctic marine living Resources Delegation of New Zealand
CCAMLR-41/34	Revised proposal for a conservation measure establishing a Marine Protected Area in Domain 1 (Western Antarctic Peninsula and South Scotia Arc) Delegations of Argentina and Chile
CCAMLR-41/35	Improving the CCAMLR Compliance Evaluation Procedure through proposed amendments to Conservation Measure 10-10 Delegations of the European Union, the Republic of Korea and the USA
CCAMLR-41/36 Rev. 1	Proposals for improved management of CCAMLR’s krill fisheries Delegation of the USA
CCAMLR-41/37	Comments on the revision of Conservation Measure (CM) 51-07 Delegation of the Russian Federation
CCAMLR-41/38	Comments and proposals on the classification of toothfish fishery nomenclature under the CCAMLR regulatory framework Delegation of the Russian Federation
CCAMLR-41/39	Comments on management procedures for toothfish fisheries in Statistical Subareas 88.1 and 88.2. Revision to Conservation Measure 31-02 Delegation of the Russian Federation

CCAMLR-41/40	Comments on the status of South Orkney Islands southern shelf (SOISS) MPA RMP Delegation of the Russian Federation
CCAMLR-41/41	Comments and proposals by the Russian Federation on regulating unified criteria for establishing MPAs in the CCAMLR Convention Area Delegation of the Russian Federation
CCAMLR-41/42	Report of the Standing Committee on Administration and Finance (SCAF)
CCAMLR-41/43	Report of the Standing Committee on Implementation and Compliance (SCIC)
CCAMLR-41/44	Report of the Forty-first meeting of the Scientific Committee (Hobart, Australia, 24 to 28 October 2022)

CCAMLR-41/BG/01	Summary Report Forty-fourth Antarctic Treaty Consultative Parties Meeting (Berlin, Germany, 24 May to 2 June 2022) Executive Secretary
CCAMLR-41/BG/02	Aerial surveillance patrols undertaken by New Zealand during the 2021/22 Ross Sea CCAMLR season Delegation of New Zealand
CCAMLR-41/BG/03	Summary of activities of the Commission during the 2021/22 intersessional period – Report of the Chair Chair of the Commission
CCAMLR-41/BG/04	Fishery Notifications 2022/23 Secretariat
CCAMLR-41/BG/05	Vessel monitoring system (VMS) unit details survey results Secretariat
CCAMLR-41/BG/06	Report of the CCAMLR Observer to the 35th meeting of FAO Committee on Fisheries (COFI) and the 9th meeting of the Regional Fishery Bodies Secretariats' Network (RSN) Executive Secretary
CCAMLR-41/BG/07	Calendar of meetings Secretariat
CCAMLR-41/BG/08	Website update Secretariat

CCAMLR-41/BG/09	Report from the CCAMLR Observer (USA) on key issues from the 2021 International Commission for the Conservation of Atlantic Tunas (ICCAT) Annual Meeting (Virtual meeting, 15 to 23 November 2021) CCAMLR Observer (USA)
CCAMLR-41/BG/10	Report from the CCAMLR Observer (USA) on the outcomes from the Eighteenth Regular Session of the Western and Central Pacific Fisheries Commission (WCPFC) (Virtual meeting, 1 to 7 December 2021) CCAMLR Observer (USA)
CCAMLR-41/BG/11	Ten-years of the CCAMLR Compliance Evaluation Procedure (CCEP) Secretariat
CCAMLR-41/BG/12	Reconciliation of CDS data with monthly fine-scale catch and effort data Secretariat
CCAMLR-41/BG/13 Rev. 1	Trade data analysis – Report of global toothfish trade data Secretariat
CCAMLR-41/BG/14	CCAMLR Observer Report (Argentina) to the resumed Fifth Session of the United Nations Environment Assembly of the United Nations Environment Programme (Nairobi, Kenya, 28 February – 2 March 2022) Delegation of Argentina
CCAMLR-41/BG/15	Report from the CCAMLR Observer (European Union) on the 9th Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement (SIOFA) (Hybrid Format, 4 to 8 July 2022) CCAMLR Observer (European Union)
CCAMLR-41/BG/16	Monitoring, control and surveillance procedures carried out by the State of Chile during the 2021/22 season Delegation of Chile
CCAMLR-41/BG/17	Observer comments on the CCAMLR Decision Making Process Submitted by COLTO and ASOC
CCAMLR-41/BG/18	Approaches to evaluate and strengthen RFMO Compliance Process and Performance – A toolkit and recommendations Delegation of the Republic of Korea on behalf of the co-authors

CCAMLR-41/BG/19	Support to CCAMLR to identify and deter illegal, unreported and unregulated (IUU) fishing activities that undermine the objective of the CAMLR Convention INTERPOL and CCAMLR Secretariat
CCAMLR-41/BG/20	Ross Sea Region Marine Protected Area Research and Monitoring Plan Delegations of Italy, New Zealand and the USA
CCAMLR-41/BG/21	International Maritime Organisation: Safety measures on vessels not certified under the SOLAS Convention Delegation of New Zealand
CCAMLR-41/BG/22	Cooperation to combat illegal, unreported and unregulated (IUU) fishing and enhance compliance monitoring Secretariat
CCAMLR-41/BG/23	Revisiting the establishment of MPAs in the Southern Ocean Delegation of the People's Republic of China
CCAMLR-41/BG/24	The development of Research and Monitoring Plan for CCAMLR MPAs Delegation of the People's Republic of China
CCAMLR-41/BG/25	Proposal to improve the draft Research and Monitoring Plan for the Ross Sea region Marine Protected Area Delegation of the People's Republic of China
CCAMLR-41/BG/26	The conservation of the Antarctic marine living resources as the objective of the Convention Delegations of Argentina and Chile
CCAMLR-41/BG/27	Report from the CCAMLR Observer (Australia) to the 5th Special Session and 26th Annual Meetings and the 4th Special Session of the Indian Ocean Tuna Commission (IOTC) (Videoconference, 29 November 2021) CCAMLR Observer (Australia)
CCAMLR-41/BG/28	Report from the CCAMLR Observer (Australia) to the Seventh Session of the Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels (MoP7) (Virtual, 9 to 13 May 2022) CCAMLR Observer (Australia)
CCAMLR-41/BG/29	ASPAs 152/153: Western Bransfield Strait and Dallmann Bay: Highlights of scientific research results Delegation of the USA

CCAMLR-41/BG/30	Implementation of the national Antarctic program of Ukraine in the conditions of military aggression of the Russian Federation Delegation of Ukraine
CCAMLR-41/BG/31	ASOC Report to CCAMLR Submitted by ASOC
CCAMLR-41/BG/32	Marine protected areas: A global and regional imperative for CCAMLR Submitted by ASOC
CCAMLR-41/BG/33	Comments on the revised proposal for a conservation measure establishing a MPA in the Domain 1 (comments regarding document CCAMLR-41/34) Delegation of the Russian Federation
CCAMLR-41/BG/34	Fishing vessels and the International Guidelines for Safety Measures for Fishing Vessels of 24 m in length and over Operating in Polar Waters Submitted by ASOC
CCAMLR-41/BG/35	Comments on the draft of the conservation measure for an East Antarctic marine protected area Delegation of the Russian Federation
CCAMLR-41/BG/36	Patagonian toothfish fishing in Subarea 48.3 in the current season contravenes Conservation Measure 31-01 Delegation of Argentina
CCAMLR-41/BG/37	Explanatory Note by Singapore to the Commission for the Conservation of Antarctic Marine Living Resource (CCAMLR) Submitted by Singapore
CCAMLR-41/BG/38	Report by CCAMLR Observer (Norway) on the 40th Annual Meeting of the North-East Atlantic Fisheries Commission (NEAFC) (Hybrid meeting, 9 to 12 November 2021) CCAMLR Observer (Norway)
CCAMLR-41/BG/39	Reporte de pesca de investigación de bacalao de profundidad en aguas de jurisdicción nacional Delegación de Ecuador
CCAMLR-41/BG/40	Chair's Guide to the schedule, annotated agenda and summary of papers Chair of the Commission

- CCAMLR-41/BG/41 Report from the CCAMLR Observer (EU) to the 44th annual meeting of the Northwest Atlantic Fisheries Organization (NAFO) (Porto, Portugal, 19 to 23 September 2022)
CCAMLR Observer (EU)
- CCAMLR-41/BG/42 WSMPA Phase 2: Update on progress
Delegation of Norway
- CCAMLR-41/BG/43 Harmonisation of conservation measures in the Antarctic Peninsula Region
Chair of the Scientific Committee on behalf of the krill workplan harmonisation subgroup

Other Documents

- SC-CAMLR-41/12 Proposals for the interim revision of CM 51-01 and CM 51-07 as a first trial of the new krill management approach in 2022
Delegation of the People's Republic of China
- SC-CAMLR-41/BG/07 2022 Report to SC-CAMLR-41 and CCAMLR-41 by the Association of Responsible Krill harvesting companies (ARK)
Submitted by ARK
- SC-CAMLR-41/BG/08 ARK recommendations for improving transparency and safety in the CCAMLR krill fishery
Submitted by ARK
- SC-CAMLR-41/BG/09 Moving forward with the new krill management strategy
Submitted by ARK
- SC-CAMLR-41/BG/13 Report to CCAMLR by Oceanites, Inc. – State of Antarctic Penguins 2022
Submitted by Oceanites
- SC-CAMLR-41/BG/19 The Scientific Committee on Antarctic Research (SCAR) Annual Report to CCAMLR 2021/2022
Submitted by SCAR
- SC-CAMLR-41/BG/21 Antarctic Climate Change and the Environment: A Decadal Synopsis
Submitted by SCAR
- SC-CAMLR-41/BG/29 Finer-scale krill fishery management, enhanced monitoring and additional measures to protect the krill-based ecosystem
Submitted by ASOC

**Opening Address by the Governor of Tasmania, Her Excellency
the Honourable Barbara Baker AC**

**Opening Address by the Governor of Tasmania, Her Excellency
the Honourable Barbara Baker AC**

‘Mr Chair, Your Excellencies, Distinguished Delegates, Ladies and Gentlemen. Good morning and welcome to the 41st annual meeting of the Commission.

Dr Granit, I would like to extend a very warm welcome to you again to Hobart. These are very different circumstances to those from last year when due to the COVID pandemic I had to cancel my in-person address, instead addressing you online, and I am very pleased to see you here for a second time.

I must say it is wonderful to see everyone here in person. International travel is still not easy, and it is an honour that so many of you have made the effort to come here in person. I understand that in addition to those of you in this room, many more are joining remotely as audience, and I welcome you all both in person and virtually to Hobart. The pandemic has not been a good experience for us all, with much sadness caused around the world, but it is obvious that necessity has stimulated new ideas about how to make meetings such as this most effective and inclusive.

Tasmania is immensely proud of the fact that this highly respected international organisation, with its 40 years of achievement, is headquartered in Hobart. We highly value the continuing relationship that we at Government House have with the Commission and with your Secretariat. I am honoured to be able to open your meeting and can report that this has been an almost unbroken tradition since 1984 when one of my predecessors, Sir James Plimsoll, opened your third meeting.

Since this is the first in-person meeting since 2019, I am sure that you have much to discuss, and I am aware that despite the pandemic you have made significant progress in your work over the last two years.

I am encouraged that the working groups of the Scientific Committee have continued to make progress during their intersessional meetings on the new krill management plan. Effective management of this fishery, delivered over the last 40 years by CCAMLR, is of course of great importance to the Antarctic ecosystem as well as to the world, more so than ever given the strong and increasing interest in krill harvesting.

I note that data and research now being reviewed by the Scientific Committee to assist with krill management decisions includes information on the changes that are happening to the Antarctic marine ecosystem. This includes the welcome recovery of previously depleted populations of fin and humpback whales. Of course, there are also broader changes arising from climate change that are impacting all ecosystems across the globe, including the Antarctic. This was starkly brought into focus by the record temperatures, droughts and bushfires seen across the northern hemisphere this summer. I am pleased that you regularly include consideration of climate change in your work, and I note that you have set aside specific time later today to hear from the Scientific Committee on Antarctic Research on this very topic.

Finally, I was interested to see that at your last meeting you agreed to consider holding a special meeting on marine protected areas, which would be only the third special meeting that you have

had as a Commission. I can assure you that if you choose to have a meeting on this subject here in Hobart, you will again find a very warm welcome from us.

Distinguished Delegates, Ladies and Gentlemen, I will bring my brief address to a close by wishing you well in your endeavours over the next two weeks. The international community, and all of us who care deeply about the future of our oceans and of Antarctica owe you a debt of gratitude for continuing to work hard to develop innovative and effective solutions to the problems that confront us.

So, without further ado I will hand you back to your Chair to start your deliberations.

Thank you for your attention.'

Agenda for the Forty-first Meeting of the Commission

**Agenda for the Forty-first Meeting of the
Commission for the Conservation of
Antarctic Marine Living Resources**

1. Opening of the meeting
2. Organisation of the meeting
 - 2.1 Adoption of agenda
 - 2.2 Status of the Convention
 - 2.3 Chair's Report
 - 2.4 Report from SCAR
3. Implementation of Convention objectives
 - 3.1 Objectives of the Convention
 - 3.2 Second performance review
4. Management of marine resources
 - 4.1 Advice from the Scientific Committee
 - 4.2 Krill resources
 - 4.3 Fish resources
 - 4.4 Scientific research under Conservation Measure 24-01
 - 4.5 Non-target species
 - 4.5.1 Fish and invertebrates
 - 4.5.2 Seabirds and marine mammals
 - 4.5.3 Bottom fishing and vulnerable marine ecosystems
 - 4.5.4 Marine debris
5. Spatial management
 - 5.1 Proposals for marine protected areas (MPAs)
 - 5.2 Review of existing MPAs
 - 5.3 General issues related to spatial management
6. Impacts of climate change on the conservation of Antarctic marine living resources
7. Implementation and compliance
 - 7.1 Advice from SCIC
 - 7.2 CCAMLR Compliance Report
 - 7.3 Illegal, unreported and unregulated (IUU) fishing in the Convention Area
8. CCAMLR Scheme of International Scientific Observation

9. Conservation measures
 - 9.1 Review of existing measures
 - 9.2 Consideration of new measures and other conservation requirements
10. Administration and Finance
 - 10.1 Advice from SCAF
 - 10.2 Review of the 2022 budget, the 2023 budget and forecast budget for 2024
11. Cooperation with the Antarctic Treaty System and international organisations
 - 11.1 Cooperation with the Antarctic Treaty System
 - 11.2 Cooperation with international organisations
 - 11.2.1 Reports of observers from international organisations
 - 11.2.2 Reports from CCAMLR representatives at meetings of international organisations in the previous intersessional period and nominations of representatives to forthcoming meetings of relevant international organisations
 - 11.2.3 Cooperation with regional fisheries management organisations (RFMOs)
12. Administrative matters
 - 12.1 Election of officers
 - 12.2 Invitation of observers
 - 12.3 Next meeting
13. Other business
14. Report of the Forty-first Meeting of the Commission
15. Close of the meeting.

**Summary of activities of the Commission during the
2021/22 intersessional period – Report of the Chair**

Summary of activities of the Commission during the 2021/22 intersessional period

Report of the Chair

Intersessional meetings

1. The following intersessional meetings of the Scientific Committee were held in 2022:
 - Scientific Committee Symposium, 8 to 10 February, online
 - Workshop on Conversion Factors for Toothfish, 12 to 13 April, online
 - Workshop on the Ross Sea Data Collection Plan, 11 to 12 August, online
 - Working Group on Acoustic Survey and Analysis Methods (WG-ASAM), 30 May to 3 June, online
 - Working Group on Statistics, Assessments and Modelling (WG-SAM), 27 June to 1 July, online
 - Working Group on Ecosystem Monitoring and Management (WG-EMM), 4 to 11 July, online
 - Working Group on Incidental Mortality Associated with Fishing (WG-IMAF), 10 to 14 October, Headquarters, Hobart
 - Working Group on Fish Stock Assessment (WG-FSA), 10 to 20 October, Headquarters, Hobart.
2. The work of the Commission and Scientific Committee was supported by a number of e-groups which were active during the year.
3. On behalf of CCAMLR, I would like to express my gratitude to the conveners, the hosts of these meetings and the Secretariat for their expert support and facilities.

CCAMLR-regulated fisheries

4. In the 2021/22 season to 31 July 2022, 13 CCAMLR Members participated in fisheries and research targeting icefish, toothfish and krill (see SC-CAMLR-41/BG/01). Members reported a total catch of 353 885 tonnes of krill, 9 746 tonnes of toothfish and 1 021 tonnes of icefish from the Convention Area.
5. The Secretariat monitored CCAMLR fisheries using catch and effort reports and notifications of vessel movements. Where necessary, Members and vessels were advised of the closure of areas and fisheries.

6. During the 2021/22 season, 44 deployed scientific observers were appointed in accordance with the Scheme of International Scientific Observation: 30 on longline vessels, two on trawl vessels fishing for icefish, and 12 on vessels fishing for krill.

CCAMLR's fishery monitoring and compliance

7. To date in the 2021/22 season, 748 *Dissostichus* catch documents, 2 199 export documents and 769 re-export documents have been issued by 20 Contracting Parties and one Non-Contracting Party (NCP) (Singapore) cooperating with the Catch Documentation Scheme for *Dissostichus* spp. (CDS).

8. No vessels included on the NCP-IUU (illegal, unreported and unregulated) Vessel List were reported as sighted by Members inside the Convention Area in 2021/22.

9. The Secretariat has continued to cooperate with INTERPOL during 2022.

Science

10. 226 participants from 22 Members attended the mid-year scientific meetings of WG-ASAM, WG-SAM and WG-EMM. The General Science Capacity Fund supported one new scholarship recipient and six continuing recipients.

Cooperation with other organisations

11. The Commission was represented at meetings of 15 international organisations and programs in 2021/22 and maintained relationships with six organisations it has formal Agreements with. CCAMLR provided comments on 'Ecosystem approach to fisheries' and 'CCAMLR experience with affording protection to Vulnerable Marine Ecosystems' to two meetings of the United Nations Division of Ocean Affairs and Law of the Sea. Sixty-two non-Member Contracting Parties, NCPs, intergovernmental organisations and non-governmental organisations were invited to attend CCAMLR-41 as Observers.

12. The Scientific Committee had a joint meeting with the SIOFA Scientific Committee from 29 November to 1 December 2021.

Secretariat

13. The Secretariat continued to provide fishery monitoring and compliance services to support the work of the Standing Committee on Implementation and Compliance (SCIC), science and data management services to support the work of the Scientific Committee, technical and logistic support to intersessional meetings of the Scientific Committee's working groups, and support for CCAMLR communications, the website and e-groups.

14. The Secretariat continued to provide quarterly financial and investment reports to Members through the year.

15. The Executive Secretary's Report to CCAMLR-41 includes a report on the fourth year of implementation for the 2019–2022 Strategic Plan.

**Proposal for an extraordinary meeting of the Commission
on Spatial Planning and Marine Protected Areas**

Proposal for an extraordinary meeting of the Commission on Spatial Planning and Marine Protected Areas

Secretariat and the Chair of the Commission

Abstract

Draft terms of reference and proposals for the arrangements for an extraordinary meeting of the Commission are presented. The terms of reference were developed by the Secretariat and the Chair of the Commission as requested in CCAMLR-40, paragraph 7.29. This paper also includes proposed practical arrangements for a meeting to be held in Chile from 24 to 28 April 2023/19 to 23 June 2023.

Introduction

1. These draft terms of reference and proposed arrangements for an extraordinary meeting of the Commission on how to reach consensus on progressing marine protected area (MPA) implementation have been prepared by the Secretariat and the Chair of the Commission as requested in CCAMLR-40, paragraph 7.29, taking into account comments provided by the ‘Commission special session on MPAs’ e-group and at the Heads of Delegation meeting 7 June 2022.

2. Background to the issue is presented in Appendix A.

Draft Terms of reference

1. Objective and issues related to substance of the meeting

1.1 Objective

The objective of the meeting will be, consistent with the Convention, to agree through dialogue on an inclusive approach that will facilitate the Commission to reach consensus on how to progress marine protected area (MPA) design, designation, implementation and the establishment of research and monitoring plans (RMP) based on the best scientific evidence available, taking relevant adopted conservation measures into account. The meeting will identify how CCAMLR can use MPAs to deliver on its conservation objective and principles set out in Article II, and develop a representative system of MPAs consistent with its commitment reaffirmed in the declaration on the occasion of the 40th Meeting.

1.2 Issues to be discussed

The meeting will consider the following topics:

1.2.1 Best practices and evaluation of the lessons learned and effectiveness of the overall conservation measures related to marine protected areas already adopted by CCAMLR.

1.2.2 How the adopted general framework for the establishment of CCAMLR MPAs (CM 91-04 (2011)) could be improved

1.2.3 How to progress the MPA proposals.

2. Preparatory steps related to procedures for the meeting

2.1 Status and program of the meeting

The meeting will be convened as an extraordinary meeting under Rule 11(a) of the Rules of Procedure of the Commission. Following the precedent on nomenclature set by the Second Special Meeting of the Commission (Bremerhaven, Germany, 15 and 16 July 2013) the meeting will be the Third Special Meeting of the Commission.

A final agenda will be developed per Rules 15, 16 and 17 of the Commission's Rules of Procedure, based on these terms of reference (CCAMLR-40, paragraph 7.30).

Recognising the importance of science in this process, Members are encouraged to include their Scientific Committee Representatives in their delegations. The Chair of the Scientific Committee will be present and be available to inform discussions.

2.2 Location and timing of the extraordinary meeting

The extraordinary meeting will take place in-person in Chile. Proposed dates are 24 to 28 April 2023 or 19 to 23 June 2023. Observers will be invited to attend the extraordinary meeting under Rule 30 of the Rules of Procedure of the Commission.

2.3 Process to prepare for the extraordinary meeting

The Commission will welcome inputs from Members, experts or Observers with specific marine spatial planning experience or expertise.

Existing Commission papers and reports, and e-group commentary, should be collated to provide sufficient background for Members to understand the history and status of the issues as discussed in CCAMLR.

The Commission requests the Secretariat to undertake the above work, as necessary in collaboration with the Scientific Committee or Members. The Commission may also ask the Secretariat to prepare an information paper with an overview of past discussions on MPAs.

2.4 Outcome of the meeting

Agreement on the way forward, including particular actions, proposals, proceedings and a roadmap (action plan) to reach the objective of the Convention through consensus, will be the key outcome of the meeting.

Such a roadmap (action plan) will most likely include several actions by the Commission to be agreed at the meeting.

Practical proposal for the meeting

Provision is made for the meeting to be held according to the modality of CCAMLR-41, i.e. an in-person fully interpreted formal meeting with streaming to audience only, to have the same number of attendees as at CCAMLR-41, and to run to the daily timetable outlined in Appendix B.

A preliminary agenda will be circulated according to Rule 15 at least 100 days prior to the start of the meeting. A draft preliminary agenda and schedule is included as Appendix B for consideration by the Commission.

Observers will be invited, but it is proposed that those observers from non-Contracting Parties that are normally invited to CCAMLR meetings due to their engagement in trade in toothfish and interest in the Catch Documentation Scheme (CDS) need not be invited to this meeting. A proposed list is included as Appendix C. Unlike the October annual meetings, press will not be invited to the first day, although there would be a press release at the end of the meeting.

Recommendations

It is proposed that the Commission approve the proposal of convening an extraordinary meeting of the Commission on MPAs during the first semester of 2023.

Approve the use of voluntary contributions to support the meeting.

Background

Since its inception, the Commission has developed a number of different spatial management or area-based management approaches that are consistent with Article IX.

These include defining management areas, subareas and divisions within the Convention Area and setting catch limits by area. See for example conservation measures that regulate fisheries in the 41 (toothfish), 42 (icefish) and 51 (krill) series.

They include also area-based management approaches affording protection related to fishing activities to areas surrounding vulnerable marine ecosystems and prohibiting fishing for *Dissostichus* spp. in depths shallower than 550 m (Conservation Measures (CMs) 22-06 to 22-09 from the period 2009–2019).

Protected areas are also defined in these conservation measures:

- CM 91-01 Procedure for according protection of CEMP sites (2004)
- CM 91-02 Protection of the values of Antarctic Specially Managed and Protected Areas (2012)
- CM 91-03 Protection of the South Orkney Island southern shelf (2009)
- CM 91-04 General framework for the establishment of CCAMLR Marine Protected Areas (2011)
- CM 91-05 Ross Sea region Marine Protected Area.

The designation of special areas for research is part of CM 91-01 and the protection of areas for research following ice-shelf retreat is found in CM 24-04.

The Commission is consulted under the Antarctic Treaty on the designation of Antarctic Specially Managed (ASMA) and Antarctic Specially Protected Areas (ASPAs) with a marine component (CM 91-02).

CCAMLR has implemented two high-seas marine protected areas (MPAs) (CMs 91-03 and 91-05).

Three more MPAs have been proposed over the last 11 years (East Antarctic Representative System of MPAs, Weddell Sea MPA, Antarctic Peninsula – Domain 1 MPA).

All these measures can be seen as contributing to a framework of spatial planning and management in the Convention Area and within the Antarctic Treaty System as a whole.

Over the last several meetings the Commission has made little progress towards agreeing the three new MPA proposals.

The Commission has also made little progress on agreeing research and monitoring plans for the existing MPAs (CMs 91-03 and 91-05).

The objections to progressing these issues have been voiced for a number of years and include concerns about CCAMLR's overall process for designating and monitoring MPAs as well as the detail of specific proposals.

Some Members consider that the current framework for the establishment of MPAs (CM 91-04) does not provide sufficient detail on the specific requirements for the entire MPA process, omits some key elements of that process and requires further clarification.

Other Members consider that CM 91-04 describes the process in sufficient detail (see recent discussions in CCAMLR-38, paragraphs 6.15 to 6.24; CCAMLR-39, paragraphs 8.19 to 8.35; CCAMLR-40, paragraphs 7.1 to 7.5).

Several initiatives have been taken to explore a way forward, including the Second Special Meeting of the Commission (Bremerhaven, Germany, 15 and 16 July 2013).

This was followed by e-group discussions in 2016 on the development of the MPA Checklist proposed by Japan (CCAMLR-XXXIV/19).

In 2019 the Commission considered a proposal from Russia for intersessional work to reach a common understanding on the procedural aspects of designating MPAs, but it could not reach agreement on this proposal (CCAMLR-38, paragraphs 6.15 to 6.18).

Russia and China have in the past two years continued to suggest revisions to the procedures for the designation of MPAs.

The lack of consensus on how to progress spatial management and MPAs is causing reputational risks to the Commission considering also that it has been leading on ecosystem-based management approaches over time.

**Draft preliminary agenda and schedule for the
Third Special Meeting of the Commission**

1. Welcome, adoption of the agenda, introductory remarks
2. Best practices and evaluation of the lessons learned and effectiveness of the overall conservation measures related to marine protected areas already adopted by CCAMLR
3. How the adopted general framework for the establishment of CCAMLR marine protected areas (MPAs) (CM 91-04 (2011)) could be improved
4. How to progress the MPA proposals
5. Outcome of the meeting and next steps
6. Adoption of the report of the Third Special Meeting of the Commission.

The Schedule for a meeting from 24 to 28 April 2023 or 19 to 23 June 2023 is proposed as follows:

	Morning 09:00–10:30, 11:00–12:30	Afternoon 14:00–15:30, 16:00–17:30
Day 1	09:00 Heads of Delegation 11:00 Agenda Items 1 and 2	14:00 Agenda Item 2
Day 2	Agenda Item 3	Agenda Item 3
Day 3	Agenda Item 4	Agenda Item 4
Day 4	Agenda Item 5	Agenda Item 5 Report preparation
Day 5	Report adoption	Report adoption

The meeting will allow for breakout sessions to advance progress if needed.

**Proposed list of observers to be invited to the
Third Special Meeting of the Commission**

This list is modified from that in COMM CIRC 22/58–SC CIRC 22/58. The Commission is invited to modify the list as appropriate.

- non-Member Contracting Parties – Bulgaria, Canada, Cook Islands, Finland, Greece, Mauritius, Islamic Republic of Pakistan, Republic of Panama, Peru and Vanuatu.
- other States in dialogue with CCAMLR – Indonesia, Luxembourg and Turkey.
- intergovernmental organisations – ACAP, CCSBT, CEP, CITES, COMNAP, FAO, IATTC, ICCAT, IOC, INTERPOL, IUCN, IWC, RPOA-IUU, SCAR, SCOR, SEAFO, SIOFA, SOOS, SPRFMO, UNEP and WCPFC.
- non-governmental organisations – ARK, ASOC, COLTO, IAATO and Oceanites Inc.

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

Contents

	Page
Opening of the meeting	149
Organisation of the meeting	149
Review of compliance- and implementation-related measures and systems	149
Catch Documentation Scheme for <i>Dissostichus</i> spp. (CDS)	149
CDS Fund review proposal	149
Implementation of the CDS	150
Vessel inspection	151
Vessel monitoring system (VMS) and vessel movement activity within the Convention Area	151
Promotion of Compliance in CCAMLR	152
Transshipment	152
Implementation of the Scheme of International Scientific Observation (SISO)	153
NCP Engagement Strategy	153
Proposals for new and revised compliance-related conservation measures	153
Conservation Measure 10-02	153
Conservation Measure 10-03	154
Conservation Measure 10-04	154
Conservation Measure 10-05	154
Conservation Measure 10-09	154
Conservation Measure 10-10	155
Conservation Measures 21-01, 21-02 and 23-05	155
Conservation Measure 26-01	155
Conservation Measure 31-02	156
Proposal for improved management of CCAMLR krill fisheries	156
CCAMLR Compliance Evaluation Procedure (CCEP)	157
Provisional Compliance Report	158
Conservation Measure 10-01	158
Conservation Measure 10-02	158
Conservation Measure 10-03	158
Conservation Measure 10-04	159
Conservation Measure 10-05	159
Conservation Measure 10-09	160
Conservation Measure 25-02	161
Conservation Measure 26-01	161
Conservation Measure 31-01	161
Conservation Measure 41-01	162
Conservation Measure 41-09	163
Conservation Measure 91-05	163
Review of CM 10-10	163

Illegal, unreported and unregulated (IUU) fishing in the Convention Area	164
Current level of IUU fishing	164
NCP-IUU Vessel List	164
CP-IUU Vessel List	165
Fishery notifications	172
Advice from the Scientific Committee to SCIC	173
Tagging rates and tag-overlap statistics	173
Handling of fish to be tagged	173
Format of research proposals	173
Gear marking	174
Catch reporting	174
Consideration of the Second Performance Review	174
Other business	175
Close of the meeting	175
Appendix I: CCAMLR Compliance Evaluation Report 2021/22	176
Appendix II: Non-Contracting Party IUU Vessel List 2022/23	236
Appendix III: Contracting Party IUU Vessel List 2021/22	241

**Report of the Meeting of the Standing Committee
on Implementation and Compliance (SCIC)
(Hobart, Australia, 24 to 28 October 2022)**

Opening of the meeting

1. The Meeting of the Standing Committee on Implementation and Compliance (SCIC) was held in Hobart, Australia, from 24 to 28 October 2022.
2. The Chair of SCIC, Ms M. Engelke-Ros (United States of America (USA)) opened the meeting, welcomed Members and Observers, and thanked the Secretariat for its support. The Chair further expressed thanks to Members for their intersessional work to prepare for SCIC.
3. The Chair noted the vacancy of the Vice-Chair of SCIC and encouraged Members to nominate a representative to fill this role.

Organisation of the meeting

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

Review of compliance- and implementation-related measures and systems

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

CDS Fund review proposal

5. SCIC considered the proposal from the Secretariat for expenditure from the Catch Documentation Scheme for *Dissostichus* spp. (CDS) Fund (CCAMLR-41/20) for the purpose of continued upgrades to the electronic web-based CDS (e-CDS). SCIC noted the summary of expenditure from the CDS Fund in 2021 which facilitated upgrades to the e-CDS and the implementation of five online e-CDS training workshops. SCIC noted the request from the Secretariat for A\$165 000 from the CDS Fund for the completion of e-CDS upgrades as detailed in CCAMLR-41/20, Annex 4.
6. SCIC noted the pragmatic approach undertaken by the Secretariat in providing a detailed project development proposal to support improvements to the e-CDS, and further endorsed the requests by many Members to align the work with the CDS in-person workshop now scheduled for 2023 (SCIC-2021, paragraph 19), in addition to other relevant capacity building opportunities (both virtual and in person).
7. Noting the requirement of Conservation Measure (CM) 10-05, Annex 10-05/B, for the designation of six Members to serve on a Review Panel to review the CDS Fund expenditure proposal, SCIC convened the CDS Fund Review Panel comprising representatives from Australia, France, Republic of Korea (Korea), New Zealand, United Kingdom (UK) and the USA.

8. The CDS Fund Review Panel thanked the Secretariat for the detailed proposal, noting that the continued upgrade to the e-CDS included the provision of a dedicated training section, the automated generation of reports and statistics, and the ability to use the e-CDS on multiple device types, among multiple other items. The CDS Fund Review Panel endorsed the proposal by the Secretariat and recommended the Commission approve the expenditure of A\$165 000 from the CDS Fund.

9. SCIC thanked the CDS Fund Review Panel for its work and endorsed the expenditure proposal.

Implementation of the CDS

10. SCIC noted the report on the implementation of the CDS in 2021/22 (CCAMLR-41/22) and noted that the CDS was implemented by 16 Member States, three Acceding States and one non-Contracting Party (NCP) cooperating with CCAMLR by participating in the CDS.

11. SCIC noted that no Specially Validated *Dissostichus* Catch Documents (SVDCDs) had been issued in 2021 and that no reports had been received by the Secretariat from Contracting Parties in respect of CM 10-05, Annex 10-05/C, paragraph C11.

12. As per CM 10-05, Annex 10-05/C, paragraph C9, SCIC considered the current cooperating status granted to Mexico and Singapore. SCIC noted the Secretariat's efforts to communicate with Mexico, which was granted limited access to the CDS in 2021 (COMM CIRC 21/24), but has not since accessed the e-CDS. No response to the Secretariat's correspondence has been received. SCIC encouraged Members to reach out to Mexico via appropriate diplomatic channels to assist the Secretariat in facilitating Mexico's implementation of CM 10-05.

13. SCIC noted that through the CCAMLR Compliance Evaluation Procedure (CCEP), 21 issues of non-compliance were identified with Singapore's implementation of CM 10-05, paragraph 6. SCIC considered Singapore's explanatory note in response to the identified issues (CCAMLR-41/BG/37), noting Singapore reinforced its commitment to complying with all conservation measures and relevant responsibilities within CCAMLR, and reassured SCIC of the multiple measures already taken to ensure continual cooperation with CCAMLR.

14. SCIC thanked Singapore for its efforts to support the implementation of the NCP Engagement Strategy (in particular, regarding the CDS) and recommended Singapore maintain its status as a cooperating NCP with ongoing limited access to the e-CDS.

15. SCIC supported the Secretariat's recommendation to replace the requirements of a fax number with an email address in CM 10-05, Annex 10-05/A.

16. SCIC considered the reconciliation of CDS and fine-scale catch and effort data (C2) for 2003–2021 (CCAMLR-41/BG/12), noting that the discrepancy identified in the reconciliation between CDS and C2 data for the majority of reconciliations at a season level was less than 1%.

17. SCIC supported the Secretariat's recommendation to work bilaterally in the intersessional period with those Members where reconciliations between CDS and C2 data were greater than the accepted threshold of 10% and 200 kg.

18. SCIC considered CCAMLR-41/BG/13 Rev. 1, which reported on the analysis of the United Nations Comtrade (UN COMTRADE) database to assess its utility in providing an accurate overview of the global trade of toothfish (*Dissostichus* spp.) products. The report identified a significant difference in trade volumes reported between the CDS and UN COMTRADE for both imported and exported toothfish products and noted the need for further analysis. SCIC noted the concerns expressed within the paper pertaining to the accuracy of UN COMTRADE data in recording global trade of *Dissostichus* spp. and concluded that the CDS is a more reliable source for reporting trade volume.

Vessel inspection

19. SCIC reviewed the implementation of CM 10-03 and the System of Inspection in 2021/22 in CCAMLR-41/21 which noted that 105 port inspections and 14 at-sea inspections were undertaken.

20. SCIC noted that nine port inspection reports during this period were reported to be undertaken remotely without a physical inspection of the vessel. While mindful of the constraints that the COVID-19 pandemic put upon Contracting Parties, SCIC confirmed that port inspections conducted remotely do not meet the requirements of CM 10-03.

21. SCIC noted the recommendation for the review of the CCAMLR port inspection forms and development of a CCAMLR inspection reporting form that could be utilised alongside the Port State Measures Agreement form to reduce duplication of reporting. SCIC requested the Secretariat undertake a review of the forms in the intersessional period, develop a proposal and identify any necessary revisions to CM 10-03 for consideration at SCIC-2023.

22. SCIC endorsed the recommendation for the Secretariat to investigate other electronic means of submitting port and at-sea inspection reports, including options for completion and submission of forms in an electronic application or directly through the website and requested that the Secretariat report its findings at SCIC-2023.

23. SCIC welcomed Chile's submission (CCAMLR-41/BG/16) on inspections undertaken by Chile's vessel OPV-83 *Marinero Fuentealba* in Subarea 48.1 during the 2020/21 and 2021/22 seasons, where eight vessels in total were inspected with all vessels demonstrating compliance with all CCAMLR conservation measures.

24. SCIC expressed its appreciation to Chile on behalf of all Members for its efforts in undertaking inspection activities, noting the challenges faced in doing so in very difficult sea conditions.

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

25. SCIC considered the implementation of the vessel monitoring system (VMS) (CCAMLR-41/19) and the VMS unit details survey results (CCAMLR-41/BG/05), and noted the recommendations to improve the VMS and vessel movement activity management.

26. SCIC endorsed the recommendation for the Secretariat to further investigate the requirements and estimated costs of implementing an automated VMS movement notification system with a review of what changes to CM 10-04 would be necessary, noting that this would be presented in 2023 or 2024.

27. SCIC supported revisions to CM 10-04 to include improvements to the pro forma for VMS data requests. SCIC requested that the Secretariat provide a summary report of all requests made under CM 10-04, paragraphs 17 and 20, as part of the annual report on the implementation of the VMS. Further to this, SCIC noted that it will review expanded distribution of summary data concerning these VMS requests in 2023.

Promotion of Compliance in CCAMLR

28. SCIC considered the Russian Federation's (Russia) comments on management procedures for toothfish fisheries in Subareas 88.1 and 88.2 (CCAMLR-41/39). Russia noted in recent years the same vessels had repeatedly failed to remove all their fishing gear from the water by the notified closure date and time, and that these late retrievals have not been considered in the CCEP and could also have implications to fish stock assessments.

29. New Zealand noted that all late gear retrievals were undertaken in compliance with necessary requirements and CCAMLR's fish stock models were robust in nature in that they can accommodate for late gear retrievals.

30. SCIC thanked New Zealand for the aerial surveillance patrols as reported in CCAMLR-41/BG/02.

Transshipment

31. SCIC considered the implementation of CM 10-09 (CCAMLR-41/18) noting that 288 transshipments occurred during the 2020/21 season. SCIC further noted that the number of issues concerning CM 10-09 identified for consideration in the Draft Compliance Report for SCIC-2022 has demonstrated improved compliance since SCIC-2021. Additionally, SCIC noted that the transshipment activities were notifying for periods greater than seven days, and that this practice did not accurately depict transshipment activities occurring within the Convention Area, nor assist with the implementation of relevant monitoring control and surveillance (MCS) measures.

32. SCIC noted that there may be some confusion regarding the completion of the 'Template for transshipment notifications' (CM 10-09, Annex 10-09/A) and endorsed the recommendation to modify the template to accurately specify the requirement for notification of the intended transshipment activity. Additionally, SCIC agreed to the recommendation to standardise time zone reporting to utilise UTC consistently throughout the template (CM 10-09, paragraph 4 and Annex 10-09/A).

33. SCIC did not agree on the designation of a ‘Transshipment Contact Officer’, noting that the designation of additional contact points in CCAMLR may increase the administrative burden upon Members. Additionally, SCIC considered the application of the System of Inspection to transshipment vessels, however, was unable to provide specific advice on the matter.

Implementation of the Scheme of International Scientific Observation (SISO)

34. SCIC considered the implementation of the Scheme of International Scientific Observation (SISO) (WG-FSA-2022/52), which provided a summary of deployment information for SISO observers on board vessels in the Convention Area during the 2021/22 fishing season, and an update on the development and implementation of commercial data forms and manuals.

NCP Engagement Strategy

35. SCIC considered the proposed NCP Engagement Strategy action plan for 2023–2024 (CCAMLR-41/17). SCIC noted the expansion of the strategy to include parties involved in the harvest of any Antarctic marine living resources within the Convention Area, and *Dissostichus* spp. globally.

36. SCIC thanked the Secretariat for its work and support and expressed particular interest in the expansion of the strategy to all fisheries, including krill. SCIC endorsed the proposed NCP Engagement Strategy (CCAMLR-41/17, Annex 1) and action plan for 2023–2024 (CCAMLR-41/17, Annex 2).

Proposals for new and revised compliance-related conservation measures

Conservation Measure 10-02

37. SCIC considered the proposal by Korea to amend CM 10-02 (CCAMLR-41/23 Rev. 1) to make it mandatory for vessels operating in the Convention Area to keep automatic identification systems (AIS) switched on at all times to help prevent collisions, thereby improving safety. The proposal noted that there is authorisation to switch off AIS under extraordinary circumstances, further noting that these situations are subject to certain reporting conditions. The Coalition of Legal Toothfish Operators noted that having AIS on at all times would allow illegal, unreported and unregulated (IUU) operators to track the presence of legal operators in the Convention Area.

38. SCIC considered a proposal from the UK to amend CM 10-02 to clarify the incidents that are to be reported to the International Maritime Organization (IMO) and to add a new paragraph specifying how loss of life incidents that do not need to be reported to the IMO should nevertheless be reported to CCAMLR.

39. The revisions to CM 10-02 were endorsed by SCIC to be considered by the Commission.

Conservation Measure 10-03

40. SCIC considered the proposal by New Zealand to amend CM 10-03 (CCAMLR-41/33) to include an additional paragraph confirming the obligation of Flag States to ensure that vessels entering another Contracting Party's port meet the requirements to provide at least 48-hour advance notice of arrival as required by CM 10-03, paragraph 4.

Conservation Measure 10-04

41. SCIC considered the proposal by the Secretariat to amend CM 10-04 (CCAMLR-41/19) regarding the inclusion of the pro forma for VMS data requests in CM 10-04, paragraphs 16 and 25, and the revision of CM 10-04, paragraph 2, to remove an outdated reference to delayed implementation of an hourly VMS polling rate for all fisheries.

42. SCIC endorsed the inclusion of the pro forma and the deletion of outdated implementation references in CM 10-04 for consideration by the Commission.

Conservation Measure 10-05

43. SCIC considered the proposal by the Secretariat to amend CM 10-05 (CCAMLR-41/22) to replace the requirements of a fax number with an email address, which was endorsed by SCIC to be considered by the Commission.

44. SCIC also considered the European Union (EU) proposal to change the definitions of export and re-export in CM 10-05 to address the compliance issues with CM 10-05, paragraph 6, that had been considered in the CCEP, notably regarding movement of toothfish within the EU Customs Union. Some Members raised concerns regarding the changes and stated that more discussion is required regarding the matter. SCIC agreed to refer the proposal to the Commission for further discussion.

Conservation Measure 10-09

45. SCIC considered the proposal by the Secretariat to amend CM 10-09 (CCAMLR-41/18) to introduce a new transshipment notice pro forma, address confusion in the reference to time zone and require designation of transshipment contacts. The new pro forma and revised requirement to report time received support from Members and were endorsed by SCIC to be considered by the Commission.

46. SCIC also considered a proposal from the UK to clarify and harmonise the requirements relating to the timing of advance notification of transshipment of items other than harvested marine living resources, bait and fuel. These revisions were endorsed by SCIC to be considered by the Commission.

47. SCIC considered proposals to amend CM 10-09 from Korea (CCAMLR-41/24 Rev. 1) to encourage Contracting Parties, as well as non-Contracting Parties, to provide information

outlined in CM 10-02, paragraph 3, for carrier vessels under their flag that engage in transshipment activities in the Convention Area. While the proposed text to the preamble was endorsed by SCIC, no consensus was reached on the remaining parts of the proposal and it was referred to the Commission.

Conservation Measure 10-10

48. SCIC considered the proposal by the EU, Korea and the USA to amend CM 10-10 (CCAMLR-41/35) to focus the CCEP on Contracting Parties' responses to compliance issues identified in the annual Draft CCAMLR Compliance Report prepared by the Secretariat, rather than the gravity of the underlying infraction, including by adding new compliance categories. Consensus could not be reached on the proposals. SCIC referred the proposal to the Commission for further discussion.

Conservation Measures 21-01, 21-02 and 23-05

49. SCIC considered the proposal by the EU to amend CMs 21-01, 21-02 and 23-05 (CCAMLR-41/25 Rev. 1). The proposed changes were to specify in CM 21-01 that the presence of a scientific observer on board is required for new fisheries, and to specify in CM 21-02 that the scientific observers should be appointed in accordance with SISO. The changes to CM 23-05 were to clarify that its data collection requirements apply only to activities of vessels that do not have on board a scientific observer appointed in accordance with SISO.

50. With respect to the proposed changes to CM 21-02, the People's Republic of China (China) highlighted that it could not join a consensus on the understanding and the condition that observers referred to in the proposed change include national observers. Without prejudice to this question, SCIC endorsed the proposed changes to CM 21-02 for consideration of the Commission.

51. Regarding CM 21-01, some Members expressed their views that it should be possible for national scientific observers to cover the observation of new fisheries. SCIC did not reach consensus and referred the proposal to the Commission for further discussion.

52. Concerning CM 23-05, following explanations from the Secretariat that in practice some provisions have become obsolete, the EU proposed that there would be benefit in the Secretariat preparing a review of this conservation measure for consideration at the next annual meeting.

Conservation Measure 26-01

53. SCIC considered the proposal by the EU to amend CM 26-01 (CCAMLR-41/26 Rev. 1) to enhance provisions relating to environmental protection. The proposal extended the prohibition of discharging garbage (under specific conditions), poultry, sewage and offal and discards (under specific conditions) to the whole Convention Area, replaces reference to 'vessels fishing' with 'fishing vessels' as defined in CM 10-03, and aligned the operational requirements with the International Convention for the Prevention of Pollution from Ships (MARPOL).

54. SCIC endorsed the changes for the approval of the Commission.

Conservation Measure 31-02

55. SCIC considered the proposal by Russia to amend CM 31-02 (CCAMLR-41/39) to expand the reporting of data associated with delayed retrieval of fishing gear at the time of fishery closures.

56. Russia noted that the reporting of this data will allow SCIC to better understand what the contributing factors were for the delayed retrieval and if they could be prevented in the future. No consensus was reached on the proposal and it was referred to the Commission.

Proposal for improved management of CCAMLR krill fisheries

57. SCIC considered a proposal by the USA and Australia (CCAMLR-41/36 Rev. 1) to improve the management of Antarctic krill (*Euphausia superba*) fisheries in CCAMLR. The proposal recommended revising several conservation measures (CMs 10-03, 10-04, 10-09, 23-06, 51-01, 51-02, 51-03, 51-06 and 51-07) to improve monitoring of krill stocks, related and dependent species, vessels participating in the krill fisheries, and trade of krill and krill products. Consensus could not be reached on the proposed amendments to CMs 10-03, 10-04, 10-09, 51-01, 51-02, 51-03, 51-06 and 51-07 and SCIC referred the proposal to the Commission for further discussion.

58. The proposed revisions to CM 10-03 would have amended paragraph 2 to require inspection of all vessels carrying Antarctic marine living resources, including krill or krill products. The proposed revisions also included amendments to Annex 10-03/B, Table B, to include references to CM 25-03 (the presence of net monitoring cables), and CMs 51-01, 51-02 and 51-03 (the presence of marine mammal exclusion devices). The proposed revisions also would have added product codes to Table C associated with krill, including boiled krill, peeled krill and krill oil.

59. China expressed its view that the elements contained in Table B are more suitable for at-sea inspections as opposed to port inspections but did support the inclusion of the additional krill product codes to Table C. China expressed its views that different categories of fisheries should be treated differently in respect to port inspections. China did not support the proposal that all krill fishing vessels should be subject to 100% port inspections.

60. The proposed revisions to CM 10-04 would have amended paragraph 11 to require all Contracting Parties to forward VMS reports and message all fishing vessels operating in the Convention Area not later than one hour after receipt.

61. The proposal received support of some Members, however, China raised concerns regarding the need for such revisions since IUU fishing is not an issue in krill fisheries and noted that the current conservation measures are well implemented. Russia supported the comments from China but indicated that it was open to discussing improvements to the VMS in the future.

62. Some Members noted the value of using the full capabilities of VMS for monitoring vessels.

63. The proposed revisions to CM 10-09 would prohibit the transshipment of Contracting Party vessels with vessels flagged to an NCP. While some Members were not supportive of these proposed changes, other Members were supportive of improving transshipment monitoring and control in CCAMLR, in line with the FAO Voluntary Guidelines for Transshipment adopted recently.

64. SCIC noted that the reporting of by-catch at the lowest taxonomic level in krill fisheries was important and agreed to revise CM 23-06 to harmonise by-catch reporting in krill fisheries with the requirements for all other fisheries as set out in CM 23-04. SCIC endorsed the proposal to amend CM 23-06 and referred it to the Commission.

65. The proposed revisions to CMs 51-01, 51-02 and 51-03 would record access to krill fisheries as authorised under the approved fishery notifications, similar to the CM 41 series for toothfish. Some Members expressed concern with needing to update these measures on an annual basis to record the fishery access. Some Members suggested this concept may be better addressed in a different or new conservation measure.

66. The proposed revisions to CM 51-06 would require at least one observer appointed under SISO. No consensus was reached on this proposal.

CCAMLR Compliance Evaluation Procedure (CCEP)

67. SCIC noted the Secretariat's report and analysis on the CCEP (CCAMLR-41/15) for the consideration of SCIC-2022, highlighting the high compliance reported across the majority of compliance measures. Furthermore, it was also noted that CMs 10-05 and 10-09 were identified as having the highest number of compliance issues, however, both conservation measures had seen significant improvement in compliance rates since SCIC-2021.

68. SCIC noted that the Secretariat sought clarification on the implementation of the tagging protocol document and agreed to the recommendation for the Secretariat to develop a practitioner document to accompany the tagging protocol which would allow for clarity in understanding the obligations in implementing the tagging methods.

69. SCIC noted that one vessel continued fishing activities during a trip in the 2021/22 season after it had broken its scales and reported all remaining catches by estimation of its most-experienced crew member. SCIC expressed its concern that the vessel continued to fish and report catch data in this manner and recommended the issue be considered by the Scientific Committee to better understand the implications it may have on the data.

70. SCIC noted that the Secretariat was notified of three incidents during the 2021/22 season where a loss of life was reported and the Secretariat sought clarification if these met the requirements for an investigation to occur as required by CM 10-02, paragraph 9.

71. SCIC expressed its sincere condolences to the families of those involved and further noted both the remote and often perilous conditions that characterise the Southern Ocean. SCIC

agreed to review CM 10-02, paragraph 9, to clarify that all deaths at sea shall be reported to SCIC and to clarify the incident which would need to be reported to the IMO.

72. SCIC noted the Secretariat's overview of the 10-year history of the CCEP (CCAMLR-41/BG/11).

Provisional Compliance Report

73. In accordance with CM 10-10, paragraph 3(i), SCIC considered the 68 potential compliance incidents in the CCEP Summary Report (CCAMLR-41/15). Following consultation of Members, SCIC adopted, for further consideration by the Commission, its annual Provisional Compliance Report (Appendix I) in accordance with CM 10-10. In doing so, it noted that it did not reach consensus regarding the compliance status in six cases and, consequently, did not record a compliance status in the respective sections of the Provisional Compliance Report. SCIC agreed that this process should not set a precedent and that SCIC should avoid a repeat of this outcome in the future.

Conservation Measure 10-01

74. SCIC considered the implementation of CM 10-01 by Ukraine regarding the marking of fishing vessels and gear. SCIC agreed to the compliance status of minor non-compliant (Level 1).

Conservation Measure 10-02

75. SCIC considered the implementation of CM 10-02 by Australia regarding the late transmission of the fishing licence for one of its vessels. SCIC noted that the oversight was identified upon the submission of a 10-day CE report to the Secretariat.

Conservation Measure 10-03

76. SCIC considered the implementation of CM 10-03, paragraph 4, by Uruguay regarding the requirement for vessels to provide the information in CM 10-03, Annex 10-03/A, at least 48 hours in advance of port entry. Uruguay noted the vessel communicated the information to the fisheries authority, and that the vessel was no longer flagged to Uruguay and has engaged with the vessel owners to ensure this does not occur again.

77. SCIC considered the implementation of CM 10-03, paragraph 5, by South Africa and the UK regarding the requirement for a port inspection to be conducted within 48 hours of port entry. Furthermore, South Africa recalled that training from the Secretariat planned for 2020 was delayed and expressed its desire for this to occur in 2023.

78. The USA recalled with concern that the issue of late port inspections by South Africa was discussed at SCIC-2021 (SCIC-2021, paragraph 50) and noted that the delay of port

inspections is a serious matter. South Africa noted the concerns of the USA and recalled that a planned training event supported by the Secretariat in 2020 was postponed due to COVID-19, and that South Africa had undertaken to improve its IT infrastructure and recruit additional inspectors. SCIC encouraged the workshop to be conducted by the Secretariat and agreed to the self-assigned statuses for all three issues.

79. SCIC considered the implementation of CM 10-03, paragraph 8, by four Members regarding 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).

80. The UK noted that the delay in providing the port inspection report was due to clarifications on the content being requested from the port inspection official, however, the officer had limited communication due to being at sea. SCIC recognised the need to interpret the application of CM 10-03. SCIC considered a proposal from the UK to revise CM 10-03, but no consensus was reached to adopt those proposed revisions.

Conservation Measure 10-04

81. SCIC considered the implementation of CM 10-04, paragraph 2, by Norway regarding the requirement that all fishing vessels operating within finfish fisheries in the Convention Area need to transmit VMS data hourly.

82. SCIC considered the implementation of CM 10-04, paragraph 6, by France regarding the requirement that fishing vessel masters, owners or their authorised representations ensure that the automatic location communicator (ALC) is not tampered with. France noted that the VMS unit could be opened without having to break the tamper-proof seal, however, the investigation found no fraudulent manipulation of data. SCIC noted that there are a number of different styles of tamper-proof seals and that CM 10-04 does not have technical specifications on their design and application to prevent tampering.

83. SCIC considered the implementation of CM 10-04, paragraph 13, by Australia and Chile 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 by each of its fishing vessels.

Conservation Measure 10-05

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

85. In respect of the implementation of CM 10-05, paragraph 6, by Belgium, France and the Netherlands, the EU clarified that for movements of *Dissostichus* spp. customs checks are carried out and duties paid when goods first enter the EU Customs Union. From then on, they can circulate freely within the EU without the need for any further customs checks or payment of customs duties. The EU noted that the situation of Members whose territories form part of a

customs union is meant to be addressed in the definitions of ‘export’ and of ‘re-export’ in paragraphs 1(v) and (ix) of CM 10-05 respectively. SCIC noted that clarity was required in CM 10-05 regarding those definitions and assigned a status of ‘Need of interpretation by SCIC’ with respect to movements of toothfish within the EU Customs Union. The EU noted that the implementation of CM 10-05, paragraph 6, by France and the Netherlands with respect to trade outside the EU involved activities that occurred prior to the amendments to CM 10-05 adopted in 2021 and should therefore be assigned the same compliance status as assigned to similar cases at SCIC-2021, notably ‘Need of interpretation by SCIC’. No consensus was reached on compliance statuses for these issues with respect to France and the Netherlands.

86. In respect of the implementation of CM 10-06, paragraph 6, by Chile, SCIC noted that Chile had instigated manual approval by a fishery control officer to ensure the DED has been issued before the export date for each transfer of *Dissostichus* spp. and associated products. SCIC requested the Secretariat incorporate a system into the e-CDS which alerts e-CDS users when they are validating a DED or DRED after the declared export date.

Conservation Measure 10-09

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

88. The USA noted that Russia as a Flag State was responsible for the implementation of the CCAMLR conservation measures, especially CM 10-09, for its flagged vessels even when the operator is of a different nationality. SCIC agreed to assign a minor non-compliant status (Level 1).

89. SCIC considered four Contracting Parties’ implementation of CM 10-09, paragraph 3, 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.

90. The UK clarified for its issue that, although the notification was less than two hours in advance of the intended transshipment, the master had stated in his notification that the timing of the activity was dependent on ice conditions, and the actual transshipment took place more than two hours after the notification. SCIC agreed to assign a status of ‘Need of interpretation by SCIC’, and reviewed the wording in CM 10-09, paragraph 3.

91. SCIC considered the implementation of CM 10-09, paragraph 5, by six Contracting Parties 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.

92. SCIC considered the implementation of CM 10-09, paragraph 8, by three Contracting Parties 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.

Conservation Measure 25-02

93. SCIC considered the implementation of CM 25-02, Annex 25-02/A, paragraph 4, by three Members, regarding the requirement that the streamer length on the bird-scaring line shall be a minimum of 1 metre at the seaward end. Ukraine explained that the company would bring the streamer line into compliance going forward. SCIC agreed to assign a minor non-compliant status (Level 1).

94. SCIC considered the implementation of CM 25-02, Annex 25-02/A, paragraph 4, by Ukraine regarding the requirement of streamers to be comprised of coloured plastic tubing or cord.

Conservation Measure 26-01

95. SCIC considered the implementation of CM 26-01, paragraph 1, by China, regarding the prohibition of discharging plastics into the sea, in accordance with MARPOL Annex V on Regulations from the Prevention of Pollution by Garbage from Ships.

96. SCIC considered the implementation of CM 26-01, paragraph 9, by two Members, regarding the prohibition of dumping or discharging of offal or discards south of 60°S. SCIC noted that a misunderstanding occurred for both France and Uruguay in the completion of the C2 data and noted that in both cases the discharge occurred north of 60°S. SCIC agreed to assign a compliant status for both instances.

Conservation Measure 31-01

97. SCIC considered the implementation of CM 31-01 by the UK, regarding the requirement that for each fishing season the Commission shall establish such limitations or other measures, as necessary, around South Georgia.

98. Argentina made the following statement:

‘The four British-flagged vessels have failed to comply with CM 31-01. Said conservation measure determines that the Commission shall adopt catch limits or other equivalent measures to regulate fishing in Subarea 48.3. Given that CM 41-02 implementing this was not re-adopted in 2021 as recognised by the United Kingdom in its notes there is no logical way to comply with CM 31-01. Argentina considers that these four events of non-compliance related to the four British-flagged vessels that fished in Subarea 48.3 this season should be classified as “seriously non-compliant” (Level 3) in the Provisional CCAMLR Compliance Report adopted by SCIC that shall be submitted for consideration by the Commission.’

99. Some Members expressed the view that it was appropriate that the Secretariat included the *Argos Georgia*, *Argos Helena*, *Nordic Prince* and *Polar Bay* in the Summary Compliance Report because issuance of the fishing licences and subsequent fishing is in contravention with CM 31-01. Certain Members explained that, as stated at CCAMLR-40, when CCAMLR failed to adopt CM 41-02, they did not expect that toothfish fishing would take place in Subarea 48.3

in the 2021/22 fishing season. Some Members also indicated that fishing in the Convention Area should not take place unless an applicable CCAMLR-agreed measure is in place to authorise the fishery, which would provide the necessary conditions on catch limits, by-catch limits, mitigation measures, data collection and reporting, and other requirements and they were interested in working with other Members to find a way forward to resolve this situation.

100. Russia expressed its support for the position stated by Argentina, noting that the regulation of toothfish fishing in Subarea 48.3 is exercised by the Commission. Russia noted that the Commission did not reach consensus on a catch limit for Subarea 48.3 in 2021, and due to this, CM 41-02 was not extended. Russia considered that in accordance with Article IX of the Convention, there was a process for agreeing and applying catch limits to fisheries and drew attention to Article XXII regarding Member's activities contrary to the Convention's objectives. Russia noted that as the UK had not objected to the application of CM 31-01, the requirement for the application of a catch limit in Subarea 48.3 was essential for any fishery operations.

101. The UK noted that it had already presented its detailed position with respect to the toothfish fishery in Subarea 48.3. The UK confirmed that it had heard the views articulated by some Members, but noted the connection of the issue to Article IV of the Convention and that it was clearly highly sensitive. It would therefore not be possible to reach consensus on this matter.

102. SCIC could not reach consensus on an assigned compliance status for these four issues and agreed that 'No status assigned' would be reflected against items listed under CM 31-01 in the CCEP report.

Conservation Measure 41-01

103. SCIC considered the implementation of CM 41-01, Annex 41-01/C, paragraph 2(i), by France regarding the tag and release of toothfish according to the CCAMLR Tagging Protocol. SCIC sought further advice from the Chair of the Scientific Committee, as referred to under Agenda Item 7. Following this advice, France confirmed that in accordance with the Tagging Protocol, toothfish was not gaffed. France further referred to the reports of the onboard SISO observers for previous seasons which state that the pole was resting on the bony operculum covering the gill, to stabilise and relieve the fish without injuring them. The fish were then hauled aboard the vessel, where the scientific observer checked the suitability of the fish for tagging and release. Following the advice and clarifications provided by the Chair of the Scientific Committee and France, SCIC assigned a compliance status for this instance. SCIC requested the Scientific Committee consider the use of blunt poles for lifting fish for tagging during next year's CCAMLR tagging workshop. SCIC requested a report on the different tagging methods and the potential effects on toothfish post-release survival.

104. SCIC considered the implementation of CM 41-01, Annex 41-01/C, paragraph 2(iii), by two Members regarding the requirement that each vessel shall achieve a minimum tag-overlap statistic of 60% for each species of *Dissostichus*. SCIC noted Russia's concern that not meeting the tag-overlap statistic may impact stock assessments. Following advice from the Scientific Committee Chair as referred to under Agenda Item 7, SCIC agreed to assign a status of 'Need of interpretation by SCIC'.

105. SCIC considered the implementation of CM 41-01, Annex 41-01/C, paragraph 4, by Spain regarding the requirement that all tag data shall be reported in the vessel's monthly C2. SCIC noted the explanation of the EU that there was an oversight in providing the tagging information and that the completed C2 form had been provided in the meantime.

Conservation Measure 41-09

106. SCIC considered the implementation of CM 41-09, paragraph 6, by the UK, which requires a vessel to move 5 n miles where the by-catch of any one species is equal to or greater than 1 tonne and shall not return to any point within the 5 n miles where the by-catch exceeded 1 tonne for a period of at least five days.

107. SCIC considered the implementation of CM 41-09, paragraph 13, by three Members, requiring the requirement that toothfish shall be tagged at a rate of at least one fish per tonne green weight caught in each small-scale research unit (SSRU). SCIC noted the explanation from Australia that the vessel utilised a tagging rate calculator which incorrectly calculated the tagging rate at the subarea, rather than at the SSRU, level, and that this issue has been rectified to prevent further instances.

108. SCIC noted that the two New Zealand vessels achieved the tagging rate at a fishery level and that the Scientific Committee has been discussing the application of tagging rates at the fishery management level instead of by SSRU.

Conservation Measure 91-05

109. SCIC considered the implementation of CM 91-05, paragraph 24, by two Members, regarding the requirement that Flag States notify the Secretariat prior to entry of their fishing vessels into the Ross Sea region marine protected area (RSRMPA). SCIC noted that a Spanish vessel experienced poor satellite connection below 70°S and further solutions were being investigated.

Review of CM 10-10

110. SCIC considered the report on the approach to evaluate and strengthen regional fisheries management organisation (RFMO) compliance processes and performance (CCAMLR-41/BG/18). In presenting its paper, Korea noted that, although CCAMLR is not an RFMO, the report provides a suite of recommendations and tools as a means to improve and strengthen compliance processes such as the CCEP (CM 10-10).

111. The Antarctic and Southern Ocean Coalition (ASOC) noted the value of the tools and recommendations provided in the paper and encouraged continual refinement to improve the CCEP through consideration and adoption of the relevant recommendations contained within the report.

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

Current level of IUU fishing

112. SCIC noted CCAMLR-41/BG/19 which presented details of an EU grant of €200 000 to CCAMLR for an 18-month project ‘Support to CCAMLR compliance and governance’, of which €70 000 will be directed at continuing collaborative work with INTERPOL to identify and deter IUU fishing activity during 2022–2024. SCIC further noted that the paper presented the final report submitted by INTERPOL in relation to activities related to the initial 2019 grant as well as an overview of anticipated activities under the new EU grant for 2022–2024.

113. SCIC welcomed INTERPOL’s report and expressed appreciation for its work in coordinating efforts to combat IUU fishing activities worldwide.

114. The Secretariat introduced CCAMLR-41/16 Rev. 2 on IUU fishing activity and trends in 2021/22 and advised that the paper had also been discussed by WG-FSA (WG-FSA-2022, paragraphs 3.7 and 3.8). SCIC noted no vessels included on the NCP-IUU Vessel List were reported as sighted by Members inside the Convention Area in 2021/22.

115. SCIC further noted that some information has been provided by INTERPOL to CCAMLR regarding the South East Atlantic Fisheries Organisation (SEAFO) IUU listed vessel *Cobija*, suspected of conducting fishing activities targeting toothfish within Divisions 58.4.2 and/or 58.4.3 and remains detained in Yemen. SCIC requested the Secretariat continue engagement with INTERPOL in respect of the *Cobija* and to circulate relevant information as it becomes available.

116. SCIC considered the information on IUU gear provided in CCAMLR-41/16 Rev. 2 and noted the discussion in WG-FSA-2022, paragraph 3.9, regarding methods of marking fishing gear to improve estimates of IUU fishing gear. SCIC further noted that a dedicated e-group (Unidentified fishing gear in the Convention Area) had been established to discuss gear marking and encouraged interested Members to engage in this e-group.

117. SCIC endorsed the proposals by the Secretariat to:

- (i) review CCAMLR’s data holdings to identify organisations, vessel masters and fishing masters which are associated with known IUU vessels and IUU fishing activity
- (ii) develop a plan of action for the enhanced sharing of information and collaboration to combat IUU fishing and related activities to be presented to SCIC-2023 for consideration.

NCP-IUU Vessel List

118. SCIC considered the Provisional NCP-IUU Vessel List as reflected in CCAMLR-41/16 Rev. 2. The Secretariat noted that there had been no additions to the NCP-IUU Vessel List and no change of information for any of the listed vessels. The proposed NCP-IUU Vessel List for 2022/23 is provided in Appendix II for adoption by the Commission.

CP-IUU Vessel List

119. SCIC considered the Provisional CP-IUU Vessel List which included the proposed inclusion of the UK vessels *Argos Georgia*, *Argos Helena*, *Nordic Prince* and *Polar Bay*.

120. South Africa provided an update on the status of the investigation of the vessel *El Shaddai* which is currently on the CP-IUU Vessel List. South Africa reported that there is an ongoing criminal investigation of the vessel's activities and that further information would be provided when available.

121. SCIC noted the presentation of Argentina (CCAMLR-41/BG/36) detailing its rationale that fishing activities for *D. eleginoides* in Subarea 48.3 this season contravenes CM 31-01.

122. Argentina further stated the following:

‘Argentina reiterates the request to include the four British-flagged vessels in the Proposed CP-IUU Vessel List as these vessels fished in violation of CCAMLR’s legal framework, thus contributing to diminish the effectiveness of our organisation’s conservation measures. These vessels did not comply with the conservation measures in force, since they contravened CM 31-01 (1986) by fishing for Patagonian toothfish in Subarea 48.3 in 2022 without a conservation measure from the Commission authorising it. Likewise, they fished in a fishery that was closed due to the non-re-adoption of CM 41-02 in 2021. Specifically, they engaged in prohibited activities according to subsections (iii) and (viii) of paragraph 5 of CM 10-06, as they fished in closed areas and in contravention of CM 31-01.

Argentina highlights that the UK was the only Member that carried out fishing activities in the 2021/22 season in Subarea 48.3, noting that other Members that have historically fished there have not done so in 2022, and that other Members have refused importation of toothfish from this fishery, knowing that those actions were contrary to CCAMLR.

Argentina expresses concern about the UK’s use of the Catch Documentation Scheme for this fishery. It pointed out that in its note of 16 June 2022 (COMM CIRC 22/59), it had requested the Secretariat not to endorse or make available for any commercial operation the catch data collected from those vessels since this constituted IUU fishing. Argentina reported that it had requested the information in this regard through the corresponding channels in order to be able to discuss it in SCIC, but unfortunately the United Kingdom systematically resisted providing such data.

Argentina notes that only one country, United Kingdom, had fished in Subarea 48.3 despite knowing that CM 41-02 had not been re-adopted and that CM 31-01 requires fishing be authorised by a conservation measure. The unilateral measures taken were not authorised by the Chairman’s Statement of 1980 or by international law, given the existence of a sovereignty dispute between Argentina and the United Kingdom over this area. Argentina further considers that this constitutes a serious violation of CCAMLR regulations, and that action should be taken in a firm and clear manner to prevent events like these from happening in the future.

Argentina recalls that all Contracting Parties are required to cooperate in taking appropriate action to deter any activities which are not consistent with the objective of

the Convention. The fact of having commercially exploited a fishery that should have been closed last season due to the absence of a conservation measure regulating it contravened CCAMLR's conservation measures and therefore compromises the fulfillment of CCAMLR's objectives. That is why Argentina considers that the fishing activities carried out by the aforementioned four UK vessels should be considered IUU by SCIC and the Commission.'

123. The UK made the following statement:

'In respect to CCAMLR-40/BG/36, the UK does not agree that fishing for particular species in Subarea 48.3 is permitted only where there has been agreement to a catch limit for that species. Such an interpretation would have the effect of reversing the normal position under the Convention. The Convention sets out no specific limits, prohibitions or conditions on fishing in the Convention Area. Instead, Article IX requires that any such conservation measures are agreed on the basis of best available science.

Parties to the Convention have not agreed to forego their rights in respect of maritime areas under their sovereignty, or to which they sustained claims, Articles IV(2)(b and c) make clear that "Nothing in this Convention and no acts or activities taking place while the present Convention is in force shall... be interpreted as a renunciation or diminution by any Contracting Party of, or as prejudicing, any right or claim or basis of claim to exercise coastal state jurisdiction under international law within the area to which this Convention applies." The same principle is reflected in the Chairman's Statement.

What is suggested is that CM 31-01 creates a presumption that fishing is prohibited, unless agreement can be reached by consensus – this effectively amounts to a veto that can be exercised by any Member. The UK does not, and has never, accepted this principle in respect of our waters within Subarea 48.3, as we have been stating in this Commission since its inception. Indeed since CM 31-01 was adopted – then known as 7/V – the Commission has established a series of limitations and other measures, exactly as envisaged. Until these limitations were adopted, there was no presumption that fishing was prohibited and there was a toothfish fishery operating in this subarea without an agreed catch limit.

The UK has been clear in its communication with the Commission that it considers this situation to be wholly regrettable, given consensus was blocked by Russia based on an argument that has been repeatedly and comprehensively proven to be baseless by all other Members of the Scientific Committee.'

124. Russia made the following statement:

'The Russian Federation shares Argentina's view in relation of fact contravenes CCAMLR CM 31-01 in the fishery for Patagonian toothfish (*D. eleginoides*) in Subarea 48.3 in current season, as outlined in CCAMLR-41/BG/36.

The *D. eleginoides* fisheries in Statistical Subarea 48.3 are regulated by the Commission (CM 31-01). Nevertheless, at the 40th meeting of the Commission, the Members, on the basis of the Scientific Committee's recommendations, were unable to reach an agreement on the catch limit of the *D. eleginoides* fisheries in Subarea 48.3 for the

2021/22 season. As a result, CM 41-02 was not extended for the 2021/22 season and the toothfish fishery was closed for 2022 (CCAMLR-40, paragraphs 6.21 and 9.14). In accordance with Article IX of the Convention on the Conservation of Antarctic Marine Living Resources (hereinafter referred to as the Convention), the procedure was established for the entry into force of CCAMLR conservation measures adopted or cancelled by the Commission.

Russia does not have any substantiated information that the UK refused to implement CM 31-01.

In accordance with paragraph 2 of the Convention each Contracting Party shall take appropriate measures within its competence to ensure compliance with the provisions of this Convention and with conservation measures adopted by the Commission to which the Party is bound in accordance with Article IX of this Convention.

Therefore, any toothfish fishery in Subarea 48.3, during the current season by four UK-flagged vessels, must be identified by CCAMLR as IUU fishing in the CCAMLR area and CCAMLR must also, in accordance with the current CDS (Catch Documentation Scheme), notify the Port States that the catch of *Dissostichus* spp. taken in CCAMLR Subarea 48.3 in 2022 is illegal.

In this regard, Russia recommends to include the four mentioned UK-flagged vessels on the CP-IUU Vessel List and taking in the account information circulated to Members in COMM CIRCs 22/49 and 22/106.’

125. Argentina made the following statement:

‘Regarding the arguments used by the United Kingdom in order to justify its illegal actions, we will point out why all of them are inapplicable. These arguments can be found in document CCAMLR-41/BG/36 and in the COMM CIRC that we have circulated in due time.

The UK’s argument, expressed in COMM CIRC 22/51, that “there is no conservation measure in force that prohibits the directed fishing of toothfish in 48.3”, ignores the non-re-adoption of CM 41-02 in 2021 and the existence of CM 31-01.

What enables fishing under the Convention is not the absence of a ban, but the existence of a CCAMLR conservation measure that allows it. This was the approach adopted by CCAMLR since the adoption of CM 31-01 in 1986. Therefore, if a conservation measure is not adopted, we cannot infer that fishing is then allowed, since the Commission has not agreed on a catch limit based on the best available science.

Furthermore, Argentina regrets that the United Kingdom distorts the Statement by the Chairman of the Conference on the Conservation of Antarctic Marine Living Resources with the evident intention of disguising the illegality of its conduct.

Said Statement applies to the waters surrounding the Kerguelen and Crozet Islands and, by virtue of its paragraph 5, also applies to the waters surrounding the islands within the area to which the Convention applies over which the existence of State sovereignty is recognised by all Contracting Parties.

On the contrary, the Statement is not applicable to the South Georgias Islands and the surrounding waters, included in Subarea 48.3, since they are under a sovereignty dispute between Argentina and the United Kingdom. This dispute has been recognised both by the international community as a whole and by the United Kingdom itself. Therefore, there is no State sovereignty recognised by all the Contracting Parties, as required by paragraph 5 of said Statement. For this reason, the United Kingdom cannot adopt unilateral “national” measures with respect to this disputed territory, to which only the CCAMLR multilateral regime applies. Consequently, the UK cannot fish there either, as there is no conservation measure permitting it.

To conclude, Argentina wishes to recall that the question of the interpretation of the Chairman’s Statement was the subject of discussions at CCAMLR-XV (1996) – paragraphs 13.1 to 13.41 of the Report – and of an intersessional exchange of notes between Argentina and the United Kingdom. At said meeting, the Commission “expressed the hope that the parties would act in such fashion that cooperation under CCAMLR is not affected and that the goodwill expressed by both parties will continue”. Likewise, several delegations “underlined the importance (...) to refrain from adopting any unilateral measure which may render a solution more difficult to achieve”. From this point of view, it is unfortunate that the UK is now ignoring a long-standing understanding to refrain from taking any action that may make a solution more difficult to achieve. This Member has taken unilateral actions that affect CCAMLR and has brought the issue of the Chairman Statement back to the discussion after 26 years. Argentina urges the United Kingdom to stop the unilateral measures in South Georgias and avoid deepening the differences within the framework of the Commission.

Additionally, the Argentine Republic emphatically rejects the UK claim expressed in its COMM CIRC 22/51, to apply the United Nations Convention on the Law of the Sea (UNCLOS), as an alleged coastal State, to the maritime spaces corresponding to the South Georgias and South Sandwich Islands and other archipelagos that are under the sovereignty dispute between Argentina and the United Kingdom. Said sovereignty dispute has been formally recognised by the two countries and the UN General Assembly, which has adopted numerous resolutions in which the Parties to the dispute are urged to seek a peaceful solution to it and to refrain from adopting decisions that entail unilateral changes in the situation while said territories are subject to the process recommended in Resolutions 2065 (XX) and 3160 (XXVIII). This UK unilateral action is not compatible with neither the letter nor the spirit of said Resolutions.’

126. The UK made the following statement:

‘The UK has no doubt about its sovereignty over the South Georgia and the South Sandwich Islands, and its sovereign rights in the surrounding maritime zones, as is well known to all Members. The UK rejects the interpretation presented by Argentina on the implementation of the Convention and Chairman’s Statement. The UK will continue to implement relevant CCAMLR conservation measures, adopted in line with the best available science.

The UK notes that it received a data request from Argentina regarding the South Georgia fishery. However, this did not include all of the information required under the Rules for Access and Use of CCAMLR Data, including how the information would be used and how the UK, as the data owner, would be involved.’

127. Chile noted that this was not just a bilateral issue and that, due to the lack of adoption of CM 41-02, it had advised its industry to abstain from fishing in Subarea 48.3 due to concerns about any activities being considered IUU fishing by CCAMLR. Chile further noted that this advice had resulted in considerable domestic economic costs.

128. Uruguay supported the intervention from Chile, noting the historical participation of Uruguay in the Subarea 48.3 fishery and that, due to the lack of adoption of CM 41-02, landing of toothfish from this subarea had been prohibited in 2022 in Uruguayan ports.

129. Norway aligned itself with one of the points made by Chile, noting that this was not a bilateral issue between the UK and Argentina, but a serious question that affects all parties to CCAMLR. Furthermore, Norway echoed the UK in pointing out that the cause of the problems is the behaviour of a third party over many years. Norway recalled Article IV of the Convention, stressing that questions of sovereignty over South Georgia and the South Sandwich Islands are wholly irrelevant to the activities of CCAMLR and should be kept out of the work of the Commission. The objective of CCAMLR, clearly stated in Article II, is the conservation of Antarctic marine living resources, including rational use. SCIC discussions should focus on questions relevant to CCAMLR. Finally, Norway concluded that it did not agree with the view by some Members that the non-renewal of CM 41-02 resulted in a general prohibition or closure of the fisheries in Subarea 48.3.

130. Argentina stated that it shared the view of Norway that the bilateral sovereignty controversy issue between Argentina and the UK should not be discussed in this forum, but that unfortunately another Member had introduced this issue in the discussion. Argentina considered that this was not only a bilateral issue, but rather that it was affecting CCAMLR's core principles. Argentina reminded all Members of the obligation to comply with CM 10-08.

131. ASOC noted that it considered the situation in Subarea 48.3 to be a very serious matter as it considered that CCAMLR has had significant success in implementing effective fisheries conservation measures, measures that should serve as a model for other international organisations seeking to improve fisheries compliance and reduce IUU fishing. ASOC considered that regardless of the circumstances, fishing should not occur if there is no catch limit established by CCAMLR and any interpretation to the contrary undermines the intent of the Convention. However, ASOC recognised that the lack of consensus on CM 41-02 was not due to advice generated from the best available science, or on the basis of a desire to achieve conservation objectives but on the basis of political preference. ASOC stated that the lack of agreement on this specific issue reflects the broader failure of CCAMLR to reach consensus on a wide variety of issues in recent years, often due to a very small minority of Members who are blocking progress. ASOC urged CCAMLR Members to negotiate in good faith so that this situation does not happen again.

132. The UK rejected the interpretation of the Convention and its conservation measures set out by ASOC and reiterated that in its opinion the toothfish fishery in the South Georgia maritime zone had operated in compliance with all applicable conservation measures.

133. Argentina made the following statement:

‘Regarding the United Kingdom’s argument about the alleged consistency of the fishery in Subarea 48.3 with CCAMLR’s conservation measures, allegedly including observers, inspectors, etc. Argentina believes this is not relevant if the fishery does not comply

with the basic principle that requires a CCAMLR measure establishing catch limits and other conditions concerning the toothfish fishery in Subarea 48.3. Argentina stresses that the illegality of this fishing derives from the non-existence of a CCAMLR conservation measure enabling it. Hence, possible compliance in other matters is irrelevant.’

134. The UK made the following statement:

‘The UK set out our position on this matter in COMM CIRC 22/69. We entirely refute any assertion that the British vessels that have been operating in the South Georgia toothfish fishery can be characterised as illegal, unreported or unregulated. They were included on the Draft List at the request of two Members, but we reject any assertion that there has been any contravention of paragraph 5 of CM 10-06, and we do not agree with their inclusion.

On the contrary:

- these four vessels were licensed and operated in accordance with their licences (in accordance with point i)
- each of the vessels reported their catches, which were verified (in accordance with point ii)
- none of the vessels operated in closed areas or during closed fishing periods in contravention of CCAMLR conservation measures (point iii)
- none of the vessels used prohibited gear (point iv)
- none of the vessels transhipped or participated with known IUU vessels (point v)
- valid catch documentation under CM 10-05 has been issued (point vi)
- the vessels were operating only within the South Georgia maritime zone, in which the UK has sovereign rights and jurisdiction with respect to natural resources, in accordance with international law (point vii)
- there is no evidence that any of the vessels engaged in fishing activities contrary to any CCAMLR conservation measures. As we have consistently committed to this Commission, the UK implements domestic measures to implement the highest standards of fisheries management within the South Georgia and the South Sandwich Islands maritime zone that are in line with, and back up, the provisions of CCAMLR in order to ensure the attainment of the objective of the Convention (point viii).

Therefore, as stated in COMM CIRC 22/69, the UK does not agree to the inclusion of these vessels on the proposed or final CP-IUU Vessel List.’

135. Argentina made the following statement:

‘Argentina regrets that the United Kingdom rejects the inclusion of the vessels *Nordic Prince*, *Argos Helena*, *Argos Georgia* and *Polar Bay* in the Proposed CP-IUU Vessel List, when it is clear that said vessels fished in violation of the legal framework of

CCAMLR, thus contributing to diminish the effectiveness of our organisation's conservation measures. As has been explained in this meeting previously and in detail in CCAMLR-41/BG/36, these vessels are not complying with the conservation measures in force, since they contravene CM 31-01 (1986) by fishing for toothfish in the Subarea 48.3 in 2022 without a conservation measure from the Commission authorising it.

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

Precisely because of what CM 31-01 states, no Member has the right to unilaterally establish the fishing conditions for a permitted fishery in Subarea 48.3, including the catch limit. However, that is exactly what the UK did this season, arrogating itself the right to unilaterally define all the parameters hitherto included in CM 41-02.

Were this situation to continue, there is a risk of returning not only Subarea 48.3 but also the entire Convention Area to the legal situation in force in the 1960s and 1970s. This hinders the progress achieved so far throughout the last four decades in the management of Antarctic marine living resources, serving solely commercial interests rather than meeting CCAMLR's conservation objectives.

We are also surprised by this unilateral attitude of the United Kingdom, which is at odds with the attitude demonstrated by this same country during CCAMLR-40 and in the intersessional period, where it urged Members to find a consensual and multilateral solution to the situation taking place in Subarea 48.3, within the framework of the Commission. For some reason, the UK changed its position and is no longer interested in CCAMLR.'

136. Russia expressed regret that the UK had blocked consensus on the inclusion of the four UK-flagged vessels on the CP-IUU Vessel List and noted its opposition to the Subarea 48.3 fishery detailed in COMM CIRCs 22/49 and 22/106. Russia further noted that in accordance with Articles XXI and IX, that it was the responsibility of Members not to act unilaterally when operating vessels in the Convention Area.

137. The UK made the following statement:

'The UK remains committed to the Convention and wishes for consensus to be reached on the regulation of Subarea 48.3 on the basis of the best available science. However, this does not affect our legal position, which is unchanged since the last meeting. Indeed, we have demonstrated our desire to find consensus by spending almost £500 000 on additional scientific evaluation, using data from 14 Members and 155 SISO observers.'

138. Argentina made the following statement:

‘Argentina considers that according to the United Kingdom’s COMM CIRCs, this Member considers that it can carry out fishing activities with or without a conservation measure approved by the Commission. In that sense, Argentina reflects on the reason for meeting every year to discuss these measures if they had no practical effect.

In addition, Argentina encourages all Members to reflect on this issue and make efforts so that this Convention can continue to show its leadership in the conservation of Antarctic marine living resources. In this regard, Argentina recalls that much had been achieved in CCAMLR’s 40 years history, and always in a multilateral and not a unilateral way.

Finally, Argentina expresses its hope that this issue will be resolved at CCAMLR-41 and not have to be discussed next year.

Argentina reserves the right to discuss this issue in the Commission.’

139. China considered that its understanding of CCAMLR fisheries management is no catch limits means no fishing. Unilateral actions could only aggravate conflict and dispute, running counter to the letter and spirit of the Convention. China noted that all parties should implement the Convention objectives in good faith and encouraged Members with differences to resolve the issue at the Commission meeting.

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

141. SCIC agreed that there were no changes to the CP-IUU Vessel List adopted at the previous meeting. The CP-IUU Vessel List adopted at CCAMLR-40 is provided in Appendix III for consideration by the Commission.

Fishery notifications

142. SCIC noted the Secretariat’s report on fishery notifications for 2022/23 (CCAMLR-41/BG/04).

143. Russia requested the exclusion of the UK vessels *Argos Georgia*, *Argos Helena*, *Nordic Prince* and *Polar Bay* from all fishery notifications noting the vessels’ inclusion on the Draft CP-IUU Vessel List 2022/23.

144. The UK expressed its disagreement with the request from Russia, noting that the fishery notifications were made in full compliance with all relevant CCAMLR conservation measure requirements and could therefore not agree to the exclusion from the exploratory fishery.

145. SCIC did not raise any other issues related to fishery notifications for 2022/23.

Advice from the Scientific Committee to SCIC

146. SCIC considered advice from the Chair of the Scientific Committee (Dr D. Welsford (Australia)) on several topics, including tagging rates, tag-overlap statistics, tag handling and gear marking.

Tagging rates and tag-overlap statistics

147. SCIC asked the Chair of the Scientific Committee to clarify whether the tagging rate, and tag-overlap statistic, are to apply to the subarea level, as relevant conservation measures appear to suggest, or to the smallest scale for which a catch limit is set (e.g. research block, SSRU or management area) (SC-CAMLR-41, paragraph 3.121). The Chair of the Scientific Committee noted the extensive discussion on similar matters in the past, and further noted the recommendation agreed by WG-FSA-2022 that the tagging rate should apply to the smallest management area scale, but noted that relevant conservation measures were ambiguous in this respect and needed to be revised.

Handling of fish to be tagged

148. SCIC asked the Chair of the Scientific Committee if the use of a blunt gaffing pole to lift toothfish by the gills was consistent with the protocol for the handling of fish to be tagged. The Chair of the Scientific Committee noted that there was no specific discussion on the use of poles to assist in the handling of large fish during tagging and sought further clarification from vessel operators to determine the exact circumstances of the activity to allow the evaluation of whether this use of poles negatively affects the post-release survival of the fish and it would depend on whether or not the gaffing pole had contact with the filaments. The Chair of the Scientific Committee confirmed in this regard that a contact with the gill covers or operculum was less likely to result in injuries, and further clarified that the suitability of the fish for tagging must be assessed and all tagged fish must be released alive. France therefore provided further clarifications on the tagging method for consideration by SCIC, as outlined in paragraph 103.

149. Following questions relating to the duration of tagging operations, SCIC requested the Scientific Committee provide additional information on the factors which may be affecting post-release survival in regard to this issue.

150. The Chair of the Scientific Committee advised SCIC that participation in the upcoming Toothfish Tagging Workshop (2023), organised by the Scientific Committee, may be of value in providing additional education on this topic.

Format of research proposals

151. The Chair of the Scientific Committee sought advice from SCIC on its interpretation of the requirement to use the format in CM 24-01, Annex 24-01/A, format 2, in reference to the compliance of research plan proposals.

152. SCIC noted that it had not considered this issue as part of the CCEP. Some Members expressed the view that, while research plans must be submitted in accordance with the template provided in format 2, not all components of the format would be relevant to a particular research plan; for example, trawl net configuration would be inapplicable to research fishing using longline gear. These Members further noted that the Scientific Committee undertakes a substantive evaluation of a research plan, assesses the scientific implications of allowing research fishing to proceed and makes a recommendation to the Commission. Russia noted that particular research plans should be strictly in accordance with conservation measures and could not be considered in case of discrepancies.

Gear marking

153. The Chair of the Scientific Committee recalled the discussions of WG-FSA-2022, noting the limited ability to identify IUU fishing activities, particularly in areas where IUU fishing has been known to historically occur. The Scientific Committee had noted that having information on levels on IUU fishing activities is very important in providing advice to the Commission and recalled the previous initial efforts to review ways that fishing gear can be better marked to identify if it is being used by legal or IUU operators.

154. SCIC expressed its support in undertaking intersessional work to identify gear marking guidelines and to re-initiate discussions on the topic within the ‘Unidentified fishing gear in the Convention Area’ e-group.

Catch reporting

155. The Chair of the Scientific Committee advised SCIC that the Secretariat had engaged with Chile intersessionally and since resolved the catch reporting issues for the vessels *Juvel* and *Betanzos* during the 2013/14 and 2014/15 seasons (SC-CAMLR-40, paragraph 9.1).

156. SCIC thanked the Chair of the Scientific Committee for his time.

Consideration of the Second Performance Review

157. SCIC considered the progress report of the Second Performance Review (PR2) (CCAMLR-41/06) which provided a summary of actions taken since CCAMLR-XXXVII. SCIC, along with the Commission and Scientific Committee, was encouraged to identify any additional actions.

158. SCIC thanked the Secretariat for compiling the progress report and noted that it provides the first substantial progress update for three years. SCIC noted the value of the Secretariat continuing to track progress against the recommendations listed in PR2, highlighting specific areas where progress has been made, and those where proposals continue to be submitted.

159. SCIC noted the interest among Members to initiate discussions on what the third performance review would look like, including the consideration of the funding possibilities and timelines. SCIC noted that a focused performance review to supplement the current review process could focus on a specific topic or set of topics.

160. SCIC agreed that the process of the performance review continues to be critical to the Commission and that there is significant merit in reporting on such progress.

Other business

161. SCIC considered the paper on fishing vessels and the international guidelines for safety measures for fishing vessels of 24 m in length and over operating in polar waters submitted by ASOC (CCAMLR-41/BG/34). ASOC's paper provided an overview of recently adopted IMO guidelines for safety measures for the specified fishing vessels. SCIC thanked ASOC and indicated general support for making the IMO guidelines available on CCAMLR's website and consideration of applying the guidelines to vessels operating in CCAMLR fisheries.

162. Korea proposed Ms Engelke-Ros serve as Chair of SCIC for a second term. The nomination was accepted, and Members congratulated Ms Engelke-Ros on her election and thanked her for her continued service.

163. There were no nominations for Vice-Chair of SCIC.

Close of the meeting

164. The Chair thanked all delegates, as well as the interpreters and Secretariat staff, for their efforts for a productive meeting. Korea also expressed its appreciation to the Secretariat and thanked the Chair.

CCAMLR Compliance Evaluation Report 2021/22

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Conservation Measure 10-01					
Ukraine	<i>Calipso</i>	<p>CM 10-01, paragraph 1(ii), requires that a vessel's IRCS shall be marked on a deck. Should an awning or other temporary cover be placed so as to obscure the mark on a deck, the awning or cover shall also be marked. These marks should be placed athwartships with the top of the numbers or letters towards the bow.</p> <p>A deck is any surface lying in the horizontal plane, including the top of the wheelhouse</p> <p>CM 10-01, paragraph 2(ii), requires the marks shall be placed that they are not obscured by the fishing gear whether it is stowed or in use.</p> <p>New Zealand carried out an aerial surveillance patrol of the Ross Sea (Subarea 88.1) on 1 December 2021. Photographs taken in the patrol and provided to the Ukrainian Commissioner on 10 December 2021 identify that the vessel's deck markings of the <i>Calipso</i> have been obscured by stowed fishing gear.</p>	<p>The incident was considered and investigated. The vessel was correctly identified by two markings. The fishing gear was removed from the upper deck in the second part of the day on 1 December and was used for fishing after 16:00.</p> <p>Further Action: Crew instructed. Additional checks will be introduced in the next seasons to avoid the same deficiency on other vessels.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Conservation Measure 10-02					
Australia	<i>Antarctic Discovery</i>	<p>CM 10-02, paragraph 3, requires each Contracting Party to provide to the Secretariat information on the licence issued within seven (7) days of the issuance and prior to the vessel fishing in the Convention Area.</p> <p>On 03/10/2021 23:35 UTC the Secretariat received a 10-day CE Form for the <i>Antarctic Discovery</i> for fishing activities in Division 58.5.2 from 21 September 2021 to 30 September 2021. The C2 data for September also reported that fishing begun on 26 September 2021.</p> <p>The Secretariat requested the licence information from Australia on 5 October 2021 and it was provided on 5 October 2021. The licence issuance date was 23 April 2021.</p> <p>An explanation was provided by Australia noting that human error had led to the delayed transmission and that it had implemented processes to ensure it doesn't occur again.</p> <p>Time difference: 165 days after licence issuance and 9 days after fishing began.</p>	<p>Australia issued the vessel its fishing licence on 23 April 2021 for the period 23 April to 30 November 2021. The vessel's licence was issued in accordance with CM 10-02 and the vessel operated in accordance with its licence conditions. Human error resulted in Australia not providing the licence information to the Secretariat until requested on 5 October 2021.</p> <p>Australia has improved its internal processes to ensure that this oversight does not re-occur. Additional staff are now responsible for ensuring licence information is provided to the Secretariat within 7 days of issuance of the licence and prior to the vessel fishing in the Convention Area.</p> <p>Further Action: No further action</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	See paragraph 75
Conservation Measure 10-03					
Uruguay	<i>Altamar</i>	<p>CM 10-03, paragraph 4, 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 vessel did not submit form A of CM 10-03 to the fisheries authority 48 hours in advance of entry to port. This vessel is not Uruguayan-flagged anymore.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	See paragraph 76

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The inspection report for the <i>Altamar</i> for the inspection undertaken by the British on 22 July 2021 noted that they did not receive Part A (Annex 10-03/A) from the vessel at least 48 hours before entry to port.</p> <p>The following explanation was provided by the UK: ‘The vessel arrived in port at 10:00 local time, and was informed that they needed to submit Annex A of CM 10-03, which was emailed to the enforcement team at 11:52. This was picked up by the team at 14:00 and the inspection took place on 22 July at 13:40. Given the lack of notification, the inspection team had to reorganise priority inspections and every effort was made to undertake the inspection within the necessary timeframes.’</p> <p>The late submission of Part A of the port inspection form from the <i>Altamar</i> resulted in the United Kingdom being unable to inspect the vessel within the required 48 hours.</p> <p>Time difference after deadline: 49 hours 52 minutes (1 hours and 52 minutes after entering port).</p>			
South Africa		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p>	<p>The process of inspection was delayed due to the unavailability of Fishery Control Inspectors. Several officials had resigned in the hotspot areas and officials were redeployed to address illegal activities in domestic activities.</p>	<p>Non-compliant (Level 2)</p>	<p>See paragraph 77</p>

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The Korean-flagged vessel <i>Hong Jin No. 707</i> entered the South African port of Cape Town at 08:00 01/07/2021 and was inspected at 08:00 05/07/2021.</p> <p>The Secretariat wrote to South Africa on 14 July 2021 requesting further information on the reason for the delay of the inspection. No response was received.</p> <p>Time delay of inspection after the 48-hour deadline: 48 hours.</p>	<p>Further Action: Additional officials are being recruited and the process will be complete by 1 October 2022.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>		
South Africa		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Japanese-flagged vessel <i>Shinsei Maru No. 8</i> entered the South African port of Cape Town at 10:00 28/02/2021 and was inspected at 07/03/2021.</p> <p>The Secretariat wrote to South Africa on 16 March 2022 and 11 April 2022 requesting further information on the reason for the delay of the inspection and to provide the time the inspection began on 07/03/2021. No response was received.</p> <p>Time delay of inspection after the 48 hour deadline: approximately 5 days.</p>	<p>One of the Fishery Control Officers responsible for inspections of the particular vessel had taken a leave of absence without informing his partner. It is not desirable for one (1) official to attend to an inspection. Lack of human capacity and IT challenges played a major role in not being compliant with the 48 hours.</p> <p>Further Action: The responsible official was issued with a written warning.</p> <p>Additional IT infrastructure has been procured and the recruitment of additional inspectors will be complete by 1 October 2022.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	See paragraph 77
South Africa		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p>	<p>Human capacity and IT infrastructure caused delays in inspections of the <i>Tronio</i>.</p>	Non-compliant (Level 2)	See paragraph 77

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The Spanish-flagged vessel <i>Tronio</i> entered the South African port of Cape Town at 11:00 02/05/2022 and was inspected at 08:30 12/05/2022.</p> <p>The Secretariat wrote to South Africa on 27 May 2022 requesting further information on the reason for the delay of the inspection. No response was received.</p> <p>Time delay of inspection after the 48-hour deadline: 7 days 21 hours 30 minutes.</p>	<p>Further Action: Additional human capacity is being recruited and IT infrastructure is being upgraded.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>		
United Kingdom		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Uruguayan vessel <i>Altamar</i> entered the United Kingdom port of Stanley at 09:00 on 20/07/2021 and was inspected 51 hours and 40 minutes following this entry at 22/07/2021 12:40 UTC.</p> <p>The following explanation was provided by the UK: ‘The vessel arrived in port at 10:00 local time, and was informed that they needed to submit Annex A of CM 10-03, which was emailed to the enforcement team at 11:52. This was picked up by the team at 14:00 and the inspection took place on 22 July at 13:40. Given the lack of notification, the inspection team had to reorganise priority inspections and every effort was made to undertake the inspection within the necessary timeframes.’</p>	<p>The UK investigated this potential infringement.</p> <p>The vessel arrived in port at 10:00 local time on the 20 July 2021, and was informed that they needed to submit the pre-notification contained in Annex A of CM 10-03. This was emailed to the enforcement team at 11:52 and picked up by the team at 14:00 on 20 July. The inspection took place on 22 July at 13:40. The inspection team reorganised priority inspections, with the inspection taking place within the necessary timeframes once the information had been submitted. The vessel holds remained sealed until the inspection was undertaken.</p> <p>Given the lack of notification from the vessel and safety concerns with the vessel remaining outside of port boundaries for 48 hours in order to comply with CM 10-03, the UK does not consider this a Port State compliance issue.</p>	Compliant	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		Time delay of inspection after the 48-hour deadline: 3 hours and 40 minutes.	<p>Further Action: All vessel operators have been reminded of their obligation to submit Annex A of CM 10-03 at least 48 hours before entry into port, or be denied entry to port, and/or face financial penalties for failure to comply with CM 10-03 requirements.</p> <p>Preliminary Status: Compliant</p>		
Chile		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The inspection of the Japanese-flagged vessel <i>Shinsei Maru No. 8</i> occurred at 18/01/2022 15:00 UTC by Chilean port officials and the transmission of the port inspection report occurred on 26/07/2022 15:27 UTC.</p> <p>The missing port inspection report was identified by the Secretariat when reconciling the CDS data with the port inspection data. The port inspection report was then requested from Chile on 26/07/2022. Chile provided the following explanation with the submission of the report: 'I must inform you that this delay was due to confusion and an error by the undersigned, taking into account the timely dispatch of the inspectors; my apologies for this.'</p> <p>Time delay of transmission after the 30-day deadline: 160 days 0 hours 27 minutes.</p>	<p>The delay in the transmission of the port inspection report was due to a one time error (1 out of 20 reports), by the person in charge in the National Fisheries and Aquaculture Service (SERNAPESCA). It should be noted that the inspection was carried out in a timely manner, as stated in the respective report, on the dates registered in the e-CDS system, as established in CMs 10-03 and 10-05, and that the inspectors submitted the report to the Regional Office of SERNAPESCA on time and in due form.</p> <p>In order to avoid the reoccurrence of a compliance event of this nature, SERNAPESCA reviewed internal procedures and reiterated the instructions to those responsible of submitting the reports to the Secretariat.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Mauritius		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The inspection of the Spanish-flagged vessel <i>Ibsa Quinto</i> occurred at 07/03/2022 07:00 by Mauritian port officials and the transmission of the port inspection report occurred on 27/07/2022 05:26 UTC.</p> <p>The missing port inspection report was identified by the Secretariat when reconciling the CDS data with the port inspection data. The port inspection report was then requested from Mauritius on 26/07/2022. Mauritius acknowledged the lateness of the transmission on submission. It was noted in processing the report that the original submission was provided on a PSMA inspection form, and the fishing occurred in the SIOFA convention area.</p> <p>Time delay of transmission after the 30-day deadline: 111 days 22 hours 26 minutes.</p>	<p>The Republic of Mauritius acknowledges that the port inspection report in respect of Spanish-flagged fishing vessel <i>Ibsa Quinto</i> which called at Port-Louis harbour on 7 March 2022 was submitted with considerable delay to the CCAMLR Secretariat.</p> <p>In line with CM 10-03, the Republic of Mauritius systemically forwards the port inspection reports of vessels carrying catches of toothfish as well as other species caught within the CCAMLR Convention Area to the Secretariat within the 30 days deadline following the port inspection.</p> <p>However, in the specific case of the <i>Ibsa Quinto</i> March 2022 calling, such procedure was unfortunately not followed. The reason is that, during the previous calling of the fishing vessel in September 2021, no toothfish was found on board. The Port Inspection Report was sent to the SIOFA Secretariat in line with SIOFA Conservation and Management Measure 2020-08.</p> <p>Due to a breakdown in communication, the calling of the <i>Ibsa Quinto</i> in March 2022 was treated similar to its last call and the report was only sent to the SIOFA Secretariat. It is to be noted that the <i>Ibsa Quinto</i> just called at Port-Louis harbour in July 2022 with no consignment of toothfish on board.</p> <p>To avoid the recurrence of such an issue in the future, a procedure has been put in place whereby the port inspection report of all vessels carrying a consignment of toothfish, whether or not such catch was effected in the CCAMLR Convention Area, will be invariably sent to the CCAMLR Secretariat in the format as required under CM 10-03.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>Further Action: The procedure has been implemented and all toothfish landings in Port-Louis harbour will be reported within the prescribed deadline to the CCAMLR Secretariat.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
United Kingdom		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The inspection of the Korean-flagged vessel <i>Sae In Leader</i> occurred at 3/07/2021 12:36 UTC by British port officials and the transmission of the port inspection report occurred on 3/08/2021 07:10 UTC.</p> <p>Time delay of transmission after the 30-day deadline: 18 hours 34 minutes.</p>	<p>The UK investigated this potential infringement.</p> <p>The vessel provided pre-notification of arrival into port on 30 June, stating they would enter port boundaries on 2 July at 15:00 UTC. The vessel arrived in port on 2 July at 21:20 UTC, with the inspection taking place on 3 July at 12:36 UTC. The report was provided to UK CCAMLR officials on 5 July, however, certain clarifications were needed. Unfortunately, the officer who had undertaken the port inspection had begun at sea inspections, with limited communication channels available. The officer was only able to provide the clarifications once ashore on 2 August, with the inspection report submitted to the CCAMLR Secretariat on 3 August at 07:10 UTC.</p> <p>The UK takes its port state obligations very seriously. In order to ensure the correct information is submitted there may be occasions where clarification or additional information is requested before reports are submitted to the CCAMLR Secretariat. The UK therefore requests SCIC to consider an additional provision within CM 10-03 which allows an extended time period for submission of information should clarification or additional information need to be gathered.</p> <p>Preliminary Status: Need of interpretation by SCIC</p>	Need of interpretation by SCIC	See paragraph 80

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Uruguay		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The inspection of the Uruguayan-flagged vessel <i>Altamar</i> occurred at 31/07/2021 16:00 UTC by Uruguayan port officials and the transmission of the port inspection report occurred on 28/07/2022 17:48 UTC.</p> <p>The missing port inspection report was identified by the Secretariat when reconciling the CDS data with the port inspection data. The port inspection report was then requested from Uruguay on 26/07/2022. Uruguay acknowledged the submission of the inspection report was late along with additional information regarding the inspection of the <i>Altamar</i>.</p> <p>Time delay of transmission after the 30-day deadline: 332 days 1 hour 48 minutes.</p>	<p>The inspection had been conducted and form B of CM 10-03 completed, but the form was not sent to the Secretariat within the 30-day delay because of an administrative oversight. The consultations with the relevant department have been completed and the procedures will be updated.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required
Conservation Measure 10-04					
Norway	<i>Antarctic Endurance</i>	<p>CM 10-04, paragraph 2, requires all fishing vessels operating within the Convention Area to transmit VMS data hourly.</p> <p>The <i>Antarctic Endurance</i> submitted an entry notification notifying entry to the Convention Area in Subarea 48.3 at 23 November 2021 15:10 UTC.</p>	<p>Regrettably, the Norwegian Directorate of Fisheries did not receive VMS data from the <i>Antarctic Endurance</i> between 23 November 2021 09:59 UTC and 24 November 2021 10:44 UTC. It has not yet been possible to detect the reason for this data transmission gap, but it appears that the missing data were not stored in the VMS unit on board the vessel as required.</p>	Non-compliant (Level 2)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The Secretariat notified Norway on 24 November 2021 01:22 UTC that the Secretariat was not receiving the VMS data from the <i>Antarctic Endurance</i>. No response was received to this email.</p> <p>The <i>Antarctic Endurance</i> began transmitting VMS data to the Secretariat on 24 November 2021 10:44 UTC.</p> <p>On 25 November 2021 10:17 UTC the Secretariat requested the VMS data from when the <i>Antarctic Endurance</i> entered the Convention Area until it began transmitting VMS data.</p> <p>Norway provided the following response to the email on 25 November 2021: ‘Please be informed that the Directorate of Fisheries has not yet received VMS data for the <i>Antarctic Endurance</i> between 23 November 2021 09:59 UTC and 24 November 2021 10:44 UTC. So far we have not been able to detect the reason for why the data has not been received, but we are still working on this issue.’</p> <p>Currently the Secretariat has not received the VMS data from the point of entry into the Convention Area on 23 November 2021 09:59 UTC until VMS transmission began on 24 November 2021 10:44 UTC.</p>	<p>In order to ensure uninterrupted transmission of data as required by CM 10-04 and national regulations, the vessel was requested to replace the VMS unit on board. The new unit was installed late March 2022. The new unit has been working as expected.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>		
France	<i>Le Saint Andre</i>	<p>CM 10-04, paragraph 6, requires fishing vessel masters, owners or their authorised representations ensure that the ALC is not tampered with in any way.</p>	<p>France confirms that the port inspection conducted onboard the vessel determined that the VMS device could be opened without having to break the seal affixed to it.</p>	<p>Minor non-compliant (Level 1)</p>	<p>See paragraph 82</p>

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The port inspection report for the inspection undertaken on 11 October 2021 at Le Port, Reunion, France, for the French-flagged vessel <i>Le Saint Andre</i> noted the following: ‘The VMS seal device exhibited a weakness regarding the impossibility of tampering. The shipping line was therefore asked to review the device and advise the control agent so that a check could be made before the ship’s new departure, scheduled for mid-November. A new seal will be installed by the COPEC before departure (photo attached).’</p> <p>Further clarification was sought by the Secretariat as to whether this constituted a compliance issue. The following information was provided: ‘To answer your request, I would like to tell you that the controller noted the non-compliance of the VMS anti-violation device. Consequently, he requested a modification of the device before the next fitting, which was carried out.</p> <p>However, no inconsistency in the VMS was observed during the check (no fraud).’</p>	<p>Consequently, the VMS system was not immune to fraudulent manipulation as required by CCAMLR and the national regulations. However, no fraudulent manipulation was observed. The shipowner was asked to settle this point before the next departure of the ship so that the opening of the box was rendered impossible without breaking the seal. This has been done and verified by competent authorities (cf. sealing certificate dated 16 November 2021). The issue had therefore been resolved before the next departure of the vessel. The vessel had only operated in waters under national jurisdiction prior to this incident; the VMS device was made compliant before the ship operated in Division 58.4.2.</p> <p>Further Action: This matter has been resolved and no further action is required.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
Australia	<i>Antarctic Aurora</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.</p>	<p>Australia confirms that the movement notification for the vessel’s entry to Division 58.5.2 was provided to the Secretariat 32 minutes late.</p> <p>The vessel has advised that it experienced issues with its satellite communication system during the trip. As a result, the communication system on the vessel has now been replaced.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>A movement notification was provided to the Secretariat on 29 July 2021 at 02:13 UTC by the <i>Antarctic Aurora</i> for entry into the HIMI EEZ notifying the entry time of 29 July 2021 02:11 UTC. As no movement notification had been received for entry to Division 58.5.2, the Secretariat requested it from the Australian VMS Contact Officers on 29 July 2021 at 02:36 UTC.</p> <p>A movement notification was provided to the Secretariat on 30 July 2021 at 00:12 UTC by the <i>Antarctic Aurora</i> for entry into Division 58.5.2 notifying the entry time of 28 July 2021 23:40 UTC.</p> <p>Time delay after the 24-hour deadline: 32 minutes.</p>	<p>Australia has engaged with the vessel operator to ensure that all movement notifications are made within the required 24-hour timeframe.</p> <p>Further Action: No further action</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
Chile	<i>Antarctic Endeavour</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.</p> <p>A movement notification was provided to the Secretariat on 19 May 2022 at 10:56 UTC by the <i>Antarctic Endeavour</i> for entry into Subarea 48.1 notifying the entry time of 18 May 2022 07:11 UTC.</p> <p>Time delay after the 24-hour deadline: 3 hours 45 minutes.</p>	<p>The delay in the notification of the entry of the <i>Antarctic Endeavour</i> was due to a human error by the fishing operations controller. In response to this, the instruction to personnel in charge of monitoring and controlling the software has been reinforced. In addition, the software used will be updated to include an alarm informing the entry and exit of vessels from the CCAMLR area. The software update should be running by the end of September.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Conservation Measure 10-05					
Belgium		<p data-bbox="533 272 1003 587">CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p data-bbox="533 619 1003 1018">CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation, the import State will not have access to the document in the e-CDS.</p> <p data-bbox="533 1050 1003 1233">Analysis of the e-CDS data has identified that Belgium validated 3 DEDs/DREDs after the declared export date. Therefore, these shipments did not have completed DEDs/DREDs available to accompany them at the time of export.</p> <p data-bbox="533 1265 1003 1329">The Identified DEDs/DREDs account for 30% of 'Belgium's exports.</p>	<p data-bbox="1025 272 1608 339">Response submitted to the Secretariat by the EU via email:</p> <p data-bbox="1025 371 1608 438">For DEDs/DREDs issued late for movements of toothfish between EU Member States.</p> <p data-bbox="1025 470 1608 1233">In the case of movements of <i>Dissostichus</i> spp. between the territories of EU Member States, we note that all EU Member States form part of the EU Customs Union. Customs checks are carried out and duties paid when goods first enter the EU Customs Union. From then on, they can circulate freely within without the need for any further customs checks or payment of customs duties. The situation of members whose territories form part of a customs union is meant to be addressed in the definitions of 'export' and of 're-export' in paragraphs 1(v) and (ix) of CM 10-05 respectively. However, the drafting of the definitions is far from clear (there are words missing, 'to' and 'from' amongst others) but the most important issue is that the difference in wording between these two definitions renders their overall meaning unclear to the extent that is not clear whether DEDs/DREDs are required for movements of <i>Dissostichus</i> spp. between members of a customs union. We believe that it should not be the case, since technically speaking a movement inside a customs union from one member of the customs union to another member of that customs union is not an 'export' or a 're-export' and hence there is no actual trade to be covered by a DED/DRED.</p>	Need of interpretation by SCIC	See paragraph 85

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 1 DED/DRED was issued between 300 and 400 days after declared export date • 1 DED/DRED was issued between 400 and 500 days after declared export date • 1 DED/DRED was issued between 700 and 800 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>The issuing of a DED/DRED for CCAMLR Members that are part of a customs union should be limited to movements from the customs union, consistent with the purpose of the CDS. We therefore propose a preliminary compliance status of ‘Need of interpretation by SCIC’.</p> <p>Preliminary Status: Need of interpretation by SCIC</p>		
Chile		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template (‘step 4: Export state confirmation’ in e-CDS). Without this validation, the import State will not have access to the document in the e-CDS.</p>	<p>This non-compliance issue was detected in 2021. Although the amount of certificates involved during the period under analysis (2021/22) is lower than those detected in the previous period (2020/21) with 293 DEDs out of a total of 1 953 (15%) vs 377 out of 1 639 DEDs (23%), the issue persists. After the non-compliance issue was detected during the previous season, the National Fisheries and Aquaculture Service (SERNAPESCA) reiterated instructions regarding the prohibition to validate DEDs after the export date.</p> <p>SERNAPESCA is the competent authority regarding the certification of fishery exports, and is currently implementing electronic systems for the authorisation of exports, in accordance with a national strategy to expedite and streamline export procedures and facilitate trade. Within this process, SERNAPESCA also has detected a lack of coordination in the validation process of the different requirements for export, regarding certification of food safety and legal origin of fisheries products.</p>	Non-compliance (Level 2)	See paragraph 86

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>Analysis of the e-CDS data has identified Chile validated 293 DEDs/DREDs after the declared export date. Therefore, these shipments did not have completed DEDs/DREDs available to accompany them at the time of export.</p> <p>The identified DEDs/DREDs account for 15% of 'Chile's exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 40 DEDs/DREDs were issued between 1 and 2 days after declared export date • 59 DEDs/DREDs were issued between 3 and 5 days after declared export date • 115 DEDs/DREDs were issued between 6 and 10 days after declared export date • 37 DEDs/DREDs were issued between 11 and 20 days after declared export date • 42 DEDs/DREDs were issued between 21 and 50 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>In response to this coordination issue, SERNAPESCA has now implemented further adjustments to the control procedures in the electronic system, requiring the manual approval by a fishery control officer to ensure the DED has been issued before the export date for each transfer of <i>Dissostichus</i> spp. and associated products.</p> <p>Additionally, we believe that the Secretariat could also consider the establishment of an automatic blockage for the issue of DEDs in the e-CDS system, in those cases where the date of the electronic validation is later than the expected date of export, which would reinforce the national control measures implemented.</p> <p>The traceability analysis for the 293 DEDs with 'ex post' validation ensures that they are not related to IUU fishing activities.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>		
France		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The.</p>	<p>Response submitted to the Secretariat by the EU via email:</p> <p>For DEDs/DREDs issued late for movements of toothfish from EU Member States to third countries:</p> <p>We propose a preliminary compliance status of 'Need of interpretation by SCIC'.</p>	No consensus reached	See paragraph 85

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited			
		<p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation, the import State will not have access to the document in the e-CDS.</p>	<p>The identified issues relate to the uncertainty surrounding 'date of issue' and 'date of export', which was an ambiguity of the relevant obligation, constituting a technical impediment to compliance. This issue was discussed at length at SCIC-2021 and the Commission amended CM 10-05 in response. Although the DEDs/DREDs concerned are included in the current reporting period, they were issued before SCIC-2021 and CCAMLR-41 and hence before the clarifications brought at those meetings were available. As CM 10-05 was amended, it can be considered that this matter has been resolved and that no further action is required.</p>		
		<p>Analysis of the e-CDS data has identified France validated 32 DEDs/DREDs after the declared export date. Therefore, these shipments did not have a completed DEDs/DREDs available to accompany them at the time of export.</p>	<p>For DEDs/DREDs issued late for movements of toothfish between EU Member States:</p>		
		<p>The identified DEDs/DREDs account for 11% of 'France's exports.</p>	<p>In the case of movements of <i>Dissostichus</i> spp. between the territories of EU Member States, we note that all EU Member States form part of the EU Customs Union. Customs checks are carried out and duties paid when goods first enter the EU Customs Union. From then on, they can circulate freely within without the need for any further customs checks or payment of customs duties. The situation of members whose territories form part of a customs union is meant to be addressed in the definitions of 'export' and of 're-export' in paragraphs 1(v) and (ix) of CM 10-05 respectively. However, the drafting of the definitions is far from clear (there are words missing, 'to' and 'from' amongst others) but the most important issue is that the difference in wording between these two definitions renders their overall meaning unclear to the extent that is not clear</p>		
		<p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 6 DEDs/DREDs were issued between 1 and 2 days after declared export date • 20 DEDs/DREDs were issued between 3 and 5 days after declared export date • 2 DEDs/DREDs were issued between 6 and 10 days after declared export date • 4 DEDs/DREDs were issued between 21 and 50 days after declared export date. 			

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>whether DEDs/DREDs are required for movements of <i>Dissostichus</i> spp. between members of a customs union.</p>		
		<p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>We believe that it should not be the case, since technically speaking a movement inside a customs union from one member of the customs union to another member of that customs union is not an ‘export’ or a ‘re-export’ and hence there is no actual trade to be covered by a DED/DRED. The issuing of a DED/DRED for CCAMLR Members that are part of a customs union should be limited to movements from the customs union, consistent with the purpose of the CDS. We therefore propose a preliminary compliance status of ‘Need of interpretation by SCIC’.</p> <p>Preliminary Status: Need of interpretation by SCIC</p>		
<p>Korea, Republic of</p>		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a</p>	<p>Among the six incidents, the first five incidents (0A04-ED5B-65C9; 1309-6B95-1622; B055-A712-6CFC; FD01-B10C-7412; and 2A9A-BCFD-A944) occurred due to public holidays caught between the date of issuance of bills of landing and the issuance of DEDs. Korea’s internal regulations to implement CM10-05 require an exporter to provide the copy of bill of landing when they request the issuance of a DED. In those five incidents, the exporters loaded toothfish into the containers and received bills of landing a day before the holidays began, and then submitted the documents to the National Fishery Products Quality Management Service (NFQS), Korea’s DED issuance authority, on the first day after the end of the holidays.</p>	<p>Minor non-compliant (Level 1)</p>	<p>No further action required</p>

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS).</p>			
		<p>Without this validation, the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified Korea validated six DEDs/DREDS after the declared export date. Therefore, these shipments did not have completed DEDs/DREDS available to accompany them at the time of export.</p> <p>The identified DEDs/DREDS account for 6% of Korea's exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 3 DEDs/DREDS were issued between 1 and 2 days after declared export date • 2 DEDs/DREDS were issued between 3 and 5 days after declared export date • 1 DED/DRED was issued between 11 and 20 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>The last incident (FC72-E31F-B8E9) is due to a revision made to the DED. The original DED was issued on 20 November 2021, but the importer was changed afterwards. The NFQS would revise the importer section on the DED but the new importer insisted on a brand new DED with new document numbers, so the NFQS issued another one for this shipment.</p> <p>The Korean government investigated these incidents and found out that the requirement for bill of landing in the domestic regulations caused the discrepancies between date of export (date of issuance of bill of landing, actually) and the issuance of DEDs. The NFQS revised internal processes to allow 'check (draft) bill of landing' so that a DED can be issued before the loading of the shipment has been completed, only after which confirmed bill of landing is issued. The NFQS provided education and training to the issuing officers as well as exporters so that they have clear understanding that any shipment of toothfish must be accompanied by DEDs before they leave Korean ports.</p> <p>As the Korean government has already taken appropriate actions to prevent a repeat of these incidents, Korea believes that no further action is required.</p> <p>Further Action: No further action required</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
The Netherlands		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation, the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified the Netherlands validated 2 DEDs/DREDs after the declared export date. Therefore, these shipments did not have completed DEDs/DREDs available to accompany them at the time of export.</p> <p>The identified DEDs/DREDs account for 11% of the Netherlands' exports.</p>	<p>Response submitted to the Secretariat by the EU via email:</p> <p>For DEDs/DREDs issued late for movements of toothfish from EU Member States to third countries</p> <p>We propose a preliminary compliance status of 'Need of interpretation by SCIC'. The identified issues relate to the uncertainty surrounding 'date of issue' and 'date of export', which was an ambiguity of the relevant obligation, constituting a technical impediment to compliance. This issue was discussed at length at SCIC-2021 and the Commission amended CM 10-05 in response. Although the DEDs/DREDs concerned are included in the current reporting period, they were issued before SCIC-2021 and CCAMLR-41 and hence before the clarifications brought at those meetings were available. As CM 10-05 was amended, it can be considered that this matter has been resolved and that no further action is required.</p> <p>Preliminary Status: Need of interpretation by SCIC</p>	No consensus reached	See paragraph 85

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 2 DEDs/DREDs were issued between 11 and 20 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>			
Peru		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation, the import State will not have access to the document in the e-CDS.</p>	Nil response	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>Analysis of the e-CDS data has identified Peru validated 8 DEDs/DREDs after the declared export date. Therefore, these shipments did not have completed DEDs/DREDs available to accompany them at the time of export.</p> <p>The identified DEDs/DREDs account for 6% of Peru’s exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 6 DEDs/DREDs were issued between 1 and 2 days after declared export date • 2 DEDs/DREDs were issued between 3 and 5 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>			
South Africa		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p>	<p>EXP_Export_Code DCD_Document_Number EXP_Export_Date EXP_Confirmed_Date 352A-C4B9-067A ZA-21-0003-E 28 07 2021 30 07 2021 08:38</p> <p>Our client requested a DED on 28 July 2021 from the Department. The DED was processed by the Department on 30 July 2022. The Department captured the DED date which erroneously showed the estimated export date as 28 July 2021, whereas the export date as per received Bill of Laden provided by the client (which is available on request) reflects the fish loaded on 4 August 2021, and thus export date has been after the verified date of 30 July 2021.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation, the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified South Africa validated 5 DEDs/DREDs after the declared export date. Therefore, these shipments did not have completed DEDs/DREDs available to accompany them at the time of export.</p> <p>The Identified DEDs/DREDs account for 15% of South Africa's exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 2 DEDs/DREDs were issued between 1 and 2 days after declared export date • 3 DEDs/DREDs were issued between 3 and 5 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>No action required: Compliant</p> <p>EXP_Export_Code DCD_Document_Number EXP_Export_Date EXP_Confirmed_Date EDBC-A38F-3271 ZA-21-0005-E 13 02 2022 18 02 2022 12:14</p> <p>Our client requested a DED on 11 February 2022 from the Department. All detail of the export was also relayed by the client to our compliance officials via email on 8 February 2022. The DED was processed by the Department at its earliest convenience on 18 February 2022. The Department captured the DED export date which correctly showed as 13 February 2022. The verification official was unfortunately not in office to issue the DED earlier. The client, however, complied fully with departmental export permit conditions.</p> <p>No action required: Compliant</p> <p>EXP_Export_Code DCD_Document_Number EXP_Export_Date EXP_Confirmed_Date EAC0-4618-35AB KR-21-0011-E 20 07 2021 22 07 2021 21:28</p> <p>Our client requested a DED on 21 July 2021 from the Department. The DED was processed by the Department on 22 July 2021. The Department captured the DED export date (shipped on board date) as indicated by the client and confirmed on the draft BL as 20 July 2021.</p> <p>No action required: Minor Non – Compliant (Level 1)</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>EXP_Export_Code DCD_Document_Number EXP_Export_Date EXP_Confirmed_Date AEB0-C4F9-7AA9 KR-21-0011-E 20 07 2021 23 07 2021 02:54</p> <p>Our client requested a DED on 21 July 2021 from the Department. The DED was processed by the Dept on 23 July 2021. The Department captured the DED export date (shipped on board date) as indicated by the client and confirmed on the draft BL as 20 July 2021.</p> <p>No action required: Minor Non – Compliant (Level 1)</p>		
			<p>EXP_Export_Code DCD_Document_Number EXP_Export_Date EXP_Confirmed_Date 18D0-2B89-9344 KR-21-0011-E 18 07 2021 21 07 2021 20:24</p> <p>Our client requested a DED on 21 July 2021 from the Department. The DED was processed by the Department on 21 July 2021. The Department captured the DED export date (shipped on board date) as indicated by the client and confirmed on the draft BL as 18 July 2021.</p> <p>No action required: Minor Non – Compliant (Level 1)</p> <p>Further Action: No action required</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Spain		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation, the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified Spain validated two DEDs/DREDs after the declared export date. Therefore, these shipments did not have completed DEDs/DREDs available to accompany them at the time of export.</p> <p>The identified DEDs/DREDs account for 1% of Spain's exports.</p>	<p>Response submitted to the Secretariat by the EU via email:</p> <p>For DEDs/DREDs issued late by Spain:</p> <p>The delay covers 1% of the Spanish exports, which were issued 6–10 days after the declared export date (to a destination outside the EU Customs Union). We propose a preliminary compliance status of 'Minor non-compliance (Level 1)' and as follow-up action further awareness raising and training of relevant personnel as regards the requirements of CM 10-05.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 2 DEDs/DREDs were issued between 6 and 10 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>			
United Kingdom		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation, the import State will not have access to the document in the e-CDS.</p>	<p>The UK investigated these potential infringements.</p> <p>The three instances identified were catches from the vessels <i>Costa Do Cabo</i>, <i>Paradenta Primero</i> and <i>Kestral</i>. All three vessels are demersal trawl vessels, with toothfish retained as by-catch. All three vessels operate outside of the Convention Area.</p> <p>The operators for the Spanish-flagged fishing vessel <i>Costa Do Cabo</i> requested a DCD on 2 September 2021 for catches of toothfish, caught between 10 May to 17 June outside the Convention Area, using a demersal trawl targeting other species. DCD ES-21-0020-E for 793kg of HGT was validated on the 14 September, although the operators then confirmed the shipment had been exported on 21 July 2021. At no time did the operators or the Flag State authority importing the product contact the UK to notify toothfish products were being exported.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>Analysis of the e-CDS data has identified United Kingdom validated three DEDs/DREDs after the declared export date. Therefore, these shipments did not have completed DEDs/DREDs available to accompany them at the time of export.</p> <p>The identified DEDs/DREDs account for 3% of United Kingdom’s exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 1 DED/DRED was issued between 21 and 50 days after declared export date • 2 DEDs/DREDs were issued between 51 and 100 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>The operators for the Spanish-flagged fishing vessel <i>Paradenta Primero</i> requested a DCD (ES-21-0029-E) for catches of toothfish, caught between 2 July to 15 July outside of the Convention Area, using demersal trawl targeting other species. This DCD was validated by the UK on 19 July. The company then requested a DED for export on 1 December at 14:21 stating container no. SEGU9235263 on-board <i>Scout</i> cargo ship had departed a UK port on 21 July 2021, stating this had been requested by the importing authority. The DED had been validated by the UK on 14 September 2021 at 13:10 UTC regarding 720 kg of HGT. In a separate communication from the company on 15 September, the operator confirmed the cargo was to arrive in Vigo on 3 September. At no time prior to 14 September did the operators or the Flag State authority importing the product contact the UK to notify toothfish products were being exported.</p> <p>The operators of the UK-flagged fishing vessel <i>Kestral</i> landed toothfish caught between 10 May and 17 June outside the Convention Area, using a demersal trawl targeting other species, which was landed for processing in a UK port. A DED (GB-20-0022-E) was requested by the company on 30 June which was validated by the UK on 1 July regarding 836 kg of HGT. The date of export was then confirmed as 9 June. At no time did the operators or the Flag State authority importing the product contact the UK to notify toothfish products were being exported.</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>Further Action: Guidance and training to be issued to all operators who catch toothfish including as by-catch, guidance to port/CDS officers, refusal of CDS documentation for any export/import of toothfish product not meeting CDS requirements, additional financial and criminal charges to be implemented for operators failing to comply with CDS measures.</p>		
			<p>Preliminary Status: Minor non-compliant (Level 1)</p>		
Uruguay		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p>	<p>It was confirmed that there were compliance issues that related to previous verification requirements, within the required delays. The relevant authority is conducting the case investigations to determine the procedures that were the root cause of the non-compliance and to find a future solution to this issue.</p>	<p>Minor non-compliant (Level 1)</p>	<p>No further action required</p>
		<p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ('step 4: Export state confirmation' in e-CDS). Without this validation, the import State will not have access to the document in the e-CDS.</p>	<p>Preliminary Status: Minor non-compliant (Level 1)</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>Analysis of the e-CDS data has identified Uruguay validated 19 DEDs/DREDs after the declared export date. Therefore, these shipments did not have completed DEDs/DREDs available to accompany them at the time of export.</p> <p>The identified DEDs/DREDs account for 12% of Uruguay’s exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 1 DED/DRED was issued between 1 and 2 days after declared export date • 1 DED/DRED was issued between 3 and 5 days after declared export date • 5 DEDs/DREDs were issued between 6 and 10 days after declared export date • 10 DEDs/DREDs were issued between 21 and 50 days after declared export date • 2 DEDs/DREDs were issued between 51 and 100 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>			
Conservation Measure 10-09					
Chile		<p>CM 10-09, paragraph 2, 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.</p> <p>Analysis of the transhipment data identified non-compliance with one notification.</p>	<p>Due to similar non-compliance events during last season, on 29 September 2021, the National Fisheries and Aquaculture Service (SERNAPESCA) instructed vessel owners to send the notifications directly to the Secretariat, prior to the transhipment (in the case of projected transhipments) as well as confirmation once transhipment has occurred, including a copy for SERNAPESCA.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 60–69 hours after the 72-hour notification deadline <p>Chile provided acknowledgment of the delay of transmission on submission of the notification.</p> <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>This is in order to shorten notification times and avoid unnecessary delays, thus reducing the risk of non-compliance in the notification process.</p> <p>The non-compliance in question occurred on 19 July 2021, before the abovementioned instruction, and was due to a specific internal coordination issue regarding the submission of the notification to the Secretariat.</p> <p>From September 2021 to the date of this report, the conservation measure has been fully implemented and no other non-compliance issues have been detected.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
China		<p>CM 10-09, paragraph 2, 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.</p> <p>Analysis of the transhipment data identified non-compliance with 1 notification.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 0–9 hours after the 72-hour notification deadline. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>The <i>Fu Yuan Yu 9818</i> sent the transhipment notification to her company in time at 22:51 on 24 April 2022. However, due to time differences, the notification was subsequently sent to the Secretariat nearly 2 hours late.</p> <p>Further Action: China will work out a better arrangement to prevent delayed notification in the future.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Norway		<p>CM 10-09, paragraph 2, 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.</p> <p>Analysis of the transhipment data identified non-compliance with four notifications.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 0–9 hours after the 72-hour notification deadline • 1 notification was sent 10–19 hours after the 72-hour notification deadline • 1 notification was sent 30–39 hours after the 72-hour notification deadline • 1 notification was sent 70–79 hours after the 72-hour notification deadline. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Our investigations confirm that there have been some incidents of non-compliance with the requirement to notify the Secretariat at least 72 hours in advance of intended transhipment operations. It should, however, be underlined that the transhipment operations identified as non-compliant with CM 10-09, paragraph 2, did not start before at least 72 hours after the notifications were sent.</p> <p>There has been a close dialogue between Norwegian authorities and the vessels/vessel owner regarding the importance of complying with CM 10-09. Before the start of the 2021/22 fishing season, new procedures were implemented on board the vessels. These procedures have reduced the room for manual errors, and the level of compliance has increased significantly compared with previous seasons.</p> <p>Norwegian authorities will continue to work with the vessels/vessel owner in order to further enhance the understanding of and compliance with CM 10-09.</p> <p>Regarding compliance status, we consider most of the cases of non-compliance with CM 10-09 as minor infringements (Level 1). However, as there are several incidents identified, we suggest the status Non-compliant Level 2.</p>	Non-compliant (Level 2)	No further action required
Preliminary Status: Non-compliant (Level 2)					

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Panama		<p>CM 10-09, paragraph 2, 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.</p> <p>Analysis of the transshipment data identified non-compliance with four notifications.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 3 notifications were sent 0–9 hours after the 72-hour notification deadline • 1 notification was sent 40–49 hours after the 72-hour notification deadline. <p>A list of individual transshipments is available as an attachment to this record on the website.</p>	<p>Following the issuance of the new fisheries law No. 204 of 18 March 2021, we are discussing the regulatory processes of the fisheries law in order to achieve the coverage of fisheries and aquaculture aspects including the periods of submission of information by vessels as for example, the constant that based on domestic regulation, Panama requires its vessels a period of pre-notification of activities of transfer of fishery products, supplies or other with 48 hours minimum, which leaves us at a disadvantage with the requirements of some measures of CCAMLR. Therefore, Panama has communicated to its vessels operating in the CCAMLR area the obligation to comply with conservation and management measures, especially CM 10-09.</p> <p>Further Action: Panama has identified non-compliance with CM 10-09, paragraph 2, regarding the submission of information to the Secretariat of the Convention, the necessary measures will be taken for non-compliance and referred to the enforcement department for investigation and the required sanction.</p> <p>Panama has made changes in the structure of the institution, focused on capacity building, causing a constant review of compliance with RFMO conservation measures by our Panamanian-flagged vessels.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>	Non-compliant (Level 2)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Russia		<p>CM 10-09, paragraph 2, 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.</p> <p>Analysis of the transshipment data identified non-compliance with two notifications.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 0–9 hours after the 72-hour notification deadline • 1 notification was sent 20–29 hours after the 72-hour notification deadline. <p>A list of individual transshipments is available as an attachment to this record on the website.</p>	<p>Russia investigated the mentioned cases in detail in accordance with paragraphs 2 and 3 of CM 10-09, the competent authority requires vessels to notify the Secretariat directly. During the investigation of these incidents, it was established that, at the time specified, the transport vessels flying the flag of the Russian Federation were leased by the company Baltmed Reefer Service Ltd. (Greece), which essentially controlled the vessel’s commercial activities. Taking into account the fact that the Greek company was the vessel operator, a misunderstanding arose in respect of the procedure for confirmation of transshipments in the Convention Area. The conservation measure does not allow for the possibility of vessel operators notifying of transshipments. Nonetheless, the actual management of vessels’ commercial activity, including transshipments, is done by the operator. Vessel owners are essentially limited in their ability to get involved in the commercial side of vessel’s activities during the term of a lease. In cases when CM 10-09 does not account for the specifics of vessel operators’ commercial activity, this needs to be corrected in terms of including the possibility of directing vessel operators to provide to the Secretariat notifications of transshipments in the Convention Area.</p> <p>Further Action: CM 10-09 may need to be adjusted.</p> <p>Preliminary Status: Need of interpretation by SCIC</p>	Minor non-compliant (Level 1)	See paragraphs 87 and 88
Vanuatu		<p>CM 10-09, paragraph 2, 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.</p>	Nil response	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>Analysis of the transshipment data identified non-compliance with two notifications.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 0–9 hours after the 72-hour notification deadline • 1 notification was sent 20–29 hours after the 72-hour notification deadline. <p>A list of individual transshipments is available as an attachment to this record on the website.</p>			
Australia		<p>CM 10-09, paragraph 3, states that each Flag State shall notify the Secretariat at least 2 hours in advance from the transshipment of items other than harvested marine living resources, bait or fuel.</p> <p>Analysis of the transshipment data identified non-compliance with one notification.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 1 hour–1 hour 30 minutes after the 2-hour notification deadline. <p>A list of individual transshipments is available as an attachment to this record on the website.</p>	<p>Australia confirms that the vessel submitted the notification of transshipment to the Secretariat late. The transshipment involved the provision of refrigeration parts to another vessel.</p> <p>The vessel has advised that it experienced issues with its satellite communication system during the trip. As a result, the communication system on the vessel has now been replaced.</p> <p>Australia has contacted the vessel operator to ensure that prenotification timings for transshipment events are adhered to.</p> <p>Further Action: No further action</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Norway		<p>CM 10-09, paragraph 3, states that each Flag State shall notify the Secretariat at least 2 hours in advance from the transshipment of items other than harvested marine living resources, bait or fuel.</p> <p>Analysis of the transshipment data identified non-compliance with two notifications.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 2 notifications were sent 0–30 minutes after the 2-hour notification deadline. <p>A list of individual transshipments is available as an attachment to this record on the website.</p>	<p>Our investigations confirm that there have been a few incidents of non-compliance with the requirement to notify the Secretariat at least 2 hours in advance of intended transshipment of items other than harvested marine living resources, bait or fuel.</p> <p>There has been a close dialogue between Norwegian authorities and the vessels/vessel owner regarding the importance of complying with CM 10-09. Before the start of the 2021/22 fishing season, new procedures were implemented on board the vessels. These procedures have reduced the room for manual errors, and the level of compliance has increased significantly compared with the previous seasons.</p> <p>Norwegian authorities will continue to work with the vessels/vessel owner in order to further enhance the understanding of and compliance with CM 10-09.</p> <p>Regarding compliance status, we consider most of the cases of non-compliance with CM 10-09 as minor infringements (Level 1). However, as there are several incidents identified, we suggest the status Non-compliant Level 2.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>	Non-compliant (Level 2)	No further action required
Panama		<p>CM 10-09, paragraph 3, states that each Flag State shall notify the Secretariat at least 2 hours in advance from the transshipment of items other than harvested marine living resources, bait or fuel.</p> <p>Analysis of the transshipment data identified non-compliance with one notification.</p>	Panama has identified non-compliance with CM 10-09, paragraph 3, regarding the submission of information to the Secretariat, the necessary measures will be taken for non-compliance and referred to the enforcement department for investigation and the required sanction.	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 0–30 minutes after the 2-hour notification deadline. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Further Action: Panama has communicated to its vessels operating in the CCAMLR area the obligation to comply with conservation and management measures, especially CM 10-09.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
United Kingdom		<p>CM 10-09, paragraph 3, states that each Flag State shall notify the Secretariat at least 2 hours in advance from the transhipment of items other than harvested marine living resources, bait or fuel.</p> <p>Analysis of the transhipment data identified non-compliance with one notification.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 0–30 minutes after the 2-hour notification deadline. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>The UK investigated this potential infringement.</p> <p>This transhipment was a movement of supplies between the <i>San Aotea II</i> and the <i>Argos Helena</i> on 5 December 2021.</p> <p>The <i>San Aotea II</i> provided the transhipment notification at 12:14 and the <i>Argos Helena</i> at 12:46, both signalling a transhipment of supplies would take place on 5 December at 14:30, dependent on ice conditions.</p> <p>The <i>Argos Helena</i> finished hauling lines at 14:24 and then steamed towards the transhipment meeting point, arriving at 15:47. The transhipment took place at 15:50. At 16:05, the <i>Argos Helena</i> notified the Secretariat that the transhipment was completed.</p> <p>The transhipment took place 3 hours 4 minutes after the notification was sent.</p> <p>Further Action: None</p> <p>Preliminary Status: Compliant</p>	Need of interpretation by SCIC	See paragraph 90

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Korea, Republic of		<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transshipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p> <p>Analysis of the transshipment data identified non-compliance with one notification.</p> <p>One transshipment which was notified for was not confirmed.</p> <p>A list of individual transshipments is available as an attachment to this record on the website.</p>	<p>The <i>Sejong</i> received four (4) fenders from the <i>Zefyros Reefer</i> on 23 June 2022 which was reported to the Secretariat two hours prior to the transshipment in accordance with paragraph 3 of CM 10-09. The fenders were then transferred to another vessel, <i>Frio Mogami</i>, on 26 June when the <i>Sejong</i> transhipped krill to the carrier vessel. The confirmation report on the fender transshipment from the <i>Zefyros Reefer</i> to the <i>Sejong</i> was omitted by honest mistake but the <i>Sejong</i> commented that the vessel transferred four fenders to the <i>Frio Mogami</i> when it submitted end-of-transshipment report to the Secretariat on 27 June. The information on the transshipment of four fenders from the <i>Zefyros Reefer</i> was somehow confirmed but was not in the template shown in Annex 10-09. Therefore, Korea considers this incident minor non-compliant. The Ministry of Oceans and Fisheries of Korea, which delegates transshipment reporting to the vessel, gave stern instruction to the operator to prevent any such future incidents. As (1) this incident was one-off and by honest mistake, and later reported to the Secretariat in full format (2) the relevant information was indirectly provided within 3 working days of the transshipment, (3) Korea took actions to prevent future incidents, Korea considers no further action is required on this case.</p> <p>Further Action: No further action required</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required
New Zealand		<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transshipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p>	<p>Investigation has confirmed that the vessel did not provide the required notification under CM 10-09, paragraph 5, to confirm that a transshipment of engineering parts had been completed. The vessel provided notification to the vessel operator but did not include officials and the Secretariat as required.</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>Analysis of the transshipment data identified non-compliance with one notification.</p> <p>One transshipment which was notified for was not confirmed.</p> <p>A list of individual transshipments is available as an attachment to this record on the website.</p>	<p>There was then an administrative oversight by New Zealand officials who did not follow up with the vessel operator on the missing transshipment notification. Administrative procedures have been amended by the Contracting Party to ensure this does not occur again.</p> <p>Further Action: No further action required</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
Norway		<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transshipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p> <p>Analysis of the transshipment data identified non-compliance with three notifications.</p> <p>Three transshipments which were notified for were not confirmed.</p> <p>A list of individual transshipments is available as an attachment to this record on the website.</p>	<p>According to the Implementation Summary provided by the Secretariat, three transshipments which were notified for were not confirmed as required by CM 10-09, paragraph 5.</p> <p>However, our investigations have shown that a confirmation was provided for the transshipments that were notified 20 May 2022 (THP_ID 118429 and 118428). According to our records, the Directorate of Fisheries received the confirmation 25 May 2022 at 19:52. The transshipment that was notified 8 February 2022 has not been confirmed.</p> <p>There has been a close dialogue between Norwegian authorities and the vessels/vessel owner regarding the importance of complying with CM 10-09. Before the start of the 2021/22 fishing season, new procedures were implemented on board the vessels. These procedures have reduced the room for manual errors, and the level of compliance has increased significantly compared with previous seasons.</p> <p>Norwegian authorities will continue to work with the vessels/vessel owner in order to further enhance the understanding of and compliance with CM 10-09.</p>	Non-compliant (Level 2)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>Regarding compliance status we consider most of the cases of non-compliance with CM 10-09 as minor infringements (Level 1). However, as there are several incidents identified, we suggest the status Non-compliant Level 2.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>		
Panama		<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transshipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p> <p>Analysis of the transshipment data identified non-compliance with three notifications.</p> <p>Three transshipments which were notified for were not confirmed.</p> <p>A list of individual transshipments is available as an attachment to this record on the website.</p>	<p>Panama has identified non-compliance with CM 10-09, paragraph 5, regarding the submission of information to the Secretariat, the necessary measures will be taken for non-compliance and referred to the enforcement department for investigation and the required sanction.</p> <p>Further Action: Panama has communicated to its vessels operating in the CCAMLR area the obligation to comply with conservation and management measures, especially CM 10-09.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required
Russia		<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transshipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p> <p>Analysis of the transshipment data identified non-compliance with eight notifications.</p> <p>Eight transshipments which were notified for were not confirmed.</p>	<p>Russia investigated the mentioned cases in detail in accordance with paragraphs 2 and 3 of CM 10-09, the competent authority requires vessels to notify the Secretariat directly. During the investigation of these incidents, it was established that, at the time specified, the transport vessels flying the flag of the Russian Federation were leased by the company Baltmed Reefer Service Ltd. (Greece), which essentially controlled the vessel's commercial activities. Taking into account the fact that the Greek company was the vessel operator, a misunderstanding arose in respect of the procedure for confirmation of transshipments in the Convention Area.</p>	Minor non-compliant (Level 1)	See paragraph 91

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>The conservation measure does not allow for the possibility of vessel operators notifying of transhipments. Nonetheless, the actual management of vessels' commercial activity, including transhipments, is done by the operator. Vessel owners are essentially limited in their ability to get involved in the commercial side of vessel's activities during the term of a lease. In cases when CM 10-09 does not account for the specifics of vessel operators' commercial activity, this needs to be corrected in terms of including the possibility of directing vessel operators to provide to the Secretariat notifications of transhipments in the Convention Area.</p> <p>Further Action: CM 10-09 may need to be adjusted</p> <p>Preliminary Status: Need of interpretation by SCIC</p>		
Vanuatu		<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transhipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p> <p>Analysis of the transhipment data identified non-compliance with two notifications.</p> <p>Two transhipments which were notified for were not confirmed.</p> <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	Nil response	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Panama		<p>CM 10-09, paragraph 8, states that no vessel may tranship within the Convention Area for which prior notification, pursuant to paragraphs 2, 3 and 4, has not been given.</p> <p>Analysis of the transhipment data identified non-compliance with four transhipments.</p> <p>Four transhipments were confirmed but no notification was given by the Flag State or the vessel.</p> <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Panama has identified non-compliance with CM 10-09, paragraph 8, regarding the submission of information to the Secretariat, the necessary measures will be taken for non-compliance and referred to the enforcement department for investigation and the required sanction.</p> <p>Further Action: Panama has communicated to its vessels operating in the CCAMLR area the obligation to comply with conservation and management measures, especially CM 10-09.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>	Non-compliant (Level 2)	No further action required
Russia		<p>CM 10-09, paragraph 8, states that no vessel may tranship within the Convention Area for which prior notification, pursuant to paragraphs 2, 3 and 4, has not been given.</p> <p>Analysis of the transhipment data identified non-compliance with three transhipments.</p> <p>Three transhipments were confirmed but no notification was given by the Flag State or the vessel.</p> <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Russia investigated the mentioned cases in detail in accordance with paragraphs 2 and 3 of CM 10-09, the competent authority requires vessels to notify the Secretariat directly. During the investigation of these incidents, it was established that, at the time specified, the transport vessels flying the flag of the Russian Federation were leased by the company Baltmed Reefer Service Ltd. (Greece), which essentially controlled the vessel's commercial activities. Taking into account the fact that the Greek company was the vessel operator, a misunderstanding arose in respect of the procedure for confirmation of transhipments in the Convention Area. The conservation measure does not allow for the possibility of vessel operators notifying of transhipments. Nonetheless, the actual management of vessels' commercial activity, including transhipments, is done by the operator. Vessel owners are essentially limited in their ability to get involved in the commercial side of vessel's activities during the term of a lease.</p>	Minor non-compliant (Level 1)	See paragraph 92

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>In cases when CM 10-09 does not account for the specifics of vessel operators' commercial activity, this needs to be corrected in terms of including the possibility of directing vessel operators to provide to the Secretariat notifications of transshipments in the Convention Area.</p> <p>Further Action: CM 10-09 may need to be adjusted</p> <p>Preliminary Status: Need of interpretation by SCIC</p>		
Vanuatu		<p>CM 10-09, paragraph 8, states that no vessel may tranship within the Convention Area for which prior notification, pursuant to paragraphs 2, 3 and 4, has not been given.</p> <p>Analysis of the transshipment data identified non-compliance with two transshipments.</p> <p>Two transshipments were confirmed but no notification was given by the Flag State or the vessel.</p> <p>A list of individual transshipments is available as an attachment to this record on the website.</p>	Nil response	Minor non-compliant (Level 1)	No further action required
Conservation Measure 25-02					
Australia	<i>Antarctic Aurora</i>	<p>CM 41-08, paragraph 5, states the longline fishery shall be carried out in accordance with CM 25-02.</p> <p>CM 25-02, Annex 25-02/A, paragraph 4, states the streamer length shall be a minimum of 1 metre at the seaward end.</p>		Compliant	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>Observer report #2101 for the trip on the Australian-flagged <i>Antarctic Aurora</i> for the period 16 July 2021 to 29 September 2021 reported the following: ‘Streamer length min/max (m): 7.5/0.5’.</p>	<p>Australia investigated this incident including reviewing the observer report #2101 and port inspection report and discussing with the relevant observer and port inspector. The observer confirmed that the vessel was compliant with CM 25-02 for minimum streamer length and indicated that 0.5 m was a typographical error on the included diagram which should have been 1.5 m. Australia’s review of the port inspection report indicates that the streamer line meets specifications and discussion with the inspector further confirmed this.</p> <p>In addition, Australia contacted the vessel to further verify the streamer line lengths. It was not possible to confirm that the minimum sized streamers were used for this particular trip as the tori lines have since been replaced as part of routine standard maintenance practice.</p> <p>Further Action: No action required.</p> <p>Preliminary Status: Compliant</p>		
Ukraine	<i>Calipso</i>	<p>CM 41-08, paragraph 5, states the longline fishery shall be carried out in accordance with CM 25-02.</p> <p>CM 25-02, Annex 25-02/A, paragraph 4, states that streamers are to be comprised of brightly coloured plastic tubing or cord.</p> <p>Observer report #2183 for the trip on the Ukrainian-flagged vessel <i>Calipso</i> for the period 24 October 2021 to 10 January 2022 reported the following:</p>	<p>CM 25-02, Annex 25-02/A, paragraph 1, states: ‘...Vessels are encouraged to optimise the aerial extent...’</p> <p>The streamer line followed the CCAMLR design. The manufacturing material had a bright orange colour (a plastic strip 3 cm wide).</p> <p>Canvas strips used on the <i>Calipso</i> look more agile and provide better streamer line efficiency. As a result, no by-catch of birds was registered. Besides, no cases of birds eating the bait during the entire observation period were reported.</p>	Compliant	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		‘Streamers were bright orange and consisted of 3cm canvas strips [Figure 45]’.	This could be discussed at the SCIC meeting whether using of canvas strips violates the birds mortality minimisation purpose. Preliminary Status: Compliant		
Ukraine	<i>Simeiz</i>	CM 41-08, paragraph 5, states the longline fishery shall be carried out in accordance with CM 25-02. CM 25-02, Annex 25-02/A, paragraph 4, states the streamer length shall be a minimum of 1 metre at the seaward end. Observer report #2179 for the trip on the Ukrainian-flagged vessel <i>Simeiz</i> for the period 24 October 2021 to 10 February 2022 reported the following: ‘Streamer length min/max (m): 0.52/7.1’.	CM 25-02, Annex 25-02/A, paragraph 1, states: ‘...Vessels are encouraged to optimise the aerial extent...’ The streamer line on the <i>Simeiz</i> is fully compliant with the minimum requirements and has been extra-equipped by a number of additional strips of length shorter than 1 metre. Preliminary Status: Compliant	Minor non-compliant (Level 1)	No further action required
Japan	<i>Shinsei Maru No. 8</i>	CM 41-09, paragraph 7, states the longline fishery shall be carried out in accordance with CM 25-02. CM 25-02 Annex 25-02/A, paragraph 4, states the streamer length shall be a minimum of 1 metre at the seaward end. Observer report #2187_2188 for the trip on the Japanese-flagged vessel <i>Shinsei Maru No. 8</i> for the period 28 October 2021 to 21 May 2022 reported the following: ‘Streamer lengths 0.55 – 6.75m’.	It was confirmed that it used the streamer line including two streamers at the seaward end which were less than 1 m during the specified period. It was also confirmed that the length of those streamers was sufficient enough to reach the sea surface, as specified in paragraph 4 of CM 25-02, Annex 25-02/A. The vessel is sure to operate in the future in accordance with relevant conservation measures. Preliminary Status: Minor non-compliant (Level 1)	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Conservation Measure 26-01					
China	<i>Fu Yuan Yu 9818</i>	<p data-bbox="533 276 1025 499">CM 26-01, paragraph 1, states that vessels fishing in the Convention Area shall be prohibited from discharging plastics into the sea, in accordance with MARPOL Annex V on Regulations from the Prevention of Pollution by Garbage from ships.</p> <p data-bbox="533 523 1025 651">Observer report #2132 for the trip on the Chinese-flagged vessel <i>Fu Yuan Yu 9818</i> from 10 June 2021 to 25 August 2021 reported the following: ‘Combustible waste was incinerated and the residue retained. It was retained on deck and the residue was more safely stored using tarpaulin and cordage to prevent it blowing away following a recommendation by the observer to do so. It was still stored on deck, however. The observer witnessed waste left un-stowed prior to incineration, leaving it at risk of blowing away.</p> <p data-bbox="533 986 1025 1114">There were four separate incidents in which waste was accidentally lost. These included cardboard packaging, plastic bags and cans’.</p> <p data-bbox="533 1137 1025 1265">The loss of plastic bags at sea due to the management practices of waste prior to incineration has been assessed as a prohibited discharge of plastic into the sea.</p>	<p data-bbox="1025 276 1630 467">The said incidents were unintentional loss due to strong wind. Afterwards, <i>Fu Yuan Yu 9818</i> changed to a new iron-cage garbage storage container which is properly covered and secured. The measure can effectively prevent the loss of garbage even under strong wind.</p> <p data-bbox="1025 491 1630 651">Further Action: China will emphasise this issue during the annual training course to be held in November this year to prevent similar incident happening again in the future.</p> <p data-bbox="1025 675 1630 715">Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	See paragraph 95

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
France	<i>Le Saint Andre</i>	<p>CM 26-01, paragraph 9, prohibits the dumping or discharging of offal or discards south of 60°S.</p> <p>From 1 February 2022 to 12 February 2022 the <i>Le Saint Andre</i> reported in their C2 data discarding south of 60°S 135 individuals of TOA with a total weight of 1 720.12 kg and 2 individuals of SRX with a total weight of 6.6 kg.</p>	<p>France has investigated this matter with competent authorities and the shipowner in order to determine the origin of this issue. We can confirm that it is the result of an error in filling the C2 file.</p> <p>The crew operated as they usually do in waters under national jurisdiction, where the terminology used in the national reporting is ‘weighed and discarded’ even if the discards take place subsequently and are kept on board in the meantime. This instance has been clarified with shipowners so that the discards, that are kept onboard and discarded only when north of 60°S, will be correctly declared as ‘retained’ during the operations south of 60°S.</p> <p>The report from the international observer onboard confirms that there was no discharge south of 60°S: ‘The waste is stored in bags for shore disposal. Kitchen and factory waste or by-product is also crushed and stored in tanks onboard for high-seas disposal north of the 60° south latitude’.</p> <p>Instructions will be provided so that C2 data is correctly declared, however, no instance of non-compliance has been identified.</p> <p>Further Action: Further instructions on C2 data reporting will be provided.</p> <p>Preliminary Status: Compliant</p>	Compliant	No further action required
Uruguay	<i>Ocean Azul</i>	<p>CM 26-01, paragraph 9, prohibits the dumping or discharging of offal or discards south of 60°S.</p>		Compliant	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		From 1 February 2022 to 12 February 2022 the <i>Ocean Azul</i> reported in their C2 data discarding south of 60°S 31 individuals of TOA with a total weight of 151 kg.	The observers (national and international) reported that the fish offal were retained on board for their elimination once out of the Convention Area. This was done once the vessel had left the CCAMLR area. Having carried out the relevant consultations, we conclude that discarded fish did not mean discarded at sea, and it is our understanding that the record in form C2v was ambiguous or unclear. Preliminary Status: Minor non-compliant (Level 1)		
Conservation Measure 31-01					
United Kingdom	<i>Argos Georgia</i>	As stated in COMM CIRC 22/37–SC CIRC 22/31, CM 31-01 for each fishing season the Commission shall establish such limitations or other measures, as necessary, around South Georgia. The <i>Argos Georgia</i> reported CE and C2 data for fishing for <i>Dissostichus eleginoides</i> in Subarea 48.3 in June 2022 contrary to CM 31-01. This event is considered further on the Draft IUU Vessel List (COMM CIRC 22/64).	As set in detail in COMM CIRC 22/51–SC CIRC 22/50, the UK clearly sets out its 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. There is no scientific or legal justification for any Member seeking the closure of the Patagonian toothfish fishery in Subarea 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 CCAMLR-40 were consistent with the best available science and in accordance with the CCAMLR decision rules. In relation to CM 31-01 which requires CCAMLR to ‘establish such limitations or other measures, as necessary’ for fishing in Subarea 48.3, but which 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 CM 31-01 was adopted.	No consensus reached	See paragraphs 97 to 102

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
United Kingdom	<i>Argos Helena</i>	<p data-bbox="539 975 1003 1126">As stated in COMM CIRC 22/37–SC CIRC 22/31, CM 31-01 for each fishing season the Commission shall establish such limitations or other measures, as necessary, around South Georgia.</p> <p data-bbox="539 1158 1003 1270">The <i>Argos Helena</i> reported CE and C2 data for fishing for <i>Dissostichus eleginoides</i> in Subarea 48.3 in June 2022 contrary to CM 31-01.</p> <p data-bbox="539 1302 1003 1390">This event is considered further on the Draft IUU Vessel List (COMM CIRC 22/64).</p>	<p data-bbox="1032 248 1603 400">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 CM 31-01.</p> <p data-bbox="1032 432 1603 552">Furthermore, the UK has operated the South Georgia toothfish fishery in line with all relevant conservation measures including, but not limited to, CM 10-02, CM 10-04, CM 10-05 and CM 23-01.</p> <p data-bbox="1032 584 1603 895">The UK does not believe COMM CIRC 22/37–SC CIRC 22/31 explicitly demonstrates non-compliance with CM 31-01. Given the vessels operating in the South Georgia fishery have been included on the preliminary Draft IUU List for Contracting Parties as requested by one Member, we believe this matter will be considered by SCIC under CM 10-06 and should therefore be removed from consideration under CM 31-01 and the draft compliance report.</p> <p data-bbox="1032 927 1357 951">Preliminary Status: Compliant</p>	No consensus reached	See paragraphs 97 to 102

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>There is no scientific or legal justification for any Member seeking the closure of the Patagonian toothfish fishery in Subarea 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 CCAMLR-40 were consistent with the best available science and in accordance with the CCAMLR decision rules.</p> <p>In relation to CM 31-01 which requires CCAMLR to ‘establish such limitations or other measures, as necessary’ for fishing in Subarea 48.3, but which 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 CM 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 CM 31-01.</p> <p>Furthermore, the UK has operated the South Georgia toothfish fishery in line with all relevant conservation measures including, but not limited to, CM 10-02, CM 10-04, CM 10-05 and CM 23-01.</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>The UK does not believe COMM CIRC 22/37–SC CIRC 22/31 explicitly demonstrates non-compliance with CM 31-01. Given the vessels operating in the South Georgia fishery have been included on the preliminary Draft IUU List for Contracting Parties as requested by one Member, we believe this matter will be considered by SCIC under CM 10-06 and should therefore be removed from consideration under CM 31-01 and the draft compliance report.</p>		
			<p>Preliminary Status: Compliant</p>		
United Kingdom	<i>Nordic Prince</i>	<p>As stated in COMM CIRC 22/37–SC CIRC 22/31, CM 31-01 for each fishing season the Commission shall establish such limitations or other measures, as necessary, around South Georgia.</p> <p>The <i>Nordic Prince</i> reported CE and C2 data for fishing for <i>Dissostichus eleginoides</i> in Subarea 48.3 in June 2022 contrary to CM 31-01.</p> <p>This event is considered further on the Draft IUU Vessel List (COMM CIRC 22/64).</p>	<p>As set in detail in COMM CIRC 22/51–SC CIRC 22/50, the UK clearly sets out its 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.</p> <p>There is no scientific or legal justification for any Member seeking the closure of the Patagonian toothfish fishery in Subarea 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 CCAMLR-40 were consistent with the best available science and in accordance with the CCAMLR decision rules.</p> <p>In relation to CM 31-01 which requires CCAMLR to ‘establish such limitations or other measures, as necessary’ for fishing in Subarea 48.3, but which 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.</p>	No consensus reached	See paragraphs 97 to 102

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
United Kingdom	<i>Polar Bay</i>	<p data-bbox="535 1066 1003 1217">As stated in COMM CIRC 22/37–SC CIRC 22/31, CM 31-01 for each fishing season the Commission shall establish such limitations or other measures, as necessary, around South Georgia.</p> <p data-bbox="535 1254 1003 1369">The <i>Polar Bay</i> reported CE and C2 data for fishing for <i>Dissostichus eleginoides</i> in Subarea 48.3 in June 2022 contrary to CM 31-01</p>	<p data-bbox="1032 248 1603 491">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 CM 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 CM 31-01.</p> <p data-bbox="1032 528 1603 643">Furthermore, the UK has operated the South Georgia toothfish fishery in line with all relevant conservation measures including, but not limited to, CM 10-02, CM 10-04, CM 10-05 and CM 23-01.</p> <p data-bbox="1032 679 1603 986">The UK does not believe COMM CIRC 22/37–SC CIRC 22/31 explicitly demonstrates non-compliance with CM 31-01. Given the vessels operating in the South Georgia fishery have been included on the preliminary Draft IUU List for Contracting Parties as requested by one Member, we believe this matter will be considered by SCIC under CM 10-06 and should therefore be removed from consideration under CM 31-01 and the draft compliance report.</p> <p data-bbox="1032 1023 1357 1046">Preliminary Status: Compliant</p>	No consensus reached	See paragraphs 97 to 102

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>This event is considered further on the Draft IUU Vessel List (COMM CIRC 22/64).</p>	<p>There is no scientific or legal justification for any Member seeking the closure of the Patagonian toothfish fishery in Subarea 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 CCAMLR-40 were consistent with the best available science and in accordance with the CCAMLR decision rules.</p> <p>In relation to CM 31-01 which requires CCAMLR to ‘establish such limitations or other measures, as necessary’ for fishing in Subarea 48.3, but which 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 CM 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 CM 31-01.</p> <p>Furthermore, the UK has operated the South Georgia toothfish fishery in line with all relevant conservation measures including, but not limited to, CM 10-02, CM 10-04, CM 10-05 and CM 23-01.</p> <p>The UK does not believe COMM CIRC 22/37–SC CIRC 22/31 explicitly demonstrates non-compliance with CM 31-01.</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>Given the vessels operating in the South Georgia fishery have been included on the preliminary Draft IUU List for Contracting Parties as requested by one Member, we believe this matter will be considered by SCIC under CM 10-06 and should therefore be removed from consideration under CM 31-01 and the draft compliance report.</p> <p>Preliminary Status: Compliant</p>		
Conservation Measure 41-01					
France	<i>Le Saint Andre</i>	<p>CM 41-01, Annex C, paragraph 2(i), requires the tag and release of toothfish according to the CCAMLR Tagging Protocol. The CCAMLR Tagging Protocol states that a gaff should not be used for landing fish to be tagged.</p> <p>Observer report #2219 for the trip on the French-flagged vessel <i>Le Saint Andre</i> for the period 19 November 2021 to 26 February 2022 reported the following: ‘The vessel had a system onboard of using “blunt gaffing poles” with plastic sheath covering which was used to bring the big fish onboard. A net-woven stretcher was then used for release back into the water.’</p>	<p>As noted by the international observer in his report, crewmembers use a blunt pole as a handling aid or stabiliser, adapted to haul larger toothfish onboard without hurting them. After tagging, they then use a stretcher to lift the toothfish and release them into the water.</p> <p>This use of auxiliary tools, under the supervision of an officer and the onboard observer, is not inconsistent with the requirements of the Tagging Protocol.</p> <p>Besides, this instance echoes a similar one encountered in 2020 where France had already provided explanations on the method used by crewmembers. In this similar case, there was consensus amongst Members to retain a compliance status on this issue (refer to CCAMLR-39/BG/15 Rev. 1).</p> <p>Further Action: No further action required.</p> <p>Preliminary Status: Compliant</p>	Compliant	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Spain	<i>Tronio</i>	<p>CM 41-01, Annex C, paragraph 2(iii), states that each vessel shall achieve a minimum tag-overlap statistic of 60% for each species of <i>Dissostichus</i>. However, for any vessel fishing for <i>Dissostichus</i> spp. which meets the required tagging rate, the minimum tag-overlap statistic of 60% shall not apply for a species of <i>Dissostichus</i> for which less than 30 fish have been tagged.</p> <p>CM 41-09, paragraph 13, states the tagging rate as 1 fish per tonne green weight caught in each SSRU.</p> <p>The Spanish-flagged vessel <i>Tronio</i> achieved a tagging overlap statistic of 55.35% in Subarea 88.1, SSRU I.</p>	<p>Response submitted to the Secretariat by the EU via email:</p> <p>Currently under investigation. We intend to provide an update at the SCIC meeting.</p>	Minor non-compliant (Level 1)	See paragraph 104
Ukraine	<i>Marigolds</i>	<p>CM 41-01, Annex C, paragraph 2(iii), states that each vessel shall achieve a minimum tag-overlap statistic of 60% for each species of <i>Dissostichus</i>. However, for any vessel fishing for <i>Dissostichus</i> spp. which meets the required tagging rate, the minimum tag-overlap statistic of 60% shall not apply for a species of <i>Dissostichus</i> for which less than 30 fish have been tagged.</p> <p>CM 41-10, paragraph 13, states the tagging rate as 3 fish per tonne green weight caught in SSRUs 882C–G combined.</p> <p>The Ukrainian-flagged vessel <i>Marigolds</i> achieved a tagging overlap statistic of 55.89% in Subarea 88.2, SSRUs C–G combined.</p>	<p>The <i>Marigolds</i> didn't achieve the minimum tag-overlap statistic in SSRUs 882C–G due to the low catches and heavy ice situation. These reasons were leading to problems with fish of the necessary size selection for the tagging procedure.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Compliant	See paragraph 104

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
Spain	<i>Tronio</i>	<p>CM 41-01, Annex C, paragraph 4, states that all tag data shall be reported in the vessel’s monthly fine-scale catch and effort data (C2) and by the observer.</p> <p>CM 41-01, Annex C, paragraph 1, explicitly states that this is a Flag State responsibility.</p> <p>Tag numbers A607276 and A607277 were recovered by the <i>Tronio</i> on haul number 169 on 10 April 2022 and reported with the observer data.</p> <p>The C2 form (2 April 2022 to 15 April 2022), which covers the date of tag retrieval, does not record this tagging retrieval information and the C2 form (28 February 2021 to 1 April 2021), which covers the date range that the tag number sequence originated from, does not contain this tag deployment information.</p> <p>The vessel did not report the deployment of tags or retrieval of the tags in the vessel’s monthly fine-scale catch and effort data (C2).</p>	<p>Response submitted to the Secretariat by the EU via email:</p> <p>The missing information was due to an administrative oversight. It was submitted to the Secretariat on 7 September.</p> <p>Preliminary Status: No compliance status assigned</p>	Minor non-compliant (Level 1)	See paragraph 105
Conservation Measure 41-09					
Australia	<i>Antarctic Aurora</i>	CM 41-09, paragraph 13 , states toothfish shall be tagged at a rate of at least one fish per tonne green weight caught in each SSRU.	<p>The tool developed for observers to determine the toothfish tagging rate and overlap statistic was modified and contained an error, resulting in the miscalculation of the tagging rate for SSRU 881H. The tagging rate was met or exceeded the requirement overall but did not meet the requirement in SSRU 881H.</p>	Minor non-compliant (Level 1)	See paragraph 107

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The <i>Antarctic Aurora</i> achieved a tagging rate of 0.9 fish per tonne of green weight caught in SSRU 881H. The vessel caught 68.8 tonnes of <i>Dissostichus mawsoni</i> (2 248 individuals) and tagged 64 fish.</p>	<p>The tool used by observers to calculate the tagging rate while at sea has now been corrected, and the instructions to observers have been revised to ensure that the required tagging rate within each SSRU is met.</p> <p>Further Action: No further action</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
New Zealand	<i>Janas</i>	<p>CM 41-09, paragraph 13, states toothfish shall be tagged at a rate of at least one fish per tonne green weight caught in each SSRU.</p> <p>The <i>Janas</i> achieved a tagging rate of 0.7 fish per tonne of green weight caught in SSRU 881I. The vessel caught 29.8 tonnes of <i>Dissostichus mawsoni</i> (842 individuals) and tagged 21 fish.</p>	<p>Investigation has confirmed that the tagging rate achieved by the <i>Janas</i> while fishing in SSRU 881I did not meet the requirements under CM 41-09, paragraph 13. The vessel operator reported that the failure to achieve the required tagging rate was due the use of a tag overlap and ratio spreadsheet that included an error in the calculations.</p> <p>The vessel complied with the tagging rate in all other areas and the overall tagging rate for the season was 1.03.</p> <p>The New Zealand Ministry for Primary Industries, through its permitting regime, now requires additional reporting to New Zealand authorities by all New Zealand flagged vessels to ensure that no further breaches of tagging requirements under CM 41-09 will occur.</p> <p>Following the investigation, the owner of the vessel was sent an official warning letter by the Ministry for Primary Industries. This warning letter will remain on the company’s compliance record held by the Ministry for Primary Industries.</p>	Minor non-compliant (Level 1)	See paragraph 107

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>Further Action: No further action required.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>		
New Zealand	<i>San Aspiring</i>	<p>CM 41-09, paragraph 13, states toothfish shall be tagged at a rate of at least one fish per tonne green weight caught in each SSRU.</p> <p>The <i>San Aspiring</i> achieved a tagging rate of 0.9 fish per tonne of green weight caught in SSRU 881H. The vessel caught 113.1 tonnes of <i>Dissostichus mawsoni</i> (3 912 individuals) and tagged 107 fish.</p>	<p>Investigation has confirmed that the tagging rate achieved by the <i>San Aspiring</i> while fishing in SSRU 881H did not meet the requirements under CM 41-09, paragraph 13. The operator of the vessel has reported that the error was using a tag ratio calculator that calculated by subarea but not by SSRU. The vessels overall tagging rate for the season was 1.03.</p> <p>The New Zealand Ministry for Primary Industries, through its permitting regime, now requires additional reporting to New Zealand authorities by all New Zealand flagged vessels to ensure that no further breaches of tagging requirements under CM 41-09 will occur.</p> <p>Following the investigation, the owner of the vessel was sent an official warning letter by the Ministry for Primary Industries. This warning letter will remain on the company’s compliance record held by the Ministry for Primary Industries.</p> <p>Further Action: No further action required</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	See paragraph 107
Ukraine	<i>Calipso</i>	<p>CM 41-09, paragraph 13, states toothfish shall be tagged at a rate of at least one fish per tonne green weight caught in each SSRU.</p>	<p>It is well known and widely discussed in the past that the vessel is reasonably restricted in its ability to observe all the tagging requirements when fishing in SSRUs where the catch is relatively low. This is</p>	Compliant	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The <i>Calipso</i> achieved a tagging rate of 0.0 fish per tonne of green weight caught in SSRU 881J. The vessel caught 0.5 tonnes of <i>Dissostichus mawsoni</i> (24 individuals) and tagged 0 fish.</p>	<p>followed by an exemption from the general tagging overlap requirement, stated in Annex 41-01/C, paragraph 2(iii), which is not applicable to a minimum tagging rate requirement but is guided by the same reason.</p> <p>The <i>Calipso</i> failed to tag and release a minimum required number of fish in SSRU 881J because there was a lack of TOA specimens caught in a suitable for tag and release purpose in accordance with Annex 41-01/C, paragraph 2(ii).</p> <p>It would be important to note that the vessel’s stay in SSRU 881J is from 16:18 to 16:43 (25 minutes), as it has been reported to the CCAMLR Secretariat. The fact that the majority of longlines 54 and 55 were set in SSRU 881H and the hauls of these longlines were taken entirely in SSRU 881H explains the lack of toothfish tagging statistics in SSRU 881J. No line hauls were taken in SSRU 881J.</p> <p>Preliminary Status: Compliant</p>		
Ukraine	<i>Calipso</i>	<p>CM 41-09, paragraph 13, states toothfish shall be tagged at a rate of at least one fish per tonne green weight caught in each SSRU.</p> <p>The <i>Calipso</i> achieved a tagging rate of 0.9 fish per tonne of green weight caught in SSRU 881H. The vessel caught 9.1 tonnes of <i>Dissostichus mawsoni</i> (330 individuals) and tagged 8 fish.</p>	<p>It is well known and widely discussed in the past that the vessel is reasonably restricted in its ability to observe all the tagging requirements when fishing in SSRUs where the catch is relatively low. This is followed by an exemption from the general tagging overlap requirement, stated in Annex 41-01/C, paragraph 2(iii), which is not applicable to a minimum tagging rate requirement but is guided by the same reason.</p>	Compliant	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
			<p>The <i>Calipso</i> failed to tag and release a minimum required number of fish in SSRU 881H because there was a lack of TOA specimens caught in a suitable for tag and release purpose in accordance with Annex 41-01/C, paragraph 2(ii).</p> <p>Besides, statistics for SSRUs 881I and 881H were aggregated according to CM 41-09, paragraph 2(ii), having a total catch limit in the 2021/22 season of 2 307 tonnes. The total catch of the vessel in this regulated area was 86 054.35 kg, fish tagged 88, tagging rate 1.023, tag overlap 74.9%.</p> <p>Preliminary Status: Compliant</p>		
United Kingdom	<i>Argos Helena</i>	<p>CM 41-09, paragraph 6, requires a vessel to move 5 n miles where the by-catch of any one species is equal to or greater than 1 tonne and shall not return to any point within the 5 n miles where the by-catch exceeded 1 tonne for a period of at least 5 days.</p> <p>CM 41-09, paragraph 6, also states for this measure ‘<i>Macrourus</i> spp.’ should be counted as a single species.</p> <p>One n mile is equivalent to 1 852 metres. Five n miles is equivalent to 9 260 metres.</p> <p>The <i>Argos Helena</i> in Subarea 88.1 reported that line number 13 had a total by-catch of 1.32 tonnes of <i>Macrourus</i> spp. with a completed hauling time of 11/12/2021 10:32 UTC.</p>	<p>The UK investigated this potential infringement.</p> <p>The UK accessed data from the video-based electronic monitoring system which provides independent fisheries monitoring integrating GPS positional data, vessel speed, heading, sensor activity and video (when fishing or during tori line activities) captured continuously at 10 second intervals. The period reviewed was 11 to 16 December 2021, chosen based on the end time of the haul triggering this rule and the subsequent 5 day ‘move on’ rule set out in CM 41-09.</p> <p>Figure 1 shows the data from the electronic monitoring system, which clearly shows the line set is close to, but does not enter, the 5 n miles buffer zone in the 5 days following the move on rule.</p> <p>Further Action: Vessels have been instructed to add an additional half nautical mile to the 5 n miles buffer to allow for line drift.</p>	Compliant	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		<p>The distance to the next-closest line set (line number 25 on 14/12/2021 01:07 UTC) was calculated to be 9 025 metres (4.9 n miles).</p> <p>Additional data on the calculation of distance and a graphical representation has been supplied.</p>	Preliminary Status: Compliant		
United Kingdom	<i>Argos Georgia</i>	<p>CM 41-09, paragraph 6, requires a vessel to move 5 n miles where the by-catch of any one species is equal to or greater than 1 tonne and shall not return to any point within the 5 n miles where the by-catch exceeded 1 tonne for a period of at least 5 days.</p> <p>CM 41-09, paragraph 6, also states for this measure ‘<i>Macrourus</i> spp.’ should be counted as a single species.</p> <p>One n mile is equivalent to 1 852 metres. Five n miles is equivalent to 9 260 metres.</p> <p>The <i>Argos Georgia</i> in Subarea 88.1 reported that line number 31 had a total by-catch of 1.26 tonnes of <i>Macrourus</i> spp. with a completed hauling time of 22/12/2021 14:12 UTC.</p> <p>The distance to the next-closest line set (line number 36 on 22/12/2021 15:23 UTC) was calculated to be 9 114 metres (4.9 n miles).</p>	<p>The UK investigated this potential infringement.</p> <p>The UK accessed data from the video-based electronic monitoring system which provides independent fisheries monitoring integrating GPS positional data, vessel speed, heading, sensor activity and video (when fishing or during tori line activities) captured continuously at 10 second intervals. The period reviewed was 22 to 27 December 2021, chosen based on the end time of the haul triggering this rule and the subsequent 5 day ‘move on’ rule set out in CM 41-09. Figure 1 shows the data from the electronic monitoring system.</p> <p>As shown in Figure 1, the line in question was set at 5 n miles from the point activating the move on rule. However, Figure 2 shows the line appears to drift into the buffer zone on setting, with 2.36 n miles of the 3.43 n mile line with a maximum distance of 0.11 n miles (200 m) within the buffer zone.</p> <p>Further Action: Vessels have been instructed to add an additional half nautical mile to the 5 n miles buffer to allow for line drift.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC Response
		Additional data on the calculation of distance and a graphical representation has been supplied.			
Conservation Measure 91-05					
Spain	<i>Tronio</i>	<p>CM 91-05, paragraph 24, requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the MPA.</p> <p>A movement notification for the <i>Tronio</i> was provided on 7 January 2022 08:33 UTC which confirmed entry into RSRMPA GPZ i on 7 January 2022 08:16 UTC.</p> <p>Time difference: 17 min after entry.</p>	<p>Response submitted to the Secretariat by the EU via email:</p> <p>Currently under investigation. We intend to provide an update at the SCIC meeting.</p>	Minor non-compliant (Level 1)	No further action required
Uruguay	<i>Ocean Azul</i>	<p>CM 91-05, paragraph 24, requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the MPA.</p> <p>A movement notification for the <i>Ocean Azul</i> was provided on 26 December 2021 23:26 UTC which confirmed entry into RSRMPA GPZ i on 26 December 2021 19:40 UTC.</p> <p>Time difference: 3 hours 46 min after entry.</p>	<p>The vessel notified entry in the MPA in transit after the event had happened. It should be taken into consideration that in those dates there were interruptions in the transmission of VMS data because of issues with communications.</p> <p>Preliminary Status: Minor non-compliant (Level 1)</p>	Minor non-compliant (Level 1)	No further action required

Non-Contracting Party IUU Vessel List 2022/23

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Amorinn</i>		7036345	5VAN9	<ul style="list-style-type: none"> • Sighted 58.5.1 (11 Oct 2003) • Sighted 58.4.2 (23 Jan 2004) 	2003	<ul style="list-style-type: none"> • Infitco Ltd (Ocean Star Maritime Co.) • Seric Business S.A.
<i>Antony</i>		7236634	PQMG	<ul style="list-style-type: none"> • Supporting IUU-listed vessels 	2016	<ul style="list-style-type: none"> • Atlanti Pez • Urgora S de RL • World Oceans Fishing SL
<i>Asian Warrior</i>		7322897		<ul style="list-style-type: none"> • Sighted 58.5.2 (31 Jan 2004) • Sighted 58.5.1 (10 May 2006) • Sighted 58.4.1 (21 Jan 2010) • Sighted 58.4.1 (13 Feb 2011) • Towing <i>Baiyangdian 57</i> (01 Apr 2012) • Sighted 58.6 (01 Jul 2012) • Sighted 58.4.2 (28 Jan 2013) • Sighted 57 (10 Mar 2013) • Fishing 58.5.1 (13 May 2013) • Sighted 57 (07 Sep 2013) • Sighted 58.4.1 (30 Mar 2014) • Sighted 57 (14 Apr 2014) • Sighted 57 (14 Dec 2014) • Hauling 5841H (07 Jan 2015) • Sighted 58.4.1 (11 Jan 2015) • Sighting 57 (26 Feb 2015) 	2003	<ul style="list-style-type: none"> • Navalmar S.A. • Meteora Development Inc • Vidal Armadores S.A. • Rajan Corporation • Rep Line Ventures S.A. • Stanley Management Inc • High Mountain Overseas S.A.

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Atlantic Wind</i>		9042001	5IM813	<ul style="list-style-type: none"> • Undocumented landing Malaysia (01 Aug 2004) • Fishing 58.4.3a (22 Feb 2005) • Fishing 58.4.3a (28 Apr 2005) • Fishing 58.4.3b (16 Dec 2005) • Fishing 58.4.3b (01 Jul 2009) • Fishing 58.4.2 (27 Jan 2010) • Fishing 58.4.3b (04 Apr 2010) • Fishing 58.4.1 (13 Feb 2011) • Sighted 57 (16 May 2012) • Sighted 57 (20 Oct 2012) • Sighted 57 (28 May 2013) • Sighted 57 (01 Jul 2013) • Sighted 57 (13 May 2014) • Sighted 57 (14 Dec 2014) • Fishing 5841H (12 Jan 2015) 	2004	<ul style="list-style-type: none"> • Viarsa Fishing Company/Navalmar S.A. • Global Intercontinental Services • Rajan Corporation • Redlines Ventures S.A. • High Mountain Overseas S.A.
<i>Baroon</i>		9037537		<ul style="list-style-type: none"> • Fishing 58.4.1 (19 Mar 2007) • Sighted 88.1 (15 Jan 2008) • Sighted 57 (19 Dec 2010) • Sighted 57 (05 Oct 2012) • Sighted 57 (24 Mar 2013) • Sighted 57 (03 Sep 2013) • Sighted 57 (19 Nov 2013) • Sighted 57 (14 Feb 2014) 	2007	<ul style="list-style-type: none"> • Punta Brava Fishing S.A. • Vero Shipping Corporation
<i>Challenge</i>		6622642	HO5381	<ul style="list-style-type: none"> • Sighted 58.4.3b (14 Feb 2006) • Sighted 58.4.3b (22 May 2006) • Sighted 58.4.3b (10 Dec 2006) • Sighted 58.4.3b (08 Feb 2008) 	2006	<ul style="list-style-type: none"> • Prion Ltd • Vidal Armadores S.A. • Mar de Neptuno S.A. • Advantage Company S.A. • Argibay Perez J.A.
<i>Good Hope</i>	Nigeria	7020126	5NMU	<ul style="list-style-type: none"> • Resupplying IUU vessels 51 (09 Feb 2007) 	2007	<ul style="list-style-type: none"> • Sharks Investments AVV • Port Plus Ltd

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Heavy Sea</i>		7322926	3ENF8	<ul style="list-style-type: none"> • Sighted 58.5.1 (03 Feb 2004) • Fishing 57 (29 Jul 2005) 	2004	<ul style="list-style-type: none"> • C & S Fisheries S.A. • Muner S.A. • Meteroros Shipping • Meteora Shipping Inc. • Barroso Fish S.A.
<i>Jinzhang</i>		6607666	PQBT	<ul style="list-style-type: none"> • Fishing 58.4.3b (23 May 2006) • Fishing 58.4.2 (18 Feb 2007) • Fishing 58.4.3b (24 Mar 2007) • Fishing 58.4.3b (12 Jan 2008) • Fishing 58.4.3b (09 Jan 2009) • Fishing 58.4.3b (20 Jan 2009) 	2006	<ul style="list-style-type: none"> • Arniston Fish Processors Pty Ltd • Nalanza S.A. • Vidal Armadores S.A. • Argibay Perez J.A. • Belfast Global S.A. • Eterna Ship Management
<i>Koosha 4</i>	Iran, Islamic Republic of	7905443	9BQK	<ul style="list-style-type: none"> • Sighted 58.4.1 (20 Jan 2011) • Sighted 58.4.1 (15 Feb 2011) 	2011	<ul style="list-style-type: none"> • Pars Paya Seyd Industrial Fish
<i>Limpopo</i>		7388267		<ul style="list-style-type: none"> • Fishing 58.5.2 (21 Sep 2003) • Sighted 58.5.1 (03 Dec 2003) • Fishing 58.4.3b (23 Feb 2005) • Fishing 58.4.3b (14 Dec 2005) • Sighted 58.4.3b (25 Jan 2007) 	2003	<ul style="list-style-type: none"> • Grupo Oya Perez (Kang Brothers) • Lena Enterprises Ltd • Alos Company Ghana Ltd
<i>Nika</i>		8808654		<ul style="list-style-type: none"> • Fishing without authorisation (08 Jun 2019) 	2020	<ul style="list-style-type: none"> • Jiho Shipping Ltd
<i>Northern Warrior</i>	Angola	8808903	PJSA	<ul style="list-style-type: none"> • Supporting IUU-listed vessels 	2016	<ul style="list-style-type: none"> • SIP • Areapesca SA • Snoek Wholesalers • Southern Trading Group • South Atlantic Fishing NV • World Ocean Fishing SL • Orkiz Agro-Pecuaria, Pescas, Transportes E Comercio Geral, Ltda

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Perlon</i>		5062479	5NTV21	<ul style="list-style-type: none"> • Sighted 58.5.1 (03 Dec 2002) • Sighted 58.5.1 (04 Jun 2003) • Sighted 58.4.2 (22 Jan 2004) • Sighted 58.4.3b (11 Dec 2005) • Fishing 58.4.1 (26 Jan 2006) • Sighted 58.4.3b (07 Dec 2006) • Sighted 58.4.1 (30 Dec 2006) • Sighted 58.4.1 (16 Dec 2008) • Gear sighted (10 Feb 2009) • Fishing 58.5.1 (08 Jun 2010) • Sighted 51 (10 Feb 2012) • Sighted 57 (20 Jul 2014) • Sighted, boarded 57 (22 Apr 2015) 	2003	<ul style="list-style-type: none"> • Vakin S.A. • Jose Lorenzo SL • Americagalaica S.A.
<i>Pescacisne 1, Pescacisne 2</i>		9319856	9LU2119	<ul style="list-style-type: none"> • Supporting activities of IUU vessels 51 (16 May 2008) • Sighted 58.4.3b (22 Apr 2009) • Sighted 57 (07 Dec 2009) • Fishing 58.4.1 (07 Apr 2010) • Sighted 58.4.1 (29 Jan 2012) • Sighted 58.4.1 (30 Jan 2012) • Sighted 58.4.1 (31 Jan 2012) • Sighted 57 (24 Apr 2012) • Fishing 58.6 (03 Jul 2012) • Sighted 57 (28 May 2013) • Sighted 57 (04 Jul 2013) • Sighted 58.4.1 (20 Jan 2014) • Sighted 57 (13 May 2014) • Sighting 57 (08 Dec 2014) • Hauling 5841H (06 Jan 2015) 	2008	<ul style="list-style-type: none"> • Mabenal S.A. • Vidal Armadores S.A. • Omunkete Fishing Pty Ltd • Gongola Fishing JV (Pty) Ltd • Eastern Holdings
<i>Sea Urchin</i>	The Gambia/ Stateless	7424891		<ul style="list-style-type: none"> • Fishing 58.4.4b (10 Nov 2006) 	2007	<ul style="list-style-type: none"> • Cecibell Securities • Farway Shipping

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>STS-50</i>	Togo	8514772	5VDR2	<ul style="list-style-type: none"> • Landing IUU catch (25 May 2016) • Sighted 57 (06 Apr 2017) 	2016	<ul style="list-style-type: none"> • Maruha Corporation • Taiyo Namibia • Taiyo Susan • Sun Tai International Fishing Corp • STD Fisheries Co. Ltd • Red Star Co. Ltd • Poseidon Co. Ltd • Marine Fisheries Corp. Co. Ltd

Contracting Party IUU Vessel List 2021/22

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

**Report of the Standing Committee on
Administration and Finance (SCAF)**

Contents

	Page
Opening of the meeting	245
Organisation of the meeting	245
Annual financial statements	245
Appointment of auditor	246
Report of the Secretariat	246
Secretariat Strategic Plan 2023–2026	247
Capacity building	247
Activities of the General Capacity Building Fund (GCBF)	247
Review of 2022 budget, 2023 draft budget and 2024 forecast budget	248
Review of 2022 budget	249
Draft budget for 2023	250
Forecast budget for 2024	252
Administrative issues	252
Other business	254
Report adoption	254
Close of the meeting	254
Appendix I: 2022 Budget, Draft 2023 Budget and Forecast Budget for 2024	255
Appendix II: Members' Contributions 2022, 2023, 2024	259

**Report of the Meeting of the Standing Committee
on Administration and Finance (SCAF)
(Hobart, Tasmania, 26 and 28 October 2022)**

Opening of the meeting

1. Ms S. Langerock (Belgium), as Chair of the Standing Committee on Administration and Finance (SCAF) for its 2022 meeting, facilitated discussions on Agenda Item 10 of the Commission's agenda.
2. The Chair welcomed delegates to the meeting, noting it was a pleasure to have an in-person meeting after two years of meeting virtually and via e-groups during the pandemic.

Organisation of the meeting

3. SCAF considered its agenda as adopted by the Commission.

Annual financial statements

4. The Secretariat introduced CCAMLR-41/03 Rev. 1 that explained the new accounting standards (Australian Equivalents to International Financial Reporting Standards (A-IFRS)) and highlighted the draft financial statements presented with the new standards (CCAMLR-41/03 Rev. 1, Annex 1) and the previous standards (CCAMLR-41/03 Rev. 1, Annex 2).
5. SCAF noted that there has been a delay due to the request from the Commission's appointed auditors (Australian National Audit Office (ANAO)) that A-IFRS be adopted by CCAMLR for financial statements dated 31 December 2021 and not from 31 December 2022 as had been originally understood by the Secretariat.
6. SCAF noted the paper and recommended that:
 - (i) the Commission adopt A-IFRS as its financial reporting framework and that this apply from the year ending 31 December 2021 and future years (see also CCAMLR-41/14 Rev. 1)
 - (ii) ANAO, as the appointed external auditor, complete the audit for 2021 and issue its report as soon as possible in accordance with this framework
 - (iii) the Commission note CCAMLR-41/03 Rev. 1, Annex 1, as the proposed new format of CCAMLR financial statements, using A-IFRS, which will apply from the financial year ended 31 December 2021.
7. SCAF accepted the financial report for year ended 31 December 2021 and recommended its adoption by the Commission.

Appointment of auditor

8. SCAF recommended that ANAO be appointed as the external auditor for the Commission for 2023 and 2024.

Report of the Secretariat

9. The Executive Secretary presented CCAMLR-41/05 and highlighted the following:

- (i) the implementation of NetSuite as the new accounting and human resources system, and Miktysh as the Secretariat's new electronic document management system
- (ii) the long and important association that Doug and Margaret McLaren have had with CCAMLR meetings upon their retirement, thanking them for their years of commitment
- (iii) the considerable work in science this year, including the Scientific Committee Symposium
- (iv) the completion of all compliance-related tasks, including the highly successful online electronic web-based Catch Documentation Scheme for *Dissostichus* spp. (e-CDS) training and the successful completion of the first stage of the e-CDS upgrade
- (v) the continued implementation of the website upgrades and the reintroduction of *CCAMLR Science* through a new krill-focused edition
- (vi) the upgrade of the vessel monitoring system.

10. The Executive Secretary noted the appointments and departures from Secretariat staff and highlighted the difficulties that COVID-19 had presented, particularly with international recruitment. The recent increase in local stamp duty now applicable to international house purchasing in Tasmania was also noted as a potential barrier in the appointment of senior international staff.

11. The Executive Secretary requested that SCAF note the increasing costs associated with CCAMLR meetings, increased data analysis requests and the need for data integration across CCAMLR data systems.

12. SCAF acknowledged the contents of the report, commended and thanked the Executive Secretary and staff, both past and present, for the high quality of work that was produced, and noted its acceptance of the report.

Secretariat Strategic Plan 2023–2026

13. The Executive Secretary presented CCAMLR-41/01 Rev. 1 and 41/07 highlighting the extensive consultation conducted, the four strategic themes of the Strategic Plan, and the additional staff required to implement the Secretariat Strategic Plan 2023–2026.
14. SCAF thanked the Executive Secretary and the Secretariat for the extensive work conducted under the 2019–2022 Strategic Plan, and for producing such a high-quality plan for the 2023–2026 period.
15. SCAF acknowledged the strategic strengths of the Strategic Plan, the challenges that the Secretariat foresees for the upcoming four years, and approved the responses proposed by the Secretariat to meet these challenges. It commended particularly the proposed focus on digital transformation, and further noted the importance of continuing to identify environmental sustainability measures.
16. SCAF recommended that the Commission endorse the Secretariat Strategic Plan 2023–2026 and associated Staffing and Salary Strategy 2023–2026 (CCAMLR-41/01 Rev. 1 and 41/07).
17. SCAF recommended that the Commission endorse the Staff Regulations as adopted in 2019 (CCAMLR-38, paragraph 4.4), the revised CCAMLR Staffing and Salary Strategy 2023–2026 (CCAMLR-41/07, Annex 1) and the revised Job Classification Scheme (CCAMLR-41/07, Annex 2) as the three parts of CCAMLR’s staffing policies.

Capacity building

Activities of the General Capacity Building Fund (GCBF)

18. The Secretariat introduced CCAMLR-41/13 Rev. 1. The paper presented the activities of the General Capacity Building Fund (GCBF) during 2022, noting there were no applicants for the general component of the GCBF.
19. There were four applicants for the travel component in 2022, two from Ukraine, one from Argentina and one from South Africa. These were all accepted with a budget of A\$10 000 each.
20. SCAF requested that recipients of travel grants provide a short report on the use of the funds received.
21. SCAF thanked the Panel for the paper and noted:
 - (i) the progress reports for the two successful general component grants agreed at CCAMLR-39
 - (ii) the request for the Panel to review the terms of reference if needed to include reporting requirements for recipients of travel grants
 - (iii) the successful applications for travel assistance in 2022

- (iv) that no applications were made to the general component in 2022
- (v) that the GCBF Panel currently does not have a Chair and encouraged Members to consider taking up the role
- (vi) the two new members to the Panel
- (vii) the call for expressions of interest to join the Panel
- (viii) the request for voluntary contributions from Members.

Review of 2022 budget, 2023 draft budget and 2024 forecast budget

22. SCAF welcomed the Chair of the Standing Committee on Implementation and Compliance (SCIC), Ms M. Engelke-Ros (United States of America (USA)) to speak on the proposal submitted to SCIC as CCAMLR-41/20.

23. The SCIC Chair noted that in accordance with Annex 10-05/B of Conservation Measure (CM) 10-05, the CDS Review Panel had convened to consider the proposal outlined in CCAMLR-41/20. The Panel accepted the report of the Secretariat regarding the expenditure in 2022 from the CDS Fund and approved the requested expenditure for 2023 of A\$220 000.

24. SCAF thanked the SCIC Chair for the update from the Committee and acknowledged the work of SCIC, the CDS Review Panel and the Secretariat in advancing the e-CDS upgrade.

25. SCAF welcomed the Chair of the Scientific Committee, Dr D. Welsford (Australia), to speak to SCAF regarding proposals from the Scientific Committee that have potential impacts on CCAMLR's budget.

26. The Chair of the Scientific Committee highlighted the importance of the General Science Capacity Fund (GSCF) in improving outcomes for the Scientific Committee and the quality of the advice that it provides to the Commission. In particular, the Scholarship Fund and convener funding have increased participation from traditionally underrepresented groups. The Chair of the Scientific Committee advised that the Scientific Committee had made the decision to limit the provision of scholarships to a maximum of two per year. Each scholarship recipient would receive a maximum of A\$30 000 over a two-year period.

27. The Scientific Committee had also decided to continue with the funding of conveners from Member delegations who have less capacity to fund participation. The funding would be limited to a maximum of A\$20 000 per year for each convener.

28. The Chair of the Scientific Committee also notified SCAF of two workshops that had been approved by the Scientific Committee which would also be funded from the GSCF. The first is a tagging workshop to be conducted in 2023 which would be jointly funded by the Coalition of Legal Toothfish Operators who will provide the venue and contribute other support costs. The GSCF would fund A\$15 000 to assist experts with travel and an additional A\$15 000 to assist Members with travel.

29. The second workshop is the krill observer workshop to be hosted by China in 2023. It was initially approved in 2019 (SC-CAMLR-XXX, paragraphs 3.14 to 3.20) with a budget of A\$30 000, however, it did not proceed due to COVID-19. Due to the delay, the budget has increased to A\$40 000.

30. SCAF thanked the Chair of the Scientific Committee for this update and the Scientific Committee for its work. SCAF agreed to support the additional A\$70 000 to come from the GSCF for these workshops and to adjust the budget accordingly.

31. SCAF agreed with the Chair of the Scientific Committee on the importance of the GSCF for the work of the Scientific Committee and encouraged Members to consider making voluntary contributions to the fund.

32. SCAF agreed with the Scientific Committee's clarification regarding the GSCF and the GCBF, namely that conveners and scholarship recipients would be funded from the GSCF and other delegates seeking to attend CCAMLR meetings, including the submission of an application by the Scientific Committee, from the GCBF.

33. The Chair of the Scientific Committee noted that there were no applications for funding from the CCAMLR Ecosystem Monitoring Program Fund this year, however, existing projects were still receiving funding together with the funds required to maintain the camera program.

34. SCAF also noted the requirement for an annual report to be presented by the Scientific Committee outlining the activities of the GSCF for that year.

Review of 2022 budget

35. The Secretariat presented the 2022 budget (Appendix I) and explained the budget items that had been updated. The net effect was an increase in the projected deficit.

36. SCAF requested additional information regarding costs associated with meeting facilities. The Secretariat outlined that the increased cost in meeting facilities was due in large part to the retirement of the long-standing audio-visual supplier and the appointment of a new provider offering more modern equipment which was required to provide the enhanced functionality for the CCAMLR-41 meetings (in-person with audience streaming), and also the additional support required for hybrid and online meetings throughout the year.

37. The Secretariat explained the exhaustive tendering process for the new audio-visual contractors and the additional work that the Secretariat had undertaken to keep costs as low as possible.

38. SCAF noted that one cost-saving option was to have interpreters offsite as they would not need to travel to Tasmania. SCAF agreed that CCAMLR should be cautious, noting the importance of interpretation.

39. The Secretariat also noted that the cost of interpreters had been lowered with a smaller team attending the meeting for the first two days. Argentina thanked the Secretariat for the efforts in minimising costs but also noted the importance of supporting all four languages of the Commission to enable equal participation for delegations.

40. The USA announced that the USA Special Observer Fund could be closed with a transfer of A\$100 000 to the GSCF and the balance (A\$44 835) to be transferred to the GCBF. SCAF thanked the USA.

41. SCAF accepted the revised budget for 2022 and recommended its adoption by the Commission.

Draft budget for 2023

42. The Executive Secretary presented the draft 2023 budget (Appendix I) and provided additional background information.

43. The draft 2023 and forecast 2024 budgets were presented within the context of the Strategic Plan 2023–2026 and the associated Staffing and Salary Strategy as approved by SCAF.

44. The Executive Secretary highlighted the increasing demands for various services that the Secretariat provides to Members and the increasing costs associated with the provision of these. Of particular note is the additional functionality to support meetings, including hybrid and remote meetings for both intersessional and annual meetings. Furthermore, the increasing demand for analytical, web service and data management support for the Scientific Committee and SCIC, which particularly impact the science, compliance and data management teams, was noted as well as the need for increased staffing as a result, which was reflected in the Strategic Plan and Staffing and Salary Strategy.

45. Four years ago, when the Commission was considering the previous Strategic Plan, there was a substantial balance in the General Fund and the Commission had agreed that this balance should be reduced. This was achieved by the establishment of the Working Capital Fund (WCF), supporting the GSCF and GCBF with fund transfers and accepting deficit budgets for two years.

46. The Executive Secretary noted that this approach was not sustainable in the long term and that it was now necessary to transition to a zero-deficit budget. He presented a financial plan, associated with the same timeframe as the Strategic Plan (2023–2026) which would result in a stable General Fund balance of A\$500 000 at the end of the period.

47. It was noted that under this plan, even though the General Fund balance was reduced, the reserves of the Commission remained at an acceptable level due to the balance available in the WCF.

48. The Executive Secretary recommended that in order to bring the budget back to a balanced position, a real increase in income was required. He therefore proposed that the Commission treat the new Membership of Ecuador in the same way as it did in 2019 with the new Membership of the Netherlands (SCAF-2019, paragraph 41) so that the addition of the new Member would lead to a real increase in income from contributions, offset in the first year by the distribution to all existing Members of an equal part of the half-year fee due from Ecuador for the period July to December 2022. This recommendation is consistent with the Commission's Financial Regulation 5.5.

49. Accordingly, the proposed budget applied the Commission's previously agreed policy of zero real growth to the equal-share part of Member contributions (CCAMLR-XXXV, Annex 7, paragraph 30) by application of the Hobart consumer price index of 6.5% for 2023. The receipt of a 50% contribution from Ecuador for 2022 resulted in a credit for existing Members of A\$2 567 in 2023.

50. In respect of other elements of the budget, the Executive Secretary reported that it was anticipated that income from interest would rise together with the income from the hiring of CCAMLR meeting venues, primarily to State and Federal government departments. Budgeted wages were in line with the Strategic Plan 2023–2026 and its associated Staffing and Salary Strategy. Savings would be made on depreciation as the web redevelopment project came to a close.

51. SCAF thanked the Secretariat for the work completed in developing the budget paper.

52. Germany thanked the Secretariat for the explanations provided as it helped to understand the budget position and the context in which it was prepared. Germany and France indicated their countries' official position of zero nominal growth.

53. Some Members expressed caution that relying on new Members joining the Commission to provide for a real increase in General Fund income may not be a reliable strategy to correct the current budget deficit, even though this allowed for the maintenance of the Commission's policy of zero real growth in the equal-share part of Member contributions. The Executive Secretary agreed with this concern but noted that although the four-year financial plan originally had required an additional two Members to join in 2025 or 2026, the recommendation of SCAF to remain at the Headquarters for annual meetings (paragraphs 68 to 72) would result in a reduction in projected expenditure from 2025 and only one new Membership may be required to deliver a balanced budget.

54. The USA noted that the terms of reference for the marine protected area (MPA) Fund did not allow for the funding of the proposed MPA special meeting. The USA announced a voluntary contribution of US\$75 000 to be used for this special meeting in 2023, should it be approved by the Commission. SCAF thanked the USA for this generous contribution. It is therefore recommended that the remaining funding for this meeting would be provided from the General Fund, unless there are voluntary contributions from other Members.

55. Germany requested an update on the status of Member contributions (Appendix II). The Secretariat reported that since the production of the budget paper, China, India and the USA had paid their 2022 contributions. Argentina and Chile reported that their annual contributions would be paid shortly. In accordance with previous requests of the Commission and SCIC, the Executive Secretary had written to Brazil regarding its contribution. He noted that Brazil had recently paid some of its outstanding contributions with a remaining balance of A\$262 391, and that Brazil had indicated that it intended to pay this outstanding amount. The Executive Secretary committed to continue to make representations to Brazil regarding this matter.

56. SCAF recommended the Draft 2023 Budget as revised be approved by the Commission (Appendix I).

Forecast budget for 2024

57. SCAF noted the forecast budget for 2024 (Appendix I). The 2024 budget is indicative only.
58. Germany requested that any increases in Member contributions should be avoided if possible.

Administrative issues

59. The Secretariat introduced CCAML/41-02 which proposed the development of a CCAML Code of Conduct.
60. SCAF thanked the Secretariat for the paper and was supportive of the need for a Code of Conduct. SCAF expressed concern that there had been occasional reports of inappropriate behaviour and stressed that CCAML should be a place free from all forms of harassment and discrimination.
61. Australia thanked the Secretariat for the paper, noting that it should address all forms of harassment, including bullying and discrimination. Australia noted that it would be happy to lead an e-group discussion during the intersessional period to allow for the development of a CCAML Code of Conduct.
62. SCAF welcomed the initiative and noted some issues that may need to be considered during further development of the Code of Conduct, including consideration of the Secretariat's past experience of such incidents during CCAML meetings, the relationship between the code and Australian law (including if an instance constituted criminal behaviour), how a potential incident involving the Executive Secretary, a Chair or a Head of Delegation would be addressed and whether a witness report should be produced only on request.
63. SCAF thanked Australia for volunteering to lead further discussions.
64. SCAF agreed that the development of a CCAML Code of Conduct be taken forward via an e-group led by Australia during the intersessional period, with a report and draft proposal to be presented in 2023.
65. The Secretariat introduced CCAML-41/12 which responded to concerns raised at CCAML-38 (SCAF-2019, paragraph 61) regarding overcrowding in the Commission's Headquarters.
66. SCAF recognised that in addition to these concerns, the impact of COVID-19, rising cost of travel, and environmental impact considerations reinforced the value of having capacity for hybrid and virtual meeting options where required. SCAF noted the importance of in-person meetings for decision making as well as the value in having more participants able to connect remotely to the proceedings.
67. SCAF thanked the Secretariat for the organisation and support of the meetings over the last two years.

68. Responding to the options outlined in CCAMLR-41/12, Table 4, SCAF noted that while option 2 (in-person annual meetings with a limitation on the number of delegates seated in the Conference and Wombat Rooms, supported with audience-only streaming on Zoom) was not optimal, it was the most feasible and cost-effective option, including to avoid limiting delegation sizes, at least in the short to medium term, with a view to possible relocation to a new permanent CCAMLR Headquarters in the longer term.
69. Some Members expressed concern with limiting numbers of delegates in the Conference and Wombat Rooms, mentioning this was acceptable in light of COVID-19, but that they would not recommend to continue this in the future.
70. Following a proposal from the USA, SCAF supported the circulation of a survey by the Secretariat to delegations to generate feedback on the modality of the 2022 meetings.
71. SCAF recommended that the arrangements for the Commission and the Scientific Committee meetings at CCAMLR-41 be continued for an additional two years, taking into account the views expressed in paragraphs 69 and 70 where possible.
72. SCAF also recommended that the Secretariat should support flexibility for intersessional meetings, such as working group meetings, which could be conducted under a range of modalities, including in-person, hybrid and/or virtual depending on the preferences of the meeting organisers and conveners.
73. SCAF proposed that these arrangements be evaluated in 2024.
74. The Secretariat presented CCAMLR-41/10 arising out of discussions at CCAMLR-40 and SC-CAMLR-40 (SCAF-2021, paragraphs 10 and 11; SC-CAMLR-40, paragraphs 7.5 and 7.9) and discussion in the ‘Access to meeting documents’ e-group.
75. SCAF thanked the Secretariat for this paper and noted its support for increased transparency within the Commission.
76. SCAF recommended the Commission accept the six recommendations outlined in CCAMLR-41/10, paragraphs 11 to 16, with the following amendments:
- (i) accessibility categories for meeting documents be reduced to two:
 - (a) request permission to release each time (from the Commissioner or Scientific Committee Representative)
 - (b) available for download (Open Access permission)
 - (ii) the proposed time period of 22 or more years (CCAMLR-41/10, paragraph 16) for the marking of papers as ‘available for download’ be reduced to 20 years
 - (iii) the default accessibility category for meeting documents be ‘Available for download’ (Open Access permission).
77. Regarding CCAMLR-41/10, paragraph 9, SCAF recommended that download tracking not be investigated at this stage.

78. The Secretariat introduced CCAMLR-41/BG/08 which summarised the work done on the CCAMLR website and ongoing development work planned for 2023.

79. SCAF thanked the Secretariat for the work completed on the website to date and indicated it was looking forward to the completion of future work.

Other business

80. The Chair informed SCAF that she would not be seeking re-election, noting it had been a pleasure to be acting and serving Chair of SCAF.

81. No nominations were received for Chair or Vice-Chair at this time.

82. SCAF thanked Ms Langerock for her excellent chairing and guidance of its work over the last three years, both in-person and virtually.

Report adoption

83. SCAF adopted the report.

Close of the meeting

84. The Chair closed the meeting.

**2022 Budget, Draft Budget for 2023 and Forecast Budget for 2024
(Australian dollars)**

General Fund

	2022	2023	2024	Notes (* indicates assumed increase with consumer price index (CPI) from previous year)
	Revised budget	Draft budget	Forecast budget	
General Fund				
Income				
Core Members' Contribution	3 699 656	4 131 156	4 348 262	Assumes that: (i) annual CPI increases in base Member contributions and (ii) new Members will join late 2022 and early 2024 and that their contributions will be added to existing Member contributions.
Members' Special Contributions	185 496		149 275	2022 includes the contribution from Ecuador joining after 1 July and the special contribution from the USA of \$112 000 to support the special meeting on MPAs. The 2024 forecast anticipates a second Member joining in 2024.
Interest	60 000	90 000	120 000	Assumes interest rates start to rise from end of 2022.
Staff Assessment Levy (SAL)	550 000	585 750	615 038	The SAL represents income deducted from staff salaries in respect of tax. The actual SAL will not be known until the completion of the tax year and the staff members' tax returns have been assessed by the Australian Taxation Office.
Fund Transfers				
Sales (Tagging)	35 000	37 275	39 139	Since 2006, the Secretariat has coordinated a tagging program. Tagging equipment costs are passed on to the fishing companies in the form of cost-recovery.
Miscellaneous income – Fishery Notifications ¹	642 932	705 645	754 452	Notification fees paid by 1 July 2022. Provision is made for refunds if the Commission decides that fishing in some areas shall not proceed. Increases in notifications are projected according to current trends.
Miscellaneous income – Rent Contributions	448 874	478 051	501 953	Contributions from the Australian and Tasmanian governments are matched against the rent expenditure and are budgeted to increase at CPI.
Miscellaneous income – Grants	100 667	201 333		EU grant for compliance data management and INTERPOL program (see SCAF-2021, paragraph 43).
Miscellaneous income – Other	60 000	100 000	120 000	Income from hiring out Secretariat meeting facilities.
Total income	5 782 624	6 329 210	6 648 119	
Expenditure				
Salaries	4 023 208	4 383 032	4 523 975	The final Salaries and Allowances expenditure will depend on the amount of overtime payable, particularly during annual meeting time, and payments required to the Staff Termination Fund.
Equipment	210 000	260 000	250 000	Equipment is purchased or leased subject to requirements and with established replacement procedures. Minor capital improvements are also included in this item. Includes expenditure in 2022 and 2023 to complete the web development project.
Depreciation	215 000	195 000	165 000	Equipment purchased over A\$1 000 is depreciated over its estimated useful life. This item includes depreciation of items purchased in past years.
Insurance and Maintenance	258 300	275 090	288 844	Insurance and maintenance costs in Tasmania are increasing quite rapidly.

	2022	2023	2024	Notes (* indicates assumed increase with consumer price index (CPI) from previous year)
	Revised budget	Draft budget	Forecast budget	
Training	40 000	42 600	44 730	Training remains an important priority for the Secretariat. However, alternative means of delivering training is being investigated in order to save costs.
Meeting Facilities	545 139	730 935	609 601	Meeting costs in 2023 include A\$170 000 for the Special Meeting on MPAs and an inflationary component. Meeting costs in 2024 are projected at costs in 2022 plus CPI, retaining all current interpretation costs.
Travel	70 000	160 000	170 000	Incorporates the return to pre-COVID levels of travel and significant increase in per-unit travel costs.
Printing	10 930	10 930	10 930	Efficiency reductions expected.
Communications	22 978	24 472	25 696	Efficiency reductions expected.
Sundry (incl. audit)	120 000	127 800	134 190	Includes expenses related to recruitment.
Rent/cost of goods (tagging)	483 874	515 326	541 092	Contributions from the Australian and Tasmanian governments, and income from sales of goods, are matched against the rent and cost of goods expenditure.
40th Anniversary expenditure	30 000			2022 expenditure reduced through cancellation of some events.
Transfer to Asset Replacement Fund	-30 000	-30 000	-50 000	Part of the budgeted income from hiring Secretariat meeting facilities are transferred into this reserve. Transfers to the GCBF are not anticipated.
Transfer to General Capacity Building Fund (GCBF)				Transfers to the GSCF are not anticipated.
Transfer to General Science Capacity Fund (GSCF)				
Transfer to Working Capital Fund (WCF)	-112 295	-173 939	12 688	Transfers ensure that the WCF remains at a balance equivalent to 3 months' budgeted expenditure.
Total expenditure	6 029 430	6 725 185	6 764 058	
Surplus/-Deficit	-246 805	-395 974	-115 939	
General Fund balance at 01 January	1 687 425	1 298 325	698 412	
General Fund balance at 31 December	1 298 325	698 412	545 160	As forecast in the Strategic Plan 2019–2022, the General Fund balance slowly declines towards the approved year-end balance of approximately A\$500 000.

¹ Notification fees 2023: non-krill A\$9 317, krill A\$8 851.

Equity Funds

	2022	2023	2024	Notes
	Revised Budget	Budget	Forecast	
Equity Funds				
Asset Replacement Fund				
Income	30 000	30 000	50 000	Part of the budgeted income from hiring Secretariat meeting facilities are paid into this reserve.
Expenditure	-40 000	-40 000	-60 000	The expenditure items are transfers to the Staff Replacement Fund to cover the cost of the relocation expenses of newly appointed international officers.
Balance at 31 December	172 065	162 065	152 065	
WCF				
Income	112 295	173 939		The WCF was established in 2019 with a transfer from the General Fund and is maintained at 3 months of budgeted expenditure through further transfers from the General Fund.
Expenditure			-12 688	
Balance at 31 December	1 507 356	1 681 295	1 666 107	
Staff Replacement Fund				
Income	40 000	40 000	60 000	See Asset Replacement Fund notes.
Expenditure	-37 000	-57 000	-67 000	Budgeted expenditure for relocation of new international officers.
Balance at 31 December	183 020	166 020	159 020	
Korea Contribution Fund				
Income				The voluntary contribution from Korea to the Korea Contribution Fund has been suspended due to COVID-19.
Expenditure	-100 000	-54 350		Expended database redevelopment project and website rebuild.
Balance at 31 December	54 350	Nil		This fund will be exhausted at the end of 2023.
China Contribution Fund				
Income				This Fund covers travel to facilitate the engagement of Members and the Secretariat in training opportunities.
Expenditure		-60 000		Two interns at the Secretariat
Balance at 31 December	223 224	163 224	163 224	

Special Funds

	2022	2023	2024	
	Revised Budget	Budget	Forecast	Notes
Special Funds				
GCBF				
Income				The GCBF began in 2019. In 2022, A\$50 000 was transferred from the CCAMLR Ecosystem Monitoring Program (CEMP) Fund to support the Uruguay grant by decision of the Scientific Committee. Also transfer of \$44 835 in 2022 from the Observer Scheme (USA Special Fund).
Expenditure	98 017	8 186	4 681	
Balance at 31 December	-100 000	-125 000	-50 000	
	272 851	156 037	110 718	
CDS Fund				
Income	15 401	43 065	37 757	
Expenditure	-120 000	-220 000	-50 000	Expenditure approved by SCIC.
Balance at 31 December	1 435 514	1 258 580	1 246 337	
Observer Scheme (USA Special Fund)				
Income	1 000			
Expenditure	-144 835			A\$100 000 transferred to the GSCF, A\$44 835 to the GCBF, and the fund closed.
Balance at 31 December	Nil			
Compliance and Enforcement (USA Special Fund)				
Income				
Expenditure		-33 425		Expenditure on approved Compliance Fund project is anticipated to exhaust this Fund in 2023.
Balance at 31 December	33 425	Nil		
Enforcement Trust Fund				
Income				
Expenditure		-15 475		As approved in 2019, this Fund will be allocated to INTERPOL to assist with funding for the illegal, unreported and unregulated (IUU) workshop. This remains COVID-19 affected.
Balance at 31 December	15 533	Nil		
General Science Capacity Fund				
Income	103 149	13 579	7 462	Transfer of \$100 000 from the Observer Scheme (USA Special Fund) in 2022.
Expenditure	-80 000	-217 500	-102 500	Expenditure in 2023 includes 7 scholarship recipients for 1 year at A\$125 000, funding for 3 conveners, A\$30 000 for a toothfish tagging workshop and A\$40 000 for a krill observer workshop. Assumes appointment of two additional scholarships in 2023 at A\$15 000 each year for 2 years, and two in 2024 for the same. Assumes funding for 3 conveners in 2023 at A\$20 000 per convener, continuing in 2024.
Balance at 31 December	452 650	248 729	153 691	
MPA Fund				
Income	800	16 470	1 853	
Expenditure				
Balance at 31 December	168 850	185 320	187 173	
CEMP Fund				
Income	5 000	17 581	14 509	
Expenditure	-70 000	-120 000	-50 000	Expenditure on approved CEMP projects.
Balance at 31 December	586 049	483 630	448 139	

Members' Contributions 2022, 2023, 2024
General Fund contributions – payable by 31 May

	Contributions 2022	Balance Outstanding (28 October 2022)	Contributions 2023	Credit against 2023 Contributions (Rule 6.1d)	Forecast Contributions 2024
Argentina	133 490	133 490	142 167	2 567	149 275
Australia	151 590		161 192	2 567	168 728
Belgium	133 490		142 167	2 567	149 275
Brazil	133 490	262 391	142 167	2 567	149 275
Chile	140 724	140 723	154 181	2 567	162 881
China	154 589		179 676	2 567	190 048
Ecuador			142 167		149 275
European Union	133 490		142 167	2 567	149 275
France	163 841		175 440	2 567	183 722
Germany	133 490		142 167	2 567	149 275
India	133 490		142 167	2 567	149 275
Italy	133 490		142 167	2 567	149 275
Japan	134 920		143 363	2 567	150 271
Korea, Republic of	156 130		169 262	2 567	179 207
Namibia	133 490		142 167	2 567	149 275
Netherlands	133 490		142 167	2 567	149 275
New Zealand	138 575		147 163	2 567	154 811
Norway	233 043		268 853	2 567	288 729
Poland	133 490		142 167	2 567	149 275
Russia	135 561		144 327	2 567	150 715
South Africa	134 988		144 161	2 567	151 155
Spain	135 411		144 183	2 567	151 505
Sweden	133 490		142 167	2 567	149 275
Ukraine	141 608	141 608	155 314	2 567	164 778
UK	141 299		151 883	2 567	160 102
USA	133 490		142 167	2 567	149 275
Uruguay	135 497		143 987	2 567	151 030
Total	3 699 656	678 212	4 131 156		4 348 262