

**Rapport du Comité permanent
sur l'application et l'observation de la réglementation (SCIC)**

Il s'agit d'une version préliminaire du rapport tel qu'adopté par SCIC
le vendredi 18 octobre 2024¹

¹ Par « préliminaire », on entend ici que le Secrétariat pourrait encore procéder à une dernière lecture du texte et à sa vérification.

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**Rapport de la réunion du Comité permanent
sur l'application et l'observation de la réglementation (SCIC)
(Hobart, Australie, du 14 octobre au 18 octobre 2024)**

Ouverture de la réunion

1. La réunion du Comité permanent sur l'application et l'observation de la réglementation (SCIC) se tient à Hobart, en Australie, du 14 au 18 octobre 2024.
2. La présidente du SCIC, Meggan Engelke-Ros (États-Unis), ouvre la réunion, accueille les Membres et les observateurs et remercie le Secrétariat de son soutien. Ses remerciements vont également aux Membres pour les travaux de préparation au SCIC qu'ils ont réalisés pendant la période d'intersession.

Organisation de la réunion

Ordre du jour

3. Le SCIC examine son ordre du jour tel qu'il a été adopté par la Commission.

Examen des mesures et systèmes liés à l'application et à l'observation de la réglementation

Système de documentation des captures (SDC)

Proposition d'évaluation du fonds du SDC

4. Le SCIC examine la proposition du Secrétariat concernant les dépenses du fonds du système de documentation des captures de *Dissostichus* spp. fonds du SDC (CCAMLR-43/20). Le SCIC note que les propositions approuvées lors de la 42^e réunion de la CCAMLR ont été mises en œuvre avec succès en ce qui concerne la maintenance de l'e-SDC et la formation au SDC en personne pour la Thaïlande et la Colombie, le reste des fonds pour les deux activités étant reversé au fonds du SDC.
5. Le SCIC rappelle l'approbation par la 42^e réunion de la CCAMLR (CCAMLR-42, paragraphe 18) de fonds destinés à soutenir la formation au SDC en ligne en 2024 et 2025. Il note également que cette formation est en bonne voie pour une mise en œuvre à la fin de l'année 2024 et tout au long de 2025, et qu'un atelier en personne sur le SDC et l'inspection portuaire est en bonne voie pour 2025.
6. Le SCIC félicite le Secrétariat pour le lancement de la version actualisée de l'e-SDC, et prend note des travaux de maintenance entrepris pour soutenir son fonctionnement.

7. Prenant acte de la condition visée à la mesure de conservation (MC) 10-05, appendice I0-05/B, relative à la désignation d'un comité d'évaluation chargé d'examiner la proposition de dépenses du fonds du SDC et de formuler des recommandations à la Commission, le SCIC convoque le comité d'évaluation du fonds du SDC, composé de représentants de l'Australie, de la République de Corée (Corée), de la Nouvelle-Zélande, de la Russie, du Royaume-Uni et des États-Unis d'Amérique.

8. Le comité d'évaluation du fonds du SDC remercie le Secrétariat pour sa proposition détaillée et recommande l'utilisation du fonds e-SDC pour les éléments suivants :

- i) un fonds de maintenance de l'e-SDC, d'un montant de 20 000 AUD par an pendant trois ans (2025 - 2027), auquel s'ajoute une augmentation de 2,5 % par an destinée à couvrir l'IPC, soit un total de 61 513 AUD. Le comité recommande qu'à l'avenir, le Secrétariat qualifie cette demande de frais de mise à niveau et de développement afin de préciser qu'il ne s'agit pas de l'une de ses activités standard et quotidiennes ;
- ii) une formation au SDC en personne sur demande, d'un montant de 60 000 AUD, à utiliser en 2025 et 2026 pour deux ateliers demandés par des Parties contractantes ou des Parties non contractantes (PCN) coopérantes. Le comité recommande que les demandes de formation soient classées par ordre de priorité en fonction du volume de certificats de captures et des antécédents en matière de non-conformité ;
- iii) 30 000 AUD pour 2025 et 2026, destinés à soutenir la mise en œuvre du plan d'action et de la stratégie d'engagement des PNC (CCAMLR-43/16) concernant les activités pour lesquelles il existe un intérêt à coopérer avec la CCAMLR par le biais de la mise en œuvre du SDC ;
- iv) une formation au SDC en personne pour Singapour, d'un montant de 25 000 AUD destiné à couvrir les frais de voyage, d'hébergement et le matériel de formation accessoire, à utiliser en 2025 ou 2026. Le comité note que la dernière formation dispensée à Singapour remonte à 2017 et que des changements de personnel se sont produits depuis lors.

9. Le comité recommande qu'à l'avenir, le rapport annuel du Secrétariat sur les dépenses du fonds du SDC inclue les résultats de la formation, y compris les améliorations en matière de conformité et un relevé de compétence sur l'utilisation du SDC. En outre, le comité recommande que le Secrétariat se concentre sur le développement de modules d'apprentissage et de ressources de formation en ligne autour du SDC, afin de faciliter d'autres opportunités de formation virtuelle permettant d'assurer une formation régulière sur le sujet à l'ensemble des PC et PCN.

10. Le comité ne soutient pas la demande de 30 000 AUD destinée à une formation au SDC en personne pour le Mexique, notant que le pays importe très peu de *Dissostichus* spp. (0,09 % du poids total des importations en 2023) et qu'il convient d'examiner les incidences en termes de rapport qualité-prix. Le comité note également qu'aucun point de contact n'a été identifié pour le Mexique. Il recommande de poursuivre le dialogue avec ce pays et d'envisager une formation virtuelle avant toute formation en personne. Le comité note qu'en cas de demande de formation en personne de la part du Mexique, celle-ci pourrait être mise en œuvre par le biais

des fonds affectés à la formation en personne sur demande, comme indiqué ci-dessus au paragraphe 3.1.5 ii).

11. Le SCIC remercie le comité d'évaluation du fonds du SDC pour son travail et approuve la proposition de dépenses.

Mise en œuvre du SDC

12. Le SCIC prend note du rapport de mise en œuvre du système de documentation des captures de *Dissostichus* spp. (CCAMLR-43/21), et note que le SDC a été mis en œuvre par 15 États membres, 3 États adhérents et 1 Partie non contractante (PNC) coopérant avec la CCAMLR en participant au SDC. La Corée remercie le Chili pour ses efforts en tant qu'État du port qui gère le plus grand nombre de débarquements de légines ainsi que la délivrance subséquente de certificats de capture de *Dissostichus* spp. Certificat De Capture (CCD).

13. L'Afrique du Sud note l'arrangement permettant à un navire battant pavillon uruguayen de pêcher dans la sous-zone 58.7 avec l'autorisation des deux pays, soulignant que cela nécessite que les certificats de capture soient lancés par l'Uruguay en tant qu'État du pavillon, puis complétés par l'Afrique du Sud en tant qu'État du port.

14. Deux CCDSV ont été émis en 2024, l'un par l'Argentine (COMM CIRC 24/66) et l'autre par l'Espagne (COMM CIRC 24/07). L'Union européenne précise que les captures relatives au CCDSV espagnol ont été saisies par les autorités et stockées dans des entrepôts frigorifiques pendant la durée de l'enquête. À l'issue de l'enquête, une amende a été infligée à l'opérateur et la prise a été renvoyée avec un CCDSV.

15. L'Argentine fait la déclaration suivante :

« La République d'Argentine rappelle que les îles Malouines, Géorgie du Sud et Sandwich du Sud ainsi que les zones maritimes les entourant font partie intégrante de son territoire national et que, du fait de leur occupation illégitime par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, la souveraineté sur ces territoires fait l'objet d'un différend dont l'existence est reconnue par les Nations Unies et d'autres organisations internationales.

Par conséquent, la République argentine fait savoir qu'elle ne reconnaît pas la toponymie mentionnée dans cette note, ni l'intervention dans les certificats de capture faite par les prétendues autorités de ces îles.

Il est rappelé que tous les noms donnés aux zones contestées doivent être conformes à la directive éditoriale des Nations Unies ST/CS/SER.A/42.

De même, l'Argentine souhaite signaler que toute pêche effectuée dans la zone FAO 41.3.2, dans des eaux relevant de la juridiction de la République argentine, doit faire l'objet d'un permis de pêche correspondant délivré par les autorités argentines. »

16. Le Royaume-Uni fait la déclaration suivante :

« Le Royaume-Uni rejette la déclaration de l'Argentine. Le Royaume-Uni réaffirme une fois de plus qu'il n'a aucun doute quant à sa souveraineté sur les îles Falkland (Malvinas), la Géorgie du Sud et les îles Sandwich du Sud, ainsi que sur les zones maritimes environnantes, comme le savent les délégués. »

17. Le SCIC, notant les explications des Membres respectifs sur l'émission des CCDSV, recommande à la Commission de ne pas prendre d'autres mesures.

18. Conformément à la MC 10-05, appendice 10-05/C, paragraphe C9, le SCIC examine le statut de coopérant actuellement accordé à la Colombie, au Mexique, à Singapour et à la Thaïlande. Le SCIC reconnaît que le Secrétariat essaye depuis trois ans d'obtenir la désignation d'un point de contact mexicain pour organiser la formation au SDC, et soutient les efforts continus du Secrétariat à cet égard.

19. Le SCIC note le succès de la formation au SDC en personne organisée en Thaïlande et en Colombie en 2024. Le SCIC remercie le Secrétariat pour la réconciliation entre le SDC et les données commerciales de la Thaïlande à la suite de l'atelier sur le SDC. Le SCIC reconnaît les efforts déployés par de nombreux Membres pour enquêter et rendre compte des divergences identifiées.

Contrôle des navires

20. Le SCIC examine la mise en œuvre of MC 10-03 et le système de contrôle (SoI) pendant la saison de pêche 2023/24 (43^e réunion de la CCAMLR/15) qui indique que 132 contrôles portuaires et 12 contrôles en mer ont été effectués.

21. Le SCIC note qu'au cours de la saison 2023/24, il y a eu quatre cas de navires tenus d'entrer au port en raison d'un membre d'équipage nécessitant un traitement médical et que, dans deux de ces cas, la partie A du rapport d'inspection portuaire n'a pas été fournie au moins 48 heures avant l'heure d'arrivée prévue. Le SCIC se dit préoccupé par le fait que la MC 10-03 ne prévoit pas la possibilité pour un État du port de ne pas effectuer d'inspection portuaire ou pour un navire de ne pas soumettre la partie A du rapport d'inspection portuaire en cas d'entrée portuaire d'urgence.

22. Le SCIC rappelle que la sécurité et le bien-être des vies humaines en mer sont d'une importance capitale et que les situations de force majeure, de détresse ou d'urgence médicale requièrent une attention particulière. Le SCIC note par ailleurs que les règlements de la CCAMLR autorisant l'entrée d'urgence dans les ports devraient être alignés sur le droit international.

23. Le SCIC approuve les modifications apportées à la MC 10-03 afin de tenir compte des situations de force majeure, de détresse ou d'urgence médicale.

24. Le SCIC note que lors du SCIC-2023, le Secrétariat a présenté un formulaire d'inspection portuaire modifié (CCAMLR-42/16) qui pourrait être utilisé conjointement avec l'Accord sur les mesures du ressort de l'État du port (PSMA) afin d'éliminer les doubles emplois pour les contrôleurs des pêches. Le SCIC note que le formulaire d'inspection modifié et les modifications du MC 10-03 qui l'accompagnent ont été approuvés par le SCIC-2023, mais que

la Commission n'est pas parvenue à un consensus. Le SCIC approuve le formulaire modifié et les révisions de la MC 10-03.

25. Le SCIC approuve le plan de projet proposé (CCAMLR-43/15 appendice I) pour améliorer l'accessibilité et le contenu des ressources des contrôleurs.

26. Le SCIC approuve les plans du Secrétariat concernant les travaux futurs sur le fonctionnement du site web de la CCAMLR et les rapports de contrôle électroniques (CCAMLR-43/BG/20).

27. La Chine suggère que les systèmes de rapports électroniques soient disponibles dans les langues de tous les Membres. La Chine suggère par ailleurs qu'un engagement supplémentaire des parties prenantes ait lieu afin d'intégrer les points de vue des exploitants de navires sur les ressources actuelles des contrôleurs et sur le développement des rapports d'inspection électroniques.

28. Le SCIC examine les informations présentées par le Royaume-Uni sur l'élaboration d'une version électronique du document d'identification porté par les contrôleurs désignés de la CCAMLR (CCAMLR-43/BG/30). De nombreux Membres notent que cela simplifierait le processus de création des documents d'identification des contrôleurs et s'inscrit dans le cadre du développement du programme de travail sur les ressources en contrôleurs (paragraphe 24).

29. La Russie demande que soit examinée plus avant toute modification du système actuel d'identification des contrôleurs et demande au Secrétariat d'inclure cette proposition dans son programme de travail en matière de ressources.

30. Le SCIC n'approuve pas l'inclusion d'un document d'identification électronique des contrôleurs dans le plan de projet proposé (CCAMLR-43/15 appendice I).

31. Le SCIC examine les informations présentées par le Royaume-Uni sur les patrouilles effectuées dans la zone de la Convention par le *HMS Protector* au cours de la saison de pêche 2023/24 (CCAMLR-43/BG/25). Le SCIC examine la nécessité d'un formulaire d'inspection radio et d'un formulaire d'inspection par survol aérien, compte tenu des environnements extrêmes et hostiles dans lesquels se déroulent les opérations de pêche et les inspections de la CCAMLR.

32. Le SCIC remercie le Royaume-Uni et tous les Membres qui effectuent des patrouilles dans la zone de la Convention. Certains Membres notent que les contrôles radio et aériens peuvent contribuer à un meilleur respect des mesures de conservation de la CCAMLR en fournissant des informations sur les opérations des navires lorsque le mauvais temps ou d'autres circonstances défavorables empêchent de procéder à une inspection en mer.

33. Certains Membres expriment leur inquiétude quant à la transmission d'informations potentiellement sensibles lors des inspections par radio. La Russie s'est par ailleurs inquiétée du fait que les barrières linguistiques pouvaient entraîner la communication d'informations incorrectes lors des contrôles par radio et que les éléments techniques des contrôles à distance n'étaient pas clairs. La Chine signale quelques erreurs dans les noms et les photos des navires battant pavillon chinois dans le document CCAMLR-43/BG/25 et s'inquiète également du fait que les photos figurant dans le document ne reflètent peut-être pas l'heure exacte du contrôle.

34. Le Royaume-Uni remercie les Membres pour ces suggestions et se déclare prêt à les intégrer dans les prochains rapports et dans toute proposition future au SCIC.

35. Le SCIC accueille favorablement la communication du Chili (CCAMLR-43/BG/41) sur les contrôles entrepris par le navire chilien OPV-83 Marinero Fuentealba dans la sous-zone 48.1 au cours de la saison de pêche 2023/24, où six navires au total ont été inspectés, tous les navires ayant démontré qu'ils respectaient l'ensemble des mesures de conservation de la CCAMLR, et cinq autres navires ont été contactés par radio.

36. Le SCIC remercie les capitaines des navires pour leur coopération avec le système de contrôle de la CCAMLR. Le SCIC remercie également le Chili pour les efforts qu'il déploie afin d'entreprendre des activités d'inspection au nom de tous les Membres, notant que le Chili effectue le plus grand nombre d'inspections portuaires et délivre le plus grand nombre de documents SDC.

Système de surveillance des navires (VMS) et activités de déplacement des navires à l'intérieur de la zone de la Convention

37. Le SCIC examine le rapport de mise en œuvre du système de suivi des navires (VMS) soumis par le Secrétariat (CCAMLR-43/BG/16) et prend note de la mise en œuvre de la MC 10-04 par les Parties contractantes.

38. Le SCIC rappelle aux navires et aux Membres qu'ils doivent s'assurer que les rapports sur les mouvements de navires sont soumis au Secrétariat dans le format décrit à l'Appendice 10-04/A.

39. Le SCIC propose que le Secrétariat présente tous les futurs rapports de mise en œuvre contenant des recommandations sous la forme de documents de travail, plutôt que de documents de support, afin d'attirer l'attention des Membres sur toute recommandation nécessitant un examen par le SCIC.

40. Le SCIC examine le document CCAMLR-43/BG/14, qui présente un rapport sur l'état d'avancement et les travaux prévus dans le cadre d'une subvention accordée par l'Union européenne (UE) en 2022 et 2024, destinée à renforcer les systèmes de demande de données VMS et les processus de traitement automatique des données. Le document examine également les options d'hébergement du VMS et les dispositions en matière de sécurité dans la MC 10-04, annexe B. Le SCIC remercie l'Union européenne pour le financement de ce travail.

41. À la lumière des améliorations du système de notification des mouvements VMS mises en évidence dans le document CCAMLR-43/BG/14, le SCIC examine l'invitation contenue dans le document CCAMLR-43/BG/16 (paragraphe 20 iii)) pour que les Membres intéressés désignent des navires à inclure dans un essai de la fonctionnalité de notification automatisée des mouvements VMS.

42. Certains Membres demandent des informations supplémentaires sur la fonctionnalité de notification automatisée des mouvements VMS et expriment leur intérêt à participer à l'essai une fois que les détails auront été fournis.

43. Le SCIC convient qu'en cas de complications techniques ou administratives au cours de la période d'essai, il n'y aura pas d'implications en matière de conformité pour les navires participant à l'essai.
44. Plusieurs Membres soulignent l'importance d'établir des termes de référence pour guider le projet et définir les paramètres, y compris l'identification d'un calendrier pour la période d'essai. Le SCIC demande aux Membres qui ont exprimé leur intérêt à participer à l'essai de travailler en étroite collaboration avec le Secrétariat pendant la période d'intersession afin de finaliser un ensemble détaillé de lignes directrices ou de termes de référence, avec des objectifs clairs pour l'essai, un calendrier et des résultats attendus.
45. Le SCIC confie au Secrétariat le soin de rendre compte des résultats de l'essai, y compris l'évaluation des performances du système, et d'esquisser les prochaines étapes d'une mise en œuvre plus large qui seront examinées par le SCIC-2025.
46. Le SCIC prend note du renouvellement des Accords de recherche et de sauvetage (SAR) de la CCAMLR conclus en 2024 entre chacun des cinq centres de coordination du sauvetage maritime (CCSM) et le Secrétariat de la CCAMLR (CCAMLR-43/17). Le SCIC note que ces accords actualisés ont été mis à la disposition des utilisateurs autorisés sur le site web de la CCAMLR, et note par ailleurs que la prochaine date de renouvellement suggérée interviendrait en 2029, à moins qu'une révision anticipée ne soit demandée en vertu du paragraphe (C) des accords.
47. Le SCIC prend note des améliorations apportées au système de demande de recherche et de sauvetage de la CCAMLR et remercie le Secrétariat et les cinq CCSM pour leur travail.
48. Le SCIC examine la recommandation d'ajouter un nouveau groupe d'utilisateurs pour chaque CCSM afin d'améliorer la gestion des autorisations d'accès au système de demande de recherche et de sauvetage, conformément à la MC 10-04 et à l'accord CCSM correspondant.
49. De nombreux Membres soutiennent la proposition d'améliorer l'accès des utilisateurs aux représentants du CCSM et notent l'importance de participer à ces travaux visant à améliorer et à soutenir la coordination et la réponse SAR dans la zone de la Convention CAMLR.
50. La Russie soulève des inquiétudes quant aux implications potentielles de cette proposition en termes d'accès et de confidentialité et demande des éclaircissements sur le rôle de l'administrateur de groupe dans l'approbation des pièces comptables.
51. Le Secrétariat fournit des éclaircissements sur le processus, selon lequel l'approbation initiale du représentant du CCSM resterait du ressort de l'administrateur de groupe approuvé par le Membre, et que des pièces comptables pourraient être créées par ce représentant autorisé, en notant que l'accès aux données et leur utilisation suivraient les règles de cet accord et les dispositions contenues dans la MC 10-04, paragraphe 17 (iii).
52. Le SCIC ne parvient pas à un consensus sur la proposition d'ajouter un nouveau groupe d'utilisateurs pour chaque CCSM exposé dans le document CCAMLR-43/17 et note qu'une discussion plus approfondie est nécessaire sur la question.

Promotion de la conformité à la CCAMLR

53. Le SCIC prend note des comptes-rendus de repérages visuels de navires (CCAMLR-43/13), qui fournissent un résumé des informations reçues au cours de la saison de pêche 2023/24, et recommande l'adoption d'un formulaire standardisé permettant de faciliter la communication et la compilation des données communiquées par le Secrétariat. Ce résumé indique que 98 comptes-rendus de repérages visuels ont été soumis au Secrétariat par des navires de pêche sous licence opérant dans les sous-zones 88.1 et 88.2, et qui ont signalé l'observation visuelle d'autres navires de pêche sous licence, de navires de croisière, de navires de recherche scientifique et de navires ravitailleurs. Le SCIC note qu'aucun de ces comptes-rendus de repérages ne faisait état d'une activité de pêche INN.

54. Certains Membres suggèrent que les comptes-rendus de repérages visuels de navires soient limités aux observations visuelles de navires pratiquant la pêche INN ou des activités connexes, ou encore de navires sous licence dont le comportement est suspect. La COLTO rappelle que la CCAMLR dispose déjà d'un certain nombre d'outils de suivi, tels qu'un VMS centralisé, et des exigences en matière de notification des mouvements, de SIA et de déclaration des captures, et demande donc au SCIC d'envisager de demander uniquement la déclaration des informations concernant les navires sans licence, qui peuvent être pertinentes et utiles aussi bien pour les navires sous licence que pour les États du pavillon.

55. Le SCIC rappelle que la mesure de conservation (MC) 10-02, annexe A, prévoit un processus en deux étapes pour les comptes-rendus de repérages visuels, dans le cadre duquel les navires sont tenus d'envoyer leur compte-rendu à l'État du pavillon. Lorsque l'État du pavillon estime que l'évaluation du repérage répond aux critères du paragraphe 3 de la mesure de conservation 10-06 (MC) ou du paragraphe 8 de la mesure de conservation 10-07, le compte-rendu est soumis au Secrétariat. Néanmoins, les navires communiquent volontairement des informations sur leurs observations visuelles au Secrétariat.

56. Le SCIC approuve la recommandation de la mise en place d'un formulaire Excel standardisé pour les comptes-rendus de repérages visuels de navires, et demande qu'il soit disponible sur la page du formulaire de données du site web de la CCAMLR. Le SCIC demande au Secrétariat de lui présenter un rapport annuel sur l'ensemble des comptes-rendus des repérages visuels de navires soumis au Secrétariat.

57. Le SCIC remercie la Nouvelle-Zélande, la Corée, l'Australie et le Secrétariat pour la mise à jour des progrès réalisés dans le programme de travail convenu sur le traitement des engins de pêche non identifiés dans la zone de la Convention (CCAMLR-43/BG/17). Le SCIC note l'importance de ces travaux, rappelle les prochaines étapes prévues et encourage toute participation, durant la période d'intersession, sur la page de [l'e-Groupe](#).

58. Le SCIC note l'importance de la poursuite du dialogue et de la consultation au sein du secteur pour l'avancement du programme de travail, et encourage à aller plus loin dans ces démarches.

59. La COLTO indique avoir été invitée à participer à la table ronde en ligne sur les options possibles pour une proposition de marquage des engins – proposition qu'elle a dû décliner, étant en train d'organiser un atelier sur les engins en Norvège à ce moment-là. La COLTO recommande que toute modification des exigences en matière de marquage des engins soit

testée avant d'être mise en œuvre, qu'elle soit fondée sur les risques et enfin qu'elle soit rentable. La COLTO souligne également l'importance d'une approche progressive dans la mise en œuvre.

60. L'ASOC rappelle que le SCIC a approuvé un formulaire de déclaration volontaire pour signaler les rencontres d'engins non identifiés (SCIC-2023, paragraphe 42) et a encouragé son utilisation à grande échelle.

61. Le SCIC prend note du rapport de l'Ukraine sur le marquage des engins de pêche sur les palangriers ukrainiens (WG-FSA-IMAF-2024/48), reconnaissant que le rapport a également été examiné par le WG-FSA-IMAF (WG-FSA-IMAF-2024, paragraphes 8.1-8.3). Le SCIC soutient la recommandation visant à ce que les Membres soumettent volontairement des rapports sur le marquage des engins, notant que cela contribuerait à l'identification des engins perdus, assurerait une documentation transparente des engins à utiliser au cours de la prochaine saison de pêche, et contribuerait à identifier et à combattre la pêche INN dans la zone de la Convention.

3.4.10 Le SCIC examine le rapport de la COLTO concernant son atelier sur les engins de pêche, qui s'est tenu à Oslo, en Norvège, les 15 et 16 août 2024 (CCAMLR-43/BG/02 rév.1). La COLTO souligne les recommandations adressées à la CCAMLR pour que cette dernière envisage de retarder le début de la pêche dans la mer de Ross afin d'éviter une couverture de glace importante et de minimiser la perte d'engins, d'autoriser les efforts visant à tenter de récupérer les engins de pêche perdus en dehors des périodes de pêche ouvertes, et l'utilisation d'engins en fin de vie.

63. La Nouvelle-Zélande présente un résumé de ses activités de patrouille aérienne de routine dans la région de la mer de Ross, qui contribuent à l'important travail consistant à assurer la conformité avec les mesures de conservation et à détecter la pêche INN. Les patrouilles aériennes sont effectuées par des inspecteurs désignés par la CCAMLR, conformément aux règles et procédures de la CCAMLR.

64. Le SCIC remercie la Nouvelle-Zélande pour les patrouilles de surveillance aérienne qu'elle a effectuées au cours de la saison 2023/24, comme indiqué dans le document CCAMLR-43/BG/24, et pour son engagement à effectuer des patrouilles régulières dans la région de la mer de Ross à l'avenir. Le SCIC exprime également sa reconnaissance aux Membres qui effectuent des patrouilles de surveillance et des activités d'inspection au nom de la CCAMLR.

65. Le SCIC note la nécessité de poursuivre les travaux d'élaboration du protocole relatif aux activités de surveillance aérienne réalisées dans la zone de la Convention. Certains Membres soulignent la nécessité de maintenir un équilibre entre les droits et les obligations des inspecteurs et des personnes inspectées.

66. Le SCIC prend également note du protocole établi dans la MC 10-04, paragraphe 21, concernant l'obligation, pour les Parties contractantes menant des activités de surveillance active et/ou d'inspection au nom de la CCAMLR, de mettre les informations relatives à ces activités à la disposition de ou des État(s) du pavillon concerné(s) sans délai, dès leur achèvement.

67. La Chine indique la nécessité d'accroître la transparence des activités de surveillance aérienne et de leurs rapports, et souligne l'importance de préserver le droit des Membres du SCIC d'accéder aux rapports dans certaines conditions de confidentialité. Sans cela, il est selon elle difficile pour les Membres d'évaluer les allégations contenues dans les rapports.

68. Le SCIC examine le rapport du Chili décrivant la mise en œuvre des systèmes de suivi électronique (EMS) utilisés dans ce pays pour contrôler les rejets de la pêche et les captures accessoires, et pour mettre en œuvre la réglementation de la pêche (CCAMLR-43/BG/33). Le SCIC remercie le Chili pour son document et approuve la recommandation relative à la création d'un e-groupe d'intersession sur la plate-forme de discussion de la CCAMLR, destiné à faciliter la participation des Membres et des observateurs à l'élaboration des lignes directrices et des normes relatives à l'EMS à la CCAMLR. Le document CCAMLR-43/BG/33 Rev.

69. Le Royaume-Uni rappelle son rapport CCAMLR-38/BG/40, qui décrit la mise en œuvre d'un EMS par le Royaume-Uni, et soutient la recommandation du SCIC d'établir une plate-forme de discussion pour la collaboration d'intersession. La COLTO fait remarquer que la majorité des navires de ses Membres sont équipés d'un système de suivi électronique à des fins scientifiques et de conformité, et souligne qu'il conviendrait d'examiner plus avant l'impact économique de l'obligation de disposer d'un EMS en plus d'observateurs.

3.4.18 Le SCIC examine le rapport sur un atelier informel organisé conjointement par la Corée et l'ASOC sur l'amélioration du régime de conformité de la CCAMLR, hébergé en ligne les 6 et 7 février 2024 (CCAMLR-43/BG/39 Rev. Le SCIC remercie la Corée et l'ASOC d'avoir organisé cet atelier informel, et note qu'il a permis d'identifier des domaines d'amélioration du régime de conformité de la CCAMLR, centrés sur l'alignement sur les meilleures pratiques mondiales, la normalisation de la collecte de données et la garantie de la transparence. Les transbordements, la traçabilité du krill, les inspections portuaires et la surveillance des navires sont autant de sujets clés pour la suite des travaux. Les participants insistent sur la nécessité de rendre les mesures de conformité faciles à mettre en œuvre et applicables à tous les navires, tout en tenant compte des différences entre les pêcheries.

71. Les États-Unis d'Amérique prennent note des documents soumis par les États-Unis et les co-initiateurs, à savoir CCAMLR-43/40, CCAMLR-43/42 et CCAMLR-43/43, qui visent à améliorer le régime de suivi de la conformité de la CCAMLR.

Transbordements

72. Le SCIC examine le rapport de mise en œuvre des transbordements (CCAMLR-43/BG/15) fourni par le Secrétariat, notant que 187 notifications de transbordements ont été reçues au cours de la campagne 2022/2023. Le SCIC a pris note de l'amélioration de la conformité avec la MC 10-09 depuis la saison 2021/2022. Le SCIC note l'amélioration de la conformité au MC 10-09 depuis la saison 2021/2022.

73. Le SCIC note en outre que le transbordement de ressources marines vivantes capturées dans la zone de la Convention d'un navire de pêche à un navire de transbordement puis à un second navire de transbordement peut compromettre la traçabilité des produits. Le SCIC note par ailleurs que les transbordements effectués par des Parties non contractantes (PNC) sont préoccupants et que les 25 transbordements entrepris par deux navires battant pavillon libérien

au cours de la saison 2022/2023 peuvent présenter un risque nécessitant un examen plus approfondi. Le SCIC rappelle que la stratégie d'engagement des PCN (CCAMLR-43/16) prévoit l'inclusion des PNC impliqués dans les transbordements de ressources marines vivantes exploitées dans la zone de la Convention.

74. La Russie note que l'identification des activités à risque devrait aller au-delà de la prise en compte des actions des différents États du pavillon et souligne l'importance d'une interprétation objective du risque dans ce contexte.

75 Le SCIC examine une analyse des directives volontaires de la FAO pour le transbordement et des règlements de la CCAMLR en matière de transbordement, présentée par la Corée et la Coalition sur l'Antarctique et l'océan Austral (ASOC) (CCAMLR-43/BG/38), en notant que 38 directives ont été identifiées comme étant partiellement ou pas du tout mises en œuvre, et 15 comme étant complètement mises en œuvre. L'analyse montre que les lignes directrices sur lesquelles la CCAMLR est pleinement alignée comprennent la déclaration des transbordements et des procédures pour traiter les cas de non-conformité. En outre, l'analyse note qu'un certain nombre de mesures de la CCAMLR relatives au transbordement ne s'appliquent qu'aux navires de pêche, alors que les lignes directrices recommandent de les appliquer à la fois aux navires de pêche et aux navires transporteurs. En outre, et contrairement aux lignes directrices, la CCAMLR n'exige pas de mécanismes de vérification indépendante des transbordements, tels que des observateurs ou un suivi électronique, et de nombreuses informations sur les transbordements et les navires transporteurs ne sont pas publiques.

76 Le SCIC remercie la Corée et l'ASOC pour les informations fournies dans leur document et fait part de son soutien général au renforcement des procédures de transbordement. De nombreux Membres reconnaissent que la CCAMLR a pris du retard par rapport à d'autres organisations internationales et organisations régionales de gestion des pêches (ORGP) en termes de suivi, de contrôle et de surveillance des activités de transbordement et expriment leur soutien en faveur d'un renforcement de la réglementation sur les transbordements.

77. La Chine convient de la nécessité de renforcer la réglementation des transbordements dans la zone de la Convention. La Chine rappelle que le SCIC était parvenu à un consensus sur une proposition d'amendement de la MC 10-09 qui aurait établi un registre CCAMLR des navires transporteurs, mais que la proposition avait été retirée par les auteurs au cours de la réunion de la Commission (CCAMLR-XXXV, paragraphes 3.32-3.37). La Chine et la Fédération de Russie suggèrent qu'une proposition concrète faciliterait la discussion en vue d'améliorer la MC 10-09.

78. Les États-Unis expriment leur intérêt pour l'élaboration d'une proposition visant à renforcer le suivi des transbordements par la CCAMLR et invitent les autres Membres intéressés à se joindre à cet effort. Plusieurs Membres expriment leur intérêt à cet égard.

79 Le SCIC souligne les écarts entre les lignes directrices et les mesures de conservation et note que cette analyse facilitera le travail du SCIC pour examiner les futures propositions de développement accompagnées de modifications des mesures de conservation.

80. Le SCIC souligne le rôle que joue le suivi des transbordements dans la lutte contre la pêche illicite, non déclarée et non réglementée (INN) et dans la sauvegarde des chaînes d'approvisionnement.

81. Plusieurs Membres notent que la CCAMLR devrait élaborer une liste de navires transporteurs autorisés, des exigences en matière de VMS pour les navires transporteurs et une amélioration des actions dans les ports afin de mieux prendre en compte le suivi des activités de transbordement.

Mise en œuvre du Système d'observation scientifique internationale (SISO)

82. Le SCIC examine le rapport sur la mise en œuvre du Système d'observation scientifique internationale (SISO) (WG-FSA-IMAF-2024/11 rév. 1) fourni par le Secrétariat. Le rapport fournit un résumé des informations sur le déploiement de tous les observateurs nommés dans le cadre du SISO à bord des navires dans la zone de la Convention au cours de la saison de pêche 2023/24, une mise à jour des formulaires et des instructions pour la saison 2025/26, et le développement d'une initiative de reconnaissance pour les observateurs de la pêche de krill.

83. Le SCIC remercie le Secrétariat d'avoir porté ce document à son attention et exprime sa gratitude à tous les observateurs du SISO pour leur travail assidu en fournissant des données de haute qualité qui permettent au Comité scientifique de mener à bien ses travaux.

84. De nombreux Membres rappellent les discussions en cours sur l'amélioration de la couverture des observateurs SISO dans la pêche de krill et encouragent les Membres à continuer à examiner cette question à l'avenir. Certains Membres estiment que les observateurs nationaux nommés dans le cadre de SISO peuvent remplir le même rôle que les observateurs internationaux nommés dans le cadre de SISO.

85. La Chine rejette toute question relative à la qualité des données collectées par les observateurs scientifiques nationaux du seul fait de leur nationalité, soulignant que les observateurs scientifiques nationaux et les observateurs scientifiques internationaux se conforment aux mêmes exigences et protocoles scientifiques conformément à la MC 51-06.

86. Certains Membres prennent note de l'avis du président du Comité scientifique et soulignent l'importance des observateurs SISO pour le travail de la CCAMLR, leur indépendance et les exigences spécifiques requises des observateurs SISO à bord des navires, qui peuvent ne pas être exigées des observateurs nationaux (point 7). Certains Membres reconnaissent la grande qualité des observateurs nationaux au sein de la CCAMLR, mais rappellent que la collecte de données de manière cohérente pour tous les navires, conformément aux exigences du SISO, renforce la capacité de la CCAMLR à ajuster les limites de captures et à évaluer l'impact sur l'écosystème.

87. La Fédération de Russie fait part de ses préoccupations quant à la nature du rapport (WG-FSA-IMAF-2024/11 Rév. 1) soumis au SCIC, se demandant pourquoi un document émanant d'un groupe de travail scientifique a été soumis sans contexte explicite ni considérations à prendre en compte par le SCIC.

88. Le SCIC prend note de l'explication du Secrétariat selon laquelle le rapport est soumis à titre d'information uniquement, conformément à la pratique habituelle pour les rapports de mise en œuvre au titre de ce point convenu de l'ordre du jour lors des réunions précédentes. Le SCIC recommande qu'une annotation soit incluse dans l'introduction des futurs rapports soumis afin de clarifier le raisonnement qui sous-tend la soumission au SCIC de tout document du groupe de travail.

Stratégie d'engagement des PNC

89. Le SCIC prend note de l'examen de la mise en œuvre de la stratégie d'engagement des PNC pour 2023-2024 (CCAMLR-43/16). Le SCIC reconnaît les efforts déployés par le Secrétariat pour établir des relations avec les parties non contractantes (PNC) afin de promouvoir leur coopération avec la CCAMLR.

90. Le SCIC approuve la stratégie d'engagement des PNC pour la période 2025 - 2026 (CCAMLR-43/16, annexe 2) et le plan d'action (CCAMLR-43/16, annexe 3).

91. De nombreux Membres expriment leur soutien à l'orientation de la stratégie d'engagement des PNC pour 2025-2026 et à la participation accrue du Secrétariat avec les PNC. La Corée note que l'inclusion des PNC engagés dans des activités de transbordement dans la zone de la Convention est un ajout précieux à la stratégie d'engagement des PNC.

92. La Russie remercie le Secrétariat d'avoir identifié à temps la nécessité de coopérer directement avec les pays du Moyen-Orient compte tenu de l'augmentation de la quantité de *Dissostichus spp.* importée dans cette région. La Russie suggère d'identifier les pays prioritaires avec lesquels s'engager et note qu'il serait utile de fournir au SCIC des informations sur les pays spécifiques de cette région qui participent à la stratégie d'engagement des PNC.

93. Le SCIC prend note de la collaboration du Secrétariat avec le Centre de développement des pêches de l'Asie du Sud-Est (SEAFDEC) et du Plan d'action régional visant à promouvoir des pratiques de pêche responsables, y compris la lutte contre la pêche INN (RPOA-IUU) dans le cadre de la stratégie d'engagement des PNC. Le SCIC a encouragé le Secrétariat à poursuivre son engagement auprès du SEAFDEC et du RPOA-IUU, notamment en invitant le Secrétariat de la CCAMLR à participer à une réunion de coordination des partenaires du RPOA-IUU au début du mois de novembre 2024. Le SCIC approuve la recommandation selon laquelle les deux organisations devraient être invitées à assister en tant qu'observateurs aux futures réunions de la CCAMLR.

94. Le SCIC encourage les Parties contractantes à participer activement à la stratégie d'engagement des PNC par des méthodes telles que la participation et la présentation d'exposés lors d'ateliers, l'engagement dans un dialogue formel avec les PNC et la fourniture de conseils et d'un soutien techniques.

Propositions de mesures de conservation liées à la conformité nouvelles ou révisées

Mesure de conservation 10-03

95. Le SCIC examine la mise en œuvre de la mesure de conservation (MC) 10-03 et du système de contrôle pour la saison de pêche 2023/24 (CCAMLR-43/15), ainsi que la proposition de modification de la MC 10-03 visant à permettre des inspections différées et la renonciation à l'obligation de soumettre à l'avance les informations figurant à l'appendice I0-03/A dans les cas d'entrée au port impliquant une urgence médicale. Le SCIC approuve les amendements proposés et les renvoie à la Commission pour adoption.

96. Le SCIC examine la proposition précédemment approuvée lors de la réunion du SCIC-2023 (paragraphe 26) visant à modifier la MC 10-03 et à ajouter un formulaire alternatif d'inspection portuaire de la CCAMLR pouvant être utilisé conjointement avec le formulaire d'inspection de l'Accord sur les mesures du ressort de l'État du port afin de réduire la redondance pour les inspecteurs. Le SCIC approuve les amendements proposés à la MC 10-03, y compris l'ajout d'un formulaire alternatif de contrôle de la CCAMLR (MC 10-03, annexe C), et les renvoie à la Commission pour adoption.

97. Le SCIC examine la proposition de l'Australie, de la Corée, de la Nouvelle-Zélande et des États-Unis d'amender la MC 10-03 (CCAMLR-43/42) de manière à exiger des Parties contractantes qu'elles procèdent à des inspections portuaires de l'ensemble des navires de pêche transportant des espèces et produits autres que *Dissostichus* spp. exploités dans la zone de la Convention. En outre, il est proposé d'inclure dans l'appendice I0-03/B des références aux MC 25-03, 51-01, 51-02, 51-03 et 51-04 afin de formaliser l'inspection des dispositifs d'exclusion des mammifères marins sur les engins de chalutage et d'autres mesures liées à l'atténuation de la mortalité des oiseaux de mer, ainsi que l'inclusion de codes produits pour les produits à base de krill bouilli, décortiqué et sous forme d'huile. Deux documents connexes sont présentés en parallèle (CCAMLR-43/40 (paragraphe 3.8.27-3.8.29), CCAMLR-43/43 (paragraphe 3.8.6-3.8.8)).

98. De nombreux Membres expriment leur soutien aux révisions proposées pour la MC 10-03 et soulignent la nécessité d'harmoniser ses conditions pour l'ensemble des pêcheries de la CCAMLR, en particulier dans le cadre de l'approche de gestion de la pêcherie de krill envisagée par la Commission.

99. Certains Membres rappellent les différences entre les pêcheries, notant en outre que les différents niveaux de risque en matière d'activités INN nécessitent un examen plus approfondi.

100. La Chine fait la déclaration suivante :

« La différence entre les pêcheries de krill établies et les pêcheries exploratoires de légine réside dans la Convention, en particulier dans les principes de conservation énoncés à l'article II. En ce qui concerne les pêcheries de légine, il s'agit de pêcheries établies et de pêcheries exploratoires, soumises à des mesures de conservation différentes. La différence entre les pêcheries de krill et les pêcheries de légine ne doit en aucun cas servir de prétexte à la révision des mesures de conservation pertinentes. À cet égard, l'article IX de la Convention stipule clairement que la Commission identifie les besoins en matière de conservation, analyse l'efficacité des mesures de conservation et les réviser sur la base des meilleures preuves scientifiques disponibles. »

101. Le SCIC discute des améliorations à apporter au texte proposé afin de répondre aux préoccupations exprimées par les Membres, mais ne peut approuver, pour l'instant, la révision de la MC 10-03 que contient cette proposition. Elle a donc été renvoyée à la Commission pour examen plus approfondi.

Mesure de conservation 10-04

102. Le SCIC examine la proposition des délégations de l'Australie, de la Nouvelle-Zélande, de la Corée, de la Norvège, du Royaume-Uni et des États-Unis visant à modifier la MC 10-04

(CCAMLR-43/43) afin d'exiger de toutes les Parties contractantes dont les navires de pêche opèrent dans la zone de la Convention qu'elles soumettent les données VMS au Secrétariat de la CCAMLR au plus tard une heure après leur réception.

103. De nombreux Membres soutiennent cette proposition, soulignant l'importance de la transmission en temps réel des données VMS pour le contrôle des activités de pêche. Est également soulignée l'importance d'une déclaration des mouvements en temps réel dans le contexte de l'approche de la gestion de la pêcherie de krill et des changements requis pour faciliter cette approche, si elle est approuvée.

104. Certains Membres expriment des inquiétudes quant à la faisabilité de la mesure.

105. Certains notent que plusieurs Membres pratiquant la pêche au krill transmettent déjà les données VMS en temps quasi réel, et que l'ensemble des navires sous licence CCAMLR transmettent les données VMS à l'État du pavillon toutes les heures.

106. Le SCIC ne parvient pas à un consensus sur la proposition d'amendement de la MC 10-04. La proposition est renvoyée à la Commission pour examen plus approfondi.

Mesures de conservation 21-01 et 21-02

107. Le SCIC examine la proposition de l'UE visant à modifier les MC 21-01 et 21-02 (CCAMLR-43/45). Les modifications proposées consistent à exiger la présence à bord d'un observateur scientifique désigné conformément à la norme SISO pour les nouvelles pêcheries relevant de la MC 21-01, et à préciser dans la MC 21-02 que les observateurs scientifiques doivent être désignés conformément à la norme SISO.

108. De nombreux Membres expriment leur soutien aux révisions proposées, mais certains rappellent qu'aucune notification concernant de nouvelles pêcheries n'a été soumise cette année, et que ces pêcheries ont un caractère plus scientifique : la présence d'un observateur supplémentaire augmenterait les coûts de leur mise en œuvre.

109. Le SCIC ne parvient pas à un consensus sur la proposition et la renvoie à la Commission pour examen plus approfondi.

Mesure de conservation 23-01

110. Le SCIC examine la proposition d'amendement de la MC 23-01 du Secrétariat (CCAMLR-43/19) et qui vise à améliorer le délai de déclaration pour les navires lorsque les Parties contractantes sont tenues de déclarer les données de capture et d'effort au secrétaire exécutif. Le document propose également des amendements à la mesure qui exigeraient que les fermetures de pêcheries soient communiquées par le Secrétariat aux navires de pêche, en plus de leurs Parties contractantes.

111. Le SCIC remercie le Secrétariat pour son travail dans l'élaboration de solutions concrètes au récent dépassement de la limite de capture de krill. Le SCIC approuve la proposition d'amélioration de la MC 23-01, paragraphe 2 concernant le délai de déclaration, et

la transmet à la Commission pour adoption. 3.8.12. Certains Membres s'interrogent sur les changements proposés au paragraphe 7 de la MC 23-01 et leurs implications sur les pêcheries de légine, et s'inquiètent de la formulation proposée et de son application à différentes pêcheries. Le SCIC ne parvient pas à un consensus sur les amendements au paragraphe 7 de la MC 23-01.

Mesure de conservation 31-02

112. Le SCIC examine les propositions de la Fédération de Russie (CCAMLR-43/34 et CCAMLR-43/35) visant à modifier la MC 31-02 afin de clarifier les procédures de gestion concernant la récupération tardive des engins de pêche à la palangre après la fermeture de la pêche dans les sous-zones 88.1 et 88.2. De nombreux Membres expriment leur reconnaissance pour ce document et font remarquer qu'il avait été présenté l'année dernière lors de la réunion du SCIC-2023, notant par ailleurs que les suggestions de rédaction précédemment formulées sur cette question devraient être incorporées dans toute proposition future.

113. Certains Membres estiment que la récupération tardive et récurrente d'engins n'est pas un problème systématique et n'a pas d'incidence sur la gestion du stock. Ils pourraient cependant envisager la proposition, à condition que des améliorations soient apportées à cette mesure.

114. Le SCIC ne parvient pas à un consensus sur la révision de la MC 31-02, et la proposition a été renvoyée à la Commission pour examen plus approfondi.

Mesures de conservation 41-01 et 41-10

115. Le SCIC examine deux propositions de modification de la MC 41-01. La première est présentée par le Secrétariat (CCAMLR-43/18), et a pour objectif de réaligner et clarifier les conditions visées aux MC 41-01 et 41-10 respectivement concernant l'obligation de réaliser des poses de recherche lors de la pêche dans la sous-zone 88.2, SSRU H. Le SCIC approuve les révisions proposées pour les MC 41-01 et 41-10 et les soumet à la Commission pour adoption.

116. La deuxième proposition d'amendements à la MC 41-01 examinée par le SCIC est présentée par l'Australie (CCAMLR-43/49). Elle vise à autoriser un navire à interrompre une pose de recherche dans le but d'éviter la perte d'engins, d'assurer la sécurité du navire et des personnes à bord, ou la sauvegarde de la vie humaine en mer, en notant diverses conditions. Le SCIC approuve la proposition de révision de la MC 41-01 et la soumet à la Commission pour adoption.

Zones de nidification de poissons

117. Le SCIC examine la proposition de l'Union européenne et de ses États membres (CCAMLR 43/01) qui concerne une nouvelle MC 32-XX relative à la protection des zones de nidification des poissons notothenioïdes dans la zone de la Convention, en fermant ces zones à la pêche. De nombreux Membres notent que le Comité scientifique recommande une telle protection.

118. De nombreux Membres accueillent favorablement la proposition, rappelant que ce sujet avait été discuté en détail les années précédentes, et soulignent la nécessité de protéger les habitats essentiels.

119. Certains Membres déclarent être dans l'incapacité de soutenir la proposition à ce stade, notant que des travaux supplémentaires sont nécessaires.

120. Le SCIC ne parvient pas à un consensus sur cette proposition et la renvoie à la Commission pour examen plus approfondi.

Symposium d'harmonisation

121. La Corée présente le rapport sur le Symposium d'harmonisation (HS 2024), qui s'est tenu au Songdo ConvensiA Centre à Incheon, en République de Corée, du 16 au 20 juillet 2024 (CCAMLR-43/29). L'objectif de ce Symposium était de « fournir à la CCAMLR des recommandations quant aux mesures à prendre pour harmoniser la mise en œuvre de l'approche révisée de la gestion de la pêcherie de krill (KFMA) et l'établissement d'une AMP du domaine 1 (AMPD1) dans la région de la péninsule Antarctique, ainsi que des recommandations sur la collecte et l'analyse pratiques et rentables des données. »

122. Le document énumère de nombreuses recommandations visant à améliorer l'approche de gestion de la pêcherie de krill (KFMA), mais aucune modification explicite de la MC n'est suggérée au SCIC. Le SCIC remercie la Corée pour son document et sa présentation.

Résolution sur les normes de travail et de sécurité

123. Le SCIC examine le document (CCAMLR-43/32) présenté par les États-Unis, contenant une proposition de résolution sur les normes de travail et de sécurité dans les pêcheries de la CCAMLR. Le document note que les abus en matière de travail et les questions de sécurité sur les navires de pêche font à juste titre l'objet d'une grande attention ces dernières années, et que ce sujet de discussion n'est en rien nouveau pour le SCIC.

124. De nombreux Membres reconnaissent que si la CCAMLR a progressé ces dernières années dans l'amélioration de la sauvegarde de la vie humaine en mer, elle n'a pas réussi à suivre les mesures prises par d'autres organisations internationales de pêche (telles que les ORGP), ce qui a empêché toute avancée dans ce domaine majeur. De nombreux Membres notent en outre que la proposition s'inspire de l'expérience de ces organisations afin de proposer une résolution non contraignante, et encouragent vivement la CCAMLR à prendre en considération les meilleures pratiques en matière de normes de travail, de prévention des abus et de garantie de conditions de travail et de vie sûres et équitables à bord de tous les navires opérant dans les pêcheries de la CCAMLR.

125. Certains Membres rappellent la résolution 23/XXIII de la CCAMLR (Sécurité à bord des navires de pêche dans la zone de la Convention), notant qu'un examen supplémentaire du niveau de mise en œuvre de la résolution proposée serait nécessaire et que, par conséquent, ils ne sont pas en mesure de soutenir la proposition à ce stade. De nombreux Membres notent que

la résolution 23/XXIII est insuffisante pour traiter le sujet complexe des normes du travail, car elle ne fait référence qu'à la fourniture d'équipements et de vêtements.

126. Les États-Unis présentent une révision 1 de la proposition qui fait référence à la résolution 23/XXIII dans son préambule et intègre les commentaires reçus par les Membres au cours du SCIC.

127. Le SCIC prend note de l'accord unanime sur l'importance de la question et remercie les États-Unis d'avoir préparé la proposition et facilité les discussions au cours de la réunion.

128. Les États-Unis remercient le SCIC pour les discussions constructives et sont impatients de poursuivre le débat au sein de la Commission.

129. Le SCIC ne parvient pas à un consensus permettant d'approuver la résolution sur les normes de travail et de sécurité dans les pêcheries de la CCAMLR pour le moment. La proposition révisée a été renvoyée à la Commission pour examen plus approfondi.

SISO

130. Le SCIC examine la proposition des délégations de l'Argentine, de l'Australie, de la Nouvelle-Zélande, de la Norvège, du Royaume-Uni et des États-Unis visant à modifier la MC 51-06 (CCAMLR-43/40) afin d'exiger qu'au moins un observateur sur chaque navire soit nommé dans le cadre du Système d'observation scientifique internationale (SISO).

131. La Chine estime que les observateurs scientifiques nationaux sont formés pour répondre aux exigences en matière de collecte de données conformément aux tâches du SISO, et suivent les mêmes lignes directrices pour produire des données d'une qualité similaire.

132. Certains Membres notent que les observateurs SISO sont indépendants et peuvent hiérarchiser les tâches différemment.

133. La Russie note que rien ne prouve que les observateurs scientifiques nationaux ne soient pas en mesure d'accomplir des tâches similaires à celles des observateurs SISO.

134. Le SCIC n'est pas parvenu à un consensus sur cette proposition. La proposition est renvoyée à la Commission pour examen plus approfondi.

CCAMLR Compliance Evaluation Procedure (CCEP)

135. SCIC considered the Secretariat's report and analysis of the CCEP (CCAMLR-43/11), drawing attention to the high compliance rates of greater than 98% across the majority of compliance measures analysed. SCIC noted the improved compliance with CM 10-09 from year-to-year, with a decrease in the number of non-compliance events associated with this Conservation Measure. However, SCIC also noted that there has been an increase in the number of non-compliance events associated with CM 26-01.

136. SCIC considered the request from the Secretariat to advise what steps should be taken to better clarify the reporting requirements when reporting discards and offal in fine-scale catch and effort data, noting that Section 7.3 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023 states that any species that is caught and retained on the vessel for discard later shall be reported in the C2 data as “Retained” and any species landed on the vessels and then discarded overboard without processing is to be reported as “Discarded”. SCIC sought the advice of the Chair of the Scientific Committee on the proper completion of the C2 data form with respect to the reporting of discards.

137. SCIC recalled the request that Panama report back with additional information on the status of sanctions applied to two vessels for breaches of CM 10-09 that were considered at SCIC-2023 (SCIC-2023, paragraph 112). SCIC noted that further information was provided by Panama and circulated to Members in COMM CIRC 24/76.

138. SCIC endorsed the recommendation that Contracting Parties biennially report aggregated trade data for the purpose of enhancing CDS implementation. Submissions by Contracting Parties shall contain details on trade flow (import/export), year, country, species and quantity.

Provisional Compliance Report

139. In accordance with CM 10-10, paragraph 3(i), SCIC considered the 68 potential compliance incidents in the CCEP Summary Report (CCAMLR-43/11). SCIC held protracted discussions on the compliance issues presented in the CCEP Summary Report and reached a common understanding of what would be the appropriate compliance statuses for 55 of the incidents. However, because SCIC could not agree on the remaining issues, it was unable to reach consensus to adopt its annual Provisional Compliance Report in accordance with CM 10-10. The compliance issues considered are identified in Appendix I.

Conservation Measure 10-03

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

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

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

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

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

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

Further Action: No further action required

Preliminary Status: No compliance status assigned'

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

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

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

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

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

Preliminary Status: No compliance status assigned'

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

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

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

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

Further Action: No further action required

Preliminary Status: Compliant'

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

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

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

Exceptional circumstance: the inspection was delayed because of impediments to accessing the vessel. 15 inspections are carried out annually in the port of Montevideo without delays.

Further Action: Se continúa con la mejora de los procesos de control para las inspecciones

Ongoing improvements of monitoring processes regarding inspections.

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

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

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

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

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

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

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

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

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

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

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

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

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

Conservation Measure 10-04

156. SCIC considered the implementation of CM 10-04, paragraph 13, by the Chilean vessel *Antarctic Endeavour* (item 7 of Appendix I), the French vessels *Albius* (items 8 and 9 of Appendix I) and *Sainte Rose* (item 10 of Appendix I), the Korean vessel *Greenstar* (item 11 of Appendix I), the Spanish vessel *Tronio* (item 12 of Appendix I) and the United Kingdom vessel *Nordic Prince* (item 13 of Appendix I) regarding the requirement for Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.

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

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

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

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

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

Preliminary Status: Compliant”

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This was an honest mistake from the vessel and rectified as soon as the mistake had been identified. As the vessel had been sending its VMS data on an hourly basis to the Secretariat, its activities can be verified. The authorities issued a strong warning on this

case, and the operator is committed to strengthening its compliance with all the conservation measures of CCAMLR.

Further Action: No further action required

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

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

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

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

Further Action: no further action required

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

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

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

'The UK investigated this potential infringement.

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

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

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

Further Action: None

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

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

Conservation Measure 10-05

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

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

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

Further Action: No further action needed

Preliminary Status: Compliant’

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

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

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

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

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

that our traceability analyses for the 74 DEDs validated late show that these documents are not related to IUU fishing activities.

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

Preliminary Status: Non-compliant (Level 2)’

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

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

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

Further Action: no further action required

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

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

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

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

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

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

2. In the case of the second DRED, there has been an administrative error. The initial DRED was submitted to the Dutch authorities for validation on 30 August 2023. The application provided the same information as an earlier application and was refused. On 12 September 2023, the export was requested again with a different catch document.

However, the correct supporting documents were not available and essential information was still missing, resulting in various exchanges between the Dutch authorities and the exporter between 12 and 18 September 2023. After the missing information was provided, the DRED was issued on 18 September 2023 and the export happened the same day. However, due to an oversight, the issuing officer did not update the initial export date. The DRED therefore listed an incorrect export date of 30 August 2023. The correct export date was 18 September 2023. The DRED was issued the same day, prior to export.

Proposed preliminary status: Compliant, no further action required'

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

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

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

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

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

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

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

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

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

Considerations:

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

Decision:

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

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

Further Action: No further actions required

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

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

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

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

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

Further Action: no further action required

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

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

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

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

Further Action: No further action needed

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

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

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

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

The July 2023–June 2024 period was reviewed: 101 DEDs were completed. 50% of the DEDs that were not completed in time correspond to cargoes of less than 1000 kg from trawlers. These delays can be attributed to the shortage of dedicated staff and to delays by companies and legal representatives in the submission of verifiable documentation (detailed exporter and importer information). As to the staff shortage, additional staff has been engaged and they attended training courses earlier in the year.

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

Also, companies were informed that deadlines for the submission of documentation will be more strictly enforced. Uruguay has requested assistance from FAO to review and improve the procedures relating to the Port State Measures Agreement.

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

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

Conservation Measure 10-09

189. SCIC considered the implementation of CM 10-09, paragraph 2, by the Panamanian vessels *Frio Aegean* (items 23 and 24 of Appendix I), *Frio Marathon* (item 25 of Appendix I), *Frio Oceanic* (item 26 of Appendix I), and *Procyon* (item 27 of Appendix I), and the Ukrainian vessel *More Sodruzhestva* (item 28 of Appendix I) which requires that each Contracting Party as a Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area.

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

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

Preliminary Status: Compliant’

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

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

Preliminary Status: Compliant’

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

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

Preliminary Status: Compliant’

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

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

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

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

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

transshipment reported did comply with the established time (72h 14m). Therefore, Panama considers a preliminary status of Compliant.

Preliminary Status: Compliant'

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

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

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

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

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

Further Action: No Further Action required

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

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

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

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

Willingness to comply with CM 10-09 is confirmed. According to the observer's report, an echo sounder was transhipped to the Helena Ndume.

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

The company received a warning of non-compliance. The company must improve procedures in case similar situations arise in the future.

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

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

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

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

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

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

Further Action: No Further Action required

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

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

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

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

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

Preliminary Status: Compliant’

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

Conservation Measure 22-07

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

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

‘The UK investigated this potential infringement.

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

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

Further Action: None

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

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

211. SCIC considered the implementation of CM 22-07, paragraph 9, by the Russian vessel *Alpha Crux* (items 34, 35, 36 and 37 of Appendix I) and the Uruguayan vessel *Proa Pioneer* (items 38 and 39) which states that a VME Risk Area shall remain closed for any fishery until reviewed by the Scientific Committee and management actions are determined by the Commission.

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

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

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

Status: Minor non-compliant.

Further Action:

Устранение технических пробелов.

Addressing technical gaps.

Preliminary Status: Minor non-compliant (Level 1)

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

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

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

Status: Minor non-compliant.

Further Action:

Устранение технических пробелов

Addressing technical gaps

Preliminary Status: Minor non-compliant (Level 1)

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

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

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

Status: Minor non-compliant.

Further Action:

Устранение технических пробелов.

Addressing technical gaps.

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

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

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

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

Status: Minor non-compliant.

Further Action:

Устранение технических пробелов

Addressing technical gaps.

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

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

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

‘Dos periodos de pesca dentro áreas de riesgo VME:

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

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

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

Two fishing periods within VME risk areas:

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

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

Very low presence of organisms; impact was minimal.

Further Action:

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

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

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

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

‘Dos periodos de pesca dentro áreas de riesgo VME:

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

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

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

Two fishing periods within VME risk areas:

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

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

Very low presence of organisms; impact was minimal.

Further Action:

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

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

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

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

Conservation Measure 22-08

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

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

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

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

Further Action: не требуется

Not required

Preliminary Status: Compliant’

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

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

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

Conservation Measure 23-04

225. SCIC considered the implementation of CM 23-04, paragraph 3, which requires the total target catch must be reported by species and the total by-catch must be reported by species or

to the lowest taxonomic level possible by the Russian vessel *Alpha Crux* in items 41 and 42 of Appendix I.

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

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

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

Further Action: Требуется дальнейшие консультации с корейской стороной.

Further consultations with Korea are required.

Preliminary Status: Additional information required’

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

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

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

After reviewing the observer's report, the Russian Federation informed the Secretariat and the Appointing Member State of inaccuracies on 29 May 2024. Both observers recorded by-catch data for each line on a special form kept on the vessel. These forms are saved and can be presented. No evidence of intentional discards of by-catch species was provided. A reply from Korea was received on 27 August 2024. Nonetheless, additional issues have arisen on this matter that need to be addressed by the parties.

Preliminary Status: Additional information required’

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

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

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

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

Conservation Measure 25-02

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

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

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

Отстранен капитан судна от возможности участия в рейсах в АНТКОМ;

Часть команды судна отправлена на проверку квалификационным требованиям;

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

проведено тщательное расследование.

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

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

A thorough investigation has been carried out.

Further Action: Не требуются.

Not required

Preliminary Status: Non-compliant (Level 2)'

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

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

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

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

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

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

Further Action: No further action required

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

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

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

‘A thorough investigation was conducted into this matter.

Two streamer lines were regularly used during vessel cruise.

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

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

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

Preliminary Status: Additional information required'

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

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

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

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

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

Preliminary Status: Compliant'

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

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

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

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

Отстранен капитан судна от возможности участия в рейсах в АНТКОМ;

Часть команды судна отправлена на проверку квалификационным требованиям;

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

This matter has been investigated. During the preparation of the vessel for the voyage, the standard measurements of the streamer lines were taken, and their length was not less than 150 metres. No changes were made to the configuration of the streamer lines.

Damage to the streamer lines (if any) is possible as a result of breaking in the ice. There are many comments on this issue, as well as on the observer's report in general.

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

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

Further Action: Требуется дальнейшие консультации с корейской стороной.

Further consultations with Korea are required.

Preliminary Status: Additional information required'

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

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

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

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

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

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

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

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

Further Action: No further action required

Preliminary Status: Compliant'

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

Conservation Measure 26-01

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

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

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

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

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

Preliminary Status: Compliant'

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

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

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

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

Preliminary Status: Compliant’

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

‘The UK investigated this potential infringement.

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

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

Further Action: None

Preliminary Status: Compliant’

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

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

Discarding of organic matter south of Lat 60S, 11 Dec 2023–28 Jan 2024. Discard of 39 220 ind[ividuals], 33 tonnes approx. 11 species. Error when completing the C2 Form: species to be macerated and subsequently discarded were not recorded as retained. According to the observer's report, the discharge of discards took place on 08/02/2024, starting at 15:15 UTC, at 60°00S-090° 06.4W, ending the same day at 18:30 UTC, at 59°45.7S-089°24.2W. The discharge totalled 64 m3.

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

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

Preliminary Status: Non-compliant (Level 2)’

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

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

Discarding of organic matter south of Lat 60S. 19 Dec 2023–25 Jan 2024. Discard of 481 ind[ividuals], 1763 kg of *Dissostichus mawsoni*. Possible error when completing the C2 Form: fish that may have been stored for later discard would not been recorded as “retained”. The captain declared that there was no discarding outside authorised areas.

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

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

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

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

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

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

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

Отстранен капитан судна от возможности участия в рейсах в АНТКОМ;

Часть команды судна отправлена на проверку квалификационным требованиям;

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

A thorough investigation was conducted into this matter.

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

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

Further Action: Не требуются

Not required

Preliminary Status: Non-compliant (Level 2)'

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

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

Conservation Measure 31-01

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

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

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

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

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 CCAMLR42 were consistent with the best available science and in accordance with the CCAMLR decision rules.

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

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

Further Action: None

Preliminary Status: Compliant’

261. Argentina made the following statement:

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

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

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

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

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

266. Argentina made the following statement:

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

267. The United States made the following statement:

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

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

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

Conservation Measure 31-02

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

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

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

The closure was notified via COMM CIRC 24/53 of 16 May where the last paragraph states that “This closure notice has been issued as outlined in COMM CIRC 23/123 and in accordance with CM 23-01, paragraph 7, and CM 31-02.” The Secretariat has

confirmed that COMM CIRC 24/53 was issued to Contracting Parties, but it was not sent separately to the individual vessels. Hence, the closure notification process was not in accordance with the procedure outlined in COMM CIRC 23/123 and not consistent with previous years' practice.

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

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

Further Action: No further action required.

Preliminary Status: Compliant'

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

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

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

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

275. New Zealand noted that CM 31-02, paragraph 6, requires the investigation into the late gear retrieval to assess whether all reasonable efforts were made to remove the fishing gear from the water by the notified closure date and time or as soon as possible after the notification

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

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

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

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

Conservation Measure 41-09

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

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

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

The catch of 1500 kg of *Macrourus* spp. in a 10-day period per SSRU was exceeded. 4 compliance issues caused the *Ocean Azul* to stop fishing in Subarea 881 I. Non-compliance was acknowledged.

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

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

Preliminary Status: Non-compliant (Level 2)’

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

Conservation Measure 91-05

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

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

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

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

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

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

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

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

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

Further Action: Не требуется.

Not required

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

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

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

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

Further Action: no further action required

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

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

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

CCAMLR Scheme of International Scientific Observation

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

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

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

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

Russian Federation examined the information regarding the availability of the text of Conservation Measure 26-01 on board the vessel. The text of the CCAMLR conservation measures in Russian was available on the ship. The Russian Federation has considered in detail the issues identified in the International Scientific Observer's

report regarding possible misconduct by an undisclosed ship crew member in the Navigator role. Based on the reported data, the only person in that position was presumably a citizen of the Republic of Korea, employed for the cruise period and left the vessel at the end of it. During the cruise, the International Observer did not contact the ship's captain or report such actions by a vessel crew member. Nonetheless, further cooperation with Korea is planned, given the need to establish all the circumstances of the case.

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

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

Preliminary Status: Additional information required'

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

293. Korea made the following statement:

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

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

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

296. SCIC considered the implementation by the Russian vessel *Alpha Crux* (item 67 of Appendix I) of the Text of the CCAMLR Scheme of Scientific Observation, Part D, paragraph (b) (ii), which states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not intimidate, or interfere with the duties of a scientific observer.

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

‘A thorough investigation was conducted into this matter.

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

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

No unauthorised persons were allowed access to this cabin.

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

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

Further Action: Не требуется

Not required

Preliminary Status: Compliant’

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

299. Korea made the following statement:

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

Unfortunately, the consultations between Korea and Russia did not lead to a clear resolution, and our own investigation did not uncover further evidence to support the allegation despite our significant concerns. Nonetheless, Korea would like to stress the importance of ensuring safe conduct on board, given the unique challenges of the operating environment on board. We also emphasise the need to create an onboard atmosphere where observers can remain and carry out their duties without any form of intimidation and the importance of ensuring observers are absolutely safe under any

circumstances. As a Designating Member, Korea will work closely with all Flag State Members to ensure the safety of observers.’

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

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

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

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

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

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

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

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

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

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

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

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

Status: Compliant.

Further Action: НЕ требуется

Not required

Preliminary Status: Compliant’

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

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

Pêche illicite, non déclarée et non réglementée (INN)

312. Le SCIC examine l'activité et les tendances de la pêche INN en 2023/24 dans la zone de la Convention et les listes de navires INN, comme indiqué dans le document CCAMLR-43/14 rév.1. Le SCIC note qu'aucun navire figurant sur les listes des parties contractantes (PC) ou des

parties non contractantes (PNC) - navires INN n'a été signalé comme ayant été aperçu par les Membres à l'intérieur de la zone de la Convention en 2023/24.

313. Le SCIC examine les informations figurant dans le document CCAMLR-43/BG/18 Rév. 1, qui donne un aperçu des méthodes et des possibilités potentielles pour améliorer la connaissance des activités se déroulant dans la zone de la Convention CAMLR.

314. La Chine cherche à clarifier la signification de l'expression « connaissance du domaine maritime » dans le contexte du présent document. Le SCIC note que l'expression « connaissance du domaine maritime », dans le contexte du présent document, signifie la connaissance des activités liées au suivi de la pêche pour assurer le respect des mesures de conservation de la CCAMLR ainsi que la détection et la dissuasion de la pêche illicite, non déclarée et non réglementée (INN) et des activités liées à la pêche dans la zone de la Convention de la CCAMLR et inclut cette information dans une note de bas de page dans le document CCAMLR-43/BG/18 Rév. 1.

315. Le SCIC exprime son soutien aux efforts visant à améliorer les capacités de suivi des activités se déroulant dans la zone de la Convention, y compris les ressources et les informations fournies à l'appendice I du document BG/18 pour permettre aux navires des Membres effectuant diverses missions de contribuer aux efforts de détection et de dissuasion de la pêche INN et de suivi de la conformité des activités de pêche.

316. Le SCIC examine la note de synthèse figurant à l'annexe I du document BG/18. Les États-Unis annoncent qu'ils ont l'intention de piloter cette approche et que le brise-glace Polar Star des garde-côtes américains effectuera une patrouille de surveillance et communiquera des informations sur l'observation des navires au cours de sa mission à destination et en provenance de la station McMurdo au cours de la saison à venir.

Niveau actuel de pêche INN :

317. Le SCIC examine le document CCAMLR-43/BG/11 Rév. 1, qui décrit la collaboration de la CCAMLR avec INTERPOL tout au long des années 2023 et 2024 afin d'identifier et de décourager les activités de pêche illicite, non déclarée et non réglementée (INN), soutenue par une subvention de 60 000 € accordée par l'UE (projet de l'UE 101092707-CCAMLRsupport2022).

318. Le SCIC remercie l'UE d'avoir accordé ce financement et se félicite de cette collaboration avec INTERPOL, notant la menace que représente la criminalité transnationale organisée pour l'objectif de la CCAMLR.

319. Le SCIC examine le rapport sur la mise en œuvre de la mesure de conservation 10-08 (CCAMLR-43/BG/19) et note que le Secrétariat n'a pas reçu de nouveaux rapports pertinents pour la MC 10-08 en 2024.

320. L'Uruguay exprime sa volonté d'enquêter davantage sur l'inscription d'un capitaine de navire de nationalité uruguayenne en relation avec le navire *El Shaddai* battant pavillon sud-africain.

321. L'Union européenne fournit au SCIC une mise à jour des mesures prises à l'encontre des ressortissants espagnols liés aux navires *Cobija* et *El Shaddai* inscrits sur la liste INN. En ce qui concerne l'*El Shaddai*, l'UE note que plusieurs tentatives ont été faites pendant la période d'intersession pour obtenir des informations de l'État du pavillon sur l'identité du capitaine de pêche, et que certaines informations ont été reçues le premier jour de la CCAMLR-43, qui feront l'objet d'un suivi. En ce qui concerne le navire *Cobija*, l'UE note que l'un des ressortissants impliqués dans le navire ne figure pas sur la liste du tableau 1 (CCAMLR-43/BG/19) et fournit au SCIC une mise à jour des mesures prises à l'encontre du capitaine et du propriétaire du navire, ainsi que de son représentant légal. Des amendes ont été imposées aux deux personnes, ainsi que l'impossibilité d'obtenir des prêts, des subventions ou des aides publiques pendant une période de cinq ans, et la déchéance du droit d'exercer ou de mener des activités de pêche pendant une période de trois ans.

322. Le SCIC note que le Secrétariat a éprouvé des difficultés considérables à compiler le tableau 1 en raison des informations non concluantes qu'il a souvent rencontrées et que les lacunes en matière d'information pourraient être considérablement réduites grâce à un engagement plus poussé entre les Parties contractantes sur les enquêtes pertinentes et à la diffusion des résultats, comme l'exige la MC 10-08 et lorsque c'est pertinent.

323. Le SCIC note également que le Secrétariat sollicite en outre le soutien d'INTERPOL et de la Cellule analytique conjointe (JAC) afin d'élargir le champ des informations disponibles, d'analyser les données probantes disponibles et de partager les informations pertinentes utiles aux Parties contractantes pour lutter contre la pêche INN dans le cadre des MC 10-06 et 10-07, ainsi que pour appuyer la mise en œuvre de la MC 10-08.

324. Le SCIC accueille favorablement les contributions supplémentaires des Parties contractantes sur les moyens d'améliorer l'information, les ressources et les mécanismes disponibles pour améliorer le partage de l'information et renforcer l'analyse/l'enquête afin de mettre pleinement en œuvre la MC 10-08.

Listes des navires INN

Liste des navires INN-PNC

325. Le SCIC examine la liste provisoire des navires INN-PNC pour 2024/25.

326. Le SCIC examine une déclaration de la République islamique d'Iran demandant le retrait du *Koosha 4* de la liste des navires INN-PNC. Le SCIC note également que la République islamique d'Iran a fourni au Secrétariat des informations contenant des images ainsi que la vidéo d'un navire supposé être le *Koosha 4* en cours de démolition. Ces informations ont été communiquées au SCIC pour qu'il en prenne connaissance.

327. Le SCIC prend note des efforts déployés par la République islamique d'Iran pour tenter de satisfaire aux conditions visées au paragraphe 18 de la mesure de conservation (MC) 10-07.

328. Certains Membres estiment toutefois que le SCIC devrait retarder le retrait du *Koosha 4* de la liste des navires INN-PNC pour 2024/25, jusqu'à réception d'une confirmation définitive de la démolition du *Koosha 4*.

329. Le SCIC note l'absence de consensus concernant le retrait du *Koosha 4* de la liste des navires INN-PNC pour 2024/25.

330. Le SCIC demande au Secrétariat de poursuivre le dialogue avec la République islamique d'Iran afin d'obtenir de plus amples informations sur le déclassement présumé du *Koosha 4* ou d'autres éléments qui pourraient satisfaire aux conditions visées à la MC 10-07.

331. L'UE rappelle que la République islamique d'Iran avait précédemment cherché à faire retirer le *Koosha 4* de la liste au titre du paragraphe 18 iii) de la MC 10-07, sur la base d'un changement de propriétaire. L'UE fait remarquer que, pour que le SCIC retire le *Koosha 4* de la liste des navires INN-PNC sur cette base, la République islamique d'Iran doit fournir la preuve que le navire a bien changé de propriétaire, y compris de propriétaire effectif s'il est connu pour être distinct du propriétaire inscrit. La République islamique d'Iran est également tenue d'établir que l'ancien propriétaire n'a plus d'intérêts juridiques, financiers ou réels dans le navire, qu'il n'exerce plus de contrôle sur celui-ci et que le nouveau propriétaire n'a pas participé à des activités de pêche INN.

Liste des navires INN-PC

332. Le SCIC examine le projet de liste des navires INN des Parties contractantes pour 2024/25 en parallèle avec la liste existante des navires INN-PC pour 2023/24. Il note l'inclusion proposée de l'*Argos Georgia*, de l'*Argos Helena* et du *Nordic Prince*, ainsi que la demande de l'Afrique du Sud de retirer l'*El Shaddai* de la liste existante des navires INN-PC.

333. Le SCIC présente ses condoléances aux victimes du naufrage de l'*Argos Georgia*.

334. L'Argentine fait la déclaration suivante :

« L'Argentine souhaite clarifier la raison pour laquelle les navires *Argos Georgia*, *Argos Helena* et *Nordic Prince* ont été ajoutés à la liste des navires pratiquant la pêche illégale. Ce caractère illégal est très clair puisqu'il n'existe aucune mesure de conservation autorisant une telle pêche, comme l'exige la mesure de conservation (MC) 31-01. D'autre part, l'Argentine souhaite exprimer son inquiétude quant aux futures conséquences de cette non-conformité. La mesure de conservation 31-01 a été adoptée en 1986, dans le but d'éviter que la sous-zone 48.3 ne soit exclue de la Convention et de son ordre multilatéral. Cette mesure de conservation, dont le Royaume-Uni et un autre pays veulent aujourd'hui relativiser l'application, établit, tant dans son énoncé que dans son esprit, toutes les conditions de pêche de la légine australe dans la sous-zone 48.3, dont une limite de capture, sur la base des meilleures données scientifiques disponibles, approuvées par consensus et non unilatéralement. Cette même année, le paragraphe 53 du rapport de la Commission indiquait que la mesure de conservation 7/V, désormais 31-01, permettrait à la Commission, lors de sa réunion de 1987, de fixer des limites de capture pour la saison 1987/88 en tant que mesure obligatoire, et qu'une telle recommandation permettrait de procéder de la même manière pour les saisons suivantes. Cette mesure a été respectée par toutes les Parties depuis l'entrée en vigueur de la MC

31-01, puisqu'il existait toujours une mesure de conservation, la MC 41-02, qui fixait les limites de capture et autres conditions applicables à la pêche à la légine australe dans la sous-zone 48.3. C'était le cas jusqu'à il y a quelques années, lorsqu'une Partie a rejeté la réadoption de cette mesure de conservation. Or, considérant qu'aucune mesure de conservation n'autorise la pêche, cette dernière ne doit pas avoir lieu. Ce principe a été compris par la quasi-totalité des pays : plusieurs d'entre eux qui pêchaient dans cette zone ont cessé de le faire, ayant intégré qu'une telle pêche n'était pas appropriée, tandis que les pays importateurs de ce poisson mettaient également fin à leurs activités, là encore pour manquement à la mesure de conservation 31-01.

La relativisation du caractère obligatoire d'une mesure de conservation nous préoccupe en raison du fait que la pêche illégale a lieu en ce moment même, mais aussi en tant que précédent pour l'avenir. Nous souhaitons souligner que, tout comme la MC 31-01 détermine des lignes directrices pour la pêche et exige ensuite d'autres mesures de conservation, il en va de même, par exemple, de la mesure de conservation 21-02, qui régleme les pêcheries exploratoires et sur la base de laquelle la Commission adopte chaque année des mesures de conservation spécifiques dans différentes sous-zones. Si la Commission devait accepter l'argument du Royaume-Uni sur la relativisation de l'article 31-01, alors, par analogie, l'adoption d'une mesure de conservation pour les pêcheries exploratoires n'aurait pas non plus d'importance, puisque les pays seraient libres de prendre des mesures unilatérales, ce qui entraînerait une grave érosion de la Convention. »

335. Le Royaume-Uni fait la déclaration suivante :

« Le Royaume-Uni a déjà exposé sa position sur cette question, notamment dans la récente circulaire COMM CIRC 24/69. Ce point a également fait l'objet de discussions approfondies lors de précédentes réunions du SCIC et de la Commission.

Le Royaume-Uni réfute entièrement toute assertion selon laquelle les navires britanniques opérant dans la sous-zone 48.3 peuvent être caractérisés comme illégaux, non déclarés ou non réglementés en vertu de la mesure de conservation (MC) 10-06. Rien ne permet de présumer que l'un de ces navires s'est livré à l'une des activités visées au paragraphe 5 de la MC 10-06, et ils n'auraient donc pas dû être inclus dans la liste proposée de navires INN-PC.

Le Royaume-Uni n'accepte pas l'ajout de ces navires à la liste finale des navires INN-PC sur la base de leur participation à une pêche soumise à une réglementation nationale légale, conforme à la Convention. »

336. La Fédération de Russie fait la déclaration suivante :

« Les navires battant pavillon britannique *Argos Georgia*, *Argos Helena* et *Nordic Prince* se sont livrés à des activités interdites en vertu des sous-sections iii) et viii) du paragraphe 5 de la MC 10-06, car ils ont pêché dans une zone fermée en violation de la MC 31-01. À cet égard, la Russie recommande d'ajouter les navires mentionnés battant pavillon britannique sur la liste des navires INN-PC en tenant compte des informations communiquées aux Membres (COMM CIRC 24/47, COMM CIRC 24/61) et du statut actuel de l'*Argos Georgia*. »

337. La Norvège estime que cette situation constitue un échec de la part de la CCAMLR et non d'un Membre en particulier, et que l'absence d'une mesure de conservation convenue pour une sous-zone particulière n'implique pas l'interdiction de la pêche dans cette sous-zone. La Norvège a en outre estimé que l'objectif d'une mesure de conservation est d'ajouter un niveau réglementaire supplémentaire, et non d'autoriser une action donnée.

338. L'Ukraine indique qu'elle ne soutient pas l'ajout de l'*Argos Georgia*, de l'*Argos Helena* et du *Nordic Prince* à la liste des navires INN des Parties contractantes.

339. L'Argentine fait la déclaration suivante :

« La préoccupation de l'Argentine est liée au fait que certaines interprétations cherchent à relativiser le caractère obligatoire des mesures de conservation, ce qui permettrait aux Parties souhaitant pêcher dans une sous-zone donnée de simplement bloquer le consensus et de prendre des mesures unilatérales en prétendant respecter, dans l'ensemble, certaines stipulations de la Convention.

En ce qui concerne la demande du Royaume-Uni d'appliquer des mesures unilatérales dans la sous-zone 48.3, l'Argentine réitère que la déclaration du président faite en 1980 n'autorise pas le Royaume-Uni à prendre ce type de mesures. En effet, la déclaration autorise dans son point 5 certains pays à prendre des mesures sur leurs îles situées dans la zone de la Convention dans les cas où la souveraineté de l'État est reconnue par toutes les Parties contractantes. Les seules îles dont la souveraineté n'est pas reconnue par l'ensemble des parties contractantes sont la Géorgie du Sud et les îles Sandwich du Sud, en raison d'un conflit de souveraineté entre le Royaume-Uni et l'Argentine. Cela signifie qu'au moins l'Argentine ne reconnaît pas la souveraineté du Royaume-Uni tandis que le Royaume-Uni ne reconnaît pas la souveraineté de l'Argentine. Cela signifie qu'au moins l'Argentine ne reconnaît pas la souveraineté du Royaume-Uni tandis que le Royaume-Uni ne reconnaît pas la souveraineté de l'Argentine. Les mesures unilatérales demandées par le Royaume-Uni ne se justifient pas non plus sur la base du droit international, car lorsqu'il existe un conflit de souveraineté, les parties concernées sont tenues de ne pas prendre de mesures unilatérales susceptibles d'avoir une incidence sur la question. À cet égard, l'Argentine rappelle et réaffirme que, dans la sous-zone 48.3, seul le régime multilatéral de la Convention est applicable. »

340. Le Royaume-Uni rejette la déclaration de l'Argentine et rappelle ses déclarations antérieures concernant la déclaration du président de 1980.

341. La Chine s'inquiète des implications de la poursuite de la pêche dans la sous-zone 48.3 dans ces circonstances, notant que si l'interprétation de la Norvège selon laquelle la pêche est autorisée sans limites de captures fixées par la Commission était acceptable pour le SCIC, un tel principe devrait s'appliquer à l'ensemble des Membres.

342. Le SCIC note l'absence de consensus concernant l'ajout des navires battant pavillon britannique *Argos Georgia*, *Argos Helena* et *Nordic Prince* à la liste proposée des navires INN-PC.

343. L'Afrique du Sud fait une déclaration (appendice IV) exprimant l'opinion selon laquelle les lacunes identifiées par le bureau du procureur général d'Afrique du Sud, telles qu'exposées dans la circulaire COMM CIRC 24/96, ont été comblées. L'Afrique du Sud estime que les

conditions existantes suffisent à démontrer la conformité avec le paragraphe 14 iv) de la MC 10-06, et que les conditions du permis et de la licence ont été révisées pour définir clairement les zones où la pêche en haute mer est autorisée, permettant ainsi désormais au bureau du procureur général d'engager des poursuites fructueuses. L'Afrique du Sud déclare en outre que, bien que Braxton n'ait pas fait l'objet de poursuites pénales et que son droit de pêche à la légine australe n'ait pas été annulé, ce dernier a néanmoins été suspendu depuis l'inscription sur la liste INN. De ce fait, Braxton se trouve dans l'incapacité de pêcher pour lui-même ou pour tout autre détenteur de droits : cela a entraîné des pertes financières significatives qui devraient dissuader efficacement toute nouvelle contravention.

344. De nombreux Membres remercient l'Afrique du Sud pour les informations fournies, notent les mesures prises par l'Afrique du Sud pour traiter les circonstances ayant conduit à l'inscription de l'*El Shaddai* sur la liste des navires INN des Parties contractantes, et expriment leur soutien au retrait du navire de la liste INN-PC, conformément au paragraphe 14 iv) de la MC 10-06.

345. Certains Membres s'inquiètent du fait que les mesures prises par l'Afrique du Sud ne suffisent pas à garantir que le navire *El Shaddai* s'abstiendrait de participer à des activités de pêche INN à l'avenir.

346. L'Afrique du Sud fournit une déclaration supplémentaire (Appendice XX) réitérant les mesures prises concernant le navire *El Shaddai* et contenant des détails supplémentaires sur cette question. L'Afrique du Sud demande une nouvelle fois au SCIC d'approuver le retrait de l'*El Shaddai* de la liste des navires INN des Parties contractantes.

347. L'UE remercie l'Afrique du Sud pour les informations fournies mais exprime son désaccord avec l'idée que les pertes financières résultant de l'ajout de l'*El Shaddai* sur la liste des navires INN des Parties contractantes pourraient être considérées comme une sanction, notant que l'imposition de sanctions relève de la responsabilité de l'État du pavillon. L'UE note qu'il aurait été préférable d'engager une procédure civile ou administrative contre l'exploitant du navire après l'échec des poursuites pénales. L'UE s'inquiète du fait que les conditions d'autorisation révisées restent insuffisamment claires en ce qui concerne les lieux et les circonstances dans lesquels la pêche serait autorisée dans la zone de la Convention. L'UE exprime sa volonté de poursuivre le dialogue avec l'Afrique du Sud concernant le statut de l'*El Shaddai*, mais estime que les conditions requises pour son retrait de la liste des navires INN des Parties contractantes ne sont pas remplies à l'heure actuelle.

348. Le SCIC ne parvient pas à un consensus sur le retrait de l'*El Shaddai* de la liste des navires INN-PC et recommande à la CCAMLR-43 d'examiner cette question.

349. L'Afrique du Sud remercie les Membres qui ont soutenu sa demande de retrait de la liste et l'UE pour sa constante volonté de dialogue sur ce sujet.

350. La Russie s'inquiète du fait que certaines des conditions imposées pour le retrait de l'*El Shaddai* de la liste des navires INN-PC présentées par l'UE excèdent les conditions visées aux mesures de conservation pertinentes.

Notifications de projets de pêche

351 Le SCIC examine le rapport du Secrétariat sur les notifications de projets de pêche pour la saison 2024/25 (CCAMLR-43/BG/09 Rév. 1).

352. Certains membres demandent l'exclusion des trois navires battant pavillon britannique *Argos Georgia*, *Argos Helena* et *Nordic Prince* de toutes les notifications de projets de pêche, notant l'inclusion des navires dans le projet de liste des navires INN-CP pour 2024/25. La Russie note qu'en ce qui concerne l'*Argos Georgia*, les Membres sont tenus d'informer immédiatement le Secrétariat du remplacement en cas de force majeure, conformément au paragraphe 11 de la MC 21-02, mais que le Royaume-Uni n'a pas respecté cette obligation. La Russie exhorte par ailleurs la Norvège à supprimer une notification de projet de pêche pour les navires de pêche ayant participé à des opérations de pêche dans une zone de fermeture au cours de la saison précédente.

353. Certains Membres indiquent que le non-respect des règles par la Norvège est mineur et qu'ils ne pensent pas qu'il s'agisse de pêche INN.

354 Le Royaume-Uni indique son intention de se conformer aux exigences du paragraphe 11 de la MC 21-02 concernant un navire de remplacement pour l'*Argos Georgia* et déclare ensuite ce qui suit :

« Le Royaume-Uni a plusieurs inquiétudes sérieuses concernant les notifications des deux navires russes pour la pêcherie de légine à venir dans la mer de Ross. Comme nous l'avons indiqué l'année dernière, nous avons constaté des écarts de conformité répétés et un certain nombre d'enquêtes restent en cours concernant des navires battant pavillon russe.

Rien que cette année, nous avons examiné de nombreux écarts de conformité relatifs au navire de pêche *Alpha Crux*, dont certains ont été résolus et d'autres nécessitent une enquête plus approfondie. En ce qui concerne ce dernier point, nous espérons que le résultat de ces enquêtes complémentaires sera examiné par le SCIC l'année prochaine.

La Russie a également notifié son intention d'utiliser le navire de pêche *Yantar 31*. Ce navire a précédemment enregistré des taux de capture très élevés qui n'ont pas encore été expliqués par la Russie. Le navire jumeau *Yantar 35*, détenu et exploité par la même société, a également enregistré des taux de capture considérablement élevés et ses données ont par la suite été mises en quarantaine. Une fois de plus, la Russie n'a fourni aucune information ou analyse pour expliquer ces taux de capture extraordinairement élevés. Nous notons également dans le paragraphe 5.75 du rapport de la 33^e réunion du SC-CCAMLR qu'aucune des 1 792 marques posées par le *Yantar 35* dans les sous-zones 48.5, 88.1 et 88.2 n'a été recapturée. Dans le document CCAMLR 35/BG/29 Rév 1, la délégation russe déclare qu'une décision de suspendre l'armateur du navire de sa participation aux activités de pêche dans la zone de la Convention CAMLR a été prise. Toutefois, cet armement, Orion Co Ltd, est répertorié comme l'actuel propriétaire/armateur du *Yantar 31*.

Compte tenu de ces graves écarts de conformité, nous ne pouvons pas soutenir l'inclusion de ces navires dans la pêcherie de légine de la mer de Ross au cours de la saison à venir. »

355 La Fédération de Russie répond que ses notifications respectent toutes les exigences de la MC et que, lors de l'évaluation de la CCEP, ils ont discuté ouvertement de tous les écarts de conformité soulevés et que les inquiétudes du Royaume-Uni sont injustifiées.

356. Certains Membres notent qu'il n'existe aucun consensus en ce que les navires britanniques pêchant dans la sous-zone 48.3 se livraient à la pêche INN. Ils rappellent que la cause profonde de cette situation très difficile est l'affaiblissement de la base scientifique des décisions de la CCAMLR concernant une limite de capture pour la sous-zone 48.3, et ils exhortent les Membres à continuer d'œuvrer pour atteindre un consensus sur une limite de capture pour cette zone.

357. L'Argentine fait la déclaration suivante :

« L'Argentine s'aligne sur le point précédent concernant l'importance et la nécessité d'une mesure de conservation dans la sous-zone 48.3 pour mettre fin à la pêche illégale qui y a lieu depuis trois saisons. La pêche illégale se produit en raison du non-respect de la mesure de conservation 31-01. À cet égard, nous tenons à souligner que dans le même rapport d'inspection réalisé par le Royaume-Uni sur les navires britanniques, cette mesure de conservation apparaît comme obligatoire. Le rapport affirme à tort que les navires se conforment à cette mesure de conservation, alors que ce n'est pas le cas, car la MC 31-01 requiert une mesure de conservation telle que la MC 41-02. C'est pour cette raison que nous souhaitons une mesure de conservation pour la pêche à la légine australe dans la sous-zone 48.3 afin de mettre fin à la pêche illégale qui y a lieu depuis trois saisons.

Nous soulignons également que, au-delà de la raison de l'absence d'une mesure de conservation, s'il n'y a pas de mesure de conservation, nous ne pouvons pas pêcher. »

358. Certains Membres notent que la Russie assume la responsabilité de certains écarts dans le cadre de la CCEP, mais qu'ils restent préoccupés par le nombre d'écarts de conformité graves non résolus. Ils expriment leur inquiétude face aux graves écarts de conformité répétés et aux enquêtes en cours concernant les navires battant pavillon russe. Ces Membres exhortent la Russie à s'engager à finaliser les enquêtes et à fournir des informations supplémentaires à cette réunion de toute urgence, afin de démontrer que la Russie peut exercer un contrôle efficace sur ses navires, se conformer aux règles de la CCAMLR et que les observateurs du SISO peuvent être déployés en toute sécurité.

359. Le Royaume-Uni rappelle ses positions précédemment exprimées sur ces questions.

360 De nombreux Membres rappellent qu'en vertu des mesures de conservation 21-02 et 21-03, les seuls motifs de rejet d'une notification de navire sont son inclusion dans la liste des navires INN, le non-respect des procédures relatives aux frais de notification de la CCAMLR, la soumission de documents pertinents tels que des POP et des évaluations d'impact sur les EMV, ou un retrait formel par le Membre. Ils notent également que, conformément au paragraphe 11 de la MC 21-02, les remplacements de navires pour des raisons opérationnelles légitimes ou pour cas de force majeure doivent être immédiatement signalés au Secrétariat.

361 Le SCIC note les inquiétudes soulevées par certains Membres et convient de renvoyer la question à la Commission pour un examen plus approfondi.

362 Le Secrétariat présente un rapport sur les descriptions des engins de pêche dans les notifications de projets de pêche (CCAMLR-43/12), qui met en évidence les divergences entre les descriptions des engins publiées sur le site web de la CCAMLR et celles fournies dans les plans des opérations de pêche (POP) et les évaluations des écosystèmes marins vulnérables (EMV). Plusieurs Membres remercient le Secrétariat de ce rapport et indiquent leur intention d'améliorer l'exactitude des données soumises sur les engins de pêche.

363. Le SCIC approuve les recommandations du Secrétariat selon lesquelles :

- i) la Commission envisage d'exiger l'inclusion d'un diagramme technique pour chaque description d'engin soumise par les Membres sur le site web de la CCAMLR en tant qu'information obligatoire
- ii) la Commission confirme qu'il ne devrait y avoir qu'une seule description officielle de « l'engin notifié » en vertu de la MC 21-02, paragraphes 6 ii)(b), 11 iii) et 13, et qu'il s'agira de la description de l'engin soumise par les Membres sur le site web de la CCAMLR.

364. Le SCIC demande au Secrétariat de développer davantage les détails des instructions fournies aux Membres sur la manière et le moment de soumettre ou de mettre à jour les informations relatives aux descriptions des engins de pêche dans le cadre des procédures de notification, y compris des exemples concrets des informations techniques ou des diagrammes requis.

Avis du Comité scientifique au SCIC

365. Le SCIC examine l'avis du président du Comité scientifique (C. Cárdenas (Chili)) portant sur plusieurs sujets et le remercie pour son temps.

Observateurs scientifiques

366. Le président du Comité scientifique souligne la valeur significative des données enregistrées par les observateurs scientifiques. Il rappelle par ailleurs les discussions en cours au sein du Comité scientifique autour de la stratégie de gestion de la pêcherie de krill, et note la nécessité de veiller à ce que toute collecte de données supplémentaires tienne compte de la priorité accordée à ces exigences. Le président du Comité scientifique prend note par ailleurs de l'importance de l'identification et de la collecte de données précises par les observateurs scientifiques afin de mieux comprendre les pêcheries et les problèmes actuels, tels que les captures accidentelles de petits poissons et de larves et les mortalités accidentelles associées à la pêche.

367. Le SCIC et le président du Comité scientifique discutent des commentaires sur les propositions visant à exiger une couverture d'observateurs du SISO à 100 % sur tous les navires de pêche au krill et les nouvelles pêcheries de krill. Le président du Comité scientifique rappelle les discussions en cours pour explorer et évaluer les différences entre les observateurs nationaux et ceux du SISO en ce qui concerne la collecte des données. Le président du Comité scientifique note que les lignes directrices destinées aux observateurs du SISO sont claires à suivre et donnent la priorité aux travaux du Comité scientifique et de ses groupes de travail, et il reconnaît

la nécessité de veiller à ce que la charge de travail existante soit prise en compte lors de la réponse aux demandes.

368. La Chine s'interroge sur la différence entre les données collectées par les observateurs scientifiques nationaux et les données collectées par les observateurs scientifiques internationaux, étant donné que les observateurs scientifiques nationaux et internationaux suivent les mêmes exigences et protocoles scientifiques. Le président du Comité scientifique répond que les observateurs scientifiques internationaux effectuent davantage de travail, notamment en matière d'observation et de suivi des mammifères marins. Le président du Comité scientifique note qu'en réponse aux futurs besoins supplémentaires, il pourrait être nécessaire d'envisager les moyens de déployer un deuxième observateur. En outre, le président du Comité scientifique indique qu'il existe des inquiétudes quant à l'indépendance de l'observateur scientifique national.

369. La Chine demande au président du Comité scientifique de fournir au SCIC une mise à jour sur l'état de la pêche dans les divisions 58.4.1 et 58.4.2, soulignant que ces zones ont été précédemment considérées comme « pauvres en données ». Le président du Comité scientifique confirme qu'aucune nouvelle information n'a été fournie concernant l'état de la pêche de recherche dans ces zones, soulignant en outre qu'aucune donnée n'a été collectée dans ces zones depuis 2018, d'où le manque de données. Le président du Comité scientifique souligne que le Comité scientifique poursuivra ses efforts pour collecter des données dans cette zone afin d'éclairer les futures recherches.

370. En réponse aux questions de l'Australie, le président du Comité scientifique indique, lors de sa deuxième visite, que le Comité scientifique avait examiné la proposition de l'Australie, de la Corée et du Japon (CCAMLR-43/38), mais n'avait pas fourni de recommandations particulières au SCIC. Le président du Comité scientifique rappelle qu'en 2022 et 2023, le Comité scientifique a discuté de la confusion dans l'application du paragraphe 6 iii) de la MC 21-02 ainsi que dans l'application de ces plans de recherche et fait référence, entre autres, aux recommandations de 2023 selon lesquelles la Commission i) envisage une nouvelle annexe à la MC 21-02, précisant les exigences relatives aux plans de recherche sur les poissons en vertu de la MC 21-02, paragraphe 6 iii) (annexe A), et ii) modifie le titre de la MC 24-01, annexe 24-01/A, format 2 pour supprimer la référence à la MC 21-02 (annexe B), afin de résoudre la confusion (SC-CAMLR-42).

371. La Fédération de Russie demande au président du Comité scientifique de clarifier si les pêcheries qui n'ont pas été pratiquées au cours des deux saisons précédentes devraient être considérées comme une nouvelle pêcherie conformément au paragraphe 1 iii) de la mesure de conservation 21-01.

372. Le président du Comité scientifique déclare qu'il n'y a pas de recommandations particulières du Comité scientifique à cet égard en 2024, mais que ces zones ne répondent pas aux exigences d'une nouvelle pêcherie en vertu de la mesure de conservation 21-01, car ces zones ont vu des données de capture et d'effort de pêche soumises avant les deux dernières saisons et font l'objet d'une mesure de conservation actuelle en tant que pêcherie exploratoire.

Rejets de la pêche

373. Le SCIC et le président du Comité scientifique discutent des déclarations des rejets au sud du 60e parallèle sud dans le formulaire de déclaration des données de capture et d'effort de pêche à échelle précise (données C2 — pêcheries à la palangre), notant que les captures rejetées au point de capture doivent être déclarées comme « rejetées » et que les captures retenues à bord, même si elles sont retenues à bord uniquement pour être rejetées au nord du 60e parallèle sud, doivent être déclarées comme « conservées ». Le SCIC estime que même si les instructions expliquant comment remplir le formulaire de données C2 sont relativement claires, les descriptions des champs de données sur les formulaires eux-mêmes pourraient être mal interprétées. Le SCIC reconnaît les implications que des erreurs de déclaration résultant d'une mauvaise interprétation des exigences relatives à la déclaration des rejets pourraient avoir sur ces données et sur les évaluations ultérieures de la conformité. Le SCIC note que la clarification des instructions ou des descriptions des champs de données dans le formulaire de données C2, visant à faire la distinction entre les captures, pourrait contribuer à atténuer ces incohérences. Le SCIC recommande à la Commission de recommander au Comité scientifique et à ses groupes de travail pertinents d'envisager de clarifier les instructions du manuel de données commerciales en ce qui concerne la déclaration des captures rejetées et retenues à bord.

Remontée tardive d'engins

374. La Russie demande des éclaircissements au président du Comité scientifique quant aux impacts subis en raison du dépassement des captures après la fermeture de la pêcherie d'*Euphausia superba* dans la sous-zone 48.1, et si des analyses supplémentaires avaient été entreprises sur les données C1 pertinentes.

375. Le président du Comité scientifique note qu'aucune discussion n'a eu lieu sur ce sujet au cours de leur réunion jusqu'à présent. Le Comité scientifique reconnaît l'importance et la complexité de la question. Le président du Comité scientifique prend note par ailleurs que la stratégie proposée pour faire progresser l'approche de gestion de la pêche de krill (KFMA) pourrait atténuer ces problèmes à l'avenir.

Symposium d'harmonisation

376. La Corée rappelle le rapport du Symposium d'harmonisation (CCAMLR-43/29) et les recommandations adoptées, et demande au président du Comité scientifique de confirmer si celles-ci ont été prises en considération lors de leur réunion. Le président du Comité scientifique indique que même si certaines recommandations ont été discutées en partie, des délibérations plus approfondies auront lieu au sein de la Commission.

Recommandations issues de la deuxième étude de la performance

377. Le SCIC examine le rapport final du deuxième examen des performances (PR2) (CCAMLR-43/06), qui présente un résumé des mesures prises depuis la CCAMLR-XXXVII.

Le SCIC, ainsi que la Commission et le Comité scientifique, sont invités à identifier toute action supplémentaire qui ne figure pas déjà dans le résumé.

378. Le SCIC remercie le Secrétariat d'avoir compilé le rapport, note l'intérêt de suivre chaque année les progrès accomplis dans la mise en œuvre des recommandations énumérées dans la PR2 et reconnaît les personnes qui ont contribué aux progrès réalisés à ce jour.

379. Le SCIC relève des domaines spécifiques dans lesquels des progrès ont été accomplis et note que la recommandation 11 (ii) concernant (CCEP) pourrait en fait être considérée comme terminée. Le SCIC met également l'accent sur les domaines dans lesquels des propositions continuent d'être soumises et sur ceux où des points particuliers doivent être examinés (p. ex., les recommandations 7 (AMP), 4 iii) (participation à la RCTA) et 12 (transbordements) de la PR2).

Questions diverses

380. Le SCIC examine le document CCAMLR-43/31, qui fournit une proposition détaillée pour un troisième examen des performances (« PR3 ») à mener pendant la période d'intersession 2024-2025, avec présentation du rapport du PR3 au CCAMLR-44.

381. Le SCIC remercie l'UE et ses Membres pour cette proposition et rappelle la valeur des rapports précédents (PR1 et PR2) et de leurs recommandations, soulignant qu'ils se sont avérés d'une grande utilité pour la CCAMLR.

382. Certains Membres expriment l'avis que des détails supplémentaires concernant la portée, la structure et le calendrier de la PR3 proposée seraient bénéfiques. La Chine suggère que le troisième examen des performances fasse l'objet d'une évaluation complète au regard de la convention, en particulier de l'article II, et que le groupe d'examen comprenne deux experts externes, dont au moins un représentant de l'industrie. En ce sens, la Chine estime qu'il convient d'élaborer un mandat détaillé pour le PR3 proposé, ce qui prendra du temps.

383. Le SCIC ne parvient pas à un consensus pour approuver la proposition d'un troisième examen des performances à mener pendant la période intersession 2024-2025.

384. Le SCIC examine le document CCAMLR-43/BG/40 soumis par l'ASOC, qui porte à son attention les développements relatifs à la sécurité des navires de pêche et de l'environnement.

385. L'ASOC fait la déclaration suivante :

« Ces dernières années, l'ASOC a attiré l'attention du SCIC sur les développements relatifs à la sécurité des navires de pêche et de l'environnement adoptés par l'Organisation maritime internationale. Un certain nombre de nouvelles lignes directrices et désormais de règlements ont été adoptés ces dernières années et concernent directement les navires de pêche opérant dans la zone CCAMLR, notamment les exigences en matière de sécurité de la navigation et de planification des voyages qui seront obligatoires pour tous les navires de pêche de plus de 24 m de longueur à partir du 1er janvier 2026.

L'ASOC souhaite souligner la nécessité de mettre à jour les résolutions 23 et 34 de la CCAMLR afin de refléter ces nouveaux développements. En outre, nous souhaitons attirer l'attention sur les travaux menés actuellement par l'OMI pour lutter contre la menace que représentent les déchets plastiques marins, notamment le marquage des engins de pêche et le signalement des engins de pêche perdus ou rejetés. Je voudrais également réitérer la recommandation de l'ASOC selon laquelle la CCAMLR devrait élaborer son propre plan d'action pour réduire toutes les sources de plastiques et de microplastiques. Enfin, l'ASOC recommande que la CCAMLR envisage d'inclure la gestion des eaux grises des navires de pêche dans le futur plan de travail, y compris la discussion des pratiques actuelles et, en fin de compte, la nécessité de réglementer les eaux grises non traitées. »

386. Le SCIC prend note des informations présentées par l'ASOC dans le document CCAMLR-43/BG/40.

387. Le SCIC approuve une proposition visant à ajouter un point permanent à l'ordre du jour de ses prochaines réunions, sous la rubrique « questions diverses ». Dans le cadre de ce nouveau point de l'ordre du jour, le SCIC examinera les différentes tâches assignées au secrétariat, tant au titre des mesures de conservation que du texte des rapports, et établira des priorités, voire éliminera certaines tâches, compte tenu des contraintes budgétaires prévues.

388. Le président se félicite des candidatures au poste de président du SCIC pour la période 2025-2026. La Corée propose Adam Berry. Cette proposition est soutenue par les États-Unis et approuvée par le SCIC. Le SCIC félicite M. Berry pour son élection en tant que prochain président du SCIC.

389. La présidente accueille favorablement les candidatures à la vice-présidence du SCIC, mais aucune n'a été reçue.

390. La présidente remercie tous les délégués, ainsi que les interprètes et le personnel du Secrétariat, pour leurs efforts en vue d'une réunion productive. Le SCIC exprime également sa reconnaissance au Secrétariat et remercie la présidente pour sa direction constructive et efficace tout au long de la réunion, ainsi que pour son mandat en tant que présidente du SCIC.

Clôture de la réunion

391. La présidente déclare que ce fut un privilège de présider la réunion au cours de son mandat et remercie les délégués pour leur patience, leur professionnalisme et leur expertise. Elle remercie également le Secrétariat, les interprètes, CongressRental et les autres membres du personnel d'appui pour leur contribution à une réunion productive.

392. Le SCIC exprime sa sincère reconnaissance à M.Engelke-Ros pour l'excellence de sa présidence au cours d'une réunion difficile pour le SCIC, et pour la coopération, la patience et la bonne humeur dont elle a fait preuve au cours de son mandat.

Compliance Issues 2023/2024

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

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p><i>my suggestion. The explanation as I understood it was that it was a communication error and overlooked due to having to offload an injured crew member.</i></p> <p><i>The crew member had cut off two fingertips. He was driven to the hospital by the shipping agent. Although in need of medical attention it was certainly not an emergency at that point."</i></p> <p>And in the government official's submission to the Secretariat they also noted: <i>"Slight issue with lack of required notification but this is an internal NZ issue which we have remedied, the safety of crew member was paramount in this situation"</i></p>
03	Korea, Republic of		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Panamanian-flagged vessel Procyon entered the Korean port of Busan at 06:00 16 Sep 2023 and was inspected at 10:00 18 Sep 2023.</p> <p>Time delay of inspection after the 48-hour deadline: 4 hours</p>
04	Uruguay		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Uruguayan-flagged vessel Ainoha entered the Uruguayan port of Montevideo at 2100 28 Oct 2023 and was inspected at 1100 31 Oct 2023.</p> <p>Time delay of inspection after the 48-hour deadline: 14 hours</p>
05	France		<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 French-flagged vessel Sainte Rose occurred on 08 March 2024 by French port officials and the transmission of the port inspection report occurred on 16 April 2024. The fishing activity occurred in Division 58.4.2 and Subareas 88.1 and 88.2.</p> <p>Time delay of transmission after the 30-day deadline: 9 days</p>
06	South Africa		<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 Secretariat identified the port inspection report by South Africa for the Korean-flagged vessel Southern Ocean which corresponded with the issuance of DCD KR-24-0009-E had not been submitted. The Secretariat emailed the South African CCEP Contacts on 9 July 2024 requesting a copy of the port inspection report.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>The port inspection report was submitted on 29 July 2024 reporting the inspection on 10 March 2024.</p> <p>Time delay of transmission after the 30-day deadline: 111 days</p>
CM 10-04			
07	Chile	Antarctic Endeavour	<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 21 Mar 2024 0225 UTC for the Antarctic Endeavour entry into Subarea 48.1 notifying the entry time of 20 Mar 2024 0126 UTC.</p> <p>Time delay after the 24-hour deadline: 59 minutes</p>
08	France	Albius	<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 1 Aug 2023 1300 UTC for the Albius entry into Subarea 58.6 notifying the entry time of 31 Jul 2023 0812 UTC.</p> <p>Time delay after the 24-hour deadline: 4 hours 48 minutes</p>
09	France	Albius	<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 02 Oct 2023 0635 UTC for the Albius entry into Division 58.5.1 notifying the entry time of 01 Oct 2023 0400 UTC.</p> <p>Time delay after the 24-hour deadline: 2 hours 35 minutes</p>
10	France	Sainte Rose	<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>Analysis of VMS data identified that a movement notice had not been provided by the Sainte Rose for entry into Subarea 48.1. The Secretariat requested a movement notice from the French VMS Contact Officers on 04 Feb 2024 2313 UTC.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>A movement notification was provided to the Secretariat 05 Feb 2024 0803 UTC for the Sainte Rose entry into Subarea 48.1 notifying the entry time of 02 Feb 2024 1030 UTC.</p> <p>Time delay after the 24-hour deadline: 45 hours 33 minutes</p>
11	Korea, Republic of	Greenstar	<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 16 Apr 2024 0949 UTC for the Greenstar entry into Subarea 48.1 notifying the entry time of 13 Apr 2024 2245 UTC.</p> <p>The Secretariat identified the missing entry notification and requested it from Korea on 16 Apr 2024. Korea provided the following explanation along with the notification: The Greenstar regarded she was still in the 88.3 when she was entering the subarea 48.1. That is why she reported that she exited the CCAMLR from the 88.3 in the below email. It was our mistake. The office also has a responsibility to monitor our vessel’s movement and to educate our crews. However, the office failed to monitor her movement during the weekend. We apologize for this mistake.</p> <p>Time delay after the 24-hour deadline: 35 hours 04 minutes</p>
12	Spain	Tronio	<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>Analysis of VMS data identified that a movement notice had not been provided by the Tronio for the exit from Division 58.4.4a and entry into Division 58.4.4b at approximately 0916 UTC 28 Oct 2023.</p> <p>The Secretariat contacted Spain to clarify the movement notices provided by Tronio in the 2023/24 season. Spain advised the Secretariat that they had investigated the matter and found that the Master of the vessel used the SSRU Map in CM 41-01 and reported movements based upon the SSRUs listed.</p>
13	United Kingdom	Nordic Prince	<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 18 Apr 2024 1444 UTC for the Nordic Prince entry into Subarea 48.3 notifying the entry time of 13 Apr 2024 1533 UTC.</p> <p>The Secretariat identified the missing entry notification and requested it from the United Kingdom on 18 Apr 2024.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			Time delay after the 24-hour deadline: 95 hours 11 minutes
CM 10-05			
14	Argentina		<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. 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 Argentina validated 1 DED after the declared export date. Therefore, this shipment did not have a completed DED available to accompany it at the time of export. The identified DED accounts for <1% of Argentina's exports and <1% of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 1 DED was issued between 11 - 20 days after declared export date</p> <p>The DED document number is available as an attachment to this record on the website.</p>
15	Chile		<p>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. 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>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>Analysis of the e-CDS data has identified Chile validated 75 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export. The identified DEDs account for 2.6 % of Chile's exports and 1.5 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 5 DEDs were issued between 1 - 2 days after declared export date 68 DEDs were issued between 6 - 10 days after declared export date 1 DED was issued between 11 - 20 days after declared export date 1 DED was issued between 51 - 100 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>
16	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 import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited. 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 France validated 3 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export. The identified DEDs account for 1 % of France's exports and <1 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 2 DEDs were issued between 11 - 20 days after declared export date 1 DED was issued between 21 - 50 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>
17	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-</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited. 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 Kingdom of the Netherlands validated 2 DREDs after the declared export date. Therefore, these shipments did not have a completed DRED available to accompany them at the time of export.</p> <p>The identified DREDs account for 13 % of Kingdom of the Netherlands' exports and <1 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 1 DRED was issued between 3 - 5 days after declared export date 1 DRED was issued between 11 - 20 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>
18	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. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ("step 4: Export state confirmation" in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified Peru validated 6 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export.</p> <p>The identified DEDs account for 6 % of Peru's exports and <1 % of all CDS exports.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>The time difference between the export and validation for the identified documents are: 3 DEDs were issued between 1 - 5 days after declared export date 1 DED was issued between 3 - 5 days after declared export date 1 DED was issued between 11 - 20 days after declared export date 1 DED was issued between 21 - 50 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>
19	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 spp.</i> 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 spp.</i> without a DED or DRED is prohibited. The import, export or re-export of <i>Dissostichus spp.</i> 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 South Africa validated 18 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export. The identified DEDs account for 38 % of South Africa's exports and <1 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 8 DEDs were issued between 6 - 10 days after declared export date 10 DEDs were issued between 21 - 50 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>
20	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 spp.</i> 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 spp.</i> without a DED or DRED is prohibited. The import, export or re-export of <i>Dissostichus spp.</i> 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</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>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>Noting CCAMLR-42, paragraph 90, SCIC advised a moratorium on compliance assessments should be put in place for DED and DREDS older than two years, recognising that this is an administrative matter.</p> <p>Analysis of the e-CDS data has identified Spain validated 4 DREDS after the declared export date. Therefore, these shipments did not have a completed DRED available to accompany them at the time of export. The identified DREDS account for 2 % of Spain's exports and <1 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 3 DREDS were issued between 201 - 300 days after declared export date 1 DRED was issued between 501 - 600 days after declared export date</p> <p>A list of individual DRED document numbers are available as an attachment to this record on the website.</p>
21	United States of America		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited. 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>Noting CCAMLR-42, paragraph 90, SCIC advised a moratorium on compliance assessments should be put in place for DED and DREDS older than two years, recognising that this is an administrative matter.</p> <p>Analysis of the e-CDS data has identified the United States of America validated 1 DRED after the declared export date. Therefore, this shipment did not have a completed DRED available to accompany it at the time of export. The identified DRED account for <1 % of the United States of America's exports and <1 % of all CDS exports.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>The time difference between the export and validation for the identified documents are: 1 DRED was issued between 501 - 600 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>
22	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. 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 Uruguay validated 31 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export. The identified DEDs account for 29 % of Uruguay's exports and <1 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 10 DEDs were issued between 1 - 2 days after declared export date 8 DEDs were issued between 3 - 5 days after declared export date 9 DEDs were issued between 6 - 10 days after declared export date 3 DEDs were issued between 11 - 20 days after declared export date 1 DED was issued between 21 - 50 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>
CM 10-09			
23	Panama	Frio Aegean	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transhipment of harvested marine living resources, bait or fuel.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>The Secretariat received a notification on 1032 UTC 04 Apr 2024 from the Frio Aegean notifying its intention to tranship Krill and fuel with the Sejong at 0700 UTC 7 Apr 2024.</p> <p>Time difference: 68 hours 28 minutes</p>
24	Panama	Frio Aegean	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transshipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 1243 UTC 13 Apr 2024 from the Frio Aegean notifying its intention to tranship fuel with the Shen Lan at 1200 UTC 16 Apr 2024.</p> <p>Time difference: 71 hours 17 minutes</p>
25	Panama	Frio Marathon	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transshipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 1531 UTC 13 July 2023 from the Frio Marathon notifying its intention to tranship krill with the Sejong at 1030 UTC 16 July 2023.</p> <p>Time difference: 66 hours 59 minutes</p>
26	Panama	Frio Oceanic	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transshipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 1654 UTC 24 Feb 2024 from the Frio Oceanic notifying its intention to tranship krill with the Sejong at 1400 UTC 27 Feb 2024.</p> <p>Time difference: 69 hours 06 minutes</p>
27	Panama	Procyon	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transshipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 1247 UTC 22 Apr 2024 from the Procyon notifying its intention to tranship Krill with the Fu Xing Hai at 1100 UTC 25 Apr 2024.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			Time difference: 70 hours 13 minutes
28	Ukraine	More Sodruzhestva	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transshipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 1937 UTC 23 Jan 2024 from the More Sodruzhestva notifying its intention to tranship fuel with the Antarctic Provider at 1800 UTC 26 Jan 2024.</p> <p>Time difference: 70 hours 23 minutes</p>
29	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>The Secretariat received notification from the Norwegian-flagged vessel the Antarctic Provider on 1601 UTC 29 Mar 2024 their intended transshipment of crew and provisions with the Saga Sea at 1630 UTC 29 March 2024.</p> <p>Time difference: 29 minutes</p>
30	Uruguay	Ocean Azul	<p>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>The Secretariat received a notification on 12 Dec 2023 0838 UTC from the Ocean Azul notifying its intention to tranship spare parts with the Helena Ndume on 12 Dec 2023 1000 UTC.</p> <p>Time difference: 1 hour 22 minutes</p>
31	Norway		<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transshipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p> <p>The Secretariat received notification from the Norwegian-flagged vessel the Antarctic Provider on 1601 UTC 29 Mar 2024 their intended transshipment of crew and provisions with the Saga Sea at 1630 UTC 29 March 2024.</p> <p>No confirmation was provided for this transshipment by the Antarctic Provider, Saga Sea or Norway.</p>
32	Vanuatu	Hai Feng 718	<p>CM 10-09, paragraph 8, prohibits a vessel to tranship within the Convention Area where a prior notification has not been provided.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>The Secretariat received a confirmation on 9 Feb 2024 1243 UTC from the Hai Feng 718 confirming its transshipment of Krill and Fuel with the Hua Xiang 9 from 07 - 08 Feb 2024.</p> <p>No prior notification was provided.</p>
CM 22-07			
33	United Kingdom	Argos Georgia	<p>CM 22-07, paragraph 8, states that vessels shall report in accordance with CM 23-07 total benthos recovered in a daily period.</p> <p>In the C2 report for the Argos Georgia for December 2023 8.1 specimens of VME indicators reported on 19 December 2023. The corresponding daily catch and effort report did not report catches of any VME species</p>
34	Russian Federation	Alpha Crux	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a 'Risk Area' of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/ccamlr-vme-registry</p> <p>The Alpha Crux reported in C2 data for 24 Dec 2023 on haul 9 line which intersected with the VME risk area "CCAMLR_VMERiskArea_881" which has a latitude of 72.321 S and 176.272 E.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
35	Russian Federation	Alpha Crux	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a 'Risk Area' of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/ccamlr-vme-registry</p> <p>The Alpha Crux reported in C2 data for 27 Dec 2023 on haul 15 setting and hauling a line which intersected with the VME risk area "CCAMLR_VMERiskArea_881" which has a latitude of 72.321 S and 176.272 E. A C2 VME segment midpoint was also reported within the VME risk area.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments
36	Russian Federation	Alpha Crux	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a 'Risk Area' of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/ccamlr-vme-registry</p> <p>The Alpha Crux reported in C2 data for 3 Jan 2024 on haul 26 setting a line which intersected with the VME risk area "CCAMLR_VMERiskArea_881" which has a latitude of 72.321 S and 176.272 E. A C2 VME segment midpoint was also report within the VME risk area.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
37	Russian Federation	Alpha Crux	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a 'Risk Area' of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/ccamlr-vme-registry</p> <p>The Alpha Crux reported in C2 data for 4 Jan 2024 on haul 29 setting and hauling which intersected with the VME risk area "CCAMLR_VMERiskArea_881" which has a latitude of 72.321 S and 176.272 E. Three C2 VME midpoints were also reported with the VME risk area.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
38	Uruguay	Proa Pioneer	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a 'Risk Area' of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/ccamlr-vme-registry</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>The Proa Pioneer reported in C2 data for 21 Dec 2023 on haul 16 setting and hauling a line which intersected with the VME risk area "CCAMLR_VMERiskArea_882_205028" which has a latitude of 74.17 S and 112.7933 W. A C2 VME midpoint was also reported with the VME risk area.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
39	Uruguay	Proa Pioneer	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a 'Risk Area' of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/ccamlr-vme-registry</p> <p>The Proa Pioneer reported in C2 data for 22 Dec 2023 on haul 19 setting and hauling a line which intersected with the VME risk area "CCAMLR_VMERiskArea_882_205028" which has a latitude of 74.17 S and 112.7933 W.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
			CM 22-08
40	Russian Federation	Alpha Crux	<p>CM 22-08, paragraph 1, prohibits fishing in exploratory fisheries for <i>Dissostichus</i> spp. other than for scientific research purposes in depths shallower than 550 m.</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 10 - " At 09:50 (UTC) on December 17, 2023, a tow was initiated from 491m in SET.4, and subsequently, the depth and tow location were adjusted to reflect a tow from 563m. "</p>
			CM 23-04
41	Russian Federation	Alpha Crux	<p>CM 23-04, paragraph 3, requires the total target catch must be reported by species and the total by-catch must be reported by species or to the lowest taxonomic level possible (e.g. species or genus).</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
42	Russian Federation	Alpha Crux	<p data-bbox="842 280 2007 400">In Part 10 - " Although 86 sets of deployment and retrieval were recorded, a total of 87 sets were actually carried out. The first deployment occurred on December 11, 2023, at 15:30 (UTC), followed by retrieval starting at 19:15 (UTC) of the same day. However, due to damage to the main line, rendering all lines unable to be retrieved, the set was deleted without reporting the loss. "</p> <p data-bbox="842 437 2007 493">Section 7.2 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, instructs the procedure for reporting in the C2 data when gear has been lost.</p> <p data-bbox="842 529 2007 649">The Secretariat was notified as per SISO, Part A, paragraph h, of communications on 29 May 2024 between Russia (the Receiving Member) and Korea (the Designating Member) of discrepancies identified by Russia in the observer report which relate to this compliance issue. The Secretariat has not been notified by either party that they were unable to resolve such issues, as required by SISO, Part A, paragraph h.</p> <p data-bbox="842 670 2007 726">CM 23-04, paragraph 3, requires the total by-catch must be reported by species or to the lowest taxonomic level possible (e.g. species or genus).</p> <p data-bbox="842 762 2007 818">The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p data-bbox="842 855 2007 943">In Part 4 - "CHW gathered at one location at the hauling station and transported to the restaurant for consumption.(Figure 3) The weight and quantity were not recorded. In some sets, intentional exclusion of by-catch was observed. This practice was not discouraged by the Russian captain and crew. "</p> <p data-bbox="842 979 1240 1005">Figure 2 contains a photo of by-catch</p> <p data-bbox="842 1042 1957 1098">Figure 3 contains a photo of Chionobathyscus dewitti (Dewitt's icefish) in a tank with the caption "CHW edible"</p> <p data-bbox="842 1134 1480 1160">Figure 4 photo caption states "By-catch deliberate dropout "</p> <p data-bbox="842 1197 2007 1377">In Part 10 - " The investigation into by-catch species was not properly conducted. Intentionally, without confirming the quantity or weight, by-catch either deliberately stripped off during fishing operations or brought into the processing area was either ground up and discharged or released intact without inspection. When intentionally discarding by-catch species, neither the Russian captain, Russian navigator, nor any Russian crew members intervened. Regarding CHW, it was not sent to the processing area for consumption but was stored on the mid-deck and utilized for consumption without its quantity or weight being measured. It</p>

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

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

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

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>"Retained" and any species landed on the vessels and then discarded overboard without processing is to be reported as "Discarded".</p> <p>From 09 Dec 2023 to 01 Jan 2024 the Argos Georgia reported in their C2 data discarding south of 60°S 3 835 individuals (5 404.94 kg) across 6 different species.</p>
53	Uruguay	Ocean Azul	<p>CM 26-01, paragraph 8, prohibits the dumping or discharging of offal or discards south of 60°S.</p> <p>Section 7.3 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, states that any species that is caught and retained on the vessel for discard at a later date shall be reported in the C2 data as "Retained" and any species landed on the vessels and then discarded overboard without processing is to be reported as "Discarded".</p> <p>From 11 Dec 2023 to 28 Jan 2024 the Ocean Azul reported in their C2 data discarding south of 60°S 39 220 individuals (33 082.02 kg) across 11 different species.</p>
54	Uruguay	Proa Pioneer	<p>CM 26-01, paragraph 8, prohibits the dumping or discharging of offal or discards south of 60°S.</p> <p>Section 7.3 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, states that any species that is caught and retained on the vessel for discard at a later date shall be reported in the C2 data as "Retained" and any species landed on the vessels and then discarded overboard without processing is to be reported as "Discarded".</p> <p>From 19 Dec 2023 to 25 Jan 2024 the Proa Pioneer reported in their C2 data discarding south of 60°S 481 individuals (1 763.75 kg) of <i>Dissostichus mawsoni</i>.</p>
			CM 31-01
55	United Kingdom	Argos Georgia	<p>As stated in COMM CIRCs 24/61 and 24/70: CM 31-01 states that for each fishing season the Commission shall establish such limitations or other measures, as necessary, around South Georgia (Subarea 48.3).</p> <p>Argos Georgia was identified fishing for <i>Dissostichus eleginoides</i> in Subarea 48.3 in 2024 which Comm Circs 24/61 and 24/70 allege is contrary to CM 31-01</p> <p>A response from the United Kingdom has been circulated in COMM CIC 24/69</p> <p>This event is considered further on the Draft IUU Vessel List (COMM CIRC 24/68).</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
56	United Kingdom	Argos Helena	<p>As stated in COMM CIRCs 24/61 and 24/70: CM 31-01 states that for each fishing season the Commission shall establish such limitations or other measures, as necessary, around South Georgia (Subarea 48.3).</p> <p>Argos Helena was identified fishing for <i>Dissostichus eleginoides</i> in Subarea 48.3 in 2024 which Comm CIRCs 24/61 and 24/70 allege is contrary to CM 31-01</p> <p>A response from the United Kingdom has been circulated in COMM CIC 24/69</p> <p>This event is considered further on the Draft IUU Vessel List (COMM CIRC 24/68).</p>
57	United Kingdom	Nordic Prince	<p>As stated in COMM CIRCs 24/61 and 24/70: CM 31-01 states that for each fishing season the Commission shall establish such limitations or other measures, as necessary, around South Georgia (Subarea 48.3).</p> <p>Nordic Prince was identified fishing for <i>Dissostichus eleginoides</i> in Subarea 48.3 in 2024 which Comm CIRCs 24/61 and 24/70 allege is contrary to CM 31-01</p> <p>A response from the United Kingdom has been circulated in COMM CIC 24/69</p> <p>This event is considered further on the Draft IUU Vessel List (COMM CIRC 24/68).</p>
CM 31-02			
58	Norway	Antarctic Endurance	<p>CM 31-02, paragraph 1, states that following notification by the Secretariat of the closure of a fishery, all vessels in the area subject to the closure notice, shall remove their fishing gear from the water by the notified closure date and time.</p> <p>CM 31-02, paragraph 4, states that a vessel or vessel shall notify the Secretariat should the vessel appear likely to be unable remove all its fishing gear from the water by the notified closure date and time and the vessel shall make all reasonable efforts to remove all its fishing gear from the water as soon as possible.</p> <p>In COMM CIRC 24/53 the Secretariat notified that the trawl fishery for <i>Euphausia superba</i> in Subarea 48.1 will close at 2359 h UTC on 18/05/2024.</p> <p>Following the closure of the fishery C1 data for the Antarctic Endurance reported 17 unique trawls of two nets from 00:00 19 May 2024 to 10:00 20 May 2024 with a green weight <i>Euphausia superba</i> catch of 2 106 749 kg.</p>

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

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>Following the closure of the fishery C1 data for the Saga Sea reported 16 trawls of two nets and 1 trawl of one net from 00:00 19 May 2024 to 10:00 20 May 2024 with a green weight Euphausia superba catch of 1 143 056 kg.</p> <p>Continuous trawl vessels report a "unique trawl" for every two hour period the net is in the water. The net setting and hauling date and time is also reported in the C1 data. The net was set before the closure date and hauled at 10:00 on 20 May 2024.</p> <p>A report on the delayed gear retrieval was provided by Norway in COMM CIRC 24/58</p>
CM 41-09			
61	Uruguay	Ocean Azul	<p>CM 41-09, paragraph 6, If the catch of Macrourus spp. taken by a single vessel in any two 10-day periods in any SSRU exceeds 1 500 kg in each 10-day period and exceeds 16% of the catch of Dissostichus spp. by that vessel in that SSRU, the vessel shall cease fishing in that SSRU for the remainder of the season.</p> <p>Two breaches of the move-on rule were identified for the Ocean Azul in Small Scale Research Unit 88.1 I. The C2 data reported the following:</p> <p>For ten day period starting 21 Dec 2023 Macrourus spp. total: 2 053.60 kg Dissostichus spp. total: 2 877.97 kg Macrourus spp. percentage of Dissostichus spp. catch: 71.36%</p> <p>For ten day period starting 01 Jan 2024 Macrourus spp. total: 2 189 kg Dissostichus spp. total: 5 858.23 kg Macrourus spp. percentage of Dissostichus spp. catch: 37.37%</p> <p><i>Move-on rule now triggered, vessel should have left SSRU 88.1_I</i></p> <p>For ten day period starting 11 Jan 2024 Macrourus spp. total: 4 245 kg Dissostichus spp. total: 6 951.92 kg Macrourus spp. percentage of Dissostichus spp. catch: 61.06%</p> <p>For ten day period starting 21 Jan 2024 Macrourus spp. total: 4 635.50 kg Dissostichus spp. total: 11 360.59 kg</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			Macrourus spp. percentage of Dissostichus spp. catch: 40.80%
CM 91-05			
62	Namibia	Helena Ndume	<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 Helena Ndume was provided on 15 Dec 2023 0210 UTC which notified entry into RSR MPA SRZ on 14 Dec 2023 2240 UTC.</p> <p>Time difference: 3 hours 30 minutes after entry</p>
63	Namibia	Helena Ndume	<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 Helena Ndume was provided on 19 Dec 2023 0141 UTC which notified entry into RSR MPA GPZ(i) on 18 Dec 2023 2143 UTC.</p> <p>Time difference: 3 hours 58 minutes after entry</p>
64	Russian Federation	Alpha Crux	<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 Alpha Crux was provided on 14 Dec 2023 0517 UTC which notified entry into RSR MPA SRZ on 14 Dec 2023 0137 UTC.</p> <p>Time difference: 3 hours 40 minutes after entry</p>
65	Spain	Tronio	<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 Tronio was provided on 26 Dec 2023 1614 UTC notifying entry into RSR MPA SRZ on 26 Dec 2023 0340 UTC.</p> <p>A revision was provided on 26 Dec 2023 1955 UTC notifying entry time as 26 Dec 2023 0447 UTC.</p> <p>Time difference between when the Secretariat was first notified and the final movement time: 11 hours 27 minutes after entry</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
66	Russian Federation	Alpha Crux	<p>Text of the CCAMLR Scheme of International Scientific Observation, Part D, paragraph (b) (i), states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not offer a scientific observer, either directly or indirectly, any gratuity, gift, favour, loan, or anything of monetary value, except for meals, accommodations or salary when provided by the vessel.</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 10 - " During the investigation period of the vessel, on January 10, 2024, attempts were made to communicate with the Russian captain regarding CCAMLR Conservation Measure 26-01, but it was not properly conveyed. Subsequently, a request was made to the National Institute of Fisheries Science to receive the latest version of Conservation Measure 26-01 via email. However, the email was not delivered to the Korean observer, only confirmed by the Russian captain. A few days later, the navigator suggested twice that they could pretend not to know about the fishing situation on the vessel if a bribe of \$10,000 to \$20,000 was provided. Both offers were naturally declined. "</p>
67	Russian Federation	Alpha Crux	<p>Text of the CCAMLR Scheme of International Scientific Observation, Part D, paragraph (b) (ii), states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not intimidate, or interfere with the duties of a scientific observer.</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 10 - " On January 1, 2024, while Russian crew members were gathering in the wheelhouse and drinking, a physical altercation ensued. During the altercation, verbal abuse and physical violence were exchanged, with the word "OBSERVER" being mentioned twice. Shortly afterward, while the Korean observer was sleeping, a Russian crew member opened the door to their quarters, stepped inside, observed quietly for 1-2 minutes, then left. Upon investigation, it was found that during the altercation, a Russian processor, who was assisting the Korean observer with biological sampling, was stabbed in the abdomen by another Russian crew member. Subsequently, the Russian processor was incapacitated, rendering them unable to perform their duties. As a result, the Korean observer was left alone to handle TOA processing and biological sampling. Requests for additional personnel from the Russian captain were met with refusal. "</p> <p>The Secretariat was notified as per SISO, Part A, paragraph h, of communications on 29 May 2024 between Russia (the Receiving Member) and Korea (the Designating Member) of discrepancies identified by Russia in</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>the observer report which relate to this compliance issue. The Secretariat has not been notified by either party that they were unable to resolve such issues, as required by SISO, Part A, paragraph h.</p>
68	Russian Federation	Alpha Crux	<p>Text of the CCAMLR Scheme of International Scientific Observation, Part D, paragraph (b) (vii), states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not interfere with or prevent the observer from communicating with the Designating Member, including by preventing the scientific observer from having access to the vessel’s communication equipment.</p> <p>The SISO observer on the Russian flagged Alpha Crux from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 10 - " The communication methods onboard the vessel were limited to wired telephone and email, but the email function was not operating properly. While emails sent to the Resource Management Authority were successfully transmitted, emails sent to the National Fisheries Research Institute were inexplicably failing to send for reasons unknown. "</p>

Proposed Non-Contracting Party IUU Vessel List 2024/25 (Conservation Measure 10-07)

No changes recommended by SCIC to the existing [2023/24 NCP IUU Vessel List](#)

Proposed Contracting Party IUU Vessel List 2024/25 (Conservation Measure 10-06)

No changes recommended by SCIC to the existing [2023/24 CP IUU Vessel List](#)

Appendix IV

South Africa made the following statement:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

South Africa made the following statement:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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