

CCAMLR-XXXIII

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

**REPORT OF THE THIRTY-THIRD MEETING  
OF THE COMMISSION**

HOBART, AUSTRALIA  
20–31 OCTOBER 2014

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Chair of the Commission  
November 2014

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## **Abstract**

This document is the adopted record of the Thirty-third Meeting of the Commission for the Conservation of Antarctic Marine Living Resources held in Hobart, Australia, from 20 to 31 October 2014. Major topics discussed at this meeting include: the status of CCAMLR-managed fisheries; the Report of the Thirty-third meeting of CCAMLR's Scientific Committee; illegal, unreported and unregulated fishing in the Convention Area; vulnerable marine ecosystems and bottom fishing; the establishment of a representative system of marine protected areas in the Convention Area; assessment and avoidance of incidental mortality of Antarctic marine living resources; new and exploratory fisheries; current operation of the System of Inspection and the Scheme of International Scientific Observation; compliance with conservation measures in force, including the implementation of CCAMLR's Compliance Evaluation Procedure; review of existing conservation measures and adoption of new conservation measures; a process to support the ongoing review of CCAMLR's Catch Documentation Scheme and a separate process related to the Vessel Monitoring System; management under conditions of uncertainty and cooperation with other international organisations, including within the Antarctic Treaty System. The Reports of the Standing Committee on Implementation and Compliance and the Standing Committee on Administration and Finance are appended.

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**Report of the Thirty-third  
Meeting of the Commission**  
(Hobart, Australia, 20 to 31 October 2014)

**Opening of the meeting**

1.1 The Thirty-third Annual Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR-XXXIII) was held in Hobart, Tasmania, Australia, from 20 to 31 October 2014. It was chaired by Mr L. Dybiec (Poland).

1.2 The following Members of the Commission were represented: Argentina, Australia, Belgium, Brazil, Chile, People's Republic of China, European Union, France, Germany, Italy, Japan, Republic of Korea, Namibia, New Zealand, Norway, Poland, Russian Federation, South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay.

1.3 Other Contracting Parties, Bulgaria, Canada, Cook Islands, Finland, Greece, Mauritius, the Netherlands, Islamic Republic of Pakistan, Republic of Panama, Peru and Vanuatu, were invited to attend the meeting as Observers. Mauritius and the Netherlands were represented.

1.4 The Agreement on the Conservation of Albatrosses and Petrels (ACAP), the Association of Responsible Krill harvesting companies (ARK), the Antarctic and Southern Ocean Coalition (ASOC), the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the Committee for Environmental Protection (CEP), the Convention on International Trade in Endangered Species (CITES), the Coalition of Legal Toothfish Operators (COLTO), the Council of Managers of National Antarctic Programs (COMNAP), the Food and Agriculture Organization of the United Nations (FAO), the Inter-American Tropical Tuna Commission (IATTC), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Intergovernmental Oceanographic Commission (IOC), the International Union for Conservation of Nature (IUCN), the International Whaling Commission (IWC), the Secretariat of the Regional Plan of Action to Promote Responsible Fishing Practices Including Combating IUU Fishing in South East Asia (RPOA-IUU), the Scientific Committee on Antarctic Research (SCAR), the Scientific Committee on Oceanic Research (SCOR), the South East Atlantic Fisheries Organisation (SEAFO), the United Nations Environment Programme (UNEP) and the Commission for the Conservation and Management of the Highly Migratory Fish Stocks of the Western and Central Pacific Ocean (WCPFC) were also invited to attend the meeting as Observers. ACAP, ARK, ASOC, CCSBT, CEP, COLTO, IWC, SCAR and SEAFO attended.

1.5 In accordance with the Commission's decision at CCAMLR-XXXII (paragraph 12.4), the following non-Contracting Parties were invited to attend CCAMLR-XXXIII as Observers: Brunei Darussalam, Colombia, Costa Rica, Dominican Republic, Ecuador, Indonesia, Islamic Republic of Iran, Libya, Malaysia, Mali, Mexico, Mongolia, Nigeria, Philippines, Seychelles, Singapore, Tanzania, Thailand, Trinidad and Tobago, United Arab Emirates and Viet Nam. Singapore attended the meeting.

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

1.7 The Chair welcomed all participants to the meeting, noting the substantial agenda and his hopes for a productive meeting.

1.8 The Chair introduced His Excellency the Honourable Chief Justice Alan Blow OAM, Lieutenant Governor of Tasmania, who delivered the opening address (Annex 3).

## **Organisation of the meeting**

### Adoption of the Agenda

2.1 The Agenda for the meeting was adopted (Annex 4).

### Status of the Convention

2.2 Australia, as Depository, reported that the status of the Convention had not changed during the last intersessional period.

### Report of the Chair

2.3 The Chair provided a brief report on the activities of the Commission during the last 12 months (Annex 5).

## **Implementation and compliance**

3.1 The Chair of the Standing Committee on Implementation and Compliance (SCIC), Mr O. Urrutia (Chile), presented the report of SCIC to the Commission (Annex 6).

### Compliance Evaluation Procedure

3.2 The Commission noted that SCIC considered Members' Draft CCAMLR Compliance Reports that summarised issues identified by the Secretariat in relation to the implementation of conservation measures (CCAMLR-XXXIII/08 Rev. 1). The Commission noted that Draft CCAMLR Compliance Reports were considered for Australia, Chile, China, France, the Republic of Korea, Norway, Russia, South Africa, Ukraine, the UK and Uruguay.

3.3 The Commission noted that in accordance with CM 10-10, Annex 10-10/B, the Provisional CCAMLR Compliance Report developed by SCIC includes an assessment of Members' compliance status, recommendations on remedial action and amendments to conservation measures, obligations and any responsive action required. Following its

deliberations, the Commission noted that SCIC had adopted by consensus a Provisional CCAMLR Compliance Report for approval by the Commission (Annex 6, Appendix I).

3.4 The Commission endorsed SCIC's recommendations and approved the CCAMLR Compliance Report for 2014.

3.5 The EU thanked SCIC for its work in adopting the Provisional CCAMLR Compliance Report for submission to the Commission. It regarded the process supported by SCIC as a constructive means to improve compliance with conservation measures and to identify and rectify unclear provisions. The EU noted that it did not consider the CCAMLR Compliance Evaluation Procedure (CCEP) process as an opportunity to accuse or direct blame at Members but rather an opportunity to strengthen conservation measures and improve general compliance. The EU expressed appreciation for the first two years of implementation and looked forward to future work and improvement.

3.6 Australia considered that the CCEP supports a clear and fair process that provides Members with the opportunity to respond to instances of non-compliance as well as for the Commission to adopt a range of responses in order to address issues with conservation measures and to resolve technical inoperability.

3.7 The Commission noted that this year, SCIC successfully addressed a number of shortcomings with conservation measures.

3.8 The Commission considered the recommendation by SCIC to revise Conservation Measures (CMs) 10-01, 10-03, 10-10, 26-01 and 41-01. The Commission also recognised that SCIC had deliberated on possible revisions to CMs 10-02, 10-04 and 10-09, but that further consideration was needed in the intersessional period to progress these for consideration by SCIC and the Commission in 2015.

3.9 South Africa acknowledged the concerns that arose at SCIC in the case of non-compliance in relation to its implementation of CM 10-03. South Africa advised the Commission that it is implementing measures to improve compliance with CM 10-03. The Commission noted that South Africa had conducted four port inspections in full compliance with CM 10-03 subsequent to the issues identified in its Draft CCAMLR Compliance Report and that further efforts were being undertaken to improve inspecting capacity.

3.10 Argentina noted that, in relation to the possible revision to CM 10-04, not enough time was available to consider the substantial changes proposed. Argentina advised that any proposed substantive change to CM 10-04, particularly in relation to Members' obligations, had to be considered with caution.

3.11 Some Members noted that they supported the changes proposed to CM 10-04 at this meeting. They looked forward to working through the vessel monitoring system Technical Working Group (VMS TWG) in the intersessional period to consider these matters.

3.12 The Commission noted that SCIC had considered the advice of the Scientific Committee in relation to the research fishing undertaken by the Russian-flagged vessel *Yantar 35* in the Weddell Sea in 2013/14 (Annex 6, paragraphs 97 to 104). The Commission noted that the quarantining of data and the subsequent inability of the Scientific Committee to evaluate the research was a matter of serious concern for SCIC.

3.13 Some Members noted that, given the Scientific Committee had been unable to complete a review of the research plan, it was inappropriate for research fishing to be undertaken under this plan in the coming season.

3.14 The Commission noted that Russia considers this to be a serious incident and that it is committed to investigating the data relating to the issue. The Commission noted the advice of Russia that the investigation will be conducted in an open and objective manner with the results presented at the conclusion of the investigation, including to the Working Group on Statistics, Assessments and Modelling (WG-SAM), the Working Group on Fish Stock Assessment (WG-FSA), the Scientific Committee, SCIC and the Commission. The Commission suggested that the investigation could consider incorporating international expertise.

3.15 Russia advised the Commission that it did not intend to permit the *Yantar 35* to continue research in the Weddell Sea in 2014/15 but that it remained interested in continuing research within the Weddell Sea by other vessels if the opportunity arises (see also paragraphs 5.63 to 5.68).

3.16 The Commission noted that SCIC considered CCAMLR-XXXIII/BG/02, summarising all notifications submitted by Members proposing to participate in exploratory or krill fisheries for 2014/15, as well as highlighting the new online system to support submission of fishery notifications by Members (Annex 6, paragraphs 105 to 109).

3.17 The Commission noted that following the late submission of krill fishery notifications, the EU withdrew the notification for the vessels *Saga* and *Alina*, notified to participate in krill fisheries in 2014/15 (Annex 6, paragraph 110).

3.18 The Commission noted that SCIC had considered CCAMLR-XXXIII/BG/27, which provided an account of the investigation and subsequent outcomes relating to the documented anomalous catch-per-unit-effort (CPUE) by the Korean-flagged fishing vessels *Insung No. 2*, *Insung No. 7* and *Insung No. 22*, and concluded that the three vessels undertook illegal, unreported and unregulated (IUU) fishing activities in the Convention Area.

3.19 Many Members thanked Korea for its efforts during the past year to conduct a transparent inquiry into the activities of the *Insung No. 2*, *Insung No. 7* and *Insung No. 22* and its actions to address those activities, as well as for the Korean Delegation's positive engagement at this meeting. Many Members congratulated Korea on its positive initiatives to engage not only nationally, including through amendments to domestic legislation, but also multilaterally in the fight against IUU fishing.

3.20 The USA noted its appreciation of the efforts that Korea and South Africa have been taking to cooperate in the scrapping of the *Insung No. 7* in South Africa. In addition, the USA noted its interest in the updates and enhancements to the Distant Water Fisheries Development Act that will enhance Korea's ability to address compliance issues, such as those related to the *Insung* vessels, should they arise in the future.

3.21 The Commission also thanked Russia for agreeing to undertake an investigation under CM 10-08 of Russian observers who reported data consistent with the anomalous vessel data while observing the fishing operations of the *Insung No. 2*, *Insung No. 7* and *Insung No. 22*

and report in a timely fashion. The Commission noted that the process undertaken by Korea and to be undertaken by Russia provides valuable confirmation of the effectiveness of the CCAMLR regulatory framework.

#### Catch Documentation Scheme

3.22 The Commission noted that SCIC had endorsed the recommendations of the Catch Documentation Scheme for *Dissostichus* spp. (CDS) Review Panel that worked during the intersessional period to undertake an independent review of CCAMLR's CDS (Annex 6, paragraphs 152 to 164).

3.23 The Commission thanked the CDS Review Panel and the Secretariat for their efforts during the intersessional period and noted that the results will greatly improve the implementation and operation of the CDS.

3.24 The Commission welcomed SCIC's decision to fund the implementation of the CDS Review Panel's recommendations and the further recommended work that will, inter alia, provide for greater integration of the CDS with other CCAMLR systems; the upgrading of the e-CDS system, including through a new platform; the development of identifiable Specially Validated Catch Documents (SVDCDs), consider transshipping provisions and improve non-Contracting Party engagement.

3.25 The Commission also congratulated SCIC on the progress made this year on improvements to the CDS. These improvements will not only strengthen the system but also implement changes to CM 10-05 that better reflect operational reality. SCIC also agreed to the intersessional review of further suggestions from the CDS Review Panel to improve transparency with regard to transshipments, SVDCDs and integrating the CDS with other related databases, such as VMS and recorded catch data.

3.26 The Commission noted SCIC's endorsement of the CDS Review Panel's recommendation for the adoption, implementation and maintenance of a comprehensive strategy to promote cooperation with non-Contracting Parties.

3.27 The Commission noted the Hong Kong Special Administrative Region (SAR)'s participation in capacity-building CDS training delivered by the CCAMLR Secretariat and Australia in the 2014 intersessional period.

3.28 The Commission considered the paper presented by the Republic of Korea providing an account of the case regarding the missing DCDs for three Korean-flagged vessels and the measures taken by the Korean government following the investigation (CCAMLR-XXXIII/BG/26 Rev. 1).

3.29 Korea advised the Commission that several Korean-flagged vessels were detected carrying out IUU fishing outside the Convention Area and informed Members that sanctions were imposed on the vessel Masters and SVDCDs were issued in relation to the catch that was confiscated. Korea also noted that the catch was confiscated based on the strong administrative guidance by the Korean government and that proceeds of these sales will be presented to CCAMLR with specific intentions for the funds to be determined at a later time.

3.30 The Commission thanked Korea and congratulated it on its efforts to conduct a thorough investigation of the incidents.

3.31 The USA expressed concern that issuing multiple DCDs for a single trip could allow for the co-mingling of legal and illegal catch and thereby inhibit Market States from determining the legality of imports. The USA looked forward to the opportunity, through the CDS Implementation Panel, to consider ways of strengthening the CDS, including by clarifying existing requirements.

3.32 The Commission considered the discussion by SCIC on the analysis of international trade and value of *Dissostichus* spp. across major trading nations utilising data from the United Nations Commodity Trade Statistics Database (UN Comtrade) (CCAMLR-XXXIII/BG/14 Rev. 2).

3.33 The EU referred to its previous comments made during the consideration of the Scientific Committee report (paragraph 5.16) and comments made at SCIC (Annex 6, paragraph 169), where it congratulated the Secretariat on completing this work with limited resources and for providing insight into the structure of global toothfish trade. The EU noted that the SCIC discussions clarified the question of misreported data and reiterated its suggestion that the analysis be extended to include trade-influencing factors and that this paper be updated periodically.

3.34 The Commission noted the work of the VMS TWG in relation to the outcomes of the intersessional work on the Request for Tender (RFT) and the recommendation for the preferred VMS software to support CCAMLR's VMS (CCAMLR-XXXIII/14 Rev. 1).

3.35 The Commission noted the VMS TWG's recommendation to implement the internally hosted software THEMIS Viewer to be provided by Collecte Localisation Satellites (CLS) to support CCAMLR's VMS.

3.36 The Commission thanked the VMS TWG, with participants from Australia, Chile, the EU, France, Japan, the Republic of Korea, New Zealand, South Africa, Ukraine, the UK, the USA and the Secretariat, for its work in 2014.

3.37 The Commission also noted the VMS TWG's work to review CM 10-04 (CCAMLR-XXXIII/BG/07). The Commission noted that the VMS TWG would work during the 2015 intersessional period to further consider matters in relation to CM 10-04 and include consideration of proposals made at this meeting (Annex 6, paragraphs 207 to 212). Members were encouraged to actively engage in the work of the VMS TWG during 2015.

3.38 The USA considered VMS as a critical tool in monitoring vessel activity and combating IUU fishing. The USA, supported by the EU, believed that CM 10-04 no longer reflects current technology or best practices.

3.39 Many Members thanked the VMS TWG and the Secretariat regarding the work completed in respect of the VMS in 2014. They noted that they fully supported the revisions proposed during the 2014 SCIC meeting and regretted that these could not be agreed to. These Members looked forward to engaging with the VMS TWG in 2015.

3.40 Argentina made the following statement:

‘Just to clarify a point relating to CM 10-04: not only were there some doubts referred to the short time we got for treating the proposal of the USA, but also some Members expressed our concern regarding suggested modifications to the proposal, as they can involve modifying the nature of CM 10-04, which would not be acceptable. We would also like to express our readiness to participate in the intersessional contact group in order to improve, as far as possible, CM 10-04. In this sense, it is clear that there are substantial differences with the proposal presented by the USA, but we are confident that, with the goodwill of all Parties, we could reach positive conclusions.’

3.41 The Commission noted the intersessional work undertaken to progress the development of a draft arrangement for the release CCAMLR VMS data to support search and rescue (SAR) efforts in the CAMLR Convention Area (CCAMLR-XXXIII/01 Rev. 1).

3.42 The Commission noted that the work undertaken by the Secretariat and the five CCAMLR Members that have Maritime Rescue Coordination Centre (MRCC) responsibilities (Argentina, Australia, Chile, New Zealand and South Africa) had resulted in a draft arrangement tabled for review, and adoption, by the Commission (Annex 6, paragraphs 196 to 199).

3.43 Many Members thanked those involved in drafting the arrangement and supported its implementation. In accordance with CM 10-04, paragraph 18(iv), footnote 4, the draft arrangement was adopted by the Commission (Annex 6, Appendix III). The Commission agreed that with the adoption of the arrangement, footnote 4 of CM 10-04 was no longer required, and the Secretariat was requested to make the consequential edit. It was noted that the work of the VMS TWG in relation to VMS could potentially contribute to the usefulness of CCAMLR VMS data to support SAR efforts.

3.44 In adopting the arrangement, the Commission agreed that, in relation to paragraphs 5.1 and 5.2 regarding the unintended loss or unauthorised release of VMS data, the Secretariat shall inform all Members within 24 hours of any such loss or release and also inform the Flag State(s) of the relevant vessel(s) of the details of those data. In addition, should any investigation into such loss or release occur, the Flag State(s) of the vessel(s) shall be consulted on the results of the investigation prior to the release of the report to CCAMLR.

3.45 Argentina expressed that, as a State with SAR responsibilities, it is well aware of all the issues and risks involved in navigating in Antarctic waters. It thanked the CCAMLR Secretariat for its intersessional work to reach this agreement, which will be very useful in case of any accident or maritime incident. It also noted that this issue is so important to Argentina, as a State with SAR responsibilities, that it has had for more than 15 years, together with Chile, a joint Combined Antarctic Naval Patrol, in order to contribute to the safety of vessels in the Antarctic Peninsula region.

3.46 The EU made the following statement on the initiative of Italy:

‘I would like to avail myself of this opportunity to share some considerations with you today regarding the safety of fishing vessels in the CAMLR Convention Area.’

Given the particular climatic conditions that fishing vessel operators are exposed to in the Convention Area and the resulting possible implications for safety of life, coupled with the significant impact that accidents can have on the environment, especially in polar regions, the EU is of the view that safety standards for fishing vessels, in particular ice-strengthening requirements, should be enhanced in order to better protect crew members on the one hand and marine living resources on the other.

We would therefore like to remind all CCAMLR Members of the CCAMLR Resolution 34/XXXI adopted in 2012 “Enhancing the safety of fishing vessels in the Convention Area” that encourages CCAMLR Members to consider and implement appropriate measures to enhance the safety standards of those fishing vessels which they license to operate in the Convention Area and to consider ratifying the Cape Town Agreement as soon as practicable.

As you will be aware, over the years, European Union Member States have been instrumental in helping the International Maritime Organization (IMO) to develop and adopt a comprehensive portfolio of international conventions. Between them, these cover almost every technical and operational aspect of shipping and their combined effect has been to make shipping progressively safer, more efficient and more environmentally friendly.

For the EU, safety standards based upon the Torremolinos Protocol were introduced by a 1997 Directive which set up a harmonised safety regime for fishing vessels of 24 metres in length and over. This ensures EU vessels meet internationally agreed standards.

As Members will be aware, the 1993 Protocol relating to the 1977 Torremolinos International Convention for the Safety of Fishing Vessels has not entered into force, since the aggregate fleet of the ratifying States never reached the required threshold of 14 000.

However, the barriers to ratification of this Convention have been addressed through the Cape Town Agreement of 2012. This Agreement also updates and amends a number of provisions of the 1993 Torremolinos Protocol. Once this Agreement has entered into force, it will greatly enhance safety standards for fishermen and fishing vessels worldwide and, thereby, significantly reduce the number of fatalities.

The Agreement was open for signature from 11 February 2013 to 10 February 2014, and thereafter remains open for accession. It requires ratification by 22 IMO member states with an aggregate fleet of 3 600 to enter into force.

Bearing in mind the high accident fatality rate and the particular vulnerability of polar regions, the EU attaches great importance to the matter of maritime safety and would welcome further progress in the ratification process of the Cape Town Agreement and hopes for a timely entry into force thereof.’

3.47 France thanked the EU for its statement and fully agreed with it. France noted that this issue will be raised at ATCM XXXVIII in 2015 and that the ratification of the Cape Town Agreement was extremely important to preserve life at sea and protect the marine environment.

3.48 The Commission noted that the International Maritime Organization (IMO)'s Marine Environment Protection Committee (MEPC) had clarified the prohibition on heavy grade oil use in Antarctic waters and had agreed to clarify that this prohibition extended to the carriage of heavy grade oil on board vessels as ballast (MARPOL, Annex I, regulation 43).

3.49 Many Members agreed that vessel safety was a very important issue, as were issues related to vessel environmental protection standards. The Commission noted the IMO's intention to undertake future work regarding a code for ships operating in polar waters. Some Members noted that this work is intended to cover the non-SOLAS (International Convention for the Safety of Life at Sea) fleet and so included fishing vessels. Many Members highlighted the importance for advancing safety at sea for vessels operating in the Convention Area and thanked the EU for highlighting this important issue.

3.50 The Republic of Korea noted the importance of VMS not only to deter IUU fishing but also to provide a mechanism to monitor vessel safety at sea in real time.

3.51 The USA noted that the issue of vessel safety had been discussed over many previous years at both CCAMLR and ATCM. The USA shared the concerns of many Members relating to the high number of incidents that have occurred in the Convention Area over recent years. The USA noted that the proposed amendments to CM 10-04 that will be considered by the VMS TWG in 2015 would advance compliance monitoring and enhance the use of VMS data in SAR efforts.

#### Proposals for new and revised measures

##### Krill observer coverage

3.52 The Commission noted the proposals submitted by Ukraine (CCAMLR-XXXIII/16) and Chile (CCAMLR-XXXIII/18) that proposed amendments to CM 51-06 to increase observer coverage to 75% and/or 100% respectively during krill fishing operations, with the objective of improving the availability of data to improve estimates of krill biomass.

3.53 Many Members welcomed the proposals by Chile and Ukraine to increase observer coverage and to improve quality of data.

3.54 France thanked Chile and Ukraine for the proposal and stated that, given the importance of krill within the marine ecosystem of Antarctica, it is important to increase observer coverage to 100% in the near future.

3.55 Chile noted the adoption of CM 51-06 at CCAMLR-XXXI had resulted in an increase in observer coverage and a noticeable improvement to observer data. However, Chile asserted that the data produced is still insufficient and suggested that the Commission work to develop ways to improve data collection and quality. Chile also considered the possibility of a phased approach with the objective of eventually achieving 100% coverage (see also paragraphs 6.7 and 7.36 to 7.44).

3.56 Belgium considered the need for continuous improvement concerning data quality and noted that quality depends greatly on the training of the observer, which is the responsibility of Designating Members.

3.57 Argentina supported the proposal for 100% observer coverage. However, given the possibility of difficulties to reach this level, Argentina believed that it would be good to, at least, agree on a gradual increase of observers on krill fishing vessels.

3.58 Several Members stated their willingness to accept the proposal to increase observer coverage on krill vessels and suggested the Commission find a way to progressively increase the number of observers on board krill vessels to achieve 100%, with some Members suggesting coverage between 50% and 100%.

3.59 China made the following statement:

‘China believes that the current observer coverage on krill fishing operations is appropriate. Although there was a general support to increase the observer coverage, the Scientific Committee also acknowledged that it is more important to improve the quality of data derived from scientific observers and agreed to maintain the current level of observer coverage. Therefore there is no scientific justification for increasing mandatory observer coverage for the time being. Besides, the possible costs for increasing observer coverage must also be taken into account in order to avoid unnecessary burden to the fishing industry.’

#### Shark finning

3.60 The Commission considered the proposal submitted by Brazil, Chile, the EU and the USA to prohibit the finning of sharks caught in the CCAMLR Convention Area (CCAMLR-XXXIII/20). The submission proposed an amendment to CM 32-18 to require that fins of sharks caught incidentally that cannot be released alive remain naturally attached until the point of first landing (see also paragraph 7.83).

3.61 The USA expressed appreciation for the consideration of the proposal and indicated that amending the measure is an important step in the conservation of sharks, consistent with United Nations General Assembly (UNGA) resolutions and Article II of the Convention. The USA noted that the amendment to CM 32-18 would increase species-specific data and complement existing requirements without imposing any further burden on Members.

3.62 The USA expressed support for the proposal co-sponsored with Brazil, Chile and the EU to amend CM 32-18. Prohibiting the finning of any incidentally caught sharks is an important next step for the Commission and one that is consistent with the UNGA sustainable fisheries resolution, FAO’s International Plan of Action for sharks and the conservation objective set forth in Article II of the Convention. Requiring all incidentally caught sharks that are retained to be landed with their fins naturally attached will not only prevent the wasteful practice of finning, it will also support the collection of better species-specific data with respect to sharks caught in the CCAMLR area. The USA welcomed the strong support for the proposal offered by most Members and noted that the proposal complements the existing measure without imposing a significant burden on fishing activities.

3.63 The EU, supported by several Members, regretted that the Commission could not agree on the proposal. Since CCAMLR is a frontrunner in conservation of marine resources, this measure would have sent an important signal to other organisations dealing with the same matter.

3.64 Many Members supported the proposal and expressed regret that it could not be adopted at this meeting. They suggested that the adoption of the proposal would be an important step for CCAMLR and align it with other finning prohibition measures implemented in other fora.

3.65 France, supported by other Members, questioned the reasoning that was offered by opposing Members during SCIC (Annex 6, paragraphs 230 and 231) as it considered the proposed amendment provided a means to gain an improved understanding of shark populations and by-catch within the Convention Area. France suggested that there are non-scientific reasons behind the opposition of particular delegations.

3.66 China made the following statement:

‘Some interventions made by previous speakers are misleading. The issue before us is not shark finning but is that whether the fins of the dead sharks, as a result of by-catch, must be naturally attached to the shark bodies. We do not see that such a request has anything to do with the preservation of sharks. Moreover, since the by-catch of sharks is legal catch, those sharks shall be regarded as the legal property of the fishermen. The owners shall have the right to decide how to dispose of them. The demands for scientific research raised by some delegates could be met by requesting the fisherman to provide sharks with their fins naturally attached on a voluntary basis, but such demands cannot justify any mandatory rule that may arbitrarily restrict the right of the owner to dispose of their legal property. Therefore, China cannot support this proposal, which goes beyond the conservation of Antarctic marine living resources.’

3.67 Japan advised the Commission that they opposed the wasteful act of finning, but also noted that it shared the concern of China that the proposed amendments are misleading and had nothing to do with the prohibition of finning as described in the title of the document. Japan believed that the proposed amendments were irrelevant and not effective for the conservation and management of sharks in the Convention Area where shark by-catch was very small. Japan, however, found that many Members supported the prohibition of finning and that there seemed to be a consensus. Therefore, Japan proposed to introduce a simple but clear provision of the prohibition of finning instead of the proposed amendments.

3.68 Argentina supported the inclusion of a ban on shark finning, noting that this proposal relates to the fundamental principle of the Convention relating to the rational use of a resource. Argentina noted that discarding of a full shark in order to maintain the fins represent minimal use of a resource that is not rational. It considered that finning impacts the environment greatly and goes beyond the economic benefit that can be drawn from fins.

3.69 Many Members encouraged the proponents of the proposal to resubmit their paper at CCAMLR-XXXIV.

#### Trade-related measures

3.70 The Commission considered the proposal by the EU to hold intersessional discussions between CCAMLR-XXXIII and CCAMLR-XXXIV on the possible adoption of trade-related measures by CCAMLR in order to promote compliance (CCAMLR-XXXIII/25 Rev. 1).

3.71 The EU thanked SCIC for the comments and clarified that the purpose of its paper is to gauge interest in developing informal discussions intersessionally with interested partners in order to examine and develop options, including alternative options to combat IUU fishing (Annex 6, paragraph 233).

3.72 Argentina made the following statement:

‘Our delegation has already stated, repeatedly, that taking trade sanctions against States is not the right way to fight against IUU fishing. The reasons were developed clearly, thoroughly and accurately, with substantial arguments on several occasions.

In this sense, it would be useful to find new measures or to improve the ones in force, as for example CM 10-08, which place emphasis on the beneficial owner.’

3.73 The USA expressed appreciation for the EU’s efforts to continue discussion on trade-related measures and noted that trade-related measures are an important tool that would enhance the ability of CCAMLR to address IUU fishing and promote compliance. CCAMLR-XXXIII/25 Rev. 1 looked beyond trade-related measures to other mechanisms that CCAMLR might employ to strengthen the tools available for combating IUU fishing. CCAMLR can consider the adoption of trade-related measures while, at the same time, considering additional approaches, including the strengthening of existing measures. The USA encouraged all Members to contribute to intersessional discussions on this issue.

3.74 Namibia made the following statement:

‘Namibia fully supports the elimination of IUU fishing in the CAMLR Convention Area and globally. However, we are of the opinion that these proposed trade-related measures could unfairly punish many law-abiding companies and individuals, as they will also be prohibited from exporting their products should one of the vessels from their respective countries be found to be involved in IUU fishing. In our view, such indiscriminate punishment of the vessels and/or companies is not the best approach to combat IUU fishing, as it could negatively affect the economies of the Flag States concerned and has the potential to even destabilise those countries.

Therefore, Namibia does not support the proposed trade-related measures and shares the views expressed by those Member States who spoke out against such measures. We would rather encourage the Commission to put in place measures to trace the beneficial owners of such vessels found to be involved in IUU fishing and take drastic measures against such individuals or companies. In most cases, these beneficial owners are not based in the Flag States of vessels found to be involved in IUU fishing and this remains a challenge for Flag States to take action against them.’

3.75 Uruguay made the following statement:

‘Our delegation made a declaration in SCIC’s meeting in relation to the initiatives to consider the application of trade measures within CCAMLR’s framework, supporting the views of several delegations that did not consider this discussion timely, in that they believed this was not the appropriate forum to consider such initiatives.

We reiterate our firm belief in the validity of all the tools that will allow us to verify compliance with CCAMLR's conservation measures, in particular those aimed at the deterrence of illegal, unreported and unregulated (IUU) fishing.

However, we believe that other tools exist that are more appropriate to fulfil that objective, and I take the liberty to mention here, as an example from other fora, the importance of FAO's Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

Our country is one of the 12 original signatories of the abovementioned agreement, and ratified it in February 2013, though very few countries have done so, and this agreement has not yet entered into force.

CCAMLR must seek to generate new conservation measures aimed at the deterrence of IUU fishing, but always keeping within the framework of its competence.'

#### Current level of IUU fishing

3.76 The Commission noted the efforts of Members in relation to combating IUU fishing in the Convention Area, including Australia (CCAMLR-XXXIII/BG/19), Chile (Annex 6, paragraph 251), France (CCAMLR-XXXIII/19), New Zealand (CCAMLR-XXXIII/BG/12) and Spain (CCAMLR-XXXIII/BG/34).

3.77 The USA raised the issue of transshipment, referring to discussions within SCIC where it was noted that the information gaps associated with transshipments at sea have the potential to undermine the objectives of CM 10-05 and other CCAMLR conservation measures intended to prevent IUU fishing. The USA noted that some of the transshipments occur between vessels licensed to fish in the Convention Area and vessels of non-Contracting Parties and CM 10-09 only requires notifications for transshipments that occur inside the Convention Area. The USA referred to the amendments to CMs 10-02 and 10-09 that it had suggested during SCIC to address those gaps, including by requiring transshipment vessels to be licensed and notified to the Commission under CM 10-02 and for vessels to provide advance notice under CM 10-09 of all at-sea transshipments of toothfish, regardless of where they occur.

3.78 Many Members expressed their support for the strengthening of transshipping provisions and agreed that an intersessional e-group will be established by the Secretariat to facilitate this work. It was noted that the Secretariat, with participants of the e-group, will develop a work plan to consider revisions to CMs 10-02 and 10-09 for consideration at CCAMLR-XXXIV.

3.79 The Commission considered the discussion by SCIC on measures taken and reported by Spain to combat IUU fishing in the Convention Area in 2014 (CCAMLR-XXXIII/BG/34), as well as action taken by Chile with regard to control of its nationals. The Commission welcomed the actions by Spain and Chile to combat IUU fishing.

3.80 Spain thanked the Australian authorities for their collaboration in the investigation that allowed Spain to carry out its first sanction on board the fishing vessel *Thunder*. Spain imposed financial sanctions and the suspension of the ability to work in fishing activities on Spanish nationals belonging to the crew of the vessel.

3.81 The Commission noted that Spain worked intensively to adopt legislation so that sanctions against IUU operations and nationals engaged in illegal activities can be prosecuted by the Spanish judicial system. Spain also informed the Commission that it would be amending maritime legislation, to be commenced in November 2014, which will require strict compliance with CM 10-08 by Spanish nationals. Spain expressed appreciation that other Members have initiated legal action against its nationals and highlighted that collaboration between Members is essential in order to have full compliance with CM 10-08 and to combat IUU fishing.

3.82 The Commission noted the video footage provided by the Republic of Korea that detailed the scrapping of the *Insung No. 7*. Korea advised the Commission that the vessel was no longer operational and the destruction of its interior was almost complete. The Commission welcomed Korea's undertaking to provide regular updates on the scrapping of the vessel to CCAMLR.

3.83 The Commission noted the progress on the IUU fishing trend analysis that summarised all available information on IUU fishing for 2013/14 (CCAMLR-XXXIII/BG/28 Rev. 1).

3.84 The Commission noted that the distribution of IUU fishing activity for 2013/14 was based on reports by Members of sightings of IUU fishing vessels and gear, information from observer logbooks, cruise reports and automatic identification system (AIS) data for 2014 (CCAMLR-XXXIII/BG/28 Rev. 1). The Commission noted that this was the first year that an IUU-listed vessel had been sighted in Subarea 48.6, even though there was indirect evidence from discarded gear that IUU fishing activity had occurred in this subarea since 2005.

3.85 The Commission noted the advice of the Scientific Committee that any sightings of fishing gear need to be considered carefully and, in future, maps depicting gear should state the gear types observed.

3.86 The Commission noted that the Scientific Committee had requested that information provided under Annex 10-02/A could assist the Scientific Committee to develop a vessel-detection model for use in estimating IUU fishing activities. The Commission noted that SCIC agreed that, while this may be a useful task, it potentially imposed a significant administrative burden on Flag States and the Secretariat. The Commission agreed that a project be developed to collect vessel sighting data for a discrete area and time period, potentially in conjunction with VMS data and weather and sea-state conditions, and that this could be used as a trial to see if the information proves useful in supporting the work of the Scientific Committee to develop models to improve estimates of IUU fishing.

3.87 The Commission endorsed the joint proposal by France and the Secretariat for a pilot initiative to use satellite-derived imagery to improve estimates of IUU fishing vessel presence in selected high-seas areas of the Convention Area (CCAMLR-XXXIII/07).

3.88 The Commission noted France's in-kind contribution to the initiative which amounts to €158 000, including technical and human resources to support the analysis of satellite-derived imagery. France noted that it was pleased to support this work and contribute to CCAMLR's effort to combat IUU fishing.

3.89 The Commission noted with appreciation the EU's financial contribution to the initiative of up to €375 000, subject to confirmation following the completion of the EU's budgetary procedures. The EU invited other Members to consider contributing to the initiative.

3.90 The Commission noted that the pilot initiative was fully supported by the Scientific Committee, which had agreed it was a very positive step towards improving estimates of IUU fishing activity.

3.91 The Commission noted that no new vessels had been proposed for inclusion in either the Contracting Party (CP)-IUU Vessel List or the non-Contracting Party (NCP)-IUU Vessel List for 2014/15 (Annex 6, paragraph 275). The Commission noted the recommendation of SCIC to remove the vessel *Tiantai* from the NCP-IUU Vessel List (Annex 6, paragraph 277) on the basis that it concluded that the vessel had sunk in Division 58.4.1.

3.92 Accordingly, the Commission adopted an NCP-IUU Vessel List for 2014/15 (Annex 6, Appendix IV).

#### Engagement with non-Contracting Parties

3.93 The Commission discussed information relating to Bolivia's proposal to undertake fishing activities in the Convention Area.

3.94 Uruguay noted the importance of positive engagement with non-Contracting Parties. Uruguay made the following statement:

'We reiterate our firm belief in the validity of all the tools that will allow us to verify compliance with CCAMLR's conservation measures aimed at deterring illegal, unreported and unregulated (IUU) fishing.

On the other hand, we recall that in accordance with CM 10-07 (2009), CCAMLR is committed to the enhancement of cooperation between the organisation and non-Contracting Parties (NCPs).

Recently a letter sent by Bolivia was circulated, as well as CCAMLR's response. The letter states that Bolivia intends to fish in the Convention Area, an action that is not acceptable in the context of CCAMLR conservation measures. The response sent by the Secretariat rightly refers to the consequences for Bolivia in notifying its intention.

We do not intend to refer specifically to this case, but rather that we believe we have to fully comply in the same spirit of CM 10-07 (2009), reflecting our commitment towards fostering cooperation between CCAMLR and NCPs.

The Secretariat usually writes to an NCP when vessels registered under its flag are detected operating in the Convention Area without notification or authorisation. It points out the fact that these vessels are to be included in the NCP-IUU Vessel List and urges the State in question to cooperate with CCAMLR.

The great majority of these States do not even respond.

We believe that it is a positive gesture when an NCP declares unilaterally its willingness to approach CCAMLR, even when the declared purpose could contravene CCAMLR's conservation measures.

We are committed to seek cooperation from, and offer cooperation to, NCPs. We believe that it might be useful to exchange views intersessionally in order to provide a template on future communications from the Secretariat; for example, offering information on how to become a Member of the Convention, on how to proceed in accordance with conservation measures and acting to dispel doubts, in short, to do everything that would be interpreted by the NCP in question as a show of goodwill on the part of CCAMLR.'

3.95 Argentina made the following statement:

'I would like to note that our intervention in the SCIC plenary was in the exact line of Uruguay; the idea seeks to work on cooperation in the relationship between CCAMLR and non-Contracting Parties (NCPs) positively; we wish to inform that we are willing to continue working in this direction.'

3.96 The Commission agreed to extend an invitation to Bolivia to attend CCAMLR-XXXIV as an Observer and to seek further clarification about its intentions. The Commission also agreed that it will work on developing a strategy for increased non-Contracting Party cooperation more broadly.

## **Administration and Finance**

4.1 The Commission endorsed the report of the Standing Committee on Administration and Finance (SCAF) presented by the Chair of SCAF, Mr Z.H. Rhee (Republic of Korea), appended as Annex 7. The Secretariat's Strategic Plan (2015–2018) and its associated Staffing and Salary Strategy were endorsed by the Commission.

4.2 The Commission noted that a trial of partial outsourcing of language services for one language will be implemented. The views of Members were invited on setting priorities for the Intersessional Correspondence Group on Sustainable Financing (ICG-SF) to consider additional income-generating and cost-saving measures in 2015.

4.3 Noting that SCAF had indicated in paragraph 14 of its report that the ICG-SF would determine its priorities on the advice of the Commission, the UK indicated that it was not comfortable with the proposal to introduce contribution levies for Acceding States or to levy fees for Observers who participate in CCAMLR, and requested that these issues be afforded a low priority.

4.4 The Commission considered the Budget for 2015, which was approved under Item 10.

4.5 The Commission expressed its thanks to Mr Rhee for chairing a difficult meeting and to the Secretariat for the quality of its work throughout the year and support to delegates.

### **Report of the Scientific Committee**

5.1 The Scientific Committee Chair, Dr C. Jones (USA), presented the report of the Scientific Committee (SC-CAMLR-XXXIII). He thanked all Members who sent scientists to participate in the deliberations of the Scientific Committee and its specialist working groups. The Commission noted the Scientific Committee's advice, recommendations and identification of research and data requirements, and thanked the Chair and the many scientists who had contributed to positive outcomes of the meeting.

#### Harvested species

##### Krill resources

5.2 In 2013/14 five Members have fished for krill in three subareas and the total reported catch (to 3 October 2014) is approximately 291 370 tonnes. This is the highest reported catch since 1991. Most of this catch was taken from Subarea 48.1, which reached 94% of its allocated trigger level (155 000 tonnes) and was closed on 17 May 2014. This closure was earlier than the previous two closures under similar circumstances (June 2013 and October 2010). Approximately 72 000 tonnes have been taken from Subarea 48.2 and 66 000 tonnes from Subarea 48.3 (SC-CAMLR-XXXIII/BG/01).

5.3 Notifications for krill fishing in 2014/15 were received from six Members and 21 vessels, with a notified total predicted catch of 611 000 tonnes. All notifications provided the information required by CM 21-03 ([www.ccamlr.org/en/fishery-notifications/notified/krill](http://www.ccamlr.org/en/fishery-notifications/notified/krill)). There were no notifications for exploratory krill fisheries.

5.4 The Commission noted the recommendation of the Scientific Committee that the parameter defined as 'density of the sample' in CM 21-03, Annex 21-03/B, be renamed to 'volume-to-mass conversion factor' in order to clarify the requirement of this parameter. It endorsed the recommendations regarding the role of scientific observers on enhancing data collection in relation to green-weight estimation (SC-CAMLR-XXXIII, paragraph 3.5).

5.5 The Commission noted the advice of the Scientific Committee on the current reporting system in CM 23-06 (SC-CAMLR-XXXIII, paragraph 3.11) on the catch and effort reporting system in the krill fishery, and agreed that, when the catch exceeds 10% of the trigger level allocated in Subarea 48.1 in CM 51-07, the Secretariat will inform all Members engaged in the krill fishery and request that the five-day reporting system be implemented voluntarily. The Secretariat would also inform all Members engaged in the krill fishery when the catch reached the level at which five-day reporting was required under CM 23-06.

5.6 The Commission noted the discussion of the Scientific Committee with respect to ecosystem monitoring and estimates of penguin populations (SC-CAMLR-XXXIII, paragraphs 3.17 to 3.20) and the development of a feedback management strategy for the krill fishery (SC-CAMLR-XXXIII, paragraphs 3.21 to 3.29).

5.7 The Commission noted the recommendations of the Scientific Committee that, in progressing the work program towards stage 2 of the feedback management procedure, Members are encouraged to collaborate through the e-groups on 'Developing practical approaches to feedback management for krill' and 'The 2015/16 multinational research program' (SC-CAMLR-XXXIII, paragraph 3.33).

5.8 The Commission agreed that based on our current knowledge, a continuation of CM 51-07 in its current form would be consistent with the objectives of Article II and that the current interim distribution of the trigger level in the krill fishery in Subareas 48.1 to 48.4 be carried forward while the science needed to move to stage 2 of feedback management is progressed (see also paragraph 7.45).

5.9 The Commission also noted that absolute estimates of krill biomass and predator biomass/performance for the whole of Area 48 are unlikely to be available on a regular basis and this will be an important consideration in developing approaches to the management of the krill fishery. In particular, there will be a need to have management approaches that are not dependent upon data that are unlikely to be available at the spatial and temporal scales required for a particular management approach.

5.10 The Commission welcomed the decision of the Scientific Committee to use the CCAMLR Ecosystem Monitoring Program (CEMP) Fund to support a proposal to use remote cameras for penguin population monitoring in Subarea 48.1 (SC-CAMLR-XXXIII, paragraphs 3.47 to 3.50) and the development of a multinational investigation of the krill-based ecosystem proposed for 2015/16 (SC-CAMLR-XXXIII, paragraphs 3.53 to 3.58). It noted that both of these proposals were important initiatives for progressing its work on the development of the feedback management for the krill fishery.

#### Feedback management

5.11 The Chair of the Scientific Committee provided a short presentation to the Commission on the work of the Scientific Committee in the development of feedback management of krill (CCAMLR-XXXII, paragraph 5.6). In the presentation the Chair outlined the origins of CCAMLR's approach to feedback management and the extensive work undertaken by the Scientific Committee and its working groups, in particular:

- (i) defining feedback management as a system of managing the krill fishery that uses information on the status of the ecosystem to alter the levels of harvesting
- (ii) presenting the changing spatial pattern of the krill fishery with increasing concentration of catches in parts of Subareas 48.1, 48.2 and 48.3
- (iii) recognising that feedback management provided an important mechanism to change CCAMLR's management procedure in response to the effects of climate change

- (iv) encouraging engagement from all Members in developing feedback management and especially from the krill fishing industry and the importance of krill fishing vessels as research platforms.

5.12 The Commission thanked the Chair for his informative and well-targeted presentation.

#### Fish resources

5.13 In 2013/14, 13 Members fished for toothfish (*Dissostichus eleginoides* and/or *D. mawsoni*) in Subareas 48.3, 48.4, 48.6, 58.6, 58.7, 88.1 and 88.2 and Divisions 58.4.1, 58.4.2, 58.4.3a, 58.5.1 and 58.5.2; Members also conducted research fishing for *Dissostichus* spp. in Subarea 48.5 and Division 58.4.4b. The reported total catch of *Dissostichus* spp. to 20 September 2014 was 11 590 tonnes (SC-CAMLR-XXXIII/BG/01). In comparison, the total reported catch of toothfish in 2012/13 was 15 330 tonnes (SC-CAMLR-XXXIII/BG/01).

5.14 As catch limits were reached, the Secretariat closed the fisheries this season for *Dissostichus* spp. in Subarea 48.4 on 1 April, Subarea 48.6 on 10 February, Division 58.4.3a on 31 August, Subarea 88.1 on 17 January and Subarea 88.2 on 26 January. There were also closures at the small-scale research unit (SSRU) level in Subareas 88.1 and 88.2 (see also CCAMLR-XXXIII/BG/01).

5.15 Up to 20 September 2014, one Member (Republic of Korea) targeted icefish (*Champscephalus gunnari*) in Subarea 48.3 and one Member (Australia) targeted icefish in Division 58.5.2 (SC-CAMLR-XXXIII/BG/01). Since 20 September 2014, both Chile and UK have also targeted icefish in Subarea 48.3.

5.16 The EU noted that the toothfish trade data presented in CCAMLR-XXXIII/BG/14 Rev. 1 had included extensive trade data involving the EU (SC-CAMLR-XXXIII, paragraph 3.73) which was found to arise from reporting errors and requested that relevant Members are consulted prior to such data being presented (paragraphs 3.32 and 3.33).

5.17 The Commission noted the outcomes of the investigation on anomalous CPUE that had been conducted by the Republic of Korea (COMM CIRC 14/93), which had resulted in the fishery and observer data being quarantined and excluded from future data requests and analyses. The vessels and fishing trips associated with this data are set out in SC-CAMLR-XXXIII, paragraph 3.68; this information was reported to SCIC.

5.18 The Commission endorsed the recommendation that if VMS data were made available consistent with the Rules for Access and Use of CCAMLR Data (CM 10-04, Annex 10-04/B), this may help to inform the spatial attribution of biomass removals associated with quarantined data for the purposes of stock assessment (SC-CAMLR-XXXIII, paragraph 3.71).

5.19 The Commission endorsed the request that the Secretariat develop data checking/processing algorithms to routinely compare the catch location and time reported in the catch data and the VMS data in order to develop data quality thresholds to improve overall data quality and the interpretation of maps depicting catch locations and VMS data. It further recommended that the algorithms be applied to the data collected throughout the Convention Area (SC-CAMLR-XXXIII, paragraph 3.72).

5.20 The Commission recommended that detailed descriptions of the trawl configurations and standard survey procedures used in fishery-independent trawl surveys undertaken in the Convention Area be submitted to the CCAMLR gear library. The library currently only holds descriptions of longline gear used in the Convention Area (SC-CAMLR-XXXIII, paragraphs 3.74 to 3.76).

5.21 The Commission noted the consideration of the Scientific Committee on false positives in the calculation of tag-overlap statistics and agreed that the minimum tag-overlap statistic of 60% shall not apply in a given fishery where the number of tagged fish released is fewer than 30 and the vessel has achieved the required tagging rate. The Commission recommended that CM-41-01, Annex 41-01/C, paragraph 2(ii), be revised accordingly (SC-CAMLR-XXXIII, paragraphs 3.79 to 3.83).

5.22 The Commission endorsed the advice from the Scientific Committee that CASAL version v. 2.30-2012-03-21 rev. 4648 be used for stock assessment.

5.23 The Commission endorsed the advice of the Scientific Committee on catch limits for *C. gunnari* in Subarea 48.3 and Divisions 58.5.1 and 58.5.2 in 2014/15 (SC-CAMLR-XXXIII, paragraphs 3.91, 3.95 and 3.101).

5.24 The Commission endorsed the Scientific Committee's advice on catch limits in 2014/15 for the fisheries for *D. eleginoides* in Subareas 48.3 and 48.4 and for *D. mawsoni* in Subarea 48.4 (SC-CAMLR-XXXIII, paragraphs 3.103, 3.107 and 3.112), as well as the specific advice on by-catch for the *D. mawsoni* fishery in Subarea 48.4 (SC-CAMLR-XXXIII, paragraphs 3.113 to 3.115).

5.25 The Commission noted the discussion and advice on stocks of *D. eleginoides* on the Kerguelen Plateau (SC-CAMLR-XXXIII, paragraphs 3.116 to 3.130).

5.26 The Commission endorsed the Scientific Committee's advice on catch limits in 2014/15 for the fisheries for *D. eleginoides* in Division 58.5.2 (SC-CAMLR-XXXIII, paragraph 3.133) and congratulated Australia on undertaking the extensive work to address the concerns of WG-FSA-13, SC-CAMLR-XXXII and WG-SAM-14.

5.27 The Commission noted the advice of the Scientific Committee in respect to the fishery for *D. eleginoides* in the French EEZ of Kerguelen Islands in Division 58.5.1, which indicated that the current catch limit of 5 100 tonnes satisfied the CCAMLR decision rules (SC-CAMLR-XXXIII, paragraph 3.120). As there was no new information available on the state of fish stocks in Division 58.5.1 outside areas of national jurisdiction, the prohibition of directed fishing for *D. eleginoides*, described in CM 32-02, will remain in force.

5.28 The Commission noted the advice from the Scientific Committee that the current catch limit of 700 tonnes, with the addition of an allowance for 60 tonnes of killer whale depredation, satisfied the CCAMLR decision rules in the fishery for *D. eleginoides* at Crozet Islands (Subarea 58.6 inside the French EEZ) (SC-CAMLR-XXXIII, paragraph 3.137).

5.29 The Commission also noted that the Scientific Committee was unable to provide management advice for the fishery in the South African EEZ at the Prince Edward Islands, including in Subareas 58.6 and 58.7 (SC-CAMLR-XXXII, paragraph 3.141).

5.30 The Commission noted that no new information was available on the state of fish stocks in Subareas 58.6 and 58.7 and Division 58.4.4 outside areas of national jurisdiction. The Commission agreed to carry forward the prohibition of directed fishing for *D. eleginoides* in Subareas 58.6 and 58.7 and Division 58.4.4a outside areas of national jurisdiction and in Division 58.4.4b (SC-CAMLR-XXXIII, paragraphs 3.138 and 3.142).

5.31 The Commission endorsed the recommendations of the Scientific Committee regarding fish and invertebrate by-catch, including fish by-catch in the krill fishery and skate by-catch (SC-CAMLR-XXXIII, paragraphs 3.143 to 3.146).

#### New and exploratory finfish fisheries

5.32 In 2013/14 exploratory longline fisheries for *Dissostichus* spp. were conducted in Subareas 48.6, 88.1 and 88.2 and Divisions 58.4.1, 58.4.2 and 58.4.3a. The catches in these fisheries are detailed in SC-CAMLR-XXXIII/BG/01. No new fishery was conducted in 2013/14 (SC-CAMLR-XXXIII, paragraph 3.149).

5.33 The Commission noted that management areas in five exploratory fisheries for *Dissostichus* spp. were closed by the Secretariat in 2013/14. These closures were triggered by catches of *Dissostichus* spp. approaching the relevant catch limits (CCAMLR-XXXIII/BG/01), and the catch limits in the fishery in Subarea 88.2 were exceeded (SC-CAMLR-XXXIII, paragraph 3.150).

5.34 The Commission noted that up to 14 vessels had fished in Subarea 88.2 in January 2014 and the fishery had experienced a rapid increase in fishing effort following the closure of the fishery in Subarea 88.1 on 17 January 2014 (SC-CAMLR-XXXIII, paragraph 3.153 and Annex 7, Figure 1). The Commission further noted the relatively large number of notifications in Subarea 88.2 and agreed that information on vessels' priorities for fishing in Subareas 88.1 and 88.2 would be informative in order to evaluate the potential for excess capacity in this fishery.

5.35 The Commission agreed that, as vessels move as a fleet from Subarea 88.1 to Subarea 88.2 following the closure of Subarea 88.1, then there was the potential for excess capacity in this fishery that could impact on the Secretariat's ability to forecast closures in a timely manner. The Commission encouraged further work to evaluate mechanisms to detect and manage potential situations of excess capacity (SC-CAMLR-XXXIII, paragraph 2.10).

5.36 Notifications for exploratory fisheries for *Dissostichus* spp. in 2014/15 were submitted by nine Members for a total of 24 vessels in Subarea 88.1, nine Members and 23 vessels in Subarea 88.2, two Members and two vessels in Division 58.4.3a, four Members and four vessels in Subarea 48.6, four Members and four vessels in Division 58.4.1 and three Members and three vessels in Division 58.4.2 (SC-CAMLR-XXXIII, Annex 7, Table 3 and CCAMLR-XXXIII/BG/02; [www.ccamlr.org/en/fishery-notifications/notified](http://www.ccamlr.org/en/fishery-notifications/notified)).

5.37 The Commission acknowledged the extensive developments that have taken place in recent years in relation to research fishing in exploratory fisheries, closed fisheries and other areas. It welcomed the undertaking by the Chair of the Scientific Committee to coordinate a review of the requirements of CM 21-02 and related measures (e.g. CMs 21-01 and 24-01), including on the priorities and elements of work associated with reviewing the potential

impacts of exploratory fisheries on dependent and related species. The Commission looked forward to receiving the outcomes of this review in 2015, following consideration by the Scientific Committee (SC-CAMLR-XXXIII, paragraph 3.156).

5.38 The Commission noted that this is the second year of the biennial assessment process for the exploratory fishery in Subarea 88.1 and, as no formal assessment has been undertaken this year, the advice from 2013 with a catch limit for *D. mawsoni* in Subarea 88.1 of 3 044 tonnes was carried forward in its entirety for 2014/15 (SC-CAMLR-XXXIII, paragraph 3.160).

5.39 The Commission noted the discussion of the Scientific Committee (SC-CAMLR-XXXIII, paragraphs 3.161 to 3.174) and endorsed the proposal of the Scientific Committee for a two-year research plan in Subarea 88.2 with the following components:

- (i) the plan will be in place for 2014/15 and 2015/16. Results of this research plan will be summarised and presented for review by WG-SAM and WG-FSA for further recommendations by the Scientific Committee in 2016
- (ii) the catch limit for SSRU 882H will be 200 tonnes
- (iii) fishing in SSRUs 882C–G will be restricted to the four research blocks identified in SC-CAMLR-XXXIII, Figure 1 (see also SC-CAMLR-XXXIII, Annex 7, Table 4 and Figure 7)
- (iv) the combined catch limit for SSRUs 882C–G will be 419 tonnes, with no more than 200 tonnes to be taken from any one of the research blocks identified in SC-CAMLR-XXXIII, paragraph 3.173(iii)
- (v) toothfish will be tagged at the rate of 3 fish per tonne in SSRUs 882C–G and 1 fish per tonne in SSRU 882H
- (vi) tag-overlap statistics will be calculated separately for each of SSRU 882H and SSRUs 882C–G.

5.40 The Commission thanked the Scientific Committee for the excellent demonstration of finding scientific agreement on the proposed catch limits in Subarea 88.2 and developing a data collection plan consistent with CM 21-02.

5.41 The Commission noted progress with research to inform current or future assessments in exploratory fisheries and other fisheries (SC-CAMLR-XXXIII, paragraphs 3.175 to 3.234). It endorsed the advice of the Scientific Committee that the catch limits in SC-CAMLR-XXXIII, Annex 7, Table 5, are appropriate to achieve the aims of the research programs proposed in exploratory and other fisheries and that these be considered as management advice for catch limits for 2014/15.

5.42 The Commission also noted the expectation of the Scientific Committee that those limits are expected to remain for the duration of the proposed research programs, provided that they are reviewed by the working groups in light of information derived from research activities. In respect of research fishing plans proposed for 2014/15, the Commission endorsed the recommendations of the Scientific Committee with respect to the scheduling of

research at a time when sea-ice is likely to be at a minimum in the research blocks and the agreement that Japan would focus its research in Subarea 48.6, while the Republic of Korea would focus in Division 58.4.1.

5.43 The Commission agreed that approaches to advance the research in the areas with frequent ice occurrence need to be further investigated and that flexibility in addition to the current buffer zones would be beneficial in this regard. The Commission requested the Scientific Committee and relevant working groups examine the scientific implications of additional flexibility, such as rolling over the research catch limit, allowing block catch limits over several years or extending research activities to the areas outside the designated research blocks when they are inaccessible due to ice condition and, if possible, to suggest other methods to advance research in such areas (SC-CAMLR-XXXIII, paragraphs 3.180 to 3.208).

5.44 The Commission agreed that the research catch limits from last year be retained for 2014/15, as follows:

48.6_1 and 48.6_2	<i>D. eleginoides</i>	28 tonnes
48.6_2	<i>D. mawsoni</i>	170 tonnes
48.6_3	<i>Dissostichus</i> spp.	50 tonnes
48.6_4	<i>Dissostichus</i> spp.	100 tonnes
48.6_5	<i>Dissostichus</i> spp.	190 tonnes.

5.45 The Commission endorsed the advice of the Scientific Committee that the priority research areas in Subarea 48.6 should be the two northern research blocks in SSRUs A and G (blocks 48.6\_1 and 48.6\_2), followed by the three southern research blocks in SSRUs B, C, D and E (research blocks 48.6\_3, 48.6\_4 and 48.6\_5) (SC-CAMLR-XXXIII, paragraph 3.188).

5.46 The Commission endorsed the advice of the Scientific Committee in respect of fishing in Division 58.4.3a Elan Bank (SC-CAMLR-XXXIII, paragraphs 3.189 to 3.194) with a research catch limit of 32 tonnes.

5.47 Spain informed the Commission that it had been unable to complete depletion experiments in SSRU 5841C within the 42 tonnes allocated (COMM CIRC 14/22) and that it had continued the research after discussion with the Secretariat and Japan, with the research being concluded after 54 tonnes were taken, within the catch limit for this SSRU.

5.48 In respect of the Spanish research in Division 58.4.1 for 2014/2015, Spain shall conduct its research experiment under the requirement of 42 tonnes per assigned SSRU. Noting the experience of last year (SC-CAMLR-XXXII, paragraph 3.197), the Commission endorsed a procedure set up in case additional catch allocation is needed in order to complete an ongoing local depletion experiment. When the requirement for additional allocation is identified, Spain shall immediately inform the Republic of Korea and Japan, as Members conducting research in Division 58.4.1, and all Members via a COMM CIRC of its request to increase its allocation.

5.49 The Commission noted that research in Divisions 58.4.1 and 58.4.2 included blocks periodically affected by sea-ice and agreed that research by Japan and the Republic of Korea in 2014/15 be focused on those block(s) designated in 2013 and that the same catch limits apply to these research blocks in 2014/15 as were recommended in 2013/14 (SC-CAMLR-XXXIII, paragraph 3.202) as follows:

5841_1	<i>Dissostichus</i> spp.	125 tonnes
5841_2	<i>Dissostichus</i> spp.	90 tonnes
5841_3	<i>Dissostichus</i> spp.	280 tonnes
5841_4	<i>Dissostichus</i> spp.	35 tonnes
5841_5	<i>Dissostichus</i> spp.	26 tonnes
5842_1	<i>Dissostichus</i> spp.	35 tonnes.

5.50 The Commission endorsed the revised proposal by Ukraine for research fishing in Subarea 48.2, which is an area that is currently closed to directed finfish fishing for all species under CM 32-02. It endorsed the advice of the Scientific Committee that the research has an effort limit of 30 lines and catch limit of 75 tonnes of *Dissostichus* spp., noting that the proposal had undergone substantial revision since last year which meant it was now suitable to proceed (SC-CAMLR-XXXIII, paragraphs 3.205 and 3.206).

5.51 The Commission endorsed the advice of the Scientific Committee that the research fishing proposed by France and Japan proceed in Divisions 58.4.4a and 58.4.4b (Ob and Lena Banks), with a catch limit of 25 tonnes in research block C and 35 tonnes in block D (SC-CAMLR-XXXIII, paragraphs 3.207 and 3.208).

5.52 The Commission welcomed the plan for a three- to five-year research plan developed for the Ross Sea fishery by New Zealand, Norway and the UK, noting that it is consistent with the principles of a data collection plan as described in CM 21-02 (SC-CAMLR-XXXIII, paragraph 3.209).

5.53 The Commission endorsed the advice of the Scientific Committee on the 68 tonne catch limit for the Ross Sea sub-adult survey (SC-CAMLR-XXXIII, paragraph 3.216).

5.54 The USA recalled the advice of the Scientific Committee (SC-CAMLR-XXXIII, paragraph 3.229) that noted that the catch limits for the proposed Russian survey in the south of SSRU 882A are primarily based on consideration of the ‘distribution, abundance, and demography of the target species’, rather than a full assessment of potential impacts on dependent and related species and therefore this proposal was contrary to previous advice that research fishing ‘could be conducted along the southeastern continental slope [of SSRU 882A], provided that the science supports the objectives [of the Ross Sea Region MPA] in this area’ (SC-CAMLR-IM-I, paragraph 2.31(iv) and SC-CAMLR-XXXII, paragraphs 3.155 and 3.156). The USA considered that the Russian research proposal for SSRU 882A could not be supported without also discussing the proposed Ross Sea region MPA.

5.55 Russia considered that the proposal was part of a multiyear research plan and was fully precautionary and was designed to collect data that are the foundation of the Commission’s decision-making processes, including in respect of MPAs.

5.56 Norway made the following statement:

‘Norway reported to the Commission regarding the conclusion of many meetings in the margins regarding the research survey planned for Area 88.2 A and B, which led to the inclusion of a boat from Russia – joining the previously three-country (UK, New Zealand and Norway) survey, planned for the north in 88.2. All of the partners in this undertaking welcome Russia’s participation and look forward to doing this important

work together. This agreement will require some adjustments to the survey plan to accommodate the participation of the fourth vessel – but this will be formulated within the group in keeping with the science objectives outlined in the original proposal regarding this survey.

It is noted that: (i) the two-year nature of this survey will remain in place, (ii) the catch per boat of 50 tonnes will also remain in place and this catch will come from the Ross Sea catch limit – consistent with Scientific Committee advice, (iii) the data collected by all four countries will be harmonised to achieve the stated objectives of the northern survey that were agreed to in the Scientific Committee.

This survey will: (i) help us better understand toothfish stock structure and its dynamics, (ii) contribute to decisions to establish appropriate catch limits when the currently closed SSRUs open (which will happen upon agreement of the Ross Sea MPA), and (iii) the surveys also have the potential to provide data regarding the possible spawning activity in the northern Ross Sea, which is seen as a top priority by the Scientific Committee.’

5.57 The Commission agreed a two-year, multi-Member research survey plan in SSRUs 882A–B under CM 41-10 with the following components:

- (i) the plan will be in place for 2014/15 and 2015/16. The results will be summarised and presented for review by WG-SAM and WG-FSA for further recommendations by the Scientific Committee in 2015 and 2016
- (ii) the catch limit for the survey program will be 50 tonnes per vessel for four nominated vessels; one each from New Zealand, Norway, Russia and the UK
- (iii) the effort limit for the survey program will be a maximum of 6 900 hooks per set and 17 250 hooks per cluster of stations, a minimum cluster separation of 10 n miles and a total effort limit of 244 950 hooks set per vessel (SC-CAMLR-XXXIII, paragraph 3.221)
- (iv) fishing will be restricted to SSRUs 882A–B north of 66°S; the participants in the survey will subdivide the research area to facilitate the achievement of the research objectives, ensure an even spread of research effort and for vessel safety reasons
- (v) the combined research catch limit of 200 tonnes will be taken from the total Ross Sea catch limit (under CM 41-09), consistent with Scientific Committee advice (SC-CAMLR-XXXIII, paragraph 3.221)
- (vi) the remaining exploratory fishery catch under CM 41-09 will be reapportioned across the existing management areas (SSRUs B, C and G; SSRUs H, I and K; and SSRUs J and L) in proportion to CPUE by seabed area
- (vii) tagging will be conducted at 3 fish per tonne of fish caught (SC-CAMLR-XXXIII, paragraph 3.221)

(viii) tag-overlap statistics will be calculated for SSRUs 882A–B combined

(ix) by-catch limits will be set by analogy with SSRU 882H.

5.58 Russia thanked New Zealand, Norway and the UK for their goodwill and hard work adjusting the research survey plan for the north in Subarea 88.2 to accommodate participation by Russia. It looked forward to producing the important scientific results expected from this important international scientific cooperation, that will help to improve our knowledge of toothfish biology from this little-known area.

5.59 The Commission noted the discussion of the Scientific Committee surrounding activities with respect of toothfish in SSRUs 882A–B that would benefit from clearer association of these SSRUs with the Ross Sea stock and recalled the discussion of the Commission in 2013 regarding the rationale for the revision of the boundary between Subareas 88.1 and 88.2.

5.60 Russia recalled the discussion that took place last year (CCAMLR-XXXII, paragraphs 5.32 to 5.37) and highlighted that, as there is no catch limit for SSRUs 882A–B, it is premature to consider boundary changes.

5.61 New Zealand noted that by not changing the boundaries between Subareas 88.1 and 88.2, in effect, the Commission would be acting against Scientific Committee advice.

5.62 The Commission also considered the Scientific Committee's advice from last year on the issue of the boundaries of Subareas 88.1 and 88.2 (SC-CAMLR-XXXII, paragraph 3.160). The Commission had been unable to progress this advice in 2013 (CCAMLR-XXXII, paragraphs 5.34 to 5.36) and again at this meeting. The Commission encouraged Members to further develop this matter during the intersessional period for consideration by the Scientific Committee and its working groups in 2015. The Scientific Committee had requested the Commission to consider this issue again next year (SC-CAMLR-XXXIII, paragraph 3.228) (see also paragraphs 3.11 to 3.15).

5.63 The Commission noted the deliberations made by the Scientific Committee with regard to the inconsistencies with respect to the data reported from the Russian research fisheries for *Dissostichus* spp. in Subarea 48.5 (Weddell Sea) (SC-CAMLR-XXXIII, paragraphs 3.230 to 3.234). The Commission noted that the Scientific Committee was unable to conclude its analysis of the proposal from Russia to continue research fishing in Subarea 48.5 because of anomalous data that required further detailed investigation. As a result, the Commission was unable to complete the review of the research proposal by Russia for 2014/15 in accordance with the requirements of CM 24-01, paragraph 3(a).

5.64 The EU, supported by Germany, New Zealand, Sweden, the UK and the USA, expressed concern about inconsistencies in the results of research fisheries in Subarea 48.5. They requested more information to support further consideration at next year's meetings.

5.65 The EU proposed that all data should be quarantined until the Scientific Committee has undertaken a review in an open and transparent manner involving experts from Members and the Secretariat.

5.66 The Commission endorsed the recommendation that all the data collected by the *Yantar 35* be quarantined until the Scientific Committee can make clear conclusions and provide advice.

5.67 New Zealand aligned itself with the concerns of other Members with respect to the data inconsistencies arising from the research in Subarea 48.5 and suggested that, in order to fully understand the Weddell Sea data, the previous activities of the vessel in Subareas 88.1 and 88.2 should also be investigated.

5.68 Russia welcomed the wide attention that the data submitted by Russia has received and recalled that at the Scientific Committee meeting it had presented all the information that was requested and answered a great many questions noting that those questions that remain will be answered.

#### Incidental mortality of seabirds and marine mammals associated with fisheries

5.69 The Commission noted the Scientific Committee's general advice on incidental mortality of seabirds and marine mammals (SC-CAMLR-XXXIII, paragraphs 4.1 and 4.7). It endorsed several recommendations regarding sink rate (bottle tests) and night setting in longline fisheries (SC-CAMLR-XXXIII, paragraph 4.4). The Commission agreed to revise CMs 25-02 and 41-02 to 41-11, noting that such amendments would not change the actual protection afforded to seabirds under CM 25-02 (see also paragraphs 7.12 to 7.15).

#### Bottom fishing and vulnerable marine ecosystems

5.70 The Commission endorsed the advice of the Scientific Committee on the implementation of CMs 22-06 and 22-07 to avoid and mitigate significant adverse impacts on vulnerable marine ecosystems (VMEs) during bottom fishing (SC-CAMLR-XXXIII, paragraphs 5.1 to 5.10), in particular noting:

- (i) the up-to-date summary of notifications of encounters with VMEs or potential VMEs
- (ii) the Secretariat's plan to develop a web-based interface to provide an annually updated repository of the VME registry
- (iii) a description of an eight-year research program to assess the effects of bottom fisheries on benthic habitats in Division 58.5.2, and information on the development of methods for a management system that will result in bottom fisheries avoiding significant adverse impacts on these habitats
- (iv) the recommendation for a review of whether the current management arrangements are sufficient for all fisheries to avoid causing significant adverse impacts on VMEs.

## Marine protected areas

5.71 The Commission welcomed the update on the preparatory work for the spatial planning of marine protected areas (MPAs) in:

- (i) Domain 1 (Western Antarctic Peninsula–South Scotia Arc) and endorsed the proposal and terms of reference for a Second CCAMLR Technical Workshop on the Development of MPAs in Domain 1, to be held in Argentina during 2015 (SC-CAMLR-XXXIII, paragraph 5.14)
- (ii) Domains 3 and 4 (Weddell Sea) and welcomed information provided by Germany on the state of data processing, the scientific analyses undertaken and a report on the international workshop held in Germany in April 2014 (SC-CAMLR-XXXIII/08) (SC-CAMLR-XXXIII, paragraphs 5.18 to 5.30)
- (iii) Domain 7 (East Antarctic Representative System of MPAs) (SC-CAMLR-XXXIII, paragraphs 5.31 to 5.44), welcoming the large amount of information consolidated in the MPA planning reference documents. It endorsed the recommendation of the Scientific Committee that this format is a good way to synthesise information for ease of reference and agreed that it would be useful to place such documents on the CCAMLR website.

5.72 The Commission noted the discussion of the Scientific Committee on aspects of the research and monitoring plan for a representative system of MPAs in the East Antarctica Planning Domain (EARSMPA). Concerns were expressed by some Members about the implementation of research and monitoring plans (SC-CAMLR-XXXIII, paragraphs 5.35 to 5.42). The Commission noted the points regarding research and monitoring plans which were set out by the Scientific Committee (SC-CAMLR-XXXIII, paragraph 5.43).

5.73 The Commission encouraged all Members to undertake research and monitoring, including associated with the CCAMLR MPAs. Many Members also noted that the responsibility for research and monitoring is not restricted to the proponents of MPAs.

5.74 Some Members expressed concerns on the certainty regarding the implementation of research and monitoring plans associated with CCAMLR MPAs. Other Members noted the difficulty of committing budgetary resources to undertake the research and monitoring associated with a CCAMLR MPA prior to that MPA being formally established.

5.75 The Commission noted the expectation of the Scientific Committee that review processes would enable regular updating of MPAs and their management on the basis of new data arising from the research and monitoring work (SC-CAMLR-XXXIII, paragraph 5.44).

5.76 The Commission noted background papers on the Ross Sea Region MPA in relation to Domain 8, which included description of the chronology of previously submitted scientific documents, updated maps and analyses supporting MPA planning in the Ross Sea region and new research consistent with a proposed draft research and monitoring plan for a Ross Sea Region MPA (RSRMPA) (SC-CAMLR-XXXIII, paragraph 5.45).

5.77 The Commission supported the proposal by the Scientific Committee that MPA planning reference documents (SC-CAMLR-XXXIII, paragraph 5.46) should be assembled

on a regional or MPA planning domain basis, accessible to all Members (SC-CAMLR-XXXIII, paragraphs 5.47 and 5.48), and agreed that the development of the content of MPA Reports would best be undertaken by WG-EMM. The Commission noted that the MPA Reports represent an executive summary for discussion at, and subsequent agreement by, the Scientific Committee and that they will be used to support the MPA once established (SC-CAMLR-XXXIII, paragraphs 5.47 to 5.49).

5.78 Japan made the following statement:

‘CCAMLR has been discussing several MPA proposals including the East Antarctic MPA as well as Ross Sea Region MPA. In parallel with the specific discussions on the establishment of individual MPA, CCAMLR adopted in 2011 CM 91-04, the General Framework for the Establishment of CCAMLR MPAs. However, in recent years, CCAMLR has experienced some confusion in the discussion on MPA proposals. One of the causes seems to be a lack of appropriate criteria for examining MPA proposals where each proposal has been discussed individually in an inconsistent manner.

At the last Commission meeting, Japan brought up an idea of a “checklist” which could provide a common evaluation platform for respective MPA proposal and the idea received positive responses from many participants. On this basis, Japan has put forward a proposal “Consideration on a standardised procedure to establish CCAMLR MPAs in accordance with the Conservation Measure 91-04”, hoping to contribute to constructive discussions thereon at the Commission meeting here in Hobart.

Japan submitted the draft proposal for “resolution on standardised procedure to establish CCAMLR MPAs in accordance with the Conservation Measure 91-04” which includes a set of draft checklist, to WG-EMM meeting in July in order to inform the CCAMLR Members of our intention and to have initial inputs from Members. Since that time we received many valuable comments to our work. We carefully considered every comments and reformulated the draft so that the questions on the checklists are clearer and more objective. Also, the status of the proposal has been changed from a draft resolution to a neutral working paper.

Our purpose of the checklist is to help the relevant CCAMLR meetings to examine each proposal in a consistent manner in terms of the level of scientific background and detailness, as well as to help proponents to compose their proposals using the checklist as a guideline or a format. We believe, in that way, the checklist would contribute to streamline and facilitate CCAMLR’s discussion on MPA proposals. This checklist proposal is composed of a body and three checklists for conservation measures for establishing an MPA, a management plan or its priority elements, and a research and monitoring plan or its priority elements respectively.

Depending on discussion thereon, we think the checklist could be given a status of a template attached to CM 91-04 or any other possible form. As discussed last year, discussions on this draft checklist could be done in parallel with the consideration of the conservation measures related to the current MPA proposals. Agreement on the content of the checklist would not be a prerequisite for adoption of outstanding MPAs.

Lastly I would like to stress again that we do not intend to delay the MPA process by increasing the workload of proponents of MPAs, by creating a new formal procedure

for considering MPA proposals or by revising the CM 91-04. We do hope that the checklist would be a useful tool for guiding proponents in the development of MPA proposal and we can establish an MPA which will constitute a good model for CCAMLR as well as for other RFMOs. We hope for constructive discussion on the proposal during this meeting. We welcome your valuable inputs for us to refine our proposal.’

5.79 The Commission welcomed the proposed MPA checklist presented by Japan (CCAMLR-XXXIII/27) and agreed that it could provide a useful clarification that could contribute to a better understanding of the issues associated with CCAMLR’s work in designating MPAs. Japan requested to place the draft checklist on the CCAMLR website for review by Members to support ongoing intersessional discussion on the checklist and undertook to present an updated version for consideration next year. The Executive Secretary suggested to establish an e-group for this purpose which was endorsed by the Commission.

5.80 The Commission noted the deliberation of the Scientific Committee in respect of the South Orkney Islands southern shelf MPA (SOISS MPA) (SC-CAMLR-XXXIII, paragraphs 5.51 to 5.76), including the agreement of the Scientific Committee that the MPA Report for the SOISS MPA (SC-CAMLR-XXXIII/BG/19) and the research and monitoring plan (SC-CAMLR-XXXIII/01) provided a good format for describing research and monitoring activities.

5.81 The EU made the following statement

‘The South Orkney Islands Southern Shelf Marine Protected Area was established in 2009 under CM 91-03 with the objective of contributing towards the conservation of biodiversity in Subarea 48.2 and at the time of its adoption, the Commission agreed to review CM 91-03 in 2014. In embarking upon this review process, we believe that we will have an interesting and complex debate ahead of us. Therefore, in the interests of saving time and to help the Chairman, the EU proposes that we structure our discussion into two parts:

- Harmonising the SOISS MPA with CM 91-04
- The review of the SOISS MPA – that is the review of CM 91-03.

The EU considers that the first of these issues is actually the most complex and will inevitably take up more of our time than the latter. Indeed to make progress on this, taking into account the report of the Scientific Committee, we suggest that it might be helpful if we engage in bilateral discussions during the intersessional period with those Members that offered comments on the papers submitted by the EU.

Moving on to the review of CM 91-03 itself. The Scientific Committee agreed (paragraph 5.59 of the Scientific Committee Report) with the general approach for the review of CM 91-03, as outlined in WG-EMM-14/26, noting that information relevant to the review can be found in the MPA Report and the research and monitoring plan (see also SC-CAMLR-XXXIII, Annex 6, paragraph 3.60).

Since the time of designation, the Commission has not provided specific guidelines about how the review of CM 91-03 should be undertaken, but as suggested by Dr P. Trathan (UK) during Scientific Committee, we would like to inform the Commission that:

- (i) the EU has developed a research and monitoring plan that has been reviewed and welcomed by WG-EMM. No Member has tabled any scientific evidence to suggest that the marine ecosystem in the SOISS MPA has changed in any way that would alter our view about the need for representative protection
- (ii) results from the current review period are not yet fully available and new data and results from existing and planned science will only become available during the next review period.

Therefore, in summary, the EU suggests that:

- (i) the EU will engage with those Members that wish to see modifications to the research and monitoring plan so that it can be endorsed by the whole Commission
- (ii) in the absence of appropriate ecological evidence, there is no need to alter the provisions of CM 91-03
- (iii) at the next review in 2019, additional scientific evidence will be available that will facilitate a more comprehensive ecological and management review.'

5.82 Russia welcomed the report from the EU and noted that, while the report provides useful background on the research conducted in the last five years, it is not possible to determine the relevance of this research to the objectives of the MPA, as CM 91-03 does not include any objective criteria with which to make such an evaluation. Russia also concluded that in the absence of any clear implementation criteria and reporting mechanisms for review, its assessment of the first five years of CM 91-03 was rather negative.

5.83 China and Russia thanked the EU for presenting the report and noted that, although the report was structurally appropriate from a scientific perspective, it is problematic from a legal point of view. The report contains specific and regional objectives for the MPA and Subarea 48.2 that are not included in CM 91-03 establishing the MPA. These Members noted that, as the research and monitoring plan is not in place, then the scientific research that has been conducted, as indicated in the report, was not conducted according to any research and monitoring plan and therefore the data derived from such scientific research could only be viewed as reference, rather than a scientific basis, for the review by the Commission. Therefore the Commission, in the point of view of these Members, was not in a position to undertake a review based on this report. China and Russia also noted that the EU report indicates that certain human activities may impact on the values of the MPA. However, as no reasons were given for this assumption, China and Russia considered it is a dangerous precedent to conclude that any human activity poses a threat in the Antarctic in the absence of a scientific basis for such an assertion.

5.84 China recalled that the SOISS MPA is the first MPA designated by CCAMLR and, given the concerns raised above, it was important that lessons are learned to guide future MPA proposals.

5.85 The UK thanked all Members for their constructive and helpful advice in the review of the SOISS MPA and welcomed interest in further research and collaboration associated with the SOISS MPA. Recalling that CM 91-03 was adopted prior to CM 91-04, there is an ongoing process to harmonise these measures. The review of CM 91-03 was five years after its adoption, whereas a longer time period better reflects the expense and lag time associated with planning, conducting and analysing the results of research and monitoring activities.

5.86 New Zealand and Australia agreed with the EU and UK, noting that the broad conservation objectives for the SOISS MPA remain as they were at the time of its designation in 2009, and encouraged further work on the harmonisation of CM 91-03 with CM 91-04.

5.87 The EU thanked Members for their engagement and constructive comments and the support for the suggested line of action; furthermore, the EU looked forward to further work on the harmonisation of CM 91-03 with CM 91-04 in the intersessional period.

5.88 The Commission noted the EU's intention to continue work on the harmonisation of CM 91-03 with CM 91-04 in advance of the next scheduled review in 2019.

#### Climate change

5.89 The Commission noted the Scientific Committee's discussions on climate change and endorsed advice from the Scientific Committee that development of a feedback management strategy for the krill fishery offers the opportunity to adapt to the impacts of climate change (SC-CAMLR-XXXIII, paragraphs 8.1 to 8.6).

5.90 The Scientific Committee Chair drew the attention of the Commission to the climate change-related work that Integrating Climate and Ecosystem Dynamics in the Southern Ocean (ICED) undertook with respect to fisheries management in the Southern Ocean. It was also noted that ICED had offered to assist CCAMLR with its work on climate change and that Members were encouraged to contact ICED and use its expertise in developing work for CCAMLR (SC-CAMLR-XXXIII, paragraphs 8.1 to 8.3).

5.91 The Scientific Committee Chair also noted a paper that was recently published in the journal *Nature* entitled 'Polar research: six priorities for Antarctic science' that was highlighted by the Lieutenant Governor in his opening address. The paper identified the most compelling scientific questions that Antarctic researchers should aspire to answer in two decades and was developed during the SCAR Horizon Scan meeting from 20 to 23 April 2014 in Queenstown, New Zealand, in which the Chair participated. The Scientific Committee Chair highlighted one of the questions adopted by the Horizon Scan: How will climate change affect existing and future Southern Ocean fisheries, especially krill stocks? The Chair underscored that the answer to this question is of critical importance to all of CCAMLR. The Commission noted, consistent with SC-CAMLR-XXXIII (paragraph 8.4), that development of a feedback management strategy for the krill fishery offers the opportunity to adapt to the impacts of climate change.

5.92 The Commission noted the importance of the impact of climate change to the work of CCAMLR and noted the previous important advice on climate change prepared by SCAR and urged the Scientific Committee to liaise with SCAR to receive regular updates and advice on climate change impacts in the Southern Ocean.

5.93 The Commission also noted the proposal made by ASOC in CCAMLR-XXXIII/BG/21 that all CCAMLR papers and Fisheries Reports include a statement about climate change impacts to the extent that it is practicable (refer Item 5.6).

5.94 The UK, supported by many Members, proposed an amendment to Resolution 30/XXVIII on climate change in order to give effect to the suggestion made by ASOC.

5.95 Germany made the following statement:

‘Germany fully supports what has been stated by the UK and others. Climate change has serious implications for parts of the Antarctic region and marine life. It is therefore highly relevant for management of marine living resources, including their rational use. The topic has been many times on the agenda of Scientific Committee and of various resolutions. It is very surprising to suggest that we should not discuss climate change here because it is a continuous issue to be thought of and taken into account in CCAMLR’s work.

5.96 China noted that the UK proposal was not presented in accordance with Rule 16 of the Rules of Procedure of the Commission. Therefore, in its view, the proposal should not be discussed by the Commission in its current session.

5.97 Many Members noted that the proposal to revise Resolution 30/XXVIII on climate change did not include a proposal to amend the agenda and therefore did not see the relevance of Rule 16 in this context. Many Members agreed that the Scientific Committee’s consideration of climate change at SC-CAMLR-XXXIII (paragraphs 8.1 to 8.5) had provided sufficient information for the Commission to consider the revision of Resolution 30/XXVIII during its meeting. These Members recalled that the Convention’s principles of conservation require the Commission to take into account the effects of environmental changes (Article II.3c). These effects of environmental change include climate change. Those Members expressed regret that it was not possible to reach consensus to revise Resolution 30/XXVIII.

#### Scientific research exemption

5.98 The Commission endorsed the Scientific Committee’s advice with respect to research notifications under CM 24-01, noting that those research proposals involving research on toothfish are considered under Item 5.2.

## Capacity building

5.99 The Commission endorsed the advice of the Scientific Committee in relation to capacity building, including through the CCAMLR Scientific Scholarship Scheme and the proposal to consider the issue of inviting experts to the meetings of working groups (SC-CAMLR-XXIII, paragraphs 13.7 to 13.16).

5.100 The Commission noted that Aleksandr Sytov, a krill researcher from VNIRO, Russia, was selected to receive a CCAMLR scholarship in 2014/15 (SC-CAMLR-XXXIII, paragraph 13.12).

5.101 The EU informed the Commission that it intended to make contributions of €50 000 to the General Science Capacity Fund and €80 000 to the CEMP Special Fund, subject to confirmation following the completion of the EU's budgetary procedures. The Commission warmly welcomed this generous offer of budgetary support from the EU to these important scientific initiatives.

## CCAMLR Scheme of International Scientific Observation

6.1 The Commission considered issues regarding the CCAMLR Scheme of International Scientific Observation (SISO), which are detailed in SC-CAMLR-XXXIII (paragraphs 7.1 to 7.19).

6.2 The Commission endorsed the recommendations made by the Scientific Committee (SC-CAMLR-XXXIII, Annex 7, paragraph 7.7) with regard to the conclusions of the SISO review (SC-CAMLR-XXXII/07 Rev. 1), including the endorsement of the proposed updates of observer logbook and cruise report forms.

6.3 The Commission endorsed the Scientific Committee recommendation that observer data which has been quarantined would not be released under a general data request, but that metadata regarding such quarantined observer data would be provided in response to any data request, as this would alert users as to the data's status.

6.4 The Commission noted that the Scientific Committee had endorsed the CCAMLR observer training program accreditation scheme (COTPAS) and invited Members to participate in a trial of the initial review and technical peer review (SC-CAMLR-XXX, paragraphs 7.19 and 7.20). Furthermore, the Commission had endorsed the recommendations from the Scientific Committee and welcomed the offer from Australia to participate in the trial (CCAMLR-XXX, paragraph 10.2).

6.5 The Commission endorsed the advice of the Scientific Committee on further progress in respect of COTPAS, including the establishment of a technical peer review group to review the submission from Australia (SC-CAMLR-XXXIII/10).

6.6 Russia stated that, while it supports the exchange of experience and information related to the observer scheme, it does not support a centralised accreditation process, noting its position as outlined in SC-CAMLR-XXXIII, paragraph 7.9.

6.7 The Commission considered proposed amendments to CM 51-06, including proposals by Chile (CCAMLR-XXXIII/18) and Ukraine (CCAMLR-XXXIII/16) to increase the level of observer coverage in the krill fishery to 100%. The Commission agreed that there was a need to improve the quality of the data provided by scientific observers in the krill fishery, particularly for stock assessment and by-catch monitoring. Many Members supported an increase to 100% observer coverage, recalling previous discussions by the Scientific Committee on the scientific justification for the coverage (SC-CAMLR-XXVI, paragraphs 3.7 to 3.16; SC-CAMLR-XXIX, paragraphs 3.14 to 3.22). However, other Members indicated that there was no reasonable ground for increasing the level of observer coverage and there were specific logistical and observer recruitment issues which make a mandatory level of 100% coverage problematic (see also paragraphs 3.52 to 3.58 and 7.36 to 7.44).

## Conservation measures

### Schedule of conservation measures

7.1 The conservation measures drafting group had met extensively during the meeting to consider and prepare conservation measures and resolutions for the Commission's consideration. The Commission expressed its appreciation to Ms G. Slocum (Australia) for chairing this drafting group.

7.2 The Commission's consideration of revised and new conservation measures and resolutions, and related matters, is reported in this section. Conservation measures and resolutions adopted at CCAMLR-XXXIII will be published in the *Schedule of Conservation Measures in Force 2014/15*.

7.3 The Commission noted that the following conservation measures will lapse on 30 November 2014: 32-09 (2013), 33-02 (2013), 33-03 (2013), 41-01 (2013), 41-03 (2013), 41-04 (2013), 41-05 (2013), 41-06 (2013), 41-07 (2013), 41-08 (2011), 41-09 (2013), 41-10 (2013), 41-11 (2013), 42-01 (2013), 42-02 (2013), 51-04 (2013), 51-06 (2012) and 51-07 (2011).

7.4 The Commission agreed that the following conservation measures<sup>1</sup> and resolutions will remain in force in 2014/15:

#### Measures on compliance

10-02 (2013), 10-04 (2013), 10-06 (2008), 10-07 (2009), 10-08 (2009) and 10-09 (2011).

#### Measures on general fishery matters

21-01 (2010), 21-02, (2013), 22-01 (1986), 22-02 (1984), 22-03 (1990), 22-04 (2010), 22-05 (2008), 22-06 (2012), 22-07 (2013), 22-08 (2009), 22-09 (2012), 23-01 (2005), 23-02 (1993), 23-03 (1991), 23-04 (2000), 23-05 (2000), 23-06 (2012), 23-07 (2012), 24-01 (2013), 25-03 (2011) and 26-01 (2009).

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<sup>1</sup> Reservation to these measures are given in the *Schedule of Conservation Measures in Force 2014/15*.

#### Measures on fishery regulations

31-01 (1986), 31-02 (2007), 32-01 (2001), 32-02 (2012), 32-18 (2006), 33-01 (1995), 51-01 (2010), 51-02 (2008) and 51-03 (2008).

#### Measures on protected areas

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

#### Resolutions

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

### 7.5 The Commission adopted the following revised and new conservation measures:

#### Revised measures on compliance (see paragraphs 7.6 to 7.9)

10-01 (2014), 10-03 (2014), 10-05 (2014) and 10-10 (2014).

#### Revised measures on general fishery matters (see paragraphs 7.10 to 7.15)

21-03 (2014), 24-02 (2014) and 25-02 (2014).

#### Revised measures on fishery regulations (see paragraph 7.19)

41-02 (2014).

#### New measures on fishery regulations (see paragraphs 7.15 to 7.45)

32-09 (2014), 33-02 (2014), 33-03 (2014), 41-01 (2014), 41-03 (2014), 41-04 (2014), 41-05 (2014), 41-06 (2014), 41-07 (2014), 41-08 (2014), 41-09 (2014), 41-10 (2014), 41-11 (2014), 42-01 (2014), 42-02 (2014), 51-04 (2014), 51-06 (2014) and 51-07 (2014).

### Revised conservation measures

#### Compliance

##### Markings on fishing vessels and gear

7.6 The Commission endorsed SCIC's advice to revise CM 10-01 to reflect the text of the FAO Standard Specifications and Guidelines for the Marking and Identification of Fishing Vessels (Annex 6, paragraph 47). In addition to reflecting FAO standards, CM 10-01 was further revised to reflect the operational reality of vessels in the Convention Area and provide for the use of any contrasting colours for vessel markings. CM 10-01 (2014) was revised and adopted.

##### Port inspections

7.7 The Commission endorsed SCIC's advice to revise CM 10-03 to encourage inspectors to include photographs, where possible, in the port inspection report forms (Annex 6,

paragraph 41). Following the revision to CM 10-01, CM 10-03 was further amended to reflect the new requirements contained in CM 10-01 in relation to vessel and fishing gear identification. CM 10-03 (2014) was revised and adopted.

#### Catch Documentation Scheme

7.8 The Commission noted the extensive review of the CDS conducted by the CDS Review Panel that recommended a significant revision of CM 10-05 (Annex 6, paragraphs 153 to 158). These recommendations, agreed to by SCIC and endorsed by the Commission provide for greater clarity, reflect the current e-CDS. The instructions for the use of the e-CDS are included in CM 10-05 and the e-CDS Manual (CCAMLR-XXXIII/BG/16). The Commission endorsed SCIC's advice to revise CM 10-05 (Annex 6, paragraph 159). CM 10-05 (2014) was revised and adopted.

#### Compliance evaluation

7.9 The Commission endorsed SCIC's advice to revise CM 10-10 to clarify that CCEP aims to evaluate Contracting Parties' compliance with conservation measures, to provide for additional information to support Contracting Parties' Draft CCAMLR Compliance Reports and to remove CM 22-07 from the evaluation process (Annex 6, paragraphs 84 to 87). Further revisions were made to provide for a greater time period for Contracting Parties to review the Summary CCAMLR Compliance Report prepared by the Secretariat. The time period to which the CCEP applies was also amended to reflect what is used in practice (1 August to 31 July). CM 10-10 (2014) was revised and adopted.

#### General fishery matters

##### Catch and effort reporting system

7.10 The Commission noted the Scientific Committee's consideration of the catch and effort reporting system in the krill fishery (SC-CAMLR-XXXIII, paragraphs 3.6 to 3.11). The reporting system (CM 23-06, paragraphs 3 to 5) is a dual system which requires monthly reporting of catch and effort while the total catch is less than 50–80% of the trigger level, and five-day reporting when catches exceed 50–80%. The Commission noted that this reporting system has been successfully applied in recent seasons. However, the Secretariat had expressed its concern that the dual reporting system may not provide timely information on catch and effort while monthly reporting applies (SC-CAMLR-XXXIII, paragraph 3.8).

7.11 The Commission endorsed the Scientific Committee's advice to retain the current reporting system in CM 23-06 (2012), and to allow the five-day reporting system to be implemented before the 50% threshold in Subarea 48.1 is reached, on a case-by-case basis and on notification from the Secretariat. The Commission agreed that, once notified by the Secretariat, the early implementation of the five-day reporting system in a given season would apply to all Members fishing for krill in Subarea 48.1.

## Incidental mortality of seabirds in the course of longline fishing

7.12 The Commission endorsed the Scientific Committee's advice regarding a simplification in the wording of the requirements for night-time setting and bottle testing in longline fisheries (SC-CAMLR-XXXIII, paragraph 4.4 and Table 1; see also WG-FSA-14/24). The Commission noted that this revision would not change the operation of any of the practical and highly effective mitigation measures currently in place nor the actual protection afforded to seabirds.

7.13 The Commission recalled that:

- (i) with one exception (see (ii) below), the setting of longlines in the fisheries for toothfish may be conducted outside the hours of darkness subject to seabird catch limits which are defined in the relevant conservation measures
- (ii) night-time setting is a mandatory requirement in the longline fishery for toothfish in Subarea 48.3
- (iii) CM 24-02 was implemented in 2001 for the purpose of determining appropriate longline gear configurations and line sink rates to mitigate the incidental mortality of seabirds during the course of fishing, and this information was subsequently used to specify the line weighting requirements for the autoline system, Spanish method and trotline system in CM 25-02 (paragraphs 2 to 4).

7.14 The Commission agreed to transfer the night-setting requirement from CM 25-02 to the applicable fishery measure (CM 41-02). The Commission also agreed that requirements of CM 24-02 (i.e. the monitoring of line sink rate) would only apply to vessels using longline gear other than that described in CM 25-02, paragraphs 2 to 4.

7.15 CMs 24-02 (2014) and 25-02 (2014) were revised accordingly and adopted, and consequential changes were made to CMs 41-02 to 41-11 (see below).

## New conservation measures and fishery limits for 2014/15

### General fishery matters

#### Fishing seasons, closed areas and prohibition of fishing

7.16 The Commission carried forward the prohibition of directed fishing for *Dissostichus* spp. except in accordance with specific conservation measures (CM 32-09). Accordingly, the prohibition of directed fishing for *Dissostichus* spp. in Subarea 48.5 was carried forward to 2014/15 and CM 32-09 (2014) was adopted.

#### By-catch limits

7.17 The Commission agreed to carry forward the existing by-catch limits in Division 58.5.2 in 2014/15. CM 33-02 (2014) was adopted.

7.18 The Commission agreed to carry forward the by-catch limits for exploratory fisheries in 2014/15, noting consequential changes to by-catch limits (Annex 33-03/A and associated footnotes) following the revision of the catch limits for *Dissostichus* spp. in exploratory fisheries in 2014/15. CM 33-03 (2014) was adopted.

#### Toothfish

7.19 The Commission recalled that the fishery for *D. eleginoides* in Subarea 48.3 is assessed biennially and it agreed to carry forward limits agreed in 2013 (Table 1; see also CCAMLR-XXXII, paragraph 7.82) subject to the conditions and decision rule described in paragraphs 5 to 7 of CM 41-02 (SC-CAMLR-XXXII, paragraphs 3.87 and 4.5). In addition, the requirement for night setting was retained and harmonised with the revision of CM 25-02 (paragraph 7.15). CM 41-02 (2014) was adopted.

7.20 The Commission revised the catch limits for *D. eleginoides* and *D. mawsoni* in the fishery for *Dissostichus* spp. in Subarea 48.4, recalling that these limits applied to the northern and southern areas combined (SC-CAMLR-XXXIII, paragraphs 3.107 and 3.112; see also CCAMLR-XXXII, paragraph 7.83). The Commission also revised the catch limits for macrourids and skates which are taken as by-catch and have limits set at a fixed proportion of the catch limit for *Dissostichus* spp. (16% and 5% respectively, see Table 1). In addition, the seabird mitigation requirements were retained and harmonised with the revision of CM 25-02 (paragraph 7.15). Other elements regulating this fishery were carried forward and CM 41-03 (2014) was adopted.

7.21 The Commission noted the revised stock assessment for *D. eleginoides* in Division 58.5.2 (SC-CAMLR-XXXIII, paragraphs 3.124 to 3.127) and endorsed the Scientific Committee's advice on the catch limit for *D. eleginoides* in 2014/15 (Table 1 and SC-CAMLR-XXXIII, paragraph 3.133). In addition, the seabird mitigation requirements were retained and harmonised with the revision of CM 25-02 (paragraph 7.15). Other elements regulating this fishery were carried forward and CM 41-08 (2014) was adopted.

7.22 The Commission considered the Scientific Committee's advice to SCIC regarding the reported release of small untagged toothfish in exploratory fisheries (SC-CAMLR-XXXIII, paragraph 12.1 and Annex 7, paragraph 5.42). Some Members noted that this was already prohibited under existing conservation measures. The Commission requested that the Scientific Committee and its working groups further consider this issue in 2015 and provide advice on the extent of this practice and whether all small-sized toothfish should be tagged and released alive, with a view of clarifying conservation measures if required.

7.23 The Commission also considered the Scientific Committee's advice on the minimum threshold for the application of the tag-overlap statistic (SC-CAMLR-XXXIII, paragraph 3.82; see also CM 41-01, Annex 41-01/C). In further discussion, the Commission agreed to replace the current threshold of 10 tonnes for each species of *Dissostichus* with 30 tagged fish of each species. The revised minimum threshold would only apply where the required tagging rate had been met.

7.24 The Commission endorsed the Scientific Committee's advice on the general requirements for exploratory fisheries for *Dissostichus* spp., including:

- (i) the identification of priority research fishing areas in Subareas 48.6 and 58.4 (SC-CAMLR-XXXIII, paragraphs 3.188 and 3.202)
- (ii) the removal of prescribed soak times or spatial locations for research fishing activities conducted in Division 58.4.3a (SC-CAMLR-XXXIII, paragraph 3.192).

7.25 The Commission also recalled the arrangements agreed for research fishing in Divisions 58.4.1 and 58.4.2 in 2014/15 (paragraphs 5.48 and 5.49; see also SC-CAMLR-XXXIII, paragraph 3.198).

7.26 The Commission reiterated the conditions and limits applicable in the data-poor exploratory fisheries in Subareas 48.6 and 58.4 in 2014/15:

- (i) fishing will be limited to French, Japanese, Korean and South African flagged vessels conducting research fishing in designated research blocks, and to a Spanish-flagged vessel conducting depletion experiments (SC-CAMLR-XXXIII, paragraph 3.176), with catch limits and vessel access as agreed in Tables 2 and 3 respectively
- (ii) fishing will be limited to research lines deployed in accordance with CM 41-01, Annex 41-01/B, and with a balance of catch and effort between vessels when they fish in the same spatially constrained area
- (iii) each vessel will tag *Dissostichus* spp. at a rate of at least 5 fish per tonne of green weight caught and in accordance with the tagging protocol (CM 41-01, Annex 41-01/C).

7.27 The Commission agreed to the catch limits and vessel access in the exploratory fisheries for *Dissostichus* spp. in Subareas 88.1 and 88.2 in 2014/15 (Tables 2 and 3). The catch limits in Subarea 88.1 in 2014/15 took into account research fishing agreed in SSRUs 881J, L (see also paragraph 5.53) and SSRUs 882A–B (see also paragraph 5.57), as follows:

- (i) the research catch limit for the sub-adult survey was deducted from the combined catch limit in SSRUs 881J, L
- (ii) the research catch limit for the research in SSRUs 882A–B was deducted from the catch limit for *Dissostichus* spp. in Subarea 88.1, and proportionally across all SSRUs with catch limits.

7.28 In addition, the seabird mitigation requirements in the exploratory fisheries were retained and harmonised with the revision of CM 25-02 (paragraph 7.15).

7.29 The Commission adopted the following conservation measures:

- CM 41-01 (2014) – general measure for exploratory fisheries for *Dissostichus* spp.
- CM 41-04 (2014) – exploratory fishery for *Dissostichus* spp. in Subarea 48.6
- CM 41-05 (2014) – exploratory fishery for *Dissostichus* spp. in Division 58.4.2
- CM 41-06 (2014) – exploratory fishery for *Dissostichus* spp. in Division 58.4.3a
- CM 41-07 (2014) – exploratory fishery for *Dissostichus* spp. in Division 58.4.3b
- CM 41-09 (2014) – exploratory fishery for *Dissostichus* spp. in Subarea 88.1

- CM 41-10 (2014) – exploratory fishery for *Dissostichus* spp. in Subarea 88.2
- CM 41-11 (2014) – exploratory fishery for *Dissostichus* spp. in Division 58.4.1.

7.30 These conservation measures included the following limits and requirements:

- (i) all exploratory fisheries for *Dissostichus* spp. in 2014/15 were limited to vessels using longlines only
- (ii) the general limits and measures for by-catch and move-on rules provided in CM 33-03 apply
- (iii) the data collection and research plans and tagging protocols provided in CMs 21-02, 24-01 and 41-01 apply
- (iv) a prohibition of fishing in the defined areas for the registered VMEs (CM 22-09)
- (v) the requirements for environmental protection provided in CMs 22-06, 22-07, 22-08 and 26-01 apply.

7.31 The Commission encouraged all Members to participate in research in exploratory fisheries.

7.32 The Commission agreed that consideration be given to developing a separate single multiyear research catch limit for the Ross Sea region for all approved research surveys and that the remaining catch in the fishery could be allocated consistent with the existing approach to apportioning the catch limits under CM 41-09.

7.33 The Commission recommended that catch limits be reviewed each year in accordance with the size of the anticipated catches which would be expected from the approved research surveys, as well as any revisions to the assessment of the stock in the Ross Sea region derived from research activities and exploratory fishing.

#### Icefish

7.34 The Commission endorsed the Scientific Committee's advice on the limits for the established fisheries for *C. gunnari* in Subarea 48.3 and Division 58.5.2 in 2014/15 (SC-CAMLR-XXXIII, paragraphs 3.91 and 3.101). The limits in these fisheries are summarised in Table 1, and other elements regulating these fisheries were carried forward. CMs 42-01 (2014) and 42-02 (2014) were adopted.

#### Krill

7.35 The Commission noted that no notifications had been made for exploratory fisheries for *Euphausia superba* in 2014/15. However, the requirements of the general measure for exploratory fisheries for *E. superba* were carried forward to 2014/15 in order to provide guidance to Members who may wish to notify for these exploratory fisheries. CM 51-04 (2014) was adopted.

7.36 The Commission recalled the Scientific Committee's discussion regarding the requirements for scientific observation in the krill fishery and recommendation that the general elements of CM 51-06 be retained for 2014/15 and 2015/16 (SC-CAMLR-XXXIII, paragraphs 7.15 to 7.18). The Commission also recalled its consideration of the proposals by Chile (CCAMLR-XXXIII/18) and Ukraine (CCAMLR-XXXIII/16) to increase the level of observer coverage in the krill fishery to 100% and/or 75% respectively (see also paragraphs 3.55 and 6.7).

7.37 Sweden made the following statement:

'SC-CAMLR-XXXIII, paragraphs 7.14 and 7.15, informs us that WG-EMM agreed that 100% observer coverage was scientifically desirable and the Scientific Committee explains in detail some of the advantages of having 100% coverage.

The logical recommendation from the Scientific Committee then one would expect to be to move to 100% observer coverage. The only reason for not recommending this seems to be what is described in the first sentence of paragraph 7.17 where it says that "for some Members there were specific reasons that a mandatory level of 100% would be problematic" Since these "specific reasons" are not explained in the report from the Scientific Committee they might be of a non-scientific nature and therefore within the remit of the Commission.

We propose that the Scientific Committee and WG-EMM be requested to work out how a stepwise approach could be implemented in order to move from 50% to 100% observer coverage in the krill fishery.'

7.38 Norway made the following statement:

'Norway, as the nation that currently has the largest catch in the fishery, feels a special responsibility for sustainable fishing with good practices and underlines their support for 100% observer coverage, a standpoint shared by ARK. Norway reaffirmed their interest in working with other krill fishing nations including China and Korea to establish a sound basis for the observer coverage and the quality of data collected by observers. Finally Norway brought into consideration the potential importance of the observers in operationalizing the feedback management system, and that complete observer coverage might become important in that context.'

7.39 Many Members reiterated their support for the proposals made by Chile, Ukraine and Sweden to increase the level of observer coverage to 100%. Many Members agreed that full coverage in the krill fishery would provide observer data from all areas, vessels and seasons fished, and such comprehensive data were essential for the development of the feedback management approach. These Members also requested that the level of observer coverage in the krill fishery be aligned to the level applied by the Commission in finfish fisheries.

7.40 Japan drew to the attention of the Commission that, while showing its preference to increase the observer coverage, WG-EMM at the same time had pointed out the necessity to improve the quality of data collected by scientific observers. It further drew to the attention of the Commission that so far the data collected by scientific observers had not been analysed

properly nor even decided for their use. Japan therefore requested the Commission that the Scientific Committee and the WG-EMM be directed for considering and examining these points for further advice to the Commission.

7.41 The Commission noted that the proposed increase in the level of observer coverage in the krill fishery to 100% had also received full support from a number of krill fishing companies, including companies from Norway.

7.42 The Commission requested that the Scientific Committee and its working groups develop further advice in 2015 on scientific observation in the krill fishery (SC-CAMLR-XXXIII, paragraphs 7.12 to 7.18).

7.43 Most Members requested advice regarding the requirements and scientific rationale for a stepwise increase in the level of observer coverage in the krill fishery.

7.44 The Commission agreed to carry forward the current arrangements for scientific observations in the krill fishery to 2014/15 and 2015/16, and CM 51-06 (2014) was adopted.

7.45 The Commission also noted the Scientific Committee's progress towards stage 2 of the feedback management approach for the krill fishery in Subareas 48.1 to 48.4 (SC-CAMLR-XXXIII, paragraphs 3.30 to 3.38). The Scientific Committee had advised that, based on current knowledge, a continuation of CM 51-07 in its current form would be consistent with the objectives of Article II, and the interim distribution of the trigger level be carried forward while the science needed to move to stage 2 of feedback management is progressed. The Commission agreed to carry forward the current interim distribution of the trigger level to 2014/15 and 2015/16, and CM 51-07 (2014) was adopted.

#### Fishing in Division 58.5.2

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

## Proposals for new conservation measures

### Marine protected areas

7.47 New Zealand and the USA introduced a revised proposal for the establishment of an RSRMPA (CCAMLR-XXXIII/21). First submitted to the Commission in 2012 (at CCAMLR-XXXI) and subsequently revised for further consideration in 2013 (at CCAMLR-SM-II and CCAMLR-XXXII), the proposal seeks to establish an RSRMPA to conserve marine living resources, maintain ecosystem structure and function, protect vital ecosystem processes and areas of ecological significance and promote scientific research, including through the establishment of reference areas. The proponents thanked Members for the many constructive discussions and comments regarding this proposal and made revisions which took careful consideration of all discussions and comments. Key revisions included, inter alia, amendments to the preamble, the addition of MPA zone descriptions including a listing of the specific protection and scientific objectives associated with each zone, reorganisation and technical changes to components on reporting, review and period of designation and other technical clarifications. The proponents recognised that additional key issues related to the proposal were discussed by the Scientific Committee and the Commission in 2013 and that these issues will require further discussion and negotiation by the Commission. The proponents looked forward to working together with Members at CCAMLR-XXXIII on those issues and the amendments proposed in CCAMLR-XXXIII/21 to establish the RSRMPA.

7.48 Australia, France and the EU introduced a revised proposal to establish an EARSMPA (CCAMLR-XXXIII/23). This proposal was first presented to the Scientific Committee in 2011 following consideration of the science at WG-EMM-10, and the Scientific Committee has agreed that the proposal contained the best scientific evidence available. This advice was subsequently confirmed at SC-CAMLR-IM-I and SC-CAMLR-XXXII. The EARSMPA is designed as a multiple-use proposal, where fishing and research activities would be permitted so long as they do not impact on the objectives of the EARSMPA. The proponents have given careful consideration to the issues that Members raised in 2013 (at CCAMLR-XXXII) and have consulted further during the intersessional period, and the revised proposal seeks to address Members' concerns. The proposed EARSMPA offers an effective mechanism for protecting regional biodiversity while allowing for the sustainable use of Antarctic marine living resources. Further, the proposed EARSMPA will enhance the ability of the Commission to meet its objectives for the conservation of Antarctic marine living resources and key ecological features and processes in East Antarctica.

7.49 The Commission re-established an MPA Working Group (CCAMLR-XXXII, paragraph 7.1), chaired by Mr C. Bentancour Fernandez (Uruguay). The MPA Working Group discussed the two proposals for the establishment of MPAs (CCAMLR-XXXIII/21 and XXXIII/23). For clarity in this report, the discussions have been grouped under topics where appropriate. The Commission expressed its appreciation to Mr Bentancour Fernandez for chairing the MPA Working Group.

7.50 Russia outlined its position on MPAs in Antarctica (CCAMLR-XXXIII/26 and XXXIII/BG/09). This position was also presented at ATCM XXXVII in May 2014. Russia welcomed the revisions which had been developed by the proponents of MPAs during the intersessional period. However, Russia could not currently agree to either proposal, and it identified the following general issues concerning the proposals:

- (i) the proposals included areas that have been previously fished and, as such, cannot be considered as pristine
- (ii) the boundaries of proposed MPAs have been designated in an arbitrary fashion and they do not take account of the distribution of ecosystems and biotypes, moreover the proposed sizes of the MPAs are excessively large and will impede the rational research and monitoring of MPAs as demonstrated by the challenges associated with monitoring the SOISS MPA
- (iii) the RSRMPA proposal does not adequately identify the vulnerabilities to be protected
- (iv) the Commission has already established long-term area closures and the introduction of further closed areas will complicate further research
- (v) some of the information on which the proposals are based is out of date or, in the case of areas recently opened to fishing, the available information was limited.

7.51 Russia proposed that all currently closed areas in the Convention Area be assigned a status of high scientific interest as provided for in the Convention, and that a program of research and monitoring be developed using research fishing. Russia noted its active engagement in research fishing in the Weddell Sea as an example of its commitment.

7.52 China shared Russia's views regarding the potential impact of the MPAs on fishing areas. In addition, China recalled:

'The entire Convention Area had been already recognised by the Scientific Committee as IUCN 'Category IV' marine protected area, and this is supported by an extensive suite of conservation measures adopted by CCAMLR. The objective and three principles set out in Article II, together with other articles of the Convention, constitute the legal foundation of the work of CCAMLR, including the establishment of MPAs. According to Article IX of the Convention, the function of the Commission shall be to give effect to the objective and principles set out in Article II of the Convention. Besides 2(f) and 2(g) of this Article invoked by CM 91-04, 1(e), which puts forward that the Commission shall identify conservation needs and analyse the effectiveness of conservation measures, should also be a significant element to be taken into account in the process of establishment of MPAs.

China considered that there remained fundamental and technical differences between Members. Differences also existed in the understanding of the threshold to trigger the application of precautionary approach in dealing with the issue of the establishment of MPAs. China is of the view that the existence of a threat of serious or irreversible damage and the lack of full scientific certainties shall be two important preconditions to trigger the application of the precautionary approach according to many international and national legal instruments. Further, the precaution measures to be taken shall be proportionate to the extent of the threat. The proponents have not provided sufficient evidence that a threat of serious or irreversible damage does exist, taking fully into account Article II of the Convention and the existing conservation measures, with the result that the threshold to apply the precautionary approach, and the mechanisms for the Commission to take further preventative measures, have not

been met. China stated that the implementation of new conservation measures must be carefully evaluated according to Articles II and IX of the Convention in order to assess the potential impact on existing measures. From this perspective, China also sought information on how the legitimate rights of fishing states and others undertaking scientific research would be appropriately protected under the current proposals.’

7.53 The USA made the following statement:

‘The matter of establishing MPAs in the Southern Ocean is of significant importance to the United States. With other Members, we have been working on the MPA issue in CCAMLR for over a decade, and in recent years have put in a great deal of effort towards establishment of science-based, meaningful and concrete MPAs in Antarctica.

In CCAMLR-XXXIII/BG/09, Russia raises a number of scientific, technical, policy and legal issues, which are important to the establishment of Antarctic MPAs. Many of these points, however, require comment and need to be clarified.

From a scientific perspective, we fully agree that the establishment of Antarctic MPAs must be based on the best available science and must allow for continued scientific research to be conducted within MPAs, consistent with the agreed upon objectives of the MPA. Antarctic MPAs must also include a plan for research and monitoring that upon implementation, among other purposes, would contribute data to evaluate the efficacy of the MPA in meeting its objectives.

That these scientific underpinnings are required for CCAMLR MPAs isn’t novel, as that is reflected in CCAMLR’s Framework measure for MPAs adopted in 2011 (CM 91-04 “General Framework for the Establishment of CCAMLR Marine Protected Areas”). The proposals currently before CCAMLR for MPAs in the Ross Sea and East Antarctica follow best practices used to establish MPAs the world over.

There are also a variety of technical and policy attributes identified in the Russian paper that are associated with the establishment of Antarctic MPAs. These are key elements of the CCAMLR process and framework for establishment of MPAs, and are features of the proposals being considered by CCAMLR. These include but are not limited to: boundaries that correspond to the objectives of the MPA; a period of duration based on the time consistent with the MPA’s objectives; periodic review of the MPA; and measures that apply equally to all parties.

The CAMLR Convention applies to Antarctic marine living resources within the Convention Area that form part of the Antarctic marine ecosystem. The Convention Area includes the high seas. The United States has no doubt that the establishment of MPAs on the high seas within the Convention Area would be in full accord with international law. Relevant Articles of the CAMLR Convention, e.g. Articles IX.1(f), 2(f), 2(g), and 2(i) make clear that the CCAMLR Commission may adopt conservation measures, including the designation of open and closed seasons, open and closed areas, and special areas for protection and scientific study. The Ross Sea MPA proposal is precisely such a measure.

The CCAMLR Commission has already agreed by consensus that it has the authority to establish MPAs. CM 91-04 reflects a determination by the Commission that it has

legal authority to establish a representative system of MPAs in the Convention Area, including on the high seas. Moreover, CM 91-03, adopted in 2009, in fact established an MPA for the South Orkney Islands southern shelf.

We note in particular that it is a long-settled rule of international law, which is reflected in Article 92 of the LOS Convention, that States have exclusive jurisdiction over their flag vessels while on the high seas. Thus, it is fully within the authority of States to limit the activities of their flagged vessels in specified high seas areas. The two current MPA proposals do not reflect an attempt by coastal States to exercise sovereignty, sovereign rights, or jurisdiction of any nature on the high seas. CM 91-04 explicitly provides that MPAs under the CAMLR Convention “shall be adopted and implemented consistent with international law, including as reflected in the United Nations Convention on the Law of the Sea”.

The argument that the Antarctic Treaty restricts the ability of Parties to the CAMLR Convention – a separate legal instrument – to establish MPAs is unfounded. As a general matter, Parties to the Antarctic Treaty and Members of the CAMLR Convention have consistently looked to the CCAMLR Commission to handle matters related to marine conservation, the essence of the two current MPA proposals. There is no legal requirement that “the principles for creating an MPA” under the CAMLR Convention be “agreed” by the International Maritime Organization or the ATCM.

The United States shares Russia’s view that the ATCM has a role with respect to all of Antarctica, which as defined in the Antarctic Treaty includes marine areas south of 60°S latitude. Nevertheless, we view the establishment of the MPAs currently under discussion at CCAMLR as matters solely for negotiation within CCAMLR. Many Members here have spent years working on these matters within CCAMLR, and there is no need to bring the substance of these MPA proposals into the ATCM for additional deliberation.

Moreover, as the key regulatory feature of the RSRMPA proposal is a limitation on fishing; such regulation is squarely within the authority of the CAMLR Convention. As we have made clear elsewhere, there is no doubt in our mind that there is a well-established legal basis for the CCAMLR Commission to create MPAs in the CAMLR Convention Area. No further “normative legal act,” “juridical definition,” or approval by the International Maritime Organization or by the ATCM is required, as called for by Russia.

We further disagree with many of the key points in CCAMLR-XXXIII/26, which was submitted by Russia. We disagree with Russia’s statement that “the establishment of MPAs assumes the protection of ecosystems untouched by fishing.” In our view, MPAs can be established anywhere the Commission seeks to achieve management objectives that are comprehensive and which cannot be easily achieved with a piecemeal approach that are species-specific and have differing periods of designation. MPAs provide the Commission with a tool to articulate and achieve long-term, strategic objectives for ecosystem-based management.

The Ross Sea is one of the best-studied areas in the Southern Ocean. We do not share Russia’s view that the scientific rationale is untenable or that the region has not been studied enough to determine whether protection is warranted. In fact, the scientific

basis for the Ross Sea MPA proposal is widely acknowledged by Members as the best available science and has been documented in numerous papers submitted to the Scientific Committee and Commission. Further, the boundaries of the proposed MPAs have been recognised by Members as inclusive of the areas representative of the bioregions of the Ross Sea and reference areas for scientific study.

The boundaries have been drawn based on guidance by the Commission and general international management best practices, so as to ensure that vessels operating in the Ross Sea can easily reconcile their location in relation to the MPA and therein ensure compliance with relevant measures. Furthermore, the boundaries of the proposed MPA are drawn, based on the best available science, to include the important components and features of the Ross Sea ecosystem necessary to achieve the specific objectives of the MPA.

The currently closed SSRUs in the Ross Sea region are not MPAs because these SSRUs were not closed with the intent to achieve any of the objectives in CM 91-04. The MPA proposal provides an ecosystem-based approach to management intended to achieve a broad range of objectives, whereas the zero catch limits are aimed only at the management of toothfish. The proposed Ross Sea MPA purposefully aims to achieve all six of the objectives in CM 91-04.

We have significant concern with Russia's claim that the Ross Sea MPA is intended to be a roundabout mechanism for creating a monopoly on toothfish fishing by certain MPA proponent Members. The impropriety of such a claim aside, the proposal does not lower the total catch for the Ross Sea Olympic toothfish fishery or diminish the catch available to Russia or any other Member.

Finally, we strongly oppose Russia's revisionist account of the Scientific Committee's Bremerhaven meeting. The agreed terms of reference for that meeting and further direction of the Scientific Committee Chair at the meeting outset, which received no comments from Members, were clear. The Chair of the Scientific Committee properly followed procedures. We reject the implication that the actions taken in the Scientific Committee by the chair were politically motivated.

When we consider our proposal to establish the Ross Sea MPA, we are confident that the proposal meets the consensus criteria in CM 91-04: the proposal is made within the "framework of an agreed system," i.e. CM 91-04; the proposal is made on the basis of "objective scientific data, criteria and recommendations"; and the proposal is based on "detailed bioregionalisation analyses" – the three "criteria" Russia cites as necessary for the approval of MPAs. We have further revised the proposal on several occasions in light of Members' recommendations and advice from the Scientific Committee. Based on these considerations, we can only assume that the Ross Sea proposal is complete and able to be approved.'

7.54 France considered that proposed MPAs need to encompass the entire ecosystem in order to provide adequate conservation. France also noted that data collected by fishing vessels are generally confined to data on species targeted by fishing and that alternative platforms, including research vessels, also need to be considered. France, which is a

responsible Member of the Antarctic Treaty and which fully respects its Article IV, reiterated that there is no basis for the assertion that the EARSMPA proposal is related to any attempt of geopolitical control.

7.55 Australia and the EU aligned themselves with the interventions by the USA and France, underscoring the enormous amount of work and consultation that had been undertaken since CCAMLR-XXXII and that, on three previous occasions, the Commission had accepted that the best scientific information was used to support the establishment of the EARSMPA.

7.56 The EU also noted the conundrum raised in CCAMLR-XXXIII/26 and SC-CAMLR-XXXIII/BG/27 and XXXIII/BG/28, where Russia argued that it is only possible to establish MPAs in pristine areas and the only way to acquire sufficient data in support of MPA proposals was to conduct research fishing. This means that any area that was previously pristine would no longer qualify as a pristine area suitable for the establishment of an MPA if research fishing was conducted to acquire data.

7.57 The EU questioned whether Russia would refrain from proposing MPAs until a formal legal definition of MPAs was adopted. The EU noted that CM 91-04 provides the definition for an MPA in the context of CCAMLR. France noted that there is currently no internationally agreed definition of an MPA, although Article VI of the Convention on Biodiversity (CBD) provides useful guidance.

7.58 Norway emphasised that MPAs could only be established on the basis of sound scientific justification and that each MPA must be supported by a research and monitoring plan to ensure objectives are being met. The UK shared this view.

7.59 Norway made the following statement:

‘Norway reaffirms our commitment to the development of a CCAMLR network of MPAs, including protected areas in all designated domains.

The proponents of both MPA proposals currently under assessment have made significant progress in acknowledging the concerns of other Members and moving their MPA designs, management and science plans toward plans that are closer to being approved by CCAMLR Members, while retaining core conservation values.

Many bilateral discussions have been held in the margins of last year’s meetings as well as many additional meetings in these past two days at this year’s meeting. We think that progress in the discussions requires an update of what has been achieved in these bilateral talks and would appreciate it if the proponents could share some of their thoughts about these meetings in relation to the way forward. This is important in our discussions of how the proposals should go forward into drafting.

Norway feels strongly that the MPAs adopted by CCAMLR should have a solid scientific basis and that the monitoring and science plans should ensure that each MPA is meeting its core objectives.

While many concerns clearly remain for some delegations we hope that progress continues during this meeting such that we will be able to proceed to drafting on one or both of the proposals at this year’s CCAMLR meeting.’

7.60 Belgium, Germany, Italy and Sweden considered that an enormous amount of work had been invested in the two proposals by the proponents and others, and that both proposals had received extensive consideration in the Scientific Committee. They urged the Commission to proceed with these proposals. Belgium added that there is no obligation in CCAMLR to define threats.

7.61 Germany made the following statement:

‘Germany thanks the proponents of the two MPA proposals in the Ross Sea and the East Antarctica for the efforts made to further develop the proposals and to engage bilaterally with the CCAMLR Members. The MPAs have been worked through thoroughly and use the best available science. They both aim at attaining multiple objectives simultaneously: Providing for the protection of pristine natural resources and at the same time for conditions for the sustainable use of the area. They help to collect improved data and information and therefore contribute to improving the science and the understanding of these complex Antarctic ecosystems.

Germany fully supports both MPAs. From our point of view, they have been discussed exhaustively. As regards the general points raised by Russia on MPAs, Germany would like to remind of the ATCM annual meeting this year, where a common language was agreed for the legal basis, legal definition and best available science. Thus, Germany would like to invite all Members to take part in further constructive negotiations in order to achieve substantial results during this annual meeting.’

7.62 Belgium made the following statement:

‘For Belgium the development of a representative system of MPAs is very important in view of the credibility of the Commission to contribute to the CCAMLR objectives. The establishment of a representative system of MPAs should remain a priority of the Convention to protect and manage the unique ecosystems and the threatened species in the Antarctic. Belgium does support the two current MPA draft proposals (RSRMAP and EARSMPA) and is, in view of the adoption of the proposals, willing to discuss in a constructive way these draft proposals with Contracting Parties during this CCAMLR meeting. Belgium thanks the proponents of the MPA draft proposals for clarification given during the extra session this morning and fully agrees with the well-documented arguments from the United States, Australia, France and the European Union on the detailed comments by the Russian Federation with respect to the MPA process in general and with respect to the two draft MPA proposals.

Concerning China’s comments on the need to describe “threats” in MPA proposals, Belgium highlights that there is no legal obligation to define or describe “threats” in MPA proposals. If human activities affect species or habitats for which the MPAs have been established, then the research and monitoring plans and the management plans can deal with this in an appropriate way.’

7.63 Chile made the following statement:

‘It should be remembered that in 2011 CCAMLR adopted Conservation Measure 91-04 relating to a general framework for the establishment of MPAs with

the objective of developing a representative system of MPAs in the Convention Area. This was a strategic decision, with foresight, which we approved by consensus. It was an initial step in a process to which we are fully committed.

We are convinced that the development of a representative system of MPAs is entirely consistent with the objectives of the Convention and fully compatible with the values of the Antarctic Treaty system.

As a Contracting Party to this Convention, Chile has recognised the importance of safeguarding the environment and protecting the integrity of ecosystems of Antarctic waters. We are committed to this task that we consider a priority for this Commission.

Marine protected areas are an essential and efficient instrument to ensure the conservation of the fragile and unique marine biodiversity present in the Convention Area and the preservation of which is the responsibility of this organisation. Furthermore, MPAs provide safeguards against the uncertainties in the management of this unique ecosystem. As well as conserving ecological structures, MPAs promote research and other scientific activities.

Chile values and is grateful for the enormous volume of work carried out by the sponsors in the development of the proposals currently under discussion. We appreciate also their efforts to address the concerns expressed during the past two years by several Commission Members.

We recognise that the proposals are based on the best scientific information available and that they are the result of years of data collection and research.

The proposals are well formulated, and we are pleased to see that they have been improved over time with the contribution of many Members here present. Notwithstanding the above, there are some crucial elements in these initiatives that still require definition. Among these are the period of designation and the mechanism to either terminate it or renew it at the end of the agreed period. With respect to this, we recognise that for the objectives of MPAs to be fulfilled, management arrangements cannot be of a short duration. They require, in addition, periodic revisions and well-designed management plans. Any formulation adopted on a mechanism to either end or reinstate the period of designation must be adopted by consensus, as is inherent in the decision-making process of the Commission.

In order to define these pending issues, we believe that the discussion should be conducted by a drafting group during this meeting of the Commission.

Lastly, Chile wishes to reiterate that it is committed to contribute proactively and constructively to the present discussion process. We are still in the hope that this meeting of the Commission will be able to reach consensus to establish MPAs for the Ross Sea region and for East Antarctica, thus easing the way for other proposals in the future, including an MPA for Domain 1.'

7.64 The Commission reviewed progress and discussions on the proposed MPAs during the second week of its meeting.

7.65 New Zealand made the following statement:

‘As noted last week, the vast majority of countries are ready to move through to drafting group on the Ross Sea region MPA, but as we have understood there are currently a very small minority of countries are not yet ready. We agree with the comments made by the USA last week.

We are conscious that there are a number of papers on MPAs, chiefly by Russia, scattered throughout the agenda. As we mentioned last week, we would like to note some differences of opinion with respect to the views put forward in a number of those papers. Rather than take up time in multiple agenda items, we will take all of those points here together and would ask that our comments be noted in the report.

Russia has suggested that there is insufficient science to support the Ross Sea region proposal, and that there is a need for further scientific research before an MPA can be designated in the Ross Sea region. I would refer Members to SC-CAMLR-XXXIII/BG/23 Rev. 1 and SC-CAMLR-IM-I/08 which clearly set out the significant body of science supporting the RSRMPA proposal. In our view, the scientific evidence supporting the MPA proposal has been comprehensively assessed and endorsed by the Scientific Committee (SC-CAMLR-IM-I, paragraphs 2.31 to 2.33) and accepted by the overwhelming majority of the CCAMLR membership.

Moreover, Russia’s argument overlooks that CCAMLR has agreed to an approach to the establishment of a representative network of MPAs based on “best available” scientific evidence (paragraph 2 of CM 91-04 and Article IX.1(f) of the Convention). This reflects a precautionary approach whereby the best available scientific evidence is used so that the need for ever more science cannot be used to indefinitely defer action to protect the environment.

Russia has also suggested that the boundaries proposed for the RSRMPA are “unsubstantiated” or “arbitrary”. However as we will recall, the MPA was designed using a transparent, science-driven process known as “systematic conservation planning” to identify an optimised spatial solution, to achieve protection for agreed objectives, while minimising impact on rational use (this work is also summarised in SC-CAMLR-XXXIII/BG/23 Rev. 1). As I have already noted, the current proposal which was developed out of this process, including the proposed boundaries, has been endorsed by the Scientific Committee.

Further, as Russia is aware, the straight lines used in the proposal were designed at the request of the CCAMLR membership in order to facilitate management of the fishery and compliance with conservation measures. Straight lines are commonly used to facilitate spatial management across the CCAMLR area, including in the designation of SSRUs. This is not a unique feature of MPAs. The use of straight line boundaries is also consistent with CCAMLR and international best practice around the design of marine protected areas.

Both Russia and China have also made comments regarding the sufficiency of existing conservation measures, for example, the use of currently closed areas, to achieve adequate levels of protection. However, the closed SSRUs are fisheries management decisions and not designed for, nor would they fully deliver on, science and protection

objectives relating to biodiversity, habitats and ecosystems. Let us be very clear – these closed SSRUs would not meet the requirements for MPAs as outlined in CM 91-04 and are no substitute for an MPA.

With respect to China's comments last week that the whole Convention Area may be regarded as an IUCN Category IV MPA, as noted in the preamble to CM 91-04 there may still be areas within the Convention Area that require further special consideration in a representative system of MPAs.

Both our Russian and Chinese colleagues have raised concerns about the impact of the MPA on rational use. The proposal still facilitates rational use, through selection of boundaries that will have the least impact on fishing effort, while still meeting protection objectives. Further to this, the proposal makes clear that displaced fishing effort will be able to be redistributed outside the MPA, with no overall reduction in take intended. Finally, the proposal even specifically provides for some fishing in areas included in the MPA (for example through the proposed Special Research Zone) where this is consistent with objectives.

More fundamentally, it is worth recalling that the objective of CCAMLR under Article II is to achieve conservation of Antarctic marine living resources, which includes rational use. It does not read that conservation "is" rational use. Accordingly, the primary objective of CCAMLR is not about preserving existing fishing effort. So while we should seek to minimise impacts on rational use, this has to be balanced against other conservation and protection objectives. In addition to efforts to minimise impacts on fishing in the original RSRMPA proposal, the current proposal is considerably smaller, and displaces less fishing effort, than was initially proposed, reflecting the good faith efforts to provide for the views of Members, particularly those with fishing interests.

Russia has also made a number of points in CCAMLR-XXXIII/BG/09 on MPAs in the Antarctic Treaty System. As we explained at the Antarctic Treaty Consultative Meeting in Brasilia earlier this year, in fact many of the points contained in the paper have already been comprehensively discussed at CCAMLR and we can agree with a good number of them.

But I would like to mention some specific points. On the issue of research and monitoring, I wish to be clear that this would not be the exclusive responsibility of MPA proponents, rather all members are encouraged to participate in the development and implementation of a research and monitoring plan, as agreed by the Scientific Committee this year (SC-CAMLR-XXXIII, paragraph 5.42). We have also clearly reflected this in the draft research and monitoring plan for the RSRMPA (SC-CAMLR-IM-I/BG/03 Rev. 1).

In addition, consistent with CM 91-04, paragraph 5(iii), and Members' feedback last year, the Review section of our revised proposal includes new text specifying that reviews of the Ross Sea Region MPA Conservation Measure should also evaluate the delivery of the research and monitoring plan, thus reinforcing our clear agreement on the importance of research and monitoring.

We are obliged to mention the inference in Russia's papers of a linkage between the establishment of MPAs and territorial claims in Antarctica, which we absolutely reject.

New Zealand has not declared a territorial sea or an exclusive economic zone in the waters adjacent to our claim in Antarctica (the Ross Dependency). New Zealand remains fully committed to the principles outlined in Article IV of the Antarctic Treaty and repeated in the CAMLR Convention.

We do not see any advantage for territorial sovereignty claims on the Antarctic continent that would be derived from establishing an MPA in the Ross Sea region.

It is worth emphasising in this regard that this MPA is about collective decision-making and management. There will need to be agreement by all CCAMLR countries to the MPA and, once it is established, it will be subject to the oversight of CCAMLR. Neither NZ nor the US will have any preferential management responsibilities for the Ross Sea Region MPA. Any changes to the management plan or the research and monitoring plan for the MPA will need to be agreed by consensus among all CCAMLR countries.

Frankly, we are perplexed that the sovereignty issue continues to be raised despite these plain facts.

We also reject absolutely the unsubstantiated allegation in SC-CAMLR-XXXIII/BG/26 that the MPA is part of a deliberate ploy to create a monopoly on fishing for toothfish by countries with toothfish catch in their own EEZs. New Zealand has not declared an EEZ in the Convention Area and has no significant toothfish fishery in the New Zealand EEZ. We are therefore completely unable to understand the data presented in Table 1 of the paper. New Zealand toothfish fishing vessels operate primarily in the same high-seas fisheries where Russian vessels operate.

In its papers, Russia has again repeated points as to the legal basis for the establishment of MPAs. As we all know, these have been discussed and refuted by the CCAMLR and Antarctic Treaty membership. As ATCM in Brasilia noted by consensus earlier this year, CCAMLR has, through the adoption of CM 91-04, established the legal framework within which MPAs can be designated in the Convention Area. That meeting also confirmed CCAMLR as the competent body to establish marine protected areas in the CCAMLR area. No further "normative legal act", "juridical definition" or approval from any other international organisations is required.

New Zealand agrees with the points made in the final paragraph of Russia's SC-CAMLR-XXXIII/BG/26. MPAs should be created within the framework of an agreed system, on the basis of objective scientific data, criteria and recommendations and the bioregionalisation of the Southern Ocean.

We believe the current proposal meets all of these criteria. The agreed scientific framework and system for designation of MPAs in CCAMLR is called "bioregionalisation" and "systematic conservation planning"; completion of these processes for the proposed Ross Sea region MPA spanned five years of very intensive

scientific work and discussion within CCAMLR's scientific working groups and the Scientific Committee, and is summarised in paper SC-CAMLR-XXXIII/BG/23 Rev. 1. The "agreed framework" is as described in CM 91-04.

In summary, the Ross Sea Region MPA proposal has undergone extensive discussions and consideration by both the Scientific Committee and the Commission. It has addressed the requirements of CM 91-04 and has been revised to reflect advice provided by the Scientific Committee. It is now time to move forward so that we can address the remaining outstanding issues of importance to the wider CCAMLR membership and, ultimately, take a significant step forward in implementing the commitment we made as a Commission in 2005 to develop a representative system of marine protected areas.'

7.66 Australia made the following statement:

'Over 2010 and 2011, the Commission negotiated and agreed Conservation Measure 91-04. In doing so, the Commission agreed

- (i) the purpose of marine protected areas for CCAMLR
- (ii) that MPAs will serve to conserve AMLR as a whole rather than by individual species or habitats
- (iii) that MPAs support the Commission in achieving the objectives in Article II using Article IX
- (iv) that MPAs would be established by CCAMLR using conservation measures, and managed by the Commission on advice from the Scientific Committee.

Australia disagrees with several of Russia's assertions regarding marine protected areas and on the East Antarctic MPA proposal.

Australia strongly objects to claims that the East Antarctic MPA proposal is being used as a tool for asserting sovereignty or geopolitical control. MPAs will be CCAMLR MPAs rather than MPAs to be managed by proponents.

As an original signatory of the Antarctic Treaty, Australia has always worked clearly within the provisions of all elements of the Antarctic Treaty system so as to ensure its longevity and stability. Like Members around the table here, Australia as a Member of the Commission and as a participant within the Antarctic Treaty system has broad interests in Antarctica. These include our interests in freedom of scientific research, environmental protection and harvesting of marine living resources. Australia believes in CCAMLR and works hard to achieve its success for all Members.

On the issue of competency, Australia would like to recall the advice from the Brasilia ATCM that CCAMLR had established the legal framework within which MPAs could be designated and confirmed it as the competent body to establish MPAs in the CCAMLR Area. This is consistent with Australia's view that CCAMLR has legal competency to adopt measures labelled as "MPAs" pursuant to Article IX of the Convention, noting that the application of CCAMLR MPAs was determined in CM 91-04.

In this regard, we would like to again emphasise that CM 91-04 is within the limits of the power set out in Article IX of the Convention and provides adequate parameters for the concept of MPAs envisaged by the Commission, recognising the Commission's competence to endorse the bundle of conservation measures of which MPAs are comprised on a case-by-case basis.

Article II is clear that the objective of the Convention is the conservation of Antarctic marine living resources. In accommodating rational use, it has specific requirements relating to fisheries. The Commission has already determined that rational use does not mean the following:

- (i) it does not mean that unlimited catches can be taken from stocks – we have established catch limits
- (ii) it does not mean that fishing must be able to occur everywhere – we have closed areas
- (iii) it does not mean that fishing can be undertaken at all times – we have closed seasons.

We believe the Commission can continue to harmonise fisheries with conservation of all Antarctic marine living resources in order to make fisheries a rational use. CCAMLR MPAs are a part of doing that.

On this last point, Australia would like to re-emphasise that the East Antarctic MPA proposal is for multiple-use MPAs, harmonising conservation and fisheries. Although this has always been the case, after the Special Meeting we changed the entire premise of the proposal from “closed until open” to “open until closed”. This was to assure Members of the genuine intention that the MPAs should be multiple-use.

The areas proposed for inclusion in the EARSMPA are special areas for conservation and research (see Article IX.2g). The areas are open to fishing and research activities until it is agreed by the Commission that they, or parts thereof, should be closed. Further, the process for approving activities within the East Antarctic MPA is based on the processes already embedded in existing conservation measures.

Lastly, Australia, France and the European Union continue to have frank and constructive discussions on the East Antarctic proposal with many Members. We would like to come back to the proposal at a later stage this week.'

7.67 The EU and France fully supported the position of Australia, and France made the following statement:

'The French Delegation cannot accept the allegations of an attempt to establish geo-political control made in the papers presented by the Russian Federation. France points out that it is a Consultative Party to the Antarctic Treaty and adheres scrupulously to the provisions of Article IV of the Treaty. In addition, we cannot allow it to be said that a number of CCAMLR Members, notably those who have Exclusive Economic Zones in the Convention Area, are attempting, through plans to establish Marine Protected Areas, to create a monopoly on fishing in the Southern Ocean. It is a fundamental principle of the Law of the Sea that States have sovereign rights within

their Exclusive Economic Zones, and this should not be confused with fisheries carried out in international waters of the Convention. The French Delegation does not wish to engage in further argument. We have come here to negotiate in good faith. Together with the Delegations of Australia and the European Union, we have held constructive discussions on the margins of this meeting with other interested delegations regarding plans to create Marine Protected Areas in East Antarctica. We wish to continue work on this project, in a constructive and non-confrontational spirit.’

7.68 Russia reiterated its position, which is stated in paragraphs 7.50 and 7.51.

7.69 China made the following statement:

‘China also regrets that we cannot have good basis to move the two MPA proposals to drafting group for the following reasons:

Firstly, the Convention remains the primary legal basis of the work of the Commission. Article II of the Convention provides that the objective of the Convention is conservation of Antarctic marine living resources, where conservation includes rational use. It also provides three conservation principles applying to any harvesting and associated activities within the convention area. The function of the Commission is to give effect to those objective and principles as contained in Article II. It follows that any conservation measure adopted by the Commission, including CM 91-04, must be fully consistent with those objective and principles, and must be interpreted and implemented in the same manner. However, the objectives of the two proposals before us may deviate from or exceed the above-mentioned objective and principles of the Convention.

Secondly, Article II of the Convention gives a special meaning to the term “conservation”, where rational use is part and parcel of conservation for the purpose of the Convention. By doing so, the Convention strikes an adequate balance between preservation and rational use of Antarctic marine living resources. The Contracting Parties enjoy the right to conducting harvesting activities within the Convention area. At the same time, they have the obligation to ensure that their activities shall be conducted in accordance with the objective and conservation principles of the Convention. Those rights and obligations of the Contracting Parties, as contained in Article II of the Convention, are quite clear and precise. No more, no less. The current MPA proposals, while trying to set restrictions on harvesting activities, do not provide sufficient evidence as to whether or to what extent those harvesting activities may affect the objective and principles of the Convention. Therefore we believe that such approach amounts to introducing new obligations other than those provided for in the Convention, and may break the delicate balance achieved by the drafters of the Convention.

Thirdly, science is the cornerstone of the work of the Commission. The Commission may apply the precautionary approach in formulating the MPA conservation measures, but the prerequisite for the application of the precautionary approach, as contained in the Rio Declaration and supported by numerous international legal authorities and jurisprudence, must be satisfied. That is to say, we must establish, based on scientific evidence, the existence of a threat of serious or irreversible damage to Antarctic

marine living resources. Unfortunately, this threshold has not been satisfied by the current MPA proposals and therefore the precautionary approach cannot be applied as a justification for any preventive measure.

Fourthly, over the last 30 years, the Commission has adopted a wide range of conservation measures and has successfully conserved Antarctic marine living resources. Thus, the Convention Area as a whole has been recognised as IUCN Category IV MPA. We believe that the Commission shall continue to follow the successful practice as much as possible in its future work. As a responsible member of the Commission, China supports and is willing to participate actively in every effort aiming at conserving Antarctic marine living resources. We do not exclude the possibility for the Commission to use MPA as a conservation measure in case where necessary and appropriate, provided that such measures must strictly abide by and contribute to the objective and principles of the Convention, maintain the adequate balance between preservation and rational use, and be based on sound scientific evidence.

We are looking forward to further dialogue and cooperation with other delegations in this regard.'

7.70 Norway and other Members thanked the proponents of the MPA proposals and urged all Members to work together in order to achieve consensus on MPAs.

7.71 Australia, France and the EU made the following joint statement:

'Australia, France and the EU would like to thank all Members for their very frank and constructive discussions over the last two weeks. We have listened with great interest to the comments that Members have had on our proposal. We believe that these discussions have identified all the outstanding issues regarding establishing the system of MPAs in East Antarctica. We have appreciated the frankness of Members in expressing their views.

As a result of this progress, we circulated CCAMLR-XXXIII/BG/40 on the current thinking on the proposal and how we are considering to respond. The four issues that we have distilled out of the discussion are:

- (i) clearer procedures in the management plan, including the roles of the Commission and Scientific Committee in determining when activities need to be managed to achieve the objectives of the MPAs
- (ii) reviews, combined with research and monitoring, are expected to lead to adaptation and updating of the MPAs
- (iii) data from the research and monitoring should be shared
- (iv) Gunnerus MPA could be removed.

We put these forward to help clarify what we have gathered from Members as the possible solutions to adopt this conservation measure.

To conclude, we wish to reflect on the value of MPAs to the Commission.

Article II, paragraph 3(c), tells us that we as a Commission need, and I quote, to “make[ing] possible the sustained conservation of Antarctic marine living resources”.

We as a Commission have been working to achieve this. However, ecosystem variability and change, such as climate change, pose a great challenge for conservation. They also pose a great challenge for the Commission to make possible the sustained conservation of Antarctic marine living resources.

Without repeating all the arguments here, Article IX tells us how to do that, and that “special areas for protection and scientific study” are a part of making sustained conservation possible.

We would like to hear what Members think about this progress and the approaches we are suggesting.’

7.72 The EU made the following statement:

‘We are not going to repeat the points we have been discussing in the last few days since Australia has just done that, listing the issues that could be included in the measures if and when all Members are ready to move forward.

We understand from previous discussions that there are Members who have fundamental problems with our proposal and who would not be prepared to move forward, but we have tried to use effectively these few days when we all are together in one place to address specific concerns from all delegations and we hope the constructive feedback from our informal meetings can be confirmed here at the Commission.’

7.73 Norway made the following statement:

‘Norway thanks the proponents of the East Antarctic MPA network for the marked improvements that they made intersessionally in the presentation of the background information that was provided to this meeting. It has made this proposal much easier to evaluate. We appreciate the flexible management regime in this MPA network that would allow protection and rational use to meet in a novel and exciting way.

Norway is also very pleased that the proponents of EARs have continued to work very constructively in the margins of this meeting and we applaud them for bringing a draft of new possible revisions to this meeting for discussion (see CCAMLR-XXXIII/BG/40).

We recognise that it has been a difficult process over a period of some years now. But shifting towards a consensus opinion is how this CCAMLR community makes progress towards making good decisions that are to everyone’s benefit.

Our principal remaining concerns about EARs have been addressed by the adjustments made in the draft that is now being discussed and we think that the small remaining issues that we have can be resolved in the drafting of a conservation measure – at some point.

We do of course recognise that this MPA will not come into place at this meeting, but hope that we continue to reflect upon the value of MPAs to enhance protection in areas of particular sensitivity, such as the remaining MPAs suggested for inclusion in the EARs network.

Some members might recall paragraph 7.11 from CCAMLR-XXXII, in which Norway requested that we begin conservation measure drafting on a revised proposal for the Ross Sea MPA – that remained in the margins of last year’s meeting. We are still ready and willing to undertake this task when the proponents are ready to share the revised proposal with this Commission at some time in the future and other members are ready to implement Conservation Measure 91-04.’

7.74 Russia thanked the proponents of the EARSMPA proposal for the constructive discussions and willingness to cooperate and revise their proposal. Russia will carefully study the revised proposal and is ready to work together during the intersessional period.

7.75 Germany made the following statement:

‘Germany thanks Australia, the European Union and France for this further work on the East Antarctica MPA proposal. We also thank Norway for its clear signal of support for the proposal to go to drafting, which we very much welcome. We highly appreciate the constructive and fruitful engagement of all members in the last 10 days to help identify their remaining concerns and possible ways to accommodate those. Germany hopes that this fruitful work will continue and will help us all to finalise the setup of Marine Protected Areas in East Antarctica and the Ross Sea in 2015.’

7.76 ASOC introduced CCAMLR-XXXIII/BG/20 and made the following statement:

‘As everyone is aware, in 2005, CCAMLR committed to establishing a system of Marine Protected Areas in the Southern Ocean by 2012. This was not achieved despite the best intentions of many. Since that point there have been a number of opportunities for members to make progress, but the negotiations have mostly resembled a slow retreat.

At the closing of CCAMLR-XXXII we expressed the hope that delegates would go home and reflect on the legacy they wanted CCAMLR to leave behind.

We hoped that Members would recall that the science supporting the Ross Sea and East Antarctica proposals has been well established after many successive years of consideration by the Scientific Committee.

We are therefore disappointed to find ourselves at CCAMLR-XXXIII STILL discussing further and further concessions.

In fact, the current proposals are at the collective NGO bottom line. Any further concessions could result in loss of support by the environmental NGOs, who together represent the hundreds of thousands of people around the world who want to see Antarctic MPAs established by CCAMLR this year.

There are many reasons why it is so important that we establish MPAs:

- they provide enduring protection for ecosystems
- create reference areas for scientific research
- enable long-term ecosystem protection alongside fisheries management
- help to strengthen resilience against the growing impacts of climate change.

In addition, adopting MPAs would reaffirm CCAMLR as a precautionary convention and enhance the status of Antarctica as a natural reserve devoted to peace and science that is fundamental to the Antarctic Treaty System to which CCAMLR belongs.

We also wish to draw delegates' attention to the results of a recent scientific analysis, described in CCAMLR-XXXIII/BG/20, that determined that MPAs need to be large, no-take and be designated for a long period of time. We urge you to keep that paper in mind as you continue your deliberations, keeping CCAMLR MPAs in line with current scientific advice.

ASOC calls on all Members to achieve consensus on both of the two proposals on the table this year. If CCAMLR Members are to move forward with credibility and coherence, then clear and visionary decisions need to be made by 31 October 2014. That will leave a legacy for future generations of real value, as well as restoring CCAMLR to a position of leadership in marine conservation.

Distinguished delegates, it is time to rekindle the urgency, and achieve a strong and effective solution in 2014.'

Season start date for exploratory toothfish fisheries in Subareas 88.1 and 88.2

7.77 New Zealand proposed that the season start date for the exploratory fisheries for *Dissostichus* spp. in Subareas 88.1 and 88.2 be changed to 3 January from 2015/16 (CCAMLR-XXXIII/22; see also WG-FSA-14/54 and 14/55 Rev. 1). The proposal sought to improve the safe operation of fishing vessels in these fisheries and alleviate vessel crowding in these Olympic-style fisheries. The proposed delayed start to these fisheries would facilitate:

- (i) improved access to a larger range of fishable areas
- (ii) reduced vessel crowding and competition as low sea-ice extent in January would allow fishing vessels to spread out across the fishing grounds
- (iii) reduced risk in operating fishing vessels in areas with sea-ice, including reduced risk-taking by vessels pushing through sea-ice in order to be first at the fishing grounds
- (iv) reduced rates of fishing gear loss due to reduced sea-ice extent
- (v) improved information for stock assessments, including more widely distributed fishing effort in areas where fishing has been historically limited due to ice cover, and improved spatial coverage of the tagging program and biological data collection.

7.78 In recognising the improved safety aspects provided by this proposal, the EU, Spain and the UK expressed concern that the delayed start of the fishing season may exacerbate issues of fishing capacity. The delayed start would provide better access to these fisheries by non-ice-strengthened vessels and this situation may increase the number of participating vessels. These Members also stated that changes in vessel fishing behaviour, due to better and/or earlier access to fishing ground, would result in change in the distribution patterns of data used in stock assessment.

7.79 The EU, Spain and the UK urged the Commission to consider other options for controlling access to these exploratory fisheries and to introduce mandatory ice-strengthening requirements for fishing vessels operating in high latitudes.

7.80 Australia and the Republic of Korea supported New Zealand's proposal and agreed that a delayed start of the fishing season in the exploratory fisheries in Subareas 88.1 and 88.2 would enhance the safety of vessels and crews operating in this region. Korea also recalled the loss of two of its flagged vessels during fishing operations in the Ross Sea.

7.81 Ukraine expressed that the delayed start of the fishing season may result in vessels fishing late into February or March, and that the onset of the winter sea-ice would impede research fishing which is currently conducted once the fisheries are closed.

7.82 Following further discussions, New Zealand advised that it will continue consultation with Members in order to develop options which enhanced the safety of fishing vessels and crews operating in high latitudes, and to address the issues identified during the above discussion. The Commission agreed to give this matter further consideration in 2015.

#### Conservation of sharks

7.83 The Commission noted that SCIC has considered a proposed amendment to CM 32-18 (Conservation of sharks) to require that the fins of incidentally caught sharks that cannot be released alive remain naturally attached until the point of first landing (Annex 6, paragraphs 223 to 231). While many Members were supportive of the proposal, the Commission was unable to reach consensus on this revision.

### **Implementation of Convention objectives**

#### CCAMLR Symposium

8.1 The Commission considered the joint proposal provided by Australia, Chile and the USA that requested that the Commission endorse a CCAMLR Symposium to mark the 35th anniversary of the signing of the Convention to be held tentatively in Puerto Varas, Chile, 6 to 9 May 2015 (CCAMLR-XXXIII/17).

8.2 Chile made the following statement:

'I am particularly pleased to introduce document CCAMLR-XXXIII/17, presented by the Delegations of Australia, Chile and the USA.

This agenda item, implementation of the objectives of the Convention, has allowed us in the past to implement a set of initiatives aimed at maintaining CCAMLR at the forefront in the field of conservation.

In 2005, a symposium was celebrated in Valdivia, Chile, organised by Australia and Chile. Subsequently, and always under this agenda item, we agreed to carry out an evaluation of CCAMLR's performance, which took place in 2008, and produced recommendations that we have been implementing since.

Today, through this working document, we propose that the Commission celebrate a new symposium, 10 years after its first version, to coincide with the 35th anniversary of the signing of the Convention in Canberra.

There is no doubt that CCAMLR has succeeded in establishing a practical and effective regime to conserve and protect Antarctic marine living resources and its precautionary approach towards conservation is internationally recognised. Nevertheless, we believe that, in order for our organisation to continue to grow, it would be convenient for us to evaluate, together, away from the plenary session, in an informal environment and without pressure, if we are still on track along the path we set for ourselves nearly 35 years ago, and determine how we can continue to develop as an organisation.'

8.3 Chile then detailed the organisational aspects of the proposed symposium, including dates and place. Chile identified six subjects to be discussed during the meeting of three-and-a-half days. Finally, Chile requested that the proposal be approved by the Commission.

8.4 The symposium offers the Commission the opportunity to meet and exchange ideas and points of view in an informal setting. The Commission noted that the symposium will be funded by Chile and the USA.

8.5 Australia noted that, as a co-sponsor of this proposal, it considered that the symposium offered an opportunity for full and frank discussion on a range of important issues for CCAMLR. Australia noted that the symposium in 2005 had provided a similar opportunity. The USA, as co-sponsor, welcomed the idea of a discussion under the Chatham House Rule.

8.6 The Commission thanked the sponsors of the proposal and noted that it was important for CCAMLR to share opinions and ideas and to take stock of the last 35 years of work. The Commission agreed that the symposium would provide a forum for an exchange of views regarding the future of CCAMLR and to support the Commission's endeavours to achieve the objectives of the Convention.

8.7 The Commission noted that for the symposium to be truly meaningful, participation by all Members was very important and Members would be invited to send their Commissioners or representatives and two advisers to the symposium.

8.8 The Commission agreed that, while no formal report of the symposium would be developed, the proceedings and accompanying material would be collated and be made generally available and that a summary report would be provided to CCAMLR-XXXIV.

8.9 The Commission endorsed the proposal for the symposium. Chile thanked Members for their support and advised that invitations would be sent shortly after the conclusion of this

meeting. Chile also noted that Observers would be invited to participate. Members were again encouraged to attend the symposium and actively engage in the discussions at the symposium.

## Performance Review

8.10 The Commission considered CCAMLR-XXXIII/10, prepared by the Secretariat in response to a request at last year's meeting (CCAMLR-XXXII, paragraphs 8.7 and 8.8). The paper noted that the Secretariat annually updates a matrix on the CCAMLR website that records the status of the recommendations from the first Performance Review in 2008 and presented a range of options relating to the timing, scope, procedures and possible development of terms of reference for a second Performance Review.

8.11 The EU thanked the Secretariat for its work and welcomed the paper. The EU highlighted its wish to see action on this matter as soon as possible. The EU considered that the scope should include an examination of both past and future issues and include both Scientific Committee and Commission issues. The EU also suggested that the review could be carried out by an independent expert, Members or by a combination of expert(s) and Members' representatives. It was agreed that the review could include a desktop study with questionnaires and interviews carried out in support of this work. Rather than a definitive list of issues, the body conducting the review could look at different themes and report on them in detail to the Commission, which would take the final decision on the topics to be addressed by the review.

8.12 Many Members welcomed discussion on a second Performance Review and noted that in developing the terms of reference for the review, attention needs to be given to the 2008 recommendations that have not been addressed.

8.13 Some Members considered that the outcomes of the 2015 symposium could provide a useful input to a second Performance Review. Further, some Members considered that the 2015 symposium offered an opportunity to informally discuss the terms of reference for the second review that may lead to useful guidance concerning the structure and the process for a second review.

8.14 The USA welcomed discussion on a second review, noting that it shared the view of other Members that the 2008 Performance Review was extremely useful and had resulted in wide-ranging recommendations that continued to benefit the Commission. For the next review, it noted that the Commission should take into account the need to accommodate ongoing business, such as negotiation of marine protected areas and the work of the Scientific Committee, but noted that there is more that the Commission can do to improve the organisation. The USA suggested agreeing on terms of reference at CCAMLR-XXXIV, following intersessional discussions.

8.15 Taking into account the views expressed, the Commission accepted the offer of the EU to prepare draft terms of reference for the second Performance Review. The EU advised the Commission that it will make the draft terms of reference available to Members intersessionally and seek comments from Members.

## **Cooperation with the Antarctic Treaty System and international organisations**

### Cooperation with Antarctic Treaty Consultative Parties

9.1 The Commission noted the Executive Secretary's summary report of the 37th Antarctic Treaty Consultative Meeting (CCAMLR-XXXIII/BG/05) held in Brasilia, Brazil, from 28 April to 7 May 2014. Key points included:

- (i) the status of the Antarctic Treaty, the Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR), the Convention for the Conservation of Antarctic Seals (CCAS) and the Agreement for the Conservation of Albatross and Petrels (ACAP)
- (ii) spatial protection, particularly in relation to MPAs
- (iii) strengthening cooperation in hydrographic surveying and charting
- (iv) the Polar Code
- (v) the Report of CEP XVII
- (vi) Antarctic search and rescue
- (vii) climate change
- (viii) a proposal to hold a workshop on education and outreach in association with ATCM XXXVIII in 2015
- (ix) the date and venue for ATCM XXXVIII: Sofia, Bulgaria, tentatively 1 to 10 June 2015.

9.2 Germany asked the Secretariat to increase the information exchange with the Council of Managers of National Antarctic Programs (COMNAP), especially with respect to the work of CCAMLR on spatial planning and MPAs. New Zealand supported this request, which might also help to increase the sightings and reporting of IUU vessels in the CAMLR Convention Area.

9.3 The Commission agreed that CCAMLR should be represented at ATCM XXXVIII and CEP XVIII to be held in Sofia, Bulgaria, in 2015, by the Executive Secretary, the Science Manager and the Chair of the Scientific Committee.

9.4 The Commission welcomed the proposal for a second Joint CEP–SC–CAMLR Workshop on the topics of ecosystem and environmental monitoring to detect the effects of climate change and endorsed the advice of the Scientific Committee on the development of a steering committee and draft terms of reference (SC-CAMLR-XXXIII, paragraphs 10.2 to 10.5).

## Reports of Observers from international organisations

### ACAP

#### 9.5 The ACAP Observer made the following statement:

‘At CCAMLR-XXXII last year, France requested that information on the levels of seabird by-catch in fisheries adjacent to the CCAMLR Convention Area be reported by ACAP to the next meeting of CCAMLR’s Scientific Committee. CCAMLR-XXXIII/BG/15 Rev. 1 provides this information, with a summary of the most recent by-catch and related information held by ACAP, as well as a report on the current status of the process to develop a by-catch data reporting and assessment framework. It should be noted that work is ongoing in this respect, and that the information provided represents that which has been provided by ACAP Parties to date, and that these data have not yet been further assessed or analysed.

Annexes 1 and 2 provide a summary of the most recent seabird by-catch data that have been submitted by Parties and Range States as part of their online reporting process. In total there are 94 fisheries included in the database, however, the information provided for each varies between Parties and Range States.

Further, only those fisheries that are of broad relevance to CCAMLR and for which by-catch data have been submitted are shown. These tables provide a very simple characterisation of the domestic fisheries for which data have been provided to ACAP, including both observed and estimated levels of seabird by-catch.

Annex 1 includes the most recent year for which by-catch data have been submitted for each fishery. For some fisheries, data are available from 2004, when ACAP formally came into force. It is important to note that the information included in Annexes 1 and 2 has not been analysed by ACAP, but represents the actual data reported by Parties and Range States.

Part of the ongoing process to develop the by-catch data reporting and assessment mechanism includes the development of an assessment and review framework to, firstly ensure the data are up to date, complete and accurate and secondly, to conduct routine analyses to measure and monitor performance in respect of seabird by-catch mitigation.

It is also important to note that ACAP does not currently hold any data on seabird by-catch from high-seas fisheries, but through its RFMO engagement strategy and related initiatives is working to help progress efforts to improve data collection and reporting activities by RFMOs. Currently, the quantity and reliability of by-catch information is still severely limited for many RFMOs, and other fisheries. In some cases, observer data collection and reporting protocols have been developed, but compliance with these protocols is poor. In other cases, the protocols are still under development.

Further, the methodologies or criteria for reviewing the efficacy of these mitigation measures adopted by the RFMOs have not yet been established. An ACAP intersessional group has been established to consider and advance the identification of

minimum elements and methods that should form part of an assessment of seabird by-catch mitigation regulations that have been adopted by tuna RFMOs. The intersessional group will seek to work cooperatively with a Technical Group established by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), which is conducting a similar analysis.

There are a number of ways in which CCAMLR differs from RFMOs, and one cannot simply transfer the CCAMLR approach to other organisations. However, CCAMLR and its members can and should play a role in helping reduce seabird by-catch in adjacent fisheries. There are opportunities for CCAMLR to collaborate with RFMOs in relation to the sharing of information and expertise, and for CCAMLR members that are also contracting parties of RFMOs to work within those RFMOs to help facilitate the improvement of data reporting and implementation of seabird conservation measures.

As noted above, ACAP will be seeking to progressively improve the quality of data available to it, as well as developing methodologies to assist with the analysis of this data. ACAP would be pleased to provide CCAMLR with an update of this report in future years, should CCAMLR request this.'

9.6 France thanked ACAP for the paper it presented in response to the request made by France last year (CCAMLR-XXXII, paragraph 9.14). France regrets that CCAMLR's successes with regard to seabird by-catch, which are outstanding within the CAMLR Convention Area, are undermined outside the area, where by-catches of birds are significant. France considered that the figures provided by ACAP are disturbing, with an estimate of 160 000 to 320 000 seabirds caught per year, mainly albatrosses and petrels.

9.7 France also noted that the data collected by numerous Regional Fishery Management Organisations (RFMOs) are incomplete. The majority of RFMOs do not implement seabird by-catch mitigation measures, and when they do, they are unable to ensure compliance efficiently. It is important that CCAMLR call on RFMOs to adopt and enforce measures to reduce incidental catches of seabirds.

9.8 France was pleased that ACAP recognises the significance and value of CCAMLR's experience in this area and is ready to facilitate and strengthen cooperation between CCAMLR and the RFMOs. France hoped that the Commission will investigate opportunities for cooperation and the sharing of experience between CCAMLR and the RFMOs concerned. This could be done by CCAMLR Members that are also members of the relevant RFMOs or by convening joint workshops.

9.9 In response to the request from France, ACAP agreed to provide an update of this report to future CCAMLR meetings. ACAP noted that France has funded ACAP's engagement strategy with RFMOs through voluntary contributions and that this is an example of how CCAMLR Members can actively support ACAP's work in reducing seabird by-catch. In this regard, ACAP reported that most of the tuna RFMOs have now adopted seabird conservation measures that substantially reflect ACAP's best-practice advice for by-catch mitigation in pelagic longline fisheries. However, data is still not available from these RFMOs to assess how effectively these mitigation measures have been implemented. CCAMLR Members' assistance was sought in working within these RFMOs to strengthen the provision of relevant data.

## ARK

9.10 The ARK Observer made the following statement:

‘The Association of Responsible Krill harvesting companies thanks the Commission for the invitation to this year’s Scientific Committee and Commission meetings.

The industry experienced high catches in the 2013/14 season. Krill were apparently abundant throughout the fishing grounds in 2013/14, and ice conditions were not severe.

ARK has submitted a report to the Scientific Committee addressing topics on management of the krill fishery important to the industry, like

- the krill notifications and the notification system
- CM 51-07
- level of observer coverage
- ice class on fishing vessels.

ARK participated at the

- workshop organised by the ICED program, the British Antarctic Survey and WWF in the UK
- the workshop in Punta Arenas, Chile.

ARK submitted one paper on the workshop that was held in collaboration with WG-EMM in July. ARK has made progress this year in advancing cooperation both within the industry and with scientists working within CCAMLR.

ARK looks forward to making progress on some key initiatives in the coming year and has agreed to coordinate correspondence groups on topics of interest to the Scientific Committee, where collaborative research between scientists and the fishing industry could make progress.

ARK notes the Scientific Committee’s commitment to developing a feedback management approach to the krill fishery and that it is envisioned that such an approach will involve data collection by krill fishing vessels.

ARK would welcome the opportunity to become involved in discussions on how best to use the krill fishing fleet to assist the Commission in managing the krill fishery. ARK has members from Chile, Norway and Korea.

ARK looks forward to future collaboration with CCAMLR. We work actively to inform non-members about ARK and encourage non-members to become ARK members.’

9.11 The Commission expressed its appreciation to ARK for the information and the efforts of industry in contributing to the scientific work of the Commission.

## ASOC

### 9.12 The ASOC Observer made the following statement:

‘ASOC and its 20 member groups thank the Commission for the opportunity to participate in its 33rd annual meeting. ASOC has submitted six information papers that are relevant to the work of the Commission including on marine protected areas, on maintaining CCAMLR’s ambition on MPAs, on improving the management of krill fisheries, on climate change, addressing IUU fishing, and concerning vessel safety.

The objective of the CAMLR Convention is the conservation of Antarctic marine living resources. All of the Commission’s decisions concerning Southern Ocean ecosystems and their management must be considered within the context of this mandate. Designation of ecologically meaningful MPAs in the Ross Sea and East Antarctica at this meeting will mark a significant milestone in the Commission’s 2005 commitment to establish a system of MPAs across the Southern Ocean.

During the intersessional period, ASOC has been working to build public support for CCAMLR’s commitment to MPAs in East Antarctica and the Ross Sea and will continue to support the development of MPA proposals in the Antarctic Peninsula and the Weddell Sea. We are pleased to report that CCAMLR’s commitment to designating MPAs has hundreds of thousands of supporters around the world.

ASOC considers that MPA designation and fisheries management must be supported by robust science. We support the need for further scientific research in the Scotia Sea that helps to improve our knowledge on the relationships between penguins and krill, as well as the cumulative impacts of climate change and localised krill harvesting on the abundance of krill in predator foraging areas. Our members have worked with others to organise a workshop on stakeholder objectives for krill management, which was reported here.

ASOC members have also been working to support improved ecosystem-based management of the krill fishery, highlighting the role of penguins as sentinel species of ocean health. In addition ASOC Members are supporting biogeographic analysis and penguin tracking to underpin MPA development and monitoring. And some ASOC members have participated in public processes assessing sustainable fisheries.

ASOC has also been collaborating with ARK and COLTO on various initiatives over the past year. As we reported to the Scientific Committee, ASOC and two of its members, the Pew Charitable Trusts and WWF, have been working intersessionally with the krill fishing company Aker BioMarine to create a fund for supporting research and monitoring activities conducted by Members in the Antarctic krill fishery in Area 48. Aker has committed to providing US\$500 000 as an initial financial contribution to the Fund, and a first call for proposals will be made shortly after this meeting.

We note that there is a lot of important work on the agenda for the coming year, and ASOC looks forward to continued work with the Commission and Scientific Committee to make progress on these issues.’

9.13 On behalf of the Commission, the Chair expressed appreciation to ASOC for its ongoing contribution to the work of the Commission.

#### COLTO

9.14 The COLTO Observer made the following statement:

‘COLTO has been pleased again with progress at containing IUU operations, and ensuring sustainable fisheries for toothfish continue in the Convention Area, and broader. We look forward to continued cooperation with CCAMLR in refining the catch documentation system scheme, and other measures to improve traceability and sustainability of our fisheries.

To assist in that regard, COLTO members have agreed to contribute a \$1 000 reward for crews, to encourage tag returns which are critical for stock assessments, and improved understanding of the movements of toothfish. We will work with the Secretariat to ensure this is notified to all legal boats in exploratory fisheries in time for the start of the next season, and would like to also congratulate the winners of this year’s reward.

Finally, I would also like to draw attention to our joint paper with ASOC which highlighted some of the very positive actions taken in the past year to address IUU issues. I would like to note our strong support for those nations who have taken actions to prosecute and contain IUU fishing from their nationals.’

9.15 The Chair of the Scientific Committee noted to the Commission the work done by Observers on behalf of SC-CAMLR. The Commission welcomed the work currently being undertaken by the Scientific Committee in collaboration with the FAO (SC-CAMLR-XXXIII, paragraphs 10.8 to 10.10), IWC (SC-CAMLR-XXXIII, paragraphs 10.24 to 10.26), Krill stakeholder workshop (SC-CAMLR-XXXIII, paragraphs 10.27 to 10.28) and the Global Environment Facility (GEF) (SC-CAMLR-XXXIII, paragraphs 10.29 and 10.30).

9.16 The Commission welcomed the proposal for a Joint SC-CAMLR–IWC-SC Workshop on application of multi-species models of the Antarctic marine ecosystem, given its relevance to the provision of scientific advice for both Commissions, and endorsed the advice of the Scientific Committee on the development of a workshop steering group (SC-CAMLR-XXXIII, paragraphs 10.25 and 10.26).

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

9.17 The Chair introduced CCAMLR-XXXIII/BG/11 Rev. 1 and invited nominations for CCAMLR Observers to these meeting (Table 4).

9.18 The Commission noted the background papers tabled by a number of delegations and the Executive Secretary summarising the main outcomes of meetings of other organisations of interest to CCAMLR:

- CCAMLR-XXXIII/BG/04 – Report from Executive Secretary on the Thirty-first Session of the Committee on Fisheries, Rome, Italy, 9 to 13 June 2014.
- CCAMLR-XXXIII/BG/10 – Report by the CCAMLR Observer to the 10th annual meeting of SEAFO (South East Atlantic Fisheries Organisation), Swakopmund, Namibia, 9 to 13 December 2013 (Namibia).
- CCAMLR-XXXIII/BG/29 – Report by the CCAMLR Observer from the 65th International Whaling Commission, Portorož, Slovenia, 15 to 18 September 2014 (Japan).
- CCAMLR-XXXIII/BG/30 – Report from the CCAMLR Observer to the 87th Annual Meeting of the Inter American Tropical Tuna Commission (IATTC), Lima, Peru, 12 to 18 July 2014 (European Union).
- CCAMLR-XXXIII/BG/31 – Report from the CCAMLR Observer to the 18th Plenary Session of the Indian Ocean Tuna Commission (IOTC), Colombo, Sri Lanka, 1 to 5 June 2014 (European Union).
- CCAMLR-XXXIII/BG/33 – Report from the CCAMLR Observer to the 36th Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO), Vigo, Spain, 22 to 26 September 2014 (Norway).
- CCAMLR-XXXIII/BG/37 – Report from the CCAMLR Observer to the meeting of the Extended Commission for the 21st Annual Session of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Auckland, New Zealand, 13 to 16 October 2014 (Australia).
- CCAMLR-XXXIII/BG/38 – Report from the CCAMLR Observer to the Second Meeting of the Commission of the South Pacific Regional Fisheries Management Organisation (SPRFMO), Manta, Ecuador, 27 to 31 January 2014 (Chile).

## **2015 budget and forecast budget for 2016**

10.1 The Commission approved the budget for 2015 as considered in paragraph 4.4, and noted the forecast budget for 2016, as presented in Annex 7, Appendices 3 and 4 respectively.

## Other business

### Statements by Argentina and the UK

#### 11.1 Argentina made the following statement:

‘Argentina recalls that the Malvinas, South Georgias and South Sandwich Islands and the surrounding maritime areas are an integral part of the Argentine national territory, and that, being under illegal British occupation, are subject to a sovereignty dispute between the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland that is recognised by the United Nations.

Therefore, Argentina rejects any reference to those islands as being a separate entity from its national territory, thus giving them an international status that they do not have.

In light of the above, Argentina reiterates that in Statistical Subareas 48.2, 48.3 and 48.4 only the multilateral scheme of the Convention is legally applicable.

Moreover, Argentina recalls that the following actions are illegal and consequently, invalid:

- those activities carried out in the CCAMLR area by vessels registered in, or operating having its base in, the Malvinas, South Georgias and South Sandwich Islands, or flagged to alleged British authorities thereof which Argentina does not recognise; as well as:
- port inspections and inspections at sea carried out by such alleged authorities
- the issuance of, as well the clearing of, catch documents by such alleged authorities
- the imposition by them of fishing licences
- the imposition of either a British scientific observer or of an observer designated with British conformity on other Member vessels operating in the CCAMLR area
- as well as any other unilateral action taken by the abovementioned colonial authorities in those territories.

We regret that, this year, the British government presumed to undertake, once again, an illegal certification process of the sustainability of the *Dissostichus eleginoides* (Patagonian toothfish) fishery within the Argentine maritime areas surrounding the South Georgias Islands. Argentina has already objected to this illegitimate certification process.

This illegitimate certification process was carried out by the British company “Intertek Fisheries Certification” (IFC) in blatant breach of the principles and criteria (“Principles and Criteria for Sustainable Fishing”) established by the “Marine Stewardship Council” as reported by the Argentine government to the abovementioned entities.

This unilateral and illegitimate action by the UK violates CCAMLR's Convention, of which both Argentina and the United Kingdom are Parties, and which applies to the waters surrounding the South Georgia Islands (Statistical Subarea 48.3). The UK has, therefore, disregarded the call for both Parties to refrain from unilateral actions that may hinder a solution to the existing dispute in this area, as agreed at the XV Meeting of CCAMLR.

In view of the above, the Argentine Republic rejects, as expressed at the 21st CCAMLR Meeting, the illegitimate certification of sustainability of the *Dissostichus eleginoides* (Patagonian toothfish) fisheries in the South Georgia Islands, and states that by attempting to legitimise the unlawful exploitation of natural resources in the South Atlantic, the United Kingdom is exacerbating the existing sovereignty dispute between both countries by, once again, disregarding the mandate of the international community to resume the negotiations with the Argentine Republic on this issue.'

#### 11.2 The UK made the following statement:

'In response to Argentina's statement, the UK reiterates that it has no doubts about its sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and their surrounding maritime areas, as is well known to all delegates.

In that regard, the UK has no doubt about the right of the Government of the Falkland Islands to operate a shipping register for UK-flagged vessels. As the UK has stated on previous occasions, the at-sea and port inspections undertaken by the authorities of the respective governments of the UK's Overseas Territories of South Georgia and the South Sandwich Islands and the Falkland Islands were conducted pursuant to the UK's obligations under CCAMLR conservation measures and were reported to the Commission as such.

Furthermore, the UK has the right to undertake inspections within those of its jurisdictional waters that lie within Subareas 48.2, 48.3 and 48.4 in the way that it sees fit. In addition, the UK remains committed to the implementation of the Systems of Observation and Inspection of CCAMLR and its record of doing so is clearly apparent in this Commission.

The UK would reiterate its views expressed previously that it remains wholly committed to the principles and objectives of CCAMLR. It intends to ensure that the highest standards of fisheries management as well as appropriate spatial and temporal marine protection will be implemented in its jurisdictional waters – through licensing and inspections, and also through the imposition of legislation and tough management measures that are in line with, and back up, the provisions of CCAMLR.

Finally, with reference to Argentina's comments about the recertification of the South Georgia Patagonian toothfish fishery by the Marine Stewardship Council, the UK categorically rejects Argentina's assertion that the United Kingdom has in any way breached its obligations under the CCAMLR Convention or acted in any way that violates the objectives of the Convention. There are a number of fisheries in the Convention Area that are now certified by the Marine Stewardship Council. The Marine Stewardship Council is world's leading certification and ecolabelling program for sustainable seafood. It is an independent, non-profit organisation that has certified

fisheries throughout the world, including in South America. The UK is therefore very pleased that through CCAMLR and our domestic management, the South Georgia Patagonian toothfish fishery has achieved such recognition. The UK rejects any suggestion that the MSC process is anything but transparent and independent.’

11.3 Argentina rejected the statement made by the UK and reiterated its legal position, which is well known to all Members.

## **Next meeting**

### Election of officers

12.1 The Commission elected Russia to Chair the Commission meetings in 2015 and 2016. Russia advised that it will notify the Secretariat of its nomination in due course.

12.2 The Commission thanked Mr Urrutia for his cooperative and fair chairmanship and endorsed his reappointment as Chair of SCIC for a further two years.

12.3 The Commission endorsed the appointment of Mr S. Davidson (UK) as the Vice-Chair of SCAF.

### Invitation of Observers

12.4 The Commission will invite the following Observers to attend the Thirty-fourth Meeting of the Commission:

- non-Member Contracting Parties – Bulgaria, Canada, Cook Islands, Finland, Greece, Mauritius, Netherlands, Islamic Republic of Pakistan, Republic of Panama, Peru and Vanuatu
- non-Contracting Parties participating in the CDS who are involved in harvesting or landing and/or trade of toothfish – Seychelles
- non-Contracting Parties not participating in the CDS but possibly involved in harvesting, landing and/or trade of toothfish – Brunei Darussalam, Colombia, Costa Rica, Dominican Republic, Ecuador, Indonesia, Islamic Republic of Iran, Libya, Malaysia, Mali, Mexico, Mongolia, Nigeria, Philippines, Singapore, Tanzania, Thailand, Trinidad and Tobago, United Arab Emirates and Viet Nam.

12.5 The Commission agreed that Bolivia should be invited to attend CCAMLR-XXXIV as an Observer.

12.6 The Executive Secretary advised the Commission that a list of non-Contracting Parties to be invited to CCAMLR-XXXIV will be circulated to Members for comment prior to meeting invitations being issued in July 2015.

12.7 The following intergovernmental organisations will be invited to attend CCAMLR-XXXIV as Observers: ACAP, CCSBT, CEP, CITES, COMNAP, FAO, IATTC, ICCAT, IOC, IUCN, IWC, RPOA, SCAR, SCOR, SEAFO, South Indian Ocean Fisheries Agreement (SIOFA), UNEP and WCPFC.

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

#### Date and location of the next meeting

12.9 The Commission agreed that its Thirty-fourth Meeting will be held at the CCAMLR Headquarters building (181 Macquarie Street) in Hobart from 19 to 30 October 2015. Heads of Delegations were requested to be in Hobart for a meeting on the morning of 19 October 2015. The Commission agreed that SCIC and SCAF would be delegated their agenda by the Commission on the basis of the Provisional Agenda considered at the opening of CCAMLR-XXXIV.

12.10 The Commission noted that the Thirty-fourth Meeting of the Scientific Committee will be held in Hobart from 19 to 23 October 2015.

#### **Report of the Thirty-third Meeting of the Commission**

13.1 The report of the Thirty-third Meeting of the Commission was adopted.

#### **Close of meeting**

14.1 The EU made the following statement:

‘The European Union regrets the outcome of the XXXIII CCAMLR Annual Meeting as regards the East Antarctica Representative System of Marine Protected Areas – a proposal that has undergone substantial revisions in the last four CCAMLR meetings in order to address other members’ concerns; but even at this meeting we could not reach consensus. Nevertheless, we do recognise the very constructive discussions on this proposal which have been facilitated through many Members’ willingness to further engage and support additional helpful progression of the proposal.

The European Union deeply regrets that the proposal on the Ross Sea Region MPA could not be adopted.

However, we feel stronger in our determination to enable CCAMLR to pursue its goals through the establishment of a representative system of MPAs aimed at the conservation of marine living resources.

We are thankful for the numerous constructive comments and feedback we have received, which we sincerely hope will bring us closer to a comprehensive and successful conclusion in what we consider a priority topic for CCAMLR next year.’

#### 14.2 France made the following statement:

‘Needless to say, one can only be disappointed that our Commission, for the fourth time in a row, has been unable to reach consensus on proposals for marine protected areas in the Southern Ocean. The proponents of these proposals have nevertheless continued their efforts without respite in their effort to take account of the concerns of all. With regard to the East Antarctic Marine Protected Area, these efforts have resulted in additional support, and my Delegation would like to offer its warmest and most sincere thanks to those who have supported and encouraged us. Such support, notably from those States who strive for the highest standards of scientific consistency, is particularly highly prized by us, because it assists us to improve the plan, to make it more robust and, in the end, a more effective tool for the protection of the Antarctic marine ecosystem.

Of course we are disappointed, but Rome was not built in a day. Plans for marine protected areas are complex legal constructions; they require not only a deep knowledge of Antarctic law, but also an understanding of the complex dynamics of marine ecosystems, ecological principles underpinning their conservation and the threats facing them. Such plans for marine protected areas require each of us to broaden their vision to take in a complex and multifaceted reality. This is not easy, it will take time, but we think that it is now a matter of urgency.

Let us keep in mind that as regards MPAs on the high seas, we are pioneers, explorers, in international law. We have failed again this year for the fourth time. But let us think of the great Antarctic explorers and their successes. Like them, we are persevering. Like them, we work tirelessly towards our aim. But what some of us are still lacking is the courage and the audacity to say “yes”.

My Delegation is disappointed, but is also concerned about the tenor of some of the discussions we have heard here. It does seem as though a very small number of delegations do not share the same interpretation of the Convention as do the overwhelming majority. We have been frustrated we have not been able to discuss some issues of the utmost importance. We are convinced that the primary objective of CCAMLR is the conservation of Antarctic marine living resources. Like the vast majority of delegations around this table, we do not share a purely utilitarian and economic view of the Convention. We see a grave danger in such a reductionist vision, which could weaken the Convention and undermine our unity.

In conclusion, Mr Chairman, esteemed colleagues, I invite you to join me next year with an even better plan for East Antarctica.’

14.3 The Chair thanked all delegates for their patience and understanding throughout a meeting that dealt with a large number of complicated and challenging issues. He was particularly grateful to the Secretariat for the support he was given throughout his two-year term as Chair.

14.4 The USA thanked the Chair for leading the last two meetings of the Commission through difficult agendas.

14.5 The Executive Secretary drew attention to the long service of many associated with CCAMLR meetings. This included Doug and Margaret McClaren who, together, have provided the audio service to CCAMLR meetings for a combined 70 years. They commenced working with CCAMLR in 1978 when the Antarctic Treaty Consultative Parties commenced their negotiations to establish CCAMLR. He noted that several interpreters each have in excess of 20 years of association with CCAMLR meetings, that the French translation team consisting of Gillian von Bertouch, Bénédicte Graham and Floride Pavlovic had a combined total of 75 years of service to CCAMLR and that, after 20 years of service to the Spanish translation team, Ms Margarita Fernández was departing the Secretariat. He relayed the appreciation of the Commission to all those who had provided a committed and professional service to CCAMLR over an extended period of time and wished Ms Fernández best wishes in her future endeavours. He reiterated the appreciation of the Chairman to Secretariat staff, all of whom provide a highly efficient service to CCAMLR meetings.

14.6 The Chair then closed the Thirty-third Meeting of CCAMLR.

Table 1: Catch limits (tonnes) for target and by-catch species in finfish fisheries in Subareas 48.3 and 48.4 and Division 58.5.2 in 2014/15. MA – management area; ✓ – applicable.

Fishery for *Dissostichus eleginoides* in Subarea 48.3 (biennial assessment, advice carried forward from 2013)

Fishery area	Target species	By-catch species		
	<i>D. eleginoides</i>	Macrourids	Rajids	Move-on rule
MA A	0			
MA B	720	-	-	✓
MA C	1680	-	-	✓
Whole fishery	2400	120	120	✓

Fishery for *Dissostichus eleginoides* in Division 58.5.2

Fishery area	Target species	By-catch species	Move-on rule
	<i>D. eleginoides</i>		
Whole fishery	4410	Refer CM 33-02	✓

Fishery for *Dissostichus* spp. in Subarea 48.4

Fishery area	Target species	By-catch species		
	<i>Dissostichus</i> spp.	Macrourids	Rajids	Move-on rule
Whole fishery	<i>D. eleginoides</i> 42	11.2	3.5	✓
Whole fishery	<i>D. mawsoni</i> 28			

Fishery for *Champscephalus gunnari* in Subarea 48.3

Fishery area	Target species	By-catch species	Move-on rule
	<i>C. gunnari</i>		
Whole fishery	2659	Refer CM 33-01	✓

Fishery for *Champscephalus gunnari* in Division 58.5.2

Fishery area	Target species	By-catch species	Move-on rule
	<i>C. gunnari</i>		
Whole fishery	309	Refer CM 33-02	✓

Table 2: Catch limits (tonnes) for target and by-catch species in exploratory fisheries for *Dissostichus* spp. in 2014/15. By-catch limits in accordance with CM 33-03. SSRU – small-scale research unit; research blocks in parenthesis; ✓ – applicable.

Exploratory fishery for *Dissostichus* spp. in Subarea 48.6

Fishery area	Target species	By-catch species			
	<i>Dissostichus</i> spp.	Macrourids	Rajids	Other species	Move-on rule
North of 60°S	<i>D. eleginoides</i> 28	32	50	40	✓
SSRUs A, G (48.6_1, 48.6_2)	<i>D. mawsoni</i> 170				
South of 60°S	190	54	50	20	✓
SSRUs B, C (48.6_5)	50				
SSRU D (48.6_3)	100				
SSRU E (48.6_4)	0				
SSRU F	0	86	100	120	✓
Whole fishery	538				

Exploratory fishery for *Dissostichus* spp. in Division 58.4.1

Fishery area	Target species	By-catch species							
	<i>Dissostichus</i> spp.	Macrourids	Rajids	Other species	Move-on rule				
SSRUs A, B, F	0	-	-	20	✓				
SSRU C (incl. 58.4.1_1, 58.4.2_2)	257*								
SSRU D	42*								
SSRU E (58.4.1_3, 58.4.1_4)	315								
SSRU G (incl. 58.4.1_5)	68*								
SSRU H	42*								
Whole fishery	724					116	50	100	✓

\* Includes a catch limit of 42 tonnes for a depletion experiment.

Exploratory fishery for *Dissostichus* spp. in Division 58.4.2

Fishery area	Target species	By-catch species			
	<i>Dissostichus</i> spp.	Macrourids	Rajids	Other species	Move-on rule
SSRU A	30*	-	-	20	✓
SSRUs B, C, D	0				
SSRU E (including 58.4.2_1)	35				
Whole fishery	35	20	50	20	✓

\* No fishing will take place in SSRU A in 2014/15.

Exploratory fishery for *Dissostichus* spp. in Division 58.4.3a

Fishery area	Target species	By-catch species			
	<i>Dissostichus</i> spp.	Macrourids	Rajids	Other species	Move-on rule
Whole fishery (58.4.3a_1)	32	26	50	20	✓

(continued)

Table 2 (continued)

Exploratory fishery for *Dissostichus* spp. in Division 58.4.3b

Fishery area	Target species	By-catch species			Move-on rule
	<i>Dissostichus</i> spp.	Macrourids	Rajids	Other species	
Whole fishery	0				

Exploratory fishery for *Dissostichus* spp. in Subarea 88.1

Fishery area	Target species	By-catch species			Move-on rule
	<i>Dissostichus</i> spp.	Macrourids	Rajids	Other species	
SSRUs A, D, E, F, M	0				
SSRUs B, C, G	371	40	50	60	✓
SSRUs H, I, K	2 099	320	112	60	✓
SSRUs J, L	306	70	50	40	✓
Whole fishery	3 044*	430	152	160	✓

\* Includes research catch limits of 68 tonnes for the sub-adult research survey in SSRUs 881J–L and 200 tonnes for the research fishing in SSRUs 882A–B.

Exploratory fishery for *Dissostichus* spp. in Subarea 88.2 (limits apply to a period of two seasons)

Fishery area	Target species	By-catch species			Move-on rule
	<i>Dissostichus</i> spp.	Macrourids	Rajids	Other species	
SSRUs A, B, I	0				
SSRUs C–G (88.2_1–88.2_4)	419	67	50	100	✓
SSRU H	200	32	50	20	✓
Whole fishery	619	99	50	120	✓

Table 3: Access (Members and vessels) in exploratory fisheries for *Dissostichus* spp. in 2014/15.

Member and vessel name	Subarea/division where fishing has been notified					
	88.1	88.2	58.4.3a	48.6	58.4.1	58.4.2
Australia						
<i>Antarctic Chieftain</i>	✓	✓				
France						
<i>Saint André</i>			✓			
Japan						
<i>Shinsei Maru No. 3</i>	✓		✓	✓	✓	✓
Korea, Republic of						
<i>Hong Jin No. 701</i>	✓	✓				
<i>Kingstar</i>				✓	✓	✓
<i>Kostar</i>	✓	✓				
<i>Sunstar</i>	✓	✓				
New Zealand						
<i>Janas</i>	✓	✓				
<i>San Aotea II</i>	✓	✓				
<i>San Aspiring</i>	✓	✓				
Norway						
<i>Seljevaer</i>	✓	✓				
Russia						
<i>Mys Marii</i>	✓	✓				
<i>Palmer</i>	✓	✓				
<i>Yantar 31</i>	✓	✓				
<i>Yantar 35</i>	✓	✓				
<i>Yantar 33</i>	✓	✓				
South Africa						
<i>Koryo Maru No. 11</i>				✓		
Spain						
<i>Tronio</i>	✓	✓			✓	✓
Ukraine						
<i>Simeiz</i>	✓	✓				
<i>Polus 1</i>	✓	✓				
United Kingdom						
<i>Argos Froyanes</i>	✓	✓				
<i>Argos Georgia</i>	✓	✓				
Total Members	9	8	2	3	3	3
Total vessels	19	18	2	3	3	3

Table 4: List of 2015 meetings of organisations or arrangements with nominated observers for the Commission.

Entity	Dates (where available)	Venue (where available)	Observer
The Agreement for the Conservation of Albatross and Petrels (ACAP) MoP	4 to 8 May 2015	Santa Cruz, Tenerife, Spain	Australia
The Antarctic Treaty Consultative Meeting (ATCM)	1 to 10 June 2015	Sofia, Bulgaria	Executive Secretary
The Commission for the Conservation of Southern Bluefin Tuna (CCSBT)	12 to 15 October 2015 (tentative)	Yeosu, Republic of Korea (tentative)	Republic of Korea
The Food and Agriculture Organization of the United Nations (FAO) COFI	June 2016	to be confirmed	Executive Secretary
The Inter-American Tropical Tuna Commission (IATTC)	June/July 2015 (tentative)	to be determined	EU
The International Commission for the Conservation of Atlantic Tunas (ICCAT)	10 to 17 November 2014	Genoa, Italy	EU
The Intergovernmental Oceanographic Commission (IOC)	18 to 25 June 2015	Paris, France	France
The Indian Ocean Tuna Commission (IOTC)	8 to 12 December 2014	Victoria, Seychelles	EU
The World Conservation Union (IUCN)	no information for 2015		
The International Whaling Commission (IWC)	2016		Japan
The Northwest Atlantic Fisheries Organization (NAFO)	no information for 2015		Norway
The North East Atlantic Fisheries Commission (NEAFC)	10 to 14 November 2014	London, UK	Norway
The South East Atlantic Fisheries Organisation (SEAFO)	1 to 5 December 2014	Windhoek, Namibia	Namibia
The South Indian Ocean Fisheries Agreement (SIOFA)			Australia
The South Pacific Regional Fisheries Management Organisation (SPRFMO)	2 to 6 February 2015	New Zealand	Chile
The United Nations Environment Programme (UNEP)	no information for 2015		
The Commission for the Conservation and Management of the Highly Migratory Fish Stocks of the Western and Central Pacific Ocean (WCPFC)	1 to 5 December 2014	Apia, Samoa	USA

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Dr Sandra Hale  
Mr Alexey Ivacheff  
Ms Isabel Lira  
Ms Silvia Martínez  
Mr Marc Orlando  
Ms Maria Laura Speziali  
Dr Ludmila Stern  
Mr Philippe Tanguy  
Ms Irene Ulman  
Dr Emy Watt



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CCAMLR-XXXIII/12 Rev. 2	Guiding Principles supporting sound management of CCAMLR finances Intersessional Correspondence Group – Sustainable Finance

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CCAMLR-XXXIII/BG/05	Summary report Thirty-Seventh Antarctic Treaty Consultative Meeting (Brasilia, Brazil, 28 April to 7 May, 2014) Executive Secretary
CCAMLR-XXXIII/BG/06	A review of CCAMLR's translation services: Intersessional Correspondence Group – Sustainable Finance
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- CCAMLR-XXXIII/BG/30 Report from the CCAMLR Observer (European Union) to the 87th Annual Meeting of the Inter American Tropical Tuna Commission (IATTC)  
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- CCAMLR-XXXIII/BG/32 Summary of activities of the Commission during the 2013/14 intersessional period  
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- CCAMLR-XXXIII/BG/39 Compilation of discussion on the issue of flexibility associated with research blocks where ice cover impedes research fishing  
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CCAMLR-XXXIII/BG/40 EARSMPA proposal: current thinking – 29 October 2014  
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SC-CAMLR-XXXIII/01 The South Orkney Islands Southern Shelf Marine Protected  
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SC-CAMLR-XXXIII/02 Designation of an MPA in East Antarctica  
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SC-CAMLR-XXXIII/03 Report of the Working Group on Ecosystem Monitoring and  
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SC-CAMLR-XXXIII/04 Report of the Working Group on Fish Stock Assessment  
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SC-CAMLR-XXXIII/05 Report of the Working Group on Statistics, Assessments and  
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SC-CAMLR-XXXIII/08 Progress report on the scientific basis in support of the  
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SC-CAMLR-XXXIII/09 Assignment of research catch limits for effort-limited  
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SC-CAMLR-XXXIII/11      Research and monitoring plan for the South Orkney Islands southern shelf marine protected area (MPA Planning Domain 1, Subarea 48.2)  
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SC-CAMLR-XXXIII/BG/01      Catches in the Convention Area  
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SC-CAMLR-XXXIII/BG/05      Preliminary assessment of the potential for proposed bottom-fishing activities to have significant adverse impacts on vulnerable marine ecosystems  
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SC-CAMLR-XXXIII/BG/15	APIS II: A new circumpolar assessment of the status and trends of Antarctic pack-ice seals based on satellite remote sensing Submitted by SCAR
SC-CAMLR-XXXIII/BG/16	Calendar of meetings of relevance to the Scientific Committee in 2014/15 Secretariat
SC-CAMLR-XXXIII/BG/17	The Scientific Committee on Antarctic Research (SCAR) Annual Report 2013/14 Submitted by SCAR
SC-CAMLR-XXXIII/BG/18	On development of centralised preparation and accreditation scheme for scientific observers and CCAMLR Member countries Delegation of the Russian Federation

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SC-CAMLR-XXXIII/BG/21	ARK Workshop for Krill Fishery Representatives and the Scientific Community to Share Information on Krill (5 and 6 July 2014, Punta Arenas, Chile) Submitted by ARK
SC-CAMLR-XXXIII/BG/22	Observer's Report for the 2014 Annual Meeting of the Scientific Committee of the International Whaling Commission (Bled, Slovenia, 12 to 24 May 2014) CCAMLR Observer (R. Currey, New Zealand)
SC-CAMLR-XXXIII/BG/23 Rev. 1	Chronology of previously submitted scientific documents, and updated maps and analyses supporting MPA planning in the Ross Sea region Delegations of New Zealand and the USA
SC-CAMLR-XXXIII/BG/24	New research consistent with a proposed draft Research and Monitoring Plan for a Ross Sea region MPA Delegations of New Zealand and the USA
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SC-CAMLR-XXXIII/BG/31	Marine debris and entanglements at Bird Island and King Edward Point, South Georgia, Signy Island, South Orkneys and Goudier Island, Antarctic Peninsula 2013–2014 Delegation of the United Kingdom
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SC-CAMLR-XXXIII/BG/34	Bridging the krill divide: understanding cross-sector objectives for krill fishing and conservation Report of an ICED-BAS-WWF workshop on Understanding the Objectives for Krill Fishing and Conservation in the Scotia Sea and Antarctic Peninsula Region held at WWF’s Living Planet Centre, Woking, UK, 9th and 10th June 2014 United Kingdom, Norway, Chile, ASOC and ARK
SC-CAMLR-XXXIII/BG/35	Report to the Scientific Committee of CCAMLR by the Association of Responsible Krill Fishing Companies (ARK) Submitted by ARK
SC-CAMLR-XXXIII/BG/36	Update on the ABNJ Deep Seas Project Submitted by the FAO and CCAMLR Secretariats
SC-CAMLR-XXXIII/BG/37 Rev. 1	Proposal for GEF (Global Environment Facility) funding to support capacity building and training to the GEF-eligible CCAMLR Members Delegation of South Africa
SC-CAMLR-XXXIII/BG/38	East Antarctica Planning Domain MPA Planning Reference Document #1: Draft MPA Report Part 1 – the Planning Domain and Candidate MPAs Delegations of Australia and France

- SC-CAMLR-XXXIII/BG/39 East Antarctica Planning Domain MPA Planning Reference Document #2: Draft MPA Report Part 2 – Descriptions of the proposed EARSMPA, the four highlighted MPAs and Activities in the Planning Domain  
Delegations of Australia and France
- SC-CAMLR-XXXIII/BG/40 East Antarctica Planning Domain MPA Planning Reference Document #3: Draft MPA Report Part 3 – Research and Monitoring (update of SC-CAMLR-IM-I/BG/01)  
Delegations of Australia, France and the European Union
- SC-CAMLR-XXXIII/BG/41 Relative densities of early Euphausiid larvae in the Weddell-Scotia Confluence  
Delegation of Argentina

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#### Other Documents

- SC-CAMLR-XXXII/07  
Rev. 1 Review of the CCAMLR Scheme of International Scientific Observation (26 to 30 August 2013, CCAMLR Headquarters, Hobart, Tasmania)  
CCAMLR SISO Review Panel
- SC-CAMLR-XXXII/09 Formalising the invitation and management of experts and observers to meetings of CCAMLR Scientific Committee subsidiary bodies  
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**Opening address by the Lieutenant Governor of Tasmania,  
His Excellency the Honourable Chief Justice Alan Blow OAM**



**Opening address by the Lieutenant Governor of Tasmania,  
His Excellency the Honourable Chief Justice Alan Blow OAM**

‘Thank you, Chairman, for your introduction.

Mr Chairman, Distinguished Delegates, Ladies and Gentlemen.

I am honoured to welcome you to Hobart and Tasmania for the Thirty-third Meeting of the Commission.

As you know, this is the first time that I have had this privilege. It comes to me unexpectedly following the untimely passing of our highly regarded and treasured previous Governor of Tasmania, the Honourable Peter Underwood AC.

I understand that His Excellency opened your annual session here in Hobart on six occasions. He took a keen personal interest in the Antarctic in general but particularly the work of CCAMLR with its home base, so to speak, here in Hobart.

His Excellency’s family and those associated with the Vice-Regal Office were deeply humbled by the condolence messages received from the CCAMLR community around the world following his passing. We thank you for your sympathies – they were highly valued by us.

I share His Excellency’s enthusiasm and passion for the Antarctic and particularly Hobart’s important role in Antarctic affairs here in Australia. Many of you have a long history of association with CCAMLR and will have visited Hobart on the occasion of the annual meeting several times in the past. You will be aware that Hobart prides itself on its connection to the Antarctic through its historical, logistical and academic links.

While I am aware that CCAMLR has an extremely important role within the Antarctic community in Hobart, I personally look forward with great interest to learning more about your work.

The demanding agenda that you have set yourselves for the next two weeks is a reflection of the ongoing challenges that we collectively face in monitoring, and responsibly responding to, human activities and natural changes that are taking place in the Antarctic marine environment. The fullness of your agenda is also a reflection of the commitment CCAMLR Members have traditionally applied to addressing such challenges as they have presented themselves since the Commission was established 34 years ago.

I read with much interest the article published in *Nature* in early August this year regarding future scientific priorities for Antarctic research: ‘Polar research: six priorities for Antarctic science’. The article was the result of an initiative by the Scientific Committee on Antarctic Research (SCAR).<sup>1</sup>

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<sup>1</sup> (For reference: [www.nature.com/news/polar-research-six-priorities-for-antarctic-science-1.15658](http://www.nature.com/news/polar-research-six-priorities-for-antarctic-science-1.15658)).

In April this year SCAR brought together scientists and policy-makers from more than 20 countries to debate the priorities for Antarctic research for the next two decades and beyond. Some of you here today no doubt participated in this exciting and extremely useful exercise.

As I understand it, the SCAR Science Horizon Scan was the first time that the international Antarctic community has formulated a collective vision on priority issues that need our increased attention. From a long list of candidate questions the group refined priorities to 80 key questions which were grouped across six broad themes.

Some of those themes are quite obvious and not unexpected – improved understanding of the Antarctic atmosphere and Southern Ocean ecosystem, and relationships to global environmental processes including climate change. Others are probably not as well known and include complex areas such as ice dynamics, geological history, the evolution of life in the Antarctic, and how it survives, and, of direct relevance to CCAMLR, recognising and mitigating human impact.

The scan noted several other items of particular interest. These included the number of countries actively involved in Antarctic affairs, a gradual shrinking of resources available to support Antarctic activities for many countries and a call for increased international collaboration in the Antarctic across a wide range of areas.

In relation to marine resources and the Antarctic marine ecosystem, CCAMLR has an enviable history of multilateral collaborative effort and cooperation. CCAMLR works both independently and in a complementary manner to supplement efforts elsewhere in the Antarctic Treaty family to provide robust environmental stewardship, promoting conservation while supporting the science-based development of sustainable fisheries.

I know that, for several years, the relative impacts of climate change and activities such as fishing have been the topic of wide-ranging discussions in CCAMLR. I understand that this has focused on krill – a resource that was at the centre of considerations in the establishment of CCAMLR more than 30 years ago. The relevance of this work today simply underscores the foresight and vision among those responsible for negotiating the CCAMLR arrangement in the period between 1976 and 1982 after which CCAMLR formally came into being. I encourage you to advance this work as a priority matter.

Before closing, I would like to emphasise the interest that I and many in the Hobart community have in the work that you undertake in CCAMLR, and I very much look forward to learning the outcomes of your deliberations. I look forward to being able to discuss progress with you on Tuesday evening next week when I will welcome you all to Government House.

Distinguished Delegates, Ladies and Gentlemen, I wish you success in your work ahead and hope that your meetings are productive. Of course I hope that you have a little time to enjoy the scenery and hospitality that Tasmania has to offer.'

**Agenda for the Thirty-third Meeting of the Commission**



**Agenda for the Thirty-Third Meeting  
of the Commission for the Conservation  
of Antarctic Marine Living Resources**

1. Opening of meeting
2. Organisation of meeting
  - 2.1 Adoption of agenda
  - 2.2 Chair's Report
3. Implementation and compliance
  - 3.1 Review of compliance and implementation-related measures and policies
    - 3.1.1 Compliance evaluation procedure
    - 3.1.2 Compliance with conservation measures in force
      - 3.1.2.1 Catch Documentation Scheme (CDS)
      - 3.1.2.2 System of Inspection
      - 3.1.2.3 Vessel Monitoring System (VMS)
    - 3.1.3 Proposals for new and revised measures
  - 3.2 IUU fishing in Convention Area
    - 3.2.1 Current level of IUU fishing
    - 3.2.2 IUU Vessel Lists
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- 8. Implementation of Convention objectives
- 9. Cooperation with Antarctic Treaty System and international organisations
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      - 9.2.4 Cooperation with RFMOs
- 10. 2015 budget and forecast budget for 2016
- 11. Other business
- 12. Next meeting
    - 12.1 Election of officers
    - 12.2 Invitation of Observers
    - 12.3 Date and location
- 13. Report of Thirty-third Meeting of Commission
- 14. Close of meeting.

**Summary of activities of the Commission during the  
2013/14 intersessional period – Report of the Chair**



## **Summary of activities of the Commission during the 2013/14 intersessional period – Report of the Chair**

### **Intersessional meetings**

1. The Subgroup on Acoustic Survey and Analysis Methods (SG-ASAM) met at Shanghai Open University, Qingdao, People's Republic of China, in April and the meetings of the Working Group on Statistics, Assessments and Modelling (WG-SAM) and the Working Group on Ecosystem Monitoring and Management (WG-EMM) took place at Punta Arenas, Chile, in June/July 2014. On behalf of participants, the Chair joins the Secretariat in expressing gratitude to the hosts of these meetings for their expert support and facilities. WG-FSA was hosted at the CCAMLR Headquarters over two weeks from early October 2014.

### **CCAMLR System of Inspection and Scheme of International Scientific Observation (SISO)**

2. As of 1 October 2014, 148 inspectors were designated by Australia, Chile, France, New Zealand and the UK. Twenty-two at-sea inspections were reported to have been conducted by New Zealand- and UK-designated inspectors in Subareas 48.3 and 88.1. The outcomes of these inspections will be considered through the Compliance Evaluation Procedure (2012 – 31 July 2014) at CCAMLR-XXXIII.

3. As of 1 October 2014, 91 port inspections were reported to have been conducted by Chile, France, the Republic of Korea, Mauritius, New Zealand, South Africa, the UK and Uruguay.

4. At CCAMLR-XXXI, the Commission adopted Conservation Measure (CM) 10-10 for the implementation of CCAMLR's Compliance Evaluation Procedure (CCEP). This is the second year of its implementation. The CCEP is an important development for CCAMLR as it addresses possible non-compliance in an open and transparent manner and seeks to further strengthen CCAMLR's conservation measures.

5. During the 2013/14 season, 80<sup>1</sup> scientific observers appointed in accordance with the SISO were deployed: 44 on longline vessels, 7 on trawl vessels fishing for icefish and 29 on vessels fishing for krill. Of these 80 deployments, 53 were international observers and 27 were national observers. Overall the deployment of observers in 2013/14 involved 13 Receiving Members (i.e. Members with a SISO-appointed observer on their vessel) and 6 Designating Members (i.e. Members who provided SISO-appointed observers with a different nationality to the vessel's Flag State).

6. In June 2014 Australia submitted its observer training program for accreditation under the CCAMLR Observer Training Program Accreditation Scheme (COTPAS). The Secretariat

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<sup>1</sup> Observers that began their deployment after 1 December 2013.

has undertaken an initial review of the technical content of the program and this will be submitted to the Technical Peer Review Group for confirmation as per the instructions agreed in SC-CAMLR-XXX/08.

### **CCAMLR-regulated fisheries**

7. CCAMLR Members participated in fisheries targeting icefish, toothfish and krill during the 2013/14 season (1 December 2013 to 30 November 2014) and activities are summarised in CCAMLR-XXXIII/BG/01. Fourteen Members fished: Australia, Chile, People's Republic of China, France, Japan, Republic of Korea, New Zealand, Norway, Russian Federation, South Africa, Spain, UK, Ukraine and Uruguay.

8. As of 20 September 2014, Members reported a total catch of 285 028 tonnes of krill, 11 590 tonnes of toothfish and 1 131 tonnes of icefish from the Convention Area. A number of other species have been taken as by-catch and catches are summarised in SC-CAMLR-XXXIII/BG/01.

9. The Secretariat monitored all CCAMLR fisheries using catch and effort reports and notifications of vessel movements, which it uses to advise Members and vessels of the closure of areas and fisheries. In 2013/14, six fishery management areas were closed by the Secretariat and these closures were triggered by catches of the target species approaching the relevant catch limits; the catch limits for *Dissostichus* spp. in Subarea 88.2 were exceeded. As of early October 2014, fishing was still in progress in some fisheries and some forecasted closures remain under review.

### **Catch Documentation Scheme for *Dissostichus* spp.**

10. CCAMLR's Catch Documentation Scheme (CDS) was implemented in May 2000 in accordance with CM 10-05. The CDS was designed to track *Dissostichus* spp. from the point of landing throughout the trade cycle and seeks to encompass all *Dissostichus* spp. caught and traded by participating States.

11. Since its implementation, the CDS has expanded to include 30 Contracting Parties and non-Contracting Parties with 64 CDS Contact Officers currently authorised by participating States for 2014.

12. As of 12 September 2014, the CDS database contained 60 787 catch, export and re-export documents.

13. Non-Contracting Parties not cooperating with CCAMLR by participating in the CDS identified through the CDS to possibly be involved in the harvest and/or trade of toothfish in 2014 include: Colombia, Dominican Republic, Ecuador, Malaysia, Mexico, Philippines, Thailand, Trinidad and Tobago, United Arab Emirates and Viet Nam.

14. During the year, CCAMLR formally approached non-Contracting Parties not cooperating with CCAMLR that may be involved in the harvest and/or trade of toothfish to seek their cooperation and to provide data regarding the trade of toothfish. In 2013/14, the Philippines and Ecuador<sup>2</sup> formally replied to CCAMLR's correspondence.

15. Since CCAMLR-XXX the Secretariat has developed and implemented a range of features to the electronic Catch Documentation Scheme (e-CDS). This work has been made possible by the new technology employed for the recent website development and has added considerable functionality and security to the scheme.

16. In May 2014, the CDS Review Panel undertook an independent review of CCAMLR's CDS and CM 10-05 (CCAMLR-XXXIII/09 Rev. 1). The Review Panel developed a number of recommendations to improve the implementation and operation of the CDS including recommendations for the user interface and technology of the CDS and ways to promote non-Contracting Party (NCP) cooperation, as well as amendments to CM 10-05 and the accompanying CDS User Manual. The report of the panel will be considered by SCIC.

## **VMS**

17. The VMS continues to be implemented under CM 10-04. All vessels licensed to fish in the CAMLR Convention Area are required to regularly report positions to their Flag State Fisheries Monitoring Centre. Most vessels also voluntarily report directly to the Secretariat in real time. In addition, a number of vessels that catch toothfish outside the Convention Area also voluntarily report to CCAMLR. In 2013/14, 48 vessels operating inside the Convention Area and over 300 vessels operating outside it reported to CCAMLR's VMS.

18. In April 2014, the VMS Technical Working Group (VMS TWG), with the Secretariat, advertised its VMS Request for Tender (RFT). Eight responses were received for the RFT by the closing date 13 June 2014. The VMS TWG evaluated the RFT responses received and agreed to recommend a preferred VMS (CCAMLR-XXXIII/14 Rev. 1, paragraph 7).

19. The VMS TWG worked to provide recommendations to SCIC regarding amendments for CM 10-04 (CCAMLR-XXXIII/BG/07). The VMS TWG has requested additional time to continue the review of CM 10-04 intersessionally in 2015 for further consideration by SCIC.

## **Illegal, unreported and unregulated (IUU) fishing**

20. There have been no new vessels proposed for inclusion on the NCP-IUU Vessel List for 2014/15 and no new vessels proposed for inclusion on the CP-IUU Vessel List for 2014/15. No vessels have had information submitted in respect to their possible removal from the NCP-IUU Vessel List.

21. The Secretariat wrote to the Flag States of vessels included on the NCP-IUU Vessel List and sighted during 2013/14. Only Tanzania and Mali formally replied to the Secretariat's correspondence.

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<sup>2</sup> Ecuador replied to correspondence sent during the 2012/13 season.

22. In 2013, the Secretariat consolidated all available data related to IUU (and probable IUU) activity to provide an overview of the potential spatial and temporal distribution of IUU activity in the CAMLR Convention Area in recent years (CCAMLR-XXXII/BG/09 Rev. 1). In 2014, the Secretariat provided a spatial characterisation of IUU activity in the Convention Area for 2014 (CCAMLR-XXXIII/BG/28 Rev. 1). The summary provided by the Secretariat used all available information, including Members' sighting reports, SISO data and Automatic Identification System (AIS) data. The data included sightings reported from the Indian Ocean sector and the presence of vessels and gear in Subarea 48.6 that indicate that IUU trends for 2014 are similar to those reported in 2013.

### **Commission representation at meetings of other organisations**

23. The Commission was represented at meetings of the following international organisations and programs in 2013/14: ACAP, ATCM, CCSBT, FAO, IATTC, ICCAT, IOC, IOTC, IUCN, IWC, NAFO, SEAFO, SPRFMO, UNEP and WCPFC. CCAMLR-XXXIII will consider reports from the CCAMLR Observers at these meetings under Agenda Item 9.2.

### **Membership**

24. Australia will report on the Status of the Convention.

### **Secretariat**

25. The Secretariat continued to provide quarterly financial and investment reports to Members. Throughout the year, support was provided to the Intersessional Correspondence Group – Sustainable Finance which, among other tasks, completed a comprehensive review of the Secretariat's translation services.

26. A report on the third year of implementation for the Strategic Plan (2012–2014) and its associated Staffing and Salary Strategy will also be considered by SCAF. A revised Strategic Plan, and associated Staffing and Salary Strategy, to service the period 2015 to 2018 has been prepared for the consideration of CCAMLR-XXXIII (CCAMLR-XXXIII/13).

27. The Secretariat continues development of the Commission's website and virtual infrastructure. Major projects completed during the year included the implementation of an online system for fishery notifications for new, exploratory and krill fisheries, the CCAMLR geographic information system (GIS) and the development of advanced user access to online services, including e-group facilities. E-groups supported intersessional communication for 10 separate activities involving many CCAMLR Members. An online archive of CCAMLR conservation measures in the four official languages of the Commission was also completed with the assistance of an intern.

28. The Secretariat has also worked to develop an individual-based krill model in order to optimise the use of observer data in ecosystem assessments and has facilitated the

development of a Draft Arrangement that could support the release of CCAMLR VMS data to support search-and-rescue operations in the CAMLR Convention Area. During the 2013/14 period, the Secretariat hosted nine interns (see CCAMLR-XXXIII/BG/03).



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

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

### **Implementation and compliance**

#### Compliance Evaluation Procedure

1. SCIC considered CCAMLR-XXXIII/08 Rev. 1, which reported on the second year of implementation of the CCAMLR Compliance Evaluation Procedure (CCEP) Conservation Measure (CM) 10-10 and includes the Summary CCAMLR Compliance Report for 2013/14.
2. SCIC noted that Members' Draft Compliance Reports cover the period from 1 August 2013 to 31 July 2014 and reported on the implementation of nine conservation measures: 10-01, 10-02, 10-03, 10-04, 10-09, 23-06, 25-02, 26-01 and 41-02. SCIC noted that, in compiling information for the Draft CCAMLR Compliance Reports for Members, the Secretariat used data submitted under compliance- and data-related conservation measures, the Catch Documentation Scheme for *Dissostichus* spp. (CDS), Vessel Monitoring System (VMS) and the System of Inspection and the Scheme of International Scientific Observation (SISO).
3. SCIC recalled that in accordance with CM 10-10, paragraph 3(ii), it will adopt, by consensus, a Provisional CCAMLR Compliance Report. The provisional report shall include an assessment of compliance status, in accordance with CM 10-10, Annex 10-10/B, as well as recommendations on remedial action, amendments to conservation measures, priority obligations and any other responsive action.
4. SCIC reviewed Draft Compliance Reports from Members, who were provided with the opportunity to present supporting information for each issue reported in relation to the implementation of conservation measures.
5. SCIC agreed that issues may be linked to multiple status categories (e.g. compliant, additional information required), noting that other information required may include a review of a conservation measure to address any technical impediments to implementation. SCIC also agreed to include comments where required and to note issues where a particular status could not be agreed by all Members.
6. Australia was invited to comment on its Draft Compliance Report, which included a single issue relating to the implementation of CM 10-03, when a vessel was not inspected in the port of Albany within the required 48 hours (CM 10-03, paragraph 5). Australia commented that the inspection was not conducted within the specified time frame due to logistical reasons and the need to adhere to occupational health and safety regulations. In response, Australia has conducted a review of the instance, recognising the importance of complying with this measure.
7. The EU thanked Australia for its explanation and highlighted the need to make endeavours for the timely inspection of vessels in this and other similar cases reported in the Draft Compliance Reports.

8. SCIC agreed that this single reported instance relating to the implementation of CM 10-03 by Australia should be categorised as partially compliant with no further action required.

9. Chile was invited to comment on its Draft Compliance Report, which included issues relating to the implementation of CM 10-02, where licence notifications were not submitted within seven days of licence issuance for the *Diego Ramirez* and *Cabo de Hornos* (CM 10-02, paragraph 3). Chile regretted the breach of the measure and advised SCIC that it has established internal controls to prevent future occurrences.

10. Chile was invited to comment on the Draft Compliance Report, which included issues relating to the implementation of CM 10-03, where port inspection reports were not received by the Secretariat within the required time frame for three vessels, *Antarctic Bay*, *Globalpesca II* and *Globalpesca III*, that reported landings in Chilean ports. Chile has revised internal procedures in order to improve interactions with the Secretariat.

11. Chile also discussed issues relating to the implementation of CM 10-03, where vessels were not inspected within 48 hours of entry into the port of Punta Arenas. Chile indicated that in both cases the lateness of the inspections were recorded in the respective inspection reports and were due to circumstances beyond the enforcement agency's control.

12. SCIC agreed that Chile's issues related to the implementation of CM 10-02 and CM 10-03 should be categorised as partially compliant with no further action required.

13. Chile was invited to comment on issues relating to the implementation of CM 25-02, which was linked to a high seabird mortality event for the vessel *Antarctic Bay*. Chile advised SCIC that this was a clear case of non-compliance and compromised the conservation measures adopted by CCAMLR, further referencing the discussion of this event at the Working Group for Fish Stock Assessment (SC-CAMLR-XXXIII, Annex 7, paragraphs 8.22 to 8.23). Chile reported that although another Member had already imposed the fine for this incident, Chilean authorities had launched their own investigation.

14. Several Members thanked Chile for its comments and expressed concern over the high seabird mortality related to this incident. Members encouraged Chile to finalise the investigation and impose sanctions in a timely manner, reporting back to the Commission during the intersessional period in preparation for further discussion at CCAMLR-XXXIV.

15. Chile noted that the issue detailed in its Draft Compliance Report in relation to the implementation of CM 25-02 for streamer line deployment was linked to the previous issue with the *Antarctic Bay* and that both issues were under investigation.

16. SCIC agreed that the two events reported relating to Chile's implementation of CM 25-02 should be categorised as non-compliant and that further information was required from Chile, in the form of the outcome of Chile's investigation.

17. China was invited to comment on issues relating to the implementation of CM 10-04, concerning delayed submission of VMS data by the *Fu Rong Hai* on two occasions. China advised SCIC of the following:

‘During 2012/13 fishing season, the vessel *Fu Rong Hai* entered and exited Convention Area for three times. The first one happened between 3 January 2013

and 1 February 2013. After the first leave on 1 February, *Fu Rong Hai* returned to Convention Area on 7 February and left again on 31 March. The vessel re-entered the Convention Area on 13 April, and continued its fishing in the Convention Area until 4 September 2013. The VMS report of the vessel for the whole fishing season of 2012/13 reached Secretariat on 10 October 2013.

In the fishing season 2012/13, the vessel *Fu Rong Hai* had fulfilled the requirements of Conservation Measure 10-04, including reporting its VMS data and movements notifications as required. Each movement notification including the entry, exit and movements between subareas was reported to CCAMLR in due time according to CM 10-04. The VMS data of the vessel of the whole season were integrated in one mail and submitted on 10 October 2013, which was actually 16 working days after the last exit date of *Fu Rong Hai*.

There are two technical errors happened for this case as to CM 10-04. One is misunderstanding of the word “departure”; the other is the report submitted just 16 days later after exit, which is about 6 days delayed as to terms of not later than 10 days after exit in CM 10-04, taking account of Chinese holidays, rather than a 6-month delay in CCAMLR-XXXIII/08 Rev. 1. The delayed report is the result of several factors, such as personnel replacement, malfunction of mailbox and Chinese traditional holidays in October.

Here we would like to highlight two points. One is the similarity of this case with the first case; another is the fact that there is no compliance issue with regard to fishing vessel *Fu Rong Hai*. As explained before, the delay happened due to several reasons unintentionally. After all, the objective of CM 10-04 and CM 10-10 relates to enhancement the capacity of States’ control over vessels and deterrence of IUU fishing. As far as *Fu Rong Hai* is concerned, we think the delayed VMS report was not the fault of the vessel. Therefore we do not agree that this is a non-compliance issue for the vessel *Fu Rong Hai*.

In the personal view of Dr Tang, partial compliance could be agreeable for the purpose of compliance evaluation of the Commission.’

18. Many Members noted that the meaning of ‘departure’ as contained in CM 10-04 was clear and that the significant delay of seven months for one instance was cause for concern.
19. China noted that in its interpretation of departure as the end of a fishing campaign, the VMS data was only submitted six days late.
20. Some Members suggested that insufficient information had been provided by China to satisfactorily explain the incident. The USA noted that given that the vessel had reported its exits from the Convention Area it seems unclear as to why VMS data was submitted seven months late.
21. SCIC agreed that both instances reported relating to China’s implementation of CM 10-04 should be classified as partially compliant with no further action required.
22. China was invited to comment on three issues relating to the implementation of CM 10-09, in which transshipment notifications were reported late for the *Kai Yu* and *Kai Li*

due to conditions at sea, similar to partially compliant events reported at CCAMLR-XXXII (CCAMLR-XXXII, Annex 6, paragraph 107). China reported that the company responsible received information regarding strict implementation of CM 10-09 and China further advised that annual training exercises had been organised to improve compliance by Chinese fishing vessels operating in the Convention Area.

23. SCIC supported a proposal by the UK to review CM 10-09 to consider improving requirements for tracking and monitoring transshipments.

24. SCIC agreed that for the three instances reported relating to China's implementation CM 10-09, a status of partially compliant was appropriate with no further action required.

25. France was invited to comment on issues relating to the implementation of CM 10-02, in which there was a delayed issuance of a fishing licence by France for the *Saint André*. France regretted the late issue due to an administrative error and expressed its commitment to remain compliant and vigilant with notification dates.

26. SCIC thanked France and noted that it had taken appropriate steps to address the incident. SCIC agreed that for the single issue reported relating to France's implementation of CM 10-02, a status of partially compliant was appropriate with no further action required.

27. Korea was invited to comment on issues relating to the implementation of CM 10-09, in which a transshipment notification was submitted late by the *Sejong* due to a schedule change that was beyond the control of the vessel.

28. SCIC agreed that for the single instance reported relating to Korea's implementation of CM 10-09, a status of partially compliant was appropriate with no further action required.

29. Korea was invited to comment on issues relating to the implementation of CM 23-06, when the submission of haul-by-haul data by the *Kwang Ja Ho* was delayed due to administrative errors. Korea explained that errors were made on the part of the vessel and that Korea had taken remedial action to minimise the possible reoccurrence of events of this nature in the future.

30. SCIC agreed that for the single instance reported relating to Korea's implementation of CM 23-06, a status of partially compliant was appropriate with no further action required.

31. Norway was invited to comment on issues relating to the implementation of CM 10-01. It was noted by SCIC that there was no issue in relation to this conservation measure as the buoys that were identified by inspectors as not being marked in the correct way were not in fact used to mark fishing gear.

32. SCIC agreed that the issue regarding Norway's implementation of CM 10-01 should not be included in the Provisional CCAMLR Compliance Report.

33. Norway was invited to comment on issues relating to the implementation of CM 10-04, where an inspection of the *Seljevaer* found that the seal on the VMS unit was broken. Norway advised SCIC that its authorities had issued a warning and considers this a case of non-compliance.

34. SCIC agreed that for the single instance reported relating to Norway's implementation of CM 10-04, a status of non-compliant was appropriate with no further action required.

35. Norway was invited to comment on issues relating to the implementation of CM 10-04, where an inspection found that the antenna of the VMS was not sealed on the *Juvel*. Norway advised SCIC that it received confirmation from the vessel that the original seal on the system was intact. Norway explained that its regulations do not require the VMS antennae to be sealed, and that up until this point in time, Norwegian authorities understood Norwegian regulations were consistent with the requirements of CM 10-04.

36. Chile noted that after similar cases were discussed at CCAMLR-XXXII its enforcement agency had resorted to taking photographs during inspections, considering they provide a useful means to illustrate findings recorded in the inspector's report.

37. Chile expressed its concern that some Members consistently seek to undermine the credibility of the inspectors' findings and their reports. Chile also indicated that these attempts have a negative impact on the effectiveness of the System of Inspection.

38. Chile, as the inspectorate nation, provided photographic evidence to SCIC of what Chile stated was the non-sealed VMS antenna on the *Juvel*. Chile explained that because the VMS antenna is the mechanism that emits a signal, it is of the utmost importance that it is sealed.

39. Chile also encouraged cooperation between Flag States and Port States to increase communication regarding inspections.

40. SCIC agreed that the issue reported relating to Norway's implementation of CM 10-04 was a case of ambiguity in the CM and considered that a compliance status of additional information required was appropriate, and that further action was required to clarify CM 10-04, through the intersessional work of the VMS Technical Working Group (TWG).

41. SCIC also agreed that CM 10-03 should be revised to encourage inspectors to include photographs, where possible, and forwarded CM 10-03 to the Commission.

42. Many Members noted that at CCAMLR-XXXII, the Members' Draft Compliance Reports had been considered by conservation measure and this provided a greater opportunity to identify issues relating to the implementation of conservation measures. SCIC agreed that in subsequent years, this approach be taken.

43. New Zealand asserted that as an inspecting authority, there is no way to amend or even comment on an inspection form if a mistake is made and that the final verdict of an inspection report is solely up to the inspector. New Zealand was concerned because in many cases inspectors are forced to decide if a VMS unit is compliant when many inspectors are not adequately trained in regard to all technology contained on modern fishing vessels. New Zealand suggested that inspecting parties should be afforded an opportunity to comment on their own inspection forms.

44. Russia was invited to comment on issues relating to the implementation of CM 10-01, where the markings of the vessel *Sparta* did not comply as they were 0.22 metres high and not the required 1.0 metre. Russia reported that the owner of the vessel had been advised that the markings were not adequate and that remedial action had been taken to ensure the vessel

markings were compliant. Russia noted that all other markings did conform to required standards and that all corresponding information has been in accordance with the ship register. Russia noted that the criteria for marking, related to the height of the vessel, meant that crew can make errors regarding the correct proportion for the size of vessel markings.

45. Several Members considered this was not a minor issue since a lack of markings could make vessel identification difficult.

46. SCIC agreed that this single instance relating to the implementation of CM 10-01 by Russia should be categorised as partially compliant and that CM 10-01 required review.

47. SCIC agreed that CM 10-01 should be revised to reflect the text of the FAO Standard Specifications and Guidelines for the Marking and Identification of Fishing Vessels and forwarded CM 10-01 to the Commission.

48. Russia was invited to comment on issues relating to the implementation of CM 10-04, where an inspection found the seal on the VMS unit to be broken on the vessel *Ugulan*. Russia advised SCIC that the seal was only required on the dome-shaped antennae and, as there is not a requirement for the junction box to be sealed, this case should be considered fully compliant.

49. New Zealand reiterated the lack of clarity in CM 10-04 regarding the specifications for VMS seals. However, New Zealand also noted that the ability to tamper with the power supply allows for tampering with the device itself and suggested this issue be discussed together with other matters to be addressed by the VMS TWG.

50. SCIC agreed that this issue was again a result of ambiguity in CM 10-04 and agreed that for this instance, a compliance status of additional information is required, and that further action was required to clarify CM 10-04, through the intersessional work of the VMS TWG.

51. Russia was invited to comment on issues relating to the implementation of CM 10-09, in relation to the late submission of a transshipment notification by the *Yantar 31*. Russia advised SCIC that an investigation was undertaken and a fine was imposed on the vessel owner.

52. SCIC agreed that for the single instance reported relating to Russia's implementation of CM 10-09, a status of partially compliant was appropriate with no further action required.

53. South Africa was invited to comment on issues relating to the implementation of CM 10-03, when the *Koryo Maru No. 11* was not inspected within 48 hours of port entry. South Africa notified SCIC that the state inspectorate had limited capacity at that time due to the termination of the inspecting agency's contract. South Africa further advised that a request for tender has been advertised and, in conjunction with other capacity-building initiatives, anticipates that there will not be a reoccurrence of this event.

54. New Zealand recommended that, as per CM 10-03, paragraph 4, South Africa consider designating vessels to other ports while the inspectorate shortage issue in Cape Town is addressed.

55. SCIC agreed that the single instance reported relating to South Africa's implementation of CM 10-03 should be categorised as partially compliant and looked forward to an update from South Africa on the status of steps undertaken to address the staff shortage.
56. South Africa was invited to comment on issues relating to the implementation of CM 10-03, where CDS data indicated that a landing of toothfish occurred for the *Shinsei Maru No. 3* but no port inspection of the vessel had been undertaken.
57. Some Members expressed serious concern regarding this issue, highlighted the importance of port inspections as a key tool in combating IUU fishing and encouraged South Africa to take immediate actions to ensure a lack of inspection does not occur in the future.
58. SCIC agreed that this instance relating to South Africa's implementation of CM 10-03 was non-compliant and further action was required. South Africa was invited to provide a report to be submitted intersessionally to explain the actions taken to remedy this case in the short term.
59. South Africa stressed to SCIC that it does not take this situation lightly and will provide a detailed report to CCAMLR within 90 days. South Africa further advised SCIC that four toothfish landings had occurred subsequent to the incident referred to in paragraph 56 and all landings had been inspected as required by CM 10-03.
60. South Africa was invited to comment on issues relating to the implementation of CM 26-01, regarding bait packaging bands reported on board the *El Shaddai*. South Africa explained that the observer reported the finding to the vessel master and the bait packaging bands were subsequently cut up. South Africa stated that the company had been given a warning in relation to this issue and it expects full compliance from the company in the future.
61. SCIC agreed that the issue reported relating to South Africa's implementation of CM 26-01 was non-compliant and noted the measures taken by South Africa in response. SCIC agreed that no further action was required.
62. Ukraine was invited to comment on issues relating to the implementation of CM 10-01, where the markings of the vessel *Simeiz* were 0.4 metres high and not the required 1.0 metre. Ukraine advised SCIC that the vessel changed its markings as soon as it entered lower latitudes where it was logistically possible to change them. Ukraine mentioned it had photo evidence of this that has been emailed to the inspector Member, New Zealand, and the CCAMLR Secretariat.
63. SCIC agreed that this single instance relating to the implementation of CM 10-01 by Ukraine should be categorised as partially compliant with no further action required.
64. Ukraine was invited to comment on issues relating to the implementation of CM 10-04, where the seal on the VMS unit was found to be broken on the *Poseydon I*. Ukraine had requested additional information and received clarification from Flag State authorities that the VMS seal was not an official seal and requested the cooperation of Chilean authorities in re-sealing the VMS unit via written correspondence. Ukraine reported that no response was received and considered that correspondence was lost in transmission. Ukraine further reported that until this investigation is resolved, the licence for this vessel will not be extended.

65. Chile expressed its commitment to working with Flag States to ensure compliance and agreed to work with Ukraine to resolve this investigation.

66. SCIC agreed that this single instance relating to the implementation of CM 10-04 by Ukraine was non-compliant and requested Ukraine submit a report to the Secretariat within 90 days.

67. Uruguay was invited to comment on the implementation of CM 10-03 when the reefer vessel *Aquamarine* and the fishing vessel *Juvel* were not inspected in the port of Montevideo within 48 hours of port entry. Uruguay explained the delay was due to administrative errors and operational difficulties.

68. Uruguay stressed this incident was due to operational difficulties and informed SCIC of difficulties associated with inspection of reefer vessels. Uruguay stressed it has a higher workload in Montevideo than other ports, which makes for a higher margin of error.

69. Uruguay made the following statement in regard to the System of Inspection:

‘We reiterate our firm belief in the validity of the System of Inspection, as an essential tool to verify compliance of CCAMLR’s conservation measures. In the case of our country, this obligation acquires an even greater significance, because it is an exercise that we perform and continue to perform with marked frequency. However, notwithstanding the competence that is conferred on us by the Convention, we must acknowledge the new international responsibilities with respect to port inspections arising from the awaited entry into force of the Agreement on Port State Measures, aimed at the deterrence of illegal, unreported and unregulated fishing (IUU fishing).

Our country is one of the 12 original signatories of the above-mentioned Agreement, and has ratified it in November 2012. This means that, for Uruguay, this Agreement has the force of law, with obligatory domestic application, although voluntary internationally until such time as the Agreement comes into effect. As is known, the Port of Montevideo is the port terminal with the highest traffic volume of fishing fleets in the South American Atlantic coast, and this means that Uruguay must carry out numerous inspections of fishing fleets from many nations.

As required, we have provided the Secretariat with a report on the inspections carried out in accordance with CM 10-03 in 2013: the number of inspections carried out just within CCAMLR’s framework was more than 30. If we add those carried out in accordance with the Agreement on Port State Measures and those that pertained to ICCAT, we could well have done more than 100 inspections in 2014, not including inspections of the national fleet, which clearly shows the great number of man-hours spent on inspection activities.

Statistics prepared by our service document that between September 2009 and 1 October 2014, a total of 165 inspections were carried out in compliance with CCAMLR conservation measures.

Furthermore, other Member countries fulfil with equal commitment and dedication the obligations arising from the conservation measures, and they also find that the System of Inspection imposes a volume of work and responsibilities that are often

cumbersome, especially those related with purely administrative requirements. We have to assume that the objective of the System of Inspection is to certify the compliance of fishing vessels with conservation measures. To highlight the few faults in the implementation of this important and onerous task only deflects the attention from an inspection procedure that shows exemplary adherence to substantive obligations. We reiterate our commitment towards the task, which we have undertaken with dedication, within the framework of the current conservation measures; however, when discussing these issues in the Commission, we should bear in mind that the impact of inspection responsibilities does not affect all Member countries equally. Therefore, firstly, we consider that it would be useful for the Secretariat to compile a summary report of all the port inspections carried out by CCAMLR Members in the last five years, in order to adequately assess the distribution of inspection responsibilities. Finally, we believe that it would be useful for the Commission to undertake a review of the administrative requirements arising from the implementation of conservation measures, in particular those that relate to deadlines for the submission of reports, believing that their importance must be weighed up in the evaluations carried out by SCIC, and that purely administrative matters must be separated somehow from core issues relative to more severe contraventions.’

70. Chile expressed its full support for the declaration made by Uruguay, in particular regarding the burden that a large number of inspections can present to Port States.

71. SCIC agreed, because neither vessel was carrying *Dissostichus* spp., both cases were given the status of compliant as Uruguay had complied with its obligations in relation to CM 10-03, paragraph 2. SCIC agreed that no further action was required.

72. Uruguay also discussed the instance relating to CM 10-03, where no inspection report was received for the landing of the *Hong Jin No. 701*. Uruguay notified SCIC that the event is currently under investigation.

73. SCIC agreed that, while understanding the reasons expressed by Uruguay, that this reported instance relating to Uruguay’s implementation of CM 10-03 was non-compliant, with further information required. Uruguay agreed to provide a detailed report to the Secretariat within 90 days.

74. SCIC adopted by consensus the Provisional CCAMLR Compliance Report (Appendix I) and forwarded the report to the Commission for adoption.

#### Conservation Measure 10-02

75. The USA proposed amendments to CM 10-02 to provide for the authorisation of Contracting Party vessels that engage in transshipping operations in the Convention Area. This proposal was linked to proposed revision of CM 10-09 to provide for greater control of transshipping in the Convention Area.

76. Many Members expressed support for this proposal and highlighted the need for greater control and monitoring of transshipping vessels and agreed to continue considering the issue intersessionally.

77. Some Members expressed concern that there had not been enough time to consider the proposal.

#### Conservation Measure 10-05

78. SCIC noted that CDS data indicated that the transshipment of toothfish from a fishing vessel to a container vessel had occurred on 12 occasions in 2013/14. No inspection reports were received by the Secretariat in respect of these transshipments and subsequent landings.

79. SCIC noted that CM 10-05 permits the transshipment of catch from a fishing vessel to another vessel or means of transport. SCIC noted this matter had been raised by the CDS Review Panel and that CM 10-05 had been forwarded to the Commission to address this and other matters.

80. SCIC highlighted that again, there is a need to improve the monitoring of transshipping.

#### Conservation Measure 10-09

81. SCIC noted that it was unclear if CM 10-09 permitted transshipment with non-Contracting Party (NCP)-flagged vessels and noted that in 2013/14, four NCP-flagged vessels operated in the Convention Area and transhipped with authorised Members' vessels. The four vessels were flagged to the Bahamas, Liberia and Republic of Moldova.

82. SCIC noted that it is also unclear if CM 10-02 considers Contracting Party (CP)-flagged vessels engaged in transshipment to be undertaking fishing activities, thus requiring authorisation under this conservation measure.

83. Given these issues and the general lack of monitoring and control of transshipping, many Members supported revising CMs 10-02 and 10-09 to improve clarity and strengthen both measures.

#### Conservation Measure 10-10

84. SCIC agreed to revise CM 10-10 to include an evaluation of Contracting Parties' compliance, where applicable, with conservation measures and make it explicit that the CCEP aims to evaluate Contracting Parties', rather than vessels', compliance with conservation measures.

85. SCIC also agreed to revise CM 10-10 to specify that additional information including documentary or photographic evidence should be provided by Contracting Parties in their responses to their Draft Compliance Reports.

86. SCIC noted that there was an error in the Spanish-language version of CM 10-10, Annex 10-10/B. For the compliance status criteria *Serious, frequent or persistent* the *or* in the Spanish version has been replaced with *and*, which should be revised to be consistent with the compliance status criteria in other language versions.

87. SCIC agreed that following the decision at CCAMLR-XXXII (Annex 6, paragraph 113), CM 22-07 should be removed from CM 10-10, Annex 10-10/A, and referred CM 10-10 to the Commission.

#### Conservation Measure 25-02

88. SCIC noted the discussion in the Scientific Committee on proposed revisions to CM 25-02 relating to seabird by-catch mitigation measures and sought assurances from the Scientific Committee that the suggested changes would not diminish the level of protection afforded by the mitigation measures required in CCAMLR longline fisheries. The Scientific Committee referred SCIC to WG-FSA-14/24, which provided the reasoning to support the revisions to CM 25-02.

#### Conservation Measure 41-01

89. The Scientific Committee advised SCIC that the required tag-overlap statistic (60%) that was not achieved for the *Argos Georgia*, *Palmer* and *Yantar 31* in Subarea 88.2 in 2014 represented sampling artefacts, rather than compliance concerns, due to the tag-overlap statistic being calculated on a small number of fish tagged and released. Accordingly, there was a proposal to amend paragraph 2(ii) in CM 41-01, Annex 41-01/C (SC-CAMLR-XXXIII, Annex 7, paragraph 3.26).

90. The Scientific Committee advised SCIC that this change in criteria would not have resulted in a different evaluation of historic tag-overlap statistic compliance issues as the only situations where vessels have caught more than 10 tonnes of *Dissostichus* spp., achieved the required tagging rate (but tagged less than 30 fish) and had a tag-overlap statistic of <60% were the three events identified in Subarea 88.2 in 2013/14.

91. SCIC noted that the proposed changes would reduce false indications of non-compliance with the tag-overlap statistic; however, there was a need to remain vigilant to ensure that the scientific requirements for tagging fish are representative of the overall catch and further noted this issue was strongly linked to the issue of capacity in fisheries. SCIC agreed that increasing the required tagging rate would alleviate the issue of calculating a tag overlap based on small sample sizes of fish.

92. The UK, supported by some Members, noted the relevance of the issue of overcapacity in relation to the lack of a sufficient tag-overlap statistic achieved by vessels and reminded SCIC that this issue will continue to be discussed in the future.

93. Russia advised SCIC that at the annual meeting of scientific observers organised in Russia, special attention was given to the *Scientific Observers Manual* with respect to tagging fish. Russia confirmed its commitment for successful tagging as it is essential for conducting stock assessments.

94. The Scientific Committee advised SCIC that catch and effort data indicated that, in some instances, small-sized *Dissostichus* spp. were released alive without being tagged and was concerned that this may contravene the requirements of elements of CM 41-01 and requested that this issue be considered further by SCIC.

95. Some Members considered that the requirements of CM 41-01 were explicit and preclude the release of small, live, untagged *Dissostichus* spp.

96. To provide clarity, SCIC recommended that CM 41-01 be amended to ensure that all *Dissostichus* spp. released alive be tagged and referred CM 41-01 to the Commission. SCIC noted that a consequential change may also be required to CM 26-01.

#### Research fishing activities undertaken by Russia in Subarea 48.5

97. The Scientific Committee advised SCIC that there were several inconsistencies in relation to the data from the 2013/14 research activities in the Weddell Sea undertaken by the Russian-flagged vessel *Yantar 35* described in WG-FSA-14/03 Rev. 2 and provided to the Secretariat. Because of these inconsistencies, as well as the anomalous nature of several aspects of the data provided to the Secretariat, the Scientific Committee was unable to evaluate this information. The Scientific Committee reported that it had divided the issue and resulting advice into three separate components.

98. SCIC noted the advice of the Scientific Committee that the data collected and reported during the 2013/14 research activity needs to be thoroughly investigated and that the findings of this investigation will be reported back to WG-SAM, WG-FSA and the Scientific Committee. The Scientific Committee advised SCIC, that until this time, all data associated with this research should be quarantined.

99. Several Members expressed grave concern with the widespread implications of the inconsistencies reported in this case, stating that data quarantine is an extremely serious issue.

100. Some Members stated SCIC needed to decide if this was a compliance issue needing to be addressed by SCIC in relation to the report from the Scientific Committee.

101. The Scientific Committee advised SCIC that it was unable to provide advice on the proposal submitted by the Russian Federation as required under CM 24-01 to undertake this research in 2014/15 because the research design was derived from the quarantined data and, therefore, the Scientific Committee was unable to complete the review of the research design.

102. The Scientific Committee suggested that the *Yantar 35* should not be able to undertake research this coming season in the Weddell Sea, however, it noted that this was a decision for the Commission.

103. The USA noted the similarities between activities of the *Yantar 35* and the *Insung No. 2*, *Insung No. 7* and *Insung No. 22* and asked whether Russia would be undertaking an appropriate investigation.

104. Some Members noted that if the Scientific Committee could not provide advice on the research proposal, then the Commission should be advised that the *Yantar 35* should not

proceed with its proposed research in the Weddell Sea in 2014/15. Those Members also indicated that the performance of the *Yantar 35* should also be considered in relation to its notification to fish in the Ross Sea in 2014/15.

#### Compliance with conservation measures in force

105. SCIC considered CCAMLR-XXXIII/BG/02, summarising all notifications submitted by Members proposing to participate in exploratory or krill fisheries for 2014/15, as well as highlighting the new online system to support submission of fishery notifications by Members.

106. Australia, supported by other Members, thanked the Secretariat for its report and noted that in 2014 a late notification was submitted by Poland and Japan's preliminary assessment was submitted after the due date. Some Members noted that in previous years Members have withdrawn vessels on the basis of late notifications and that the withdrawal of the late notifications would be an appropriate action for both instances.

107. Japan advised SCIC that it submitted its notification on time. Japan apologised to SCIC about the delayed submission of its preliminary assessment as required by CM 22-06 and advised that the delay was due to an administrative error. Japan asked SCIC to consider the error and accept the notification.

108. SCIC noted that there had been issues in developing and implementing the new online notification system where preliminary assessments (CM 22-06) could be considered as not being directly linked to the notification requirements in CM 21-02, paragraph 6, and were submitted in accordance with CM 22-06 prior to the authorisation of a vessel intending to undertake bottom fishing activities in accordance with CM 10-02.

109. The Republic of Korea considered the late notifications and the lack of clarity regarding the administrative errors. Korea suggested that it is important to take these errors into consideration in order to prevent them from reoccurring in the future and suggested a system be developed for monitoring such incidents.

110. The EU acknowledged the late notification by Poland, indicated that it was due to an administrative oversight and asked SCIC to accept its notification. SCIC reminded the EU of the long-established tradition regarding submission deadlines. The EU recognised this error and withdrew the notification for the vessels *Saga* and *Alina*.

111. New Zealand presented CCAMLR-XXXIII/BG/12, summarising New Zealand's MCS activities carried out during 2013/14, both in the Ross Sea region and in New Zealand ports.

112. New Zealand made the following statement:

'The background paper that New Zealand has submitted outlines the main Monitoring, Control and Surveillance activities that were carried out during the previous 2013/14 season mostly in the Ross Sea region but also in New Zealand ports.

We believe that for CCAMLR's fisheries management policy framework to be implemented effectively, enduring MCS activities need to be undertaken to support the implementation of this framework.

We also believe that SCIC is central in assessing how well CCAMLR is doing in implementing fisheries management policy, and to this end also, the more information that can be fed into the SCIC process by way of MCS activities the better.

A large amount of information that is gathered by New Zealand and by all other Members is now channelled through the Compliance Evaluation Procedure.

We believe this has worked well this year but we also feel that this procedure could be improved if the Secretariat had the mandate to access and report on other information streams such as but not limited to data gathered through the Catch Documentation Scheme including that of supporting VMS data.

So perhaps in this vein and under paragraph 5 of CM 10-10 on the CEP could be amended to also include assessment of the implementation of the conservation measure for CDS, CM 10-05.

We're happy to discuss this with interested parties during the remainder of this meeting.'

113. New Zealand suggested that the CCEP could be improved through utilisation of other information resources, such as data collected through the CDS.

114. New Zealand presented CCAMLR-XXXIII/BG/35, reporting on the findings of the inquiry into the incident of the sinking of the *Insung No. 1*.

115. SCIC thanked New Zealand for its report and expressed condolences regarding the tragic incident of the *Insung No. 1*.

116. The Republic of Korea presented CCAMLR-XXXIII/BG/27, providing an account of the investigation and subsequent results relating to the documented anomalous CPUE by Korean-flagged fishing vessels *Insung No. 22*, *Insung No. 2* and *Insung No. 7*, and concluding that the three vessels undertook IUU fishing activities in the Convention Area. In relation to this presentation, Korea made the following statement:

'Since the Republic of Korea officially requested for circulation of the report on the investigation results of high CPUE on September 4th, we believe the delegates are already familiar with the basic elements of the investigation. Therefore, I would like to briefly explain about the investigation, its results and our plan for follow-up measures.

We accepted the proposed need for an investigation at the 32d CCAMLR annual meeting and conducted a 3-month investigation into high CPUE from March to the end of May this year.

In order to ensure a detailed and objective investigation, we organised a task force composed of 23 experts including IT experts, VMS experts, those who were on board, members of NGOs and statistics experts.

In order to prevent a lenient investigation in favour of Korea's vessel operator, we engaged NGOs and foreign national experts (the USA and New Zealand.)

As part of the investigation, we carried out statistical analysis and used VMS data to compare the suspected vessels' track records in the CCAMLR waters with other vessels' setting and hauling patterns.

Let me outline the method we used to determine illegality.

There were some difficulties in the investigation, including securing relevant documents. This was because considerable time has passed since the occurrence (high CPUE occurred at different points in time between 2008 and 2011, which implies that a minimum of 3 years and a maximum of 5 years have passed since the occurrences) and two out of the three vessels were destroyed (*No. 22* sunk and *No. 2* was destroyed in a fire).

In addition, in the wake of the *Sewol* ferry sinking accident, which was a national tragedy, all marine personnel and experts were channelled into handling the aftermath of the accident as was a large majority of the personnel in our Ministry. This constituted another challenge in our investigation.

Despite such challenges, the Korean government carried out an honest investigation. We were aware that if the investigation found the vessels not guilty of the allegation regardless of our intention, it would lead to distrust by the Member States. Therefore, we adopted conservative methods for determining the illegality, namely positive method and package method. The two methods were already explained in the report so I will not go into the details.

As you are aware, such methods are not in line with our judicial procedure and this is a proof of the Korean government's strong commitment to impose strict sanctions against Insung Corporation.

Experts carried out a detailed analysis of track records and found the following.

With regard to *Insung No. 2*, track records suspicious of setting and hauling were found in the no-fishing area; there was lack of consistency in the vessel's unique fishing patterns; and Insung's claim about the suspicious track records was found to be inconsistent with the facts. Therefore, it was determined that the vessel was engaged in illegal fishing.

With regard to *Insung No. 7*, setting and hauling patterns were found in the area where there was no report of fishing. The vessel operator was unable to provide a persuasive explanation or reason for the pattern and it was determined that the vessel was engaged in illegal fishing.

In conclusion, the investigation found clear evidence of illegal fishing activities for *Insung No. 2* and patterns suspicious of illegality for *Insung No. 7*. Therefore, in accordance with the methods that I mentioned earlier, we determined that all three vessels were engaged in illegal fishing activities.

Let me now explain about the follow-up measures for the investigation results.

In line with the principle of retroactivity, we were not able to apply the revised Distant Water Fisheries Development Act. Therefore, we imposed legal sanctions based on the Act before it was revised.

We imposed an administrative fine on each vessel of Insung Corporation, the vessel operator, and suspended the officers' licences for the vessels' masters. We also cancelled the fishing licence of *Insung No. 7*.

Furthermore, in order to express the Korean government's firm commitment to eradicate IUU fishing and improve the fundamentals of the domestic distant-water fisheries industry, we imposed sanctions on the policy level. More specifically, we are scrapping *Insung No. 7*, which is the only remaining vessel out of the three Insung *Dissostichus* fishing vessels found to have engaged in illegal fishing and we plan to prohibit *Dissostichus* fishing vessels of Insung from fishing *Dissostichus* in the CCAMLR area for ten years.

In practice, this means that all Insung *Dissostichus* vessels will be forced to withdraw from the CCAMLR waters. In addition, in order to ensure compliance with the follow-up measures, we plan to introduce additional complementary measures.

First of all, in order to monitor the entry of Insung *Dissostichus* vessels into CCAMLR waters, the vessels will now be required to report their location on the high seas using VMS every 1 hour to our Ministry's FMC and CCAMLR Secretariat.

Should the vessel wish to enter the CCAMLR waters for inevitable reasons, it will be required to receive permission from our Ministry prior to its entry into the waters.

Even if they fish on the high seas, they will be required to comply with CCAMLR's environmental conservation measures (including reduced by-catch).

Furthermore, Insung *Dissostichus* vessels are now prohibited from at-sea transshipment and are required to have an observer on board when fishing *Dissostichus*. This is part of our efforts to make sure that the vessels are in compliance with follow-up measures.'

117. New Zealand, supported by other Members, congratulated Korea on its investigation into the anomalous CPUE, in which both New Zealand and the USA had participated, and commended the strong actions taken by Korean authorities. Some Members expressed hope that such actions will encourage other Members to address IUU fishing.

118. SCIC thanked Korea for its efforts on the investigation and work to strengthen domestic law for the monitoring of distant-water fishing fleets. Members stated that they looked forward to receiving updated results of follow-up measures taken by Korea intersessionally.

119. Following a request from SCIC, Korea stressed the difficulty to conduct investigations of observers that are not its nationals due to legal limitations while it undertook an investigation of its national observers.

120. Russia stated that scientific observers are not authorised to participate in investigations and suggested that if more information is required from an observer in the future, it should be

requested from them at a more appropriate time. In this instance, the appropriate time for consideration would have been at the high CPUE workshop held in Busan, Republic of Korea, that occurred to discuss this issue, which is where observers fulfilled their mandate and reported on their observations.

121. SCIC noted that the observer data and catch data from the Insung vessels were consistent.

122. Some Members requested that Korea and Russia make all catch and observer data available for consideration and invited them to provide this to the Commission for Members' reference.

123. Many Members requested that Korea and Russia provide further information to the Commission.

124. Russia stated that, until such time as it receives a proper request for the required information from Korea, there is no basis to begin preparation of a report in accordance with CM 10-08, paragraph 3.

125. New Zealand reminded Russia that there are many sources of information in this case, such as the quarantine of data recommended by WG-FSA, and the advice of the Scientific Committee, which trigger the obligation of paragraph E(a) of the CCAMLR SISO that requires Members to investigate the actions of their scientific observers.

126. The EU noted that the mere presence of observers on board vessels confirmed by Korea as vessels engaged in IUU fishing activities should provide enough grounds for Russia or any other Member in the same situation to launch an investigation under CM 10-08.

127. Korea made the following statement:

‘This is an issue of compliance as scientific evidence was not sufficient to suggest that illegal activity occurred. Korea reminded SCIC that its investigation focused on VMS track records of investigation, which resulted in the uncovering of illegal activity and the decision that Insung vessels were engaged in IUU fishing activities. In regard to the observation scheme, Korea believed CCAMLR has imposed a mandate on the country that dispatched the observer to be in charge. Korea reminded SCIC that Korea found no evidence that the Korean observers participated in illegal activity. Korea also noted that there had been difficulties in accessing international observers.’

128. Russia pointed out that Korea noted that there was no clear evidence to conclude the Korean observers concerned were in breach of relevant rules under the CCAMLR SISO. Russia expressed its position of checking the data and saw no basis to link the work of scientific observers to CM 10-08.

129. Australia noted that Korea had undertaken an investigation with regard to its observers on board the vessels in question and Australia recommended Russia undertake a similar investigation. Australia further noted that if it was in a similar situation such an investigation would be undertaken.

130. Members reinforced the importance of SISO and encouraged all Members to take actions to ensure the scheme is robust to prevent this issue recurring.

131. South Africa reported on its bilateral cooperation with Korea with regard to the scrapping of the *Insung No. 7* and stated that the MCS sector of its fisheries branch would regularly inspect the scrapping process. SCIC thanked South Africa for the role it would play in this regard.

132. The Scientific Committee reported to SCIC that it had noted the outcomes of the investigation on anomalous CPUE which had been conducted by Korea (reported in COMM CIRC 14/93, 9 September 2014) and thanked Korea for its efforts to address and resolve this issue and agreed that the process undertaken by Korea is a good template for future similar investigations.

133. The Scientific Committee advised SCIC that all data (catch and observer data) for the following vessels will be quarantined:

- (i) *Insung No. 2* in Subarea 48.6 and Divisions 58.4.1 and 58.4.2 in 2009/10
- (ii) *Insung No. 7* in Subareas 48.6 and 88.1 and Divisions 58.4.1 and 58.4.2 in 2010/11
- (iii) *Insung No. 22* in Subarea 48.6 and Divisions 58.4.1 and 58.4.2 in 2008/09.

134. The Scientific Committee advised that this data would be excluded from future data requests and routine analyses. Metadata provided with data extracts would include details of any quarantined data and the data would be available on specific request.

135. The Scientific Committee noted the need for a wide-scale analysis of CPUE which would be useful to identify any other potential issue related to anomalous CPUE. It was noted that observer reports may contain information which may inform such an analysis.

136. Following correspondence with the data providers, the Scientific Committee reported that all data from the *Paloma V* fishing in Divisions 58.4.1 and 58.4.3b in 2006/07 had also been quarantined as there was no confidence in this data.

137. As part of its future work, the Scientific Committee reported that it intended to develop methods and approaches that the Secretariat could implement into routine procedures for the validation of fishery and observer data. As part of this process it was noted that quarantined data provides useful case studies of known IUU fishing activity that can be used for evaluating and testing such diagnostic techniques.

138. SCIC welcomed this comparison of vessel-reported catch and observer-reported data and requested that the Secretariat make this analysis available for consideration by SCIC next year.

139. Many Members highlighted that in addition to the data reported by the *Insung* vessels, the data reported through SISO was also recommended to be quarantined by the Scientific Committee and that this was a matter of serious concern.

140. Russia made the following statement:

‘Russia noted that the report of the Republic of Korea contains no information that would allow conclusions to be made regarding inconsistency in the activities of

scientific observers. Activities under the Scheme of International Scientific Observation are conducted strictly in accordance with the mandate given to scientific observers which precludes the possibility of entrusting them with functions that are alien to them. In this regard, unsubstantiated statements about the possible participation of scientific observers in certain actions which are contrary to the objectives of the Convention undermine the credibility of the Scheme of International Scientific Observation itself.'

141. The UK, supported by some Members, noted that there was clear evidence that the data reported by observers was not vessel-independent and, pending a full investigation, there was no other option than to assume the observers on board were complicit in the IUU activity of the Insung vessels.

142. Russia noted that the statement was unacceptable and reiterated that there was no evidence that the observer was linked to the actions of the vessel.

143. Many Members noted that the text of the CCAMLR SISO, paragraph E(a), and the provisions of CM 10-08 require Members to take action in relation to suspected IUU activity undertaken by their nationals.

144. Many Members requested that Russia undertake an investigation in relation to this matter and report back to the Commission intersessionally.

145. The Republic of Korea reported its willingness to provide the relevant information including the results of the investigation to Russia in accordance with paragraph 2, CM 10-08.

146. Russia, in the context of its obligations in accordance with CM 10-08 paragraph 1(i), will check the information and will inform the Secretariat in a timely manner.

147. SCIC welcomed Russia's commitment and looked forward to the outcomes of this investigation.

#### Catch Documentation Scheme (CDS)

148. SCIC considered the paper presented by the CDS Review Panel (CCAMLR-XXXIII/09 Rev. 1) providing the results of the CDS Review Panel's intersessional work reviewing the implementation, operation and objectives of the CDS and CM 10-05.

149. SCIC noted that the CDS was implemented in May 2000 in accordance with CM 10-05 and was designed to track *Dissostichus* spp. from the point of landing throughout the trade cycle. The CDS seeks to encompass all *Dissostichus* spp. caught and traded by participating States and requires participating States to identify the origins of *Dissostichus* spp. entering their markets and to determine if *Dissostichus* spp. that was harvested in the Convention Area, and is landed or imported into their territories, was caught in a manner consistent with CCAMLR conservation measures.

150. SCIC noted that in June 2004 an electronic CDS (e-CDS) application was piloted and at CCAMLR-XXVIII, CM 10-05 was amended with the intent of making the implementation of the e-CDS mandatory by 2010.

151. SCIC noted that the objectives of the CDS, while not explicitly stated in CM 10-05, are implied from the preambular paragraphs and definitions of CM 10-05 including, *mutatis mutandis*:

- (i) identify the origins of *Dissostichus* spp. entering the markets of Contracting Parties and cooperating NCPs
- (ii) track the harvest, transshipment, landings, export and re-export of *Dissostichus* spp.
- (iii) determine whether *Dissostichus* spp. harvested in the Convention Area was caught in a manner consistent with CCAMLR conservation measures
- (iv) address concerns of IUU fishing relating to the threat of serious depletion of *Dissostichus* spp. populations, by-catch of some Antarctic species and the undermining of CCAMLR conservation measures
- (v) promote cooperation between CCAMLR and NCPs in respect of the voluntary implementation of the CDS.

152. SCIC noted that the CDS Review Panel had evaluated the CDS against its objectives and had made a number of recommendations. These recommendations fell into four broad categories:

- (i) implementation and operation (Appendix II)
- (ii) user interface and technology (Appendix II)
- (iii) CM 10-05 (Appendix II and paragraphs 153 to 160)
- (iv) NCP cooperation (paragraphs 161 and 162).

#### Conservation Measure 10-05

153. SCIC noted that CM 10-05 does not reflect the operational reality of the CDS and lacks clarity, particularly in relation to the completion of CDS documentation. SCIC noted that CM 10-05 does not explicitly state that the use of the e-CDS is mandatory for the completion of CDS documentation.

154. SCIC noted that CM 10-05 should be revised to reflect the implementation and operation of the e-CDS and related functions and processes rather than the redundant paper-based CDS for which it was originally drafted.

155. SCIC noted that a redrafting exercise would provide a valuable opportunity to link CM 10-05 to related conservation measures (CMs 10-02, 10-03 and 10-04) as appropriate.

156. SCIC noted that in undertaking a revision of CM 10-05, instructions for the operation of the e-CDS should be removed from the measure itself to be replaced with a reference in the e-CDS User Manual drafted by the Secretariat (CCAMLR-XXXIII/BG/16).

157. Japan requested clarification regarding the legal status of the e-CDS User Manual and noted that it was preferable to retain Annex 10-05/A that had been deleted in the revision of CM 10-05 proposed by the CDS Review Panel to meet domestic requirements.

158. It was subsequently proposed that Annex 10-05/A be retained and revised to describe the information requirements of the e-CDS and refer to the e-CDS User Manual, which contains overall guidance on e-CDS.

159. Following this proposal, SCIC agreed to the revisions proposed to CM 10-05 recommended by the CDS Review Panel and referred the measure to the Commission.

160. SCIC noted that Specially Validated *Dissostichus* Catch Documents (SVDCDs) were issued in the same way as all other DCDs and that there was no way within the current e-CDS to differentiate between the two. SCIC noted that this issue had not been considered by the CDS Review Panel and that the issue should be considered by the CDS Implementation Panel in 2015.

#### NCP cooperation

161. SCIC noted the recommendation of the CDS Review Panel that Contracting Parties implementing the CDS and trading with non-cooperating NCPs be required to engage with these NCPs to promote the voluntary implementation of the CDS and that these efforts be reported to the Commission annually.

162. SCIC supported the CDS Review Panel's recommendation to promote cooperation with NCPs by the adoption, implementation and maintenance of a strategy that includes:

- (i) confirming a priority list of NCPs
- (ii) identifying the appropriate NCP agency(ies) to engage with
- (iii) providing formal letters of invitation from the Chair of CCAMLR in the relevant language of the NCP
- (iv) identifying CCAMLR Contracting Parties with direct relationships with priority NCPs or subregions
- (v) requesting identified Contracting Parties to engage and assist in capacity building with NCPs (including linkages to other instruments and initiatives such as capacity building for adopting and implementing PSMA, the South East Asian RPOA-IUU)
- (vi) requiring Contracting Parties to report back to the Commission annually on efforts
- (vii) the Secretariat to annually report to the Commission on the level of NCP engagement in the CDS as a measure of the effectiveness of this strategy.

163. SCIC thanked the CDS Review Panel and the Secretariat for their paper and the considerable work undertaken in the intersessional period. SCIC agreed to a number of recommendations to be implemented in 2015 by the CDS Implementation Panel, which it agreed to establish, and adopted the terms of reference for this work (Appendix II).

164. SCIC agreed that a number of recommendations of the CDS Review Panel required further consideration in 2015 and tasked the CDS Implementation Panel to undertake this work and report back to SCIC at CCAMLR-XXXIV. SCIC agreed to the suggestion of the CDS Review Panel to establish a CDS Technical Working Group open to all Contracting Parties with an interest in CDS.

165. SCIC recommended that \$15 000 be contributed from the General Fund to support the project to upgrade the e-CDS platform and to implement the recommendations of the CDS Review Panel. SCIC further recommended that \$40 000 be funded from the CDS Fund in accordance with Annex 10-05/B, paragraph B2(i) (Appendix II).

166. SCIC considered CCAMLR-XXXIII/BG/14 Rev. 2, analysing the international trade and value of *Dissostichus* spp. across major trading nations utilising data from the United Nations Commodity Trade Statistics Database (UN Comtrade).

167. SCIC noted that, following issue of the paper, the EU undertook additional analyses as Greece was recorded as the third-largest importer. The EU informed SCIC that there was an error with coding and the species identified within the trade data was actually cod. The paper highlighted issues in analysing and comparing trade data with CDS data. However, Comtrade data did indicate that global volume and trade nations involved may not be fully being captured in the CDS system.

168. Sweden made the following statement:

‘Regarding the Secretariat paper “The Price of Fish: A global trade analysis of Patagonian (*Dissostichus eleginoides*) and Antarctic toothfish (*Dissostichus mawsoni*)”, Sweden wishes to confirm and underline that the data suggesting that Sweden sold toothfish to Greece are false. After much investigation by Greece and Sweden, supported by the EU, Greece confirmed that the wrong code had been used when registering the fish, and that the data instead represent cod.’

169. The EU congratulated the Secretariat on its work completed with limited resources and commended the paper for providing insight into the structure of global toothfish trade. The EU suggested the analysis be extended to include fuel prices, exchange rates and interactions within markets.

170. The EU, supported by other Members, proposed that the paper be updated every five years.

171. Several Members considered this type of work as important information to understanding toothfish trade, but noted that further consideration must be given before utilising this data to validate trade occurring in regard to specific countries.

172. SCIC considered CCAMLR-XXXIII/BG/13 Rev. 2, summarising the implementation and operation of CCAMLR’s CDS in 2013/14.

173. SCIC noted that the Seychelles is currently the only NCP with the status of NCP cooperating with CCAMLR by participating in the CDS.

174. SCIC noted that Singapore is the only NCP currently provided with limited access to the e-CDS in accordance with CM 10-05, Annex 10-05/C, paragraph C4. SCIC reviewed this access to the e-CDS granted to Singapore and agreed to allow this access to continue in accordance with CM 10-05, Annex 10-05/C, paragraph C5, in 2015.

175. SCIC noted that the number of non-Contracting Parties that may be involved in the harvest and/or trade of *Dissostichus* spp. while not cooperating with CCAMLR by participating in the CDS continues to increase and that as of September 2014, 23 non-Contracting Parties have been identified over the last five years to be possibly involved in the harvest and/or trade of *Dissostichus* spp. while not cooperating with CCAMLR by participating in the CDS.

176. At CCAMLR-XXXII, China advised SCIC that the Hong Kong SAR was prepared to adopt internal regulations for the CDS, which would take one to two years to implement. SCIC noted that representatives from Hong Kong had visited the Secretariat and Australia to receive training in the use of the e-CDS, CM 10-05 and other related conservation measures. In relation to this, China made the following statement:

‘Thank you, Chair. My gratitude also goes to the Secretariat and the Australian Government.

The HKSAR Government has started the preparatory works and the drafting of new legislation for implementation of the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) in HKSAR, including the Catch Documentation Scheme and other conservation measures that are relevant to HKSAR.

The HKSAR Government will continue to monitor the trade statistics of toothfish that are imported into and re-exported through HKSAR. Meanwhile, we welcome the Convention Secretariat and other Contracting Parties to provide information on associated trading of illegal, unreported and unregulated (IUU) catch of toothfish, so to facilitate the HKSAR Government to track down suspected IUU fish catch that landed in or transhipped through HKSAR and to provide necessary assistance and take follow action under existing framework.

For your information, this year, there will be another two representatives from HKSAR to join us in the second week. We expect more communication and cooperation. Thank you, Chair.’

177. The EU noted that with regard to CCAMLR-XXXIII/BG/13 Rev. 2, Table 4, there is a reference to correspondence sent to importing countries and asked the Secretariat what the content was of those two replies.

178. The Secretariat explained that in the case of Mali, the response was in relation to IUU-listed vessels reported to be flagged to Mali and that in relation to the Philippines, the response was in relation to the import of toothfish reported through the CDS.

179. SCIC noted that according to CCAMLR-XXXIII/BG/13 Rev. 2, paragraph 12, the VMS data reported to the Secretariat indicated that the Korean-flagged vessel, the

*Insung No. 7*, fished between October 2013 and May 2014 in the southwest Atlantic and that, while a DCD was issued for this trip, the fish were transhipped to a reefer vessel, the *Frio Olympic*, at sea. The DCD was not completed for the subsequent landing of the toothfish in China for the *Frio Olympic*.

180. Korea asked the Secretariat for an explanation of its description of DCD status as relevant information had not been provided.

181. The Secretariat verified that the DCD was issued and reflects the transshipment event, however, the certification of landing and verified weight remains incomplete. The Secretariat does not have enough information to report if a landing occurred in relation to this catch and explained that it is the responsibility of the Port State to certify the landing.

182. China stated that there is not enough information regarding this issue and welcomed further information in order to verify the event and explain the reasoning for the incomplete DCD.

183. SCIC noted that a transshipment of toothfish was reported by Russia to have occurred at sea from a Russian-flagged vessel, the *Sparta*, to a Russian-flagged vessel, the *Ugulan*. Both vessels had DCDs issued for their catches; however, the DCD issued for the *Ugulan* was not completed for the subsequent landing of the toothfish in New Zealand.

184. New Zealand commented that CCAMLR-XXXIII/BG/13 Rev. 2, paragraph 14, highlights the need for transshipments to be formally notified both inside and outside the Convention Area in order to be viewed and analysed by Port State Members. New Zealand noted that it could more effectively implement these obligations under the CDS if it was given advance notice of when transshipments will occur.

185. Russia noted that the lack of clarity linked to the transshipment mechanism should not impede the fulfilment of obligations of the CDS.

186. New Zealand suggested that prior to CCAMLR-XXXIV, SCIC should undertake intersessional work to improve transshipment-related measures to ensure there is functional implementation.

187. Argentina noted New Zealand's concern regarding the ambiguity associated with transshipments and informed Members of its willingness to participate in discussions over this matter but advised that any issue going beyond the spatial scope of the Convention Area must be addressed with caution.

188. The USA and other Members expressed their willingness to work on the proposal and suggested discussing transshipments as a separate agenda item as it has come up across multiple discussions. The USA provided a revision to CMs 10-02 and 10-09 to accommodate these concerns. While there was no consensus reached in relation to the proposed amendments, Members were encouraged to progress this during the intersessional period.

189. SCIC noted that the transshipment issue will arise within CDS Implementation Panel considerations for 2015.

190. The Republic of Korea presented CCAMLR-XXXIII/BG/26 Rev. 1, providing an account of the case regarding the missing DCDs for three Korean-flagged vessels and the measures taken by the Korean government following the investigation. In relation to this paper Korea made the following statement:

‘This paper provides an account of the case regarding the missing DCDs for the catches taken by the Korean-flagged FVs *Insung No. 3*, *Insung No. 7* and the *Hongjin 707*, and the measures taken by the Korean government following the investigation on the case. All these three vessels were alleged to have crossed into the EEZs of relevant coastal states in the Southwest Atlantic during their operation on the high seas, the ground on which the Korean government rejected to validate the DCDs for their catches. After months of investigations and hearings, these vessels were found to have violated the applicable laws and regulations, and the Korean government imposed sanctions on all three vessels. In addition to the administrative sanctions imposed in accordance with the Distant Water Fisheries Development Act of Korea, the *Hong Jin 707* disposed their catches in a manner that they would never accrue any financial benefit to the operator, and the catches of the *Insung No. 3* and *Insung No. 7* is in the process of being confiscated by the government. The fishing authorisation granted to the fishing vessel *Insung No.7* has been revoked and the vessel itself is in the process of being scrapped under the government’s instruction. While handling the case, the Ministry recognised that the current Distant Water Development Act, which was amended and took effect on January 31, 2014, still needed further improvement and reopened the Act for the second amendment. Now, the Korean government is earnestly working to reform the Act for the second time, focusing on strengthening the investigative and administrative processes for handling IUU fishing; holding illegal actors more accountable and further empowering the government to tighten its control. The investigative processes and the results have been shared with the coastal states in question through diplomatic channels.’

191. SCIC thanked Korea for its efforts and congratulated it on its investigation and stated that SCIC looks forward to the amendments of the Distant Water Development Act, which will allow for imposing stricter sanctions. Members expressed encouragement from the steps Korea has taken to strengthen its legal regime and the actions put in place to monitor its vessels.

192. SCIC requested that Korea continue to provide updates and photographs on the scrapping of the *Insung No. 7*. The USA further enquired about the intended disposition of the proceeds from the sale of the confiscated catch. The USA understands that Korean law in effect at the time the three vessels engaged in illegal fishing may not have provided for termination of the vessels’ trips. However, the USA expressed the view that issuing a number of DCDs for a single trip could allow for the co-mingling of legal and illegal catches and inhibit the ability for market States to determine the legality of imports.

193. Uruguay noted that as a coastal state, the continued cooperation and established dialogue between Korean and Uruguayan authorities facilitated procedures in regard to evaluating compliance with relevant CMs.

194. Some Members supported the USA and suggested that proceeds from the confiscated catch be contributed to the CDS Fund.

195. Korea thanked Members for their appreciation and consideration of its report. Korea made the following statement:

‘We would like to thank Members for their appreciation and consideration of this report. In the past, Korean vessels have been involved in IUU activities within the CAMLR Convention Area and we will no longer stand by without action. Korea reaffirms their commitment as a responsible Member of CCAMLR and as a responsible fishing party ensuring that any future instances where Korean vessels may be associated with IUU activity will be investigated with actions taken accordingly. We will continue to update delegates over the scrapping of the *Insung No. 7*. Currently, Korea is revising the Distant Water Development Act and working towards a completed revision of this Act by the end of 2014 and will work to enforce the revisions by 2015 pending legislative approval. In regard to the proposal by the UK for the proceeds of the catch, Korea is still unsure of the expected sales volume but will endeavour to contribute the proceeds of sale to CCAMLR funds.’

#### Vessel Monitoring System (VMS)

196. The Secretariat summarised prior consideration at ATCM XXXVI in 2013 and at CCAMLR-XXXII regarding the potential to release CCAMLR VMS data to support search and rescue (SAR) efforts in the CAMLR Convention Area (CCAMLR-XXXIII/01 Rev. 1). Work undertaken during 2014 with the five CCAMLR Members that have Maritime Rescue Coordination Centre (MRCC) responsibilities (Argentina, Australia, Chile, New Zealand and South Africa) was summarised, noting the criteria identified at CCAMLR-XXXII as a precondition for the release of CCAMLR VMS data to support SAR efforts (CCAMLR-XXXII, Annex 6, paragraphs 42 to 46).

197. The work undertaken during 2014 resulted in the draft Arrangement that has been tabled for review, and possible adoption, at CCAMLR-XXXIII.

198. Noting that SAR is an extremely important matter for all operating in the Convention Area, SCIC congratulated the Secretariat and those Members involved in the development of the draft Arrangement.

199. SCIC further considered the draft Arrangement and recommended the draft Arrangement for adoption by the Commission (Appendix III).

200. The VMS TWG presented CCAMLR-XXXIII/14 Rev. 1, reporting on the outcome of the intersessional work on the Request for Tender (RFT) and the recommendation for the preferred VMS software to support CCAMLR’s VMS.

201. SCIC noted that the VMS TWG developed the documentation to support the RFT, which was advertised on the CCAMLR website and the International Monitoring, Control and Surveillance (IMCS) Network and provided directly to a number of VMS providers.

202. SCIC noted the VMS TWG advice that eight responses were received for the RFT by the closing date of 13 June 2014.

203. SCIC noted that the VMS TWG undertook an evaluation of the RFT responses received and agreed to a preferred VMS, the internally hosted software THEMIS Viewer provided by Collecte Localisation Satellites (CLS).

204. SCIC noted that Members were invited under Rule 7(d) of the Rules of Procedure of the Commission to support the VMS TWG's recommendation to implement THEMIS Viewer to support CCAMLR's VMS.

205. Following the invitation to support the VMS TWG's recommendation to implement THEMIS Viewer, SCIC noted that no objections had been received by Members. SCIC further noted that the Secretariat had subsequently advised CLS that its tender was successful and were in negotiations to finalise contractual and implementation arrangements.

206. SCIC thanked the VMS TWG, with participants from Australia, Chile, the EU, France, Japan, the Republic of Korea, New Zealand, South Africa, Ukraine, the UK, the USA and the Secretariat, for its work in 2014.

207. The VMS TWG presented CCAMLR-XXXIII/BG/07, providing an overview of work completed during 2014 to review CM 10-04, as agreed at CCAMLR-XXXII (Annex 6, paragraph 106).

208. The VMS TWG reported that, in addition to overseeing the process associated with the selection of a new VMS which it successfully completed during 2014, the VMS TWG had commenced a review of CM 10-04. Among other matters, the review focused on terminology, minimum standards for Automatic Location Communicators (ALCs), harmonisation of reporting requirements across all vessels operating in the CAMLR Convention Area, VMS data access rules and the relationship between CM 10-04 and other relevant conservation measures.

209. The VMS TWG recommended that an additional 12 months was required to further consider these and many related issues. In this regard, should the mandate of the VMS TWG be extended, an invitation was extended to all Members to actively engage in the work of the VMS TWG during 2015.

210. SCIC expressed appreciation to the VMS TWG for its work during 2014. SCIC recognised that some of the recommendations of the VMS TWG could be considered for immediate implementation through appropriate revision to CM 10-04 at CCAMLR-XXXIII, while other matters required further consideration. Additional issues proposed for further consideration included: simultaneous near real-time reporting to the Secretariat and the Flag State, mandatory port-to-port reporting, increasing the polling frequency to once every 1 or 2 hours and the mandatory utilisation of automatic identification systems (AIS).

211. The USA provided a proposal to revise CM 10-04. Some Members expressed concern that the proposal made by the USA included substantial changes to CM 10-04 implying a resignation of the primary responsibility of the Flag State, which could not be accepted by those Members. Some Members also expressed concern at considering any proposed revisions to CM 10-04 at CCAMLR-XXXIII as not enough time was available to adequately discuss these issues. Other Members supported the goals of the USA proposal. SCIC agreed for the VMS TWG to consider any possible revisions in 2015 and provide recommendations to SCIC at CCAMLR-XXXIV.

212. Many Members expressed support for the VMS TWG to include the items raised in the revisions proposed at this meeting and Members were encouraged to work intersessionally to this end.

213. The Republic of Korea provided the following statement:

‘Every country has different definition about VMS. It is my understanding that there is no clear definition about VMS in the CCAMLR Rules as well. In a broader sense, VMS is interpreted as Vessel Monitoring System in Korea. However, in a narrower sense, it refers to hardware transmitting position information installed on vessels. In order to improve transparency, it is timely and appropriate to clearly define VMS. Such discussion should be made, taking into account different positions of Member states.

It may seem out of the agenda but Korea would like to take this opportunity to briefly explain about Fishing Monitoring Centre (FMC), an important tool for Monitoring, Control and Surveillance against IUU.

FMC is one of the important actions taken by the Korean government to combat IUU fishing in addition to mandatory instalment of VMS.

This FMC opened on 28 March 2014, in order to monitor, detect and alert to any illegal fishing activities by Korean distant-water fishing vessels operating in waters outsider of Korea’s jurisdiction in real-time.

About 340 fishing vessels authorised to fish in distant waters are monitored on an hourly basis and warnings have been issued to deter IUU as a preventive measure.

In addition, FMC is tasked to do as follows:

1. Verify and control transshipment and catch limit
2. Check VMS installed on board distant-water fishing vessels as well as store and manage relevant records

For more information, brochure on Korea’s FMC is provided at the entrance of this meeting room. This will be also posted on the CCAMLR website soon.

Lastly, as part of efforts to uproot IUU fishing, the Korean government will establish a program to closely monitor high-risk IUU vessels under operators like Insung Corporation. E-logbook system will be introduced as well by June 2015. Along with VMS records of FMC, e-logbook will help us to better monitor catches taken by vessels.’

214. SCIC acknowledged Korea’s intervention and thanked it for its effort to monitor its distant-water fleet and combat IUU fishing.

## Proposals for new and revised measures

215. With the objective of improving the availability of data to support estimates of krill biomass and noting that the tasks required to achieve this cannot be performed by vessel crew, Chile proposed increasing scientific observation in krill fisheries (CCAMLR-XXXIII/18). Chile proposed modifying CM 51-06 to increase scientific observer coverage to 100% during krill fishing operations.

216. SCIC noted a proposal submitted by Ukraine to amend CM 51-06 to increase observer coverage in the krill fishery (CCAMLR-XXXIII/16). The proposal, if implemented, would set a target of 100% mandatory observer coverage through phased implementation, with an initial increase to 75% for 2014/15 and 2015/16, increasing to 100% for subsequent seasons.

217. Uruguay welcomed the proposals to increase observer coverage on krill vessels. It reminded SCIC that krill usually comes to port on board container vessels, making physical access difficult in order to carry out inspections due to storage conditions, and increased observer coverage would reduce inspector workload. Approximately 70% of inspections on krill vessels are conducted on board container or reefer vessels and thus Uruguay strongly supported this proposal.

218. Many Members supported the target of 100% observer coverage and welcomed the proposals to increase observer coverage on krill fishing vessels.

219. The Republic of Korea advised that, while it supported the principle of increasing observer coverage on krill fishing vessels, there are logistical challenges associated with securing observers and noted that an incremental approach was preferable. Some Members supported this approach.

220. SCIC noted that the Scientific Committee had agreed that 100% observer coverage was scientifically desirable but that any decision on a mandatory level required in the fishery was a decision for the Commission. SCIC also noted that at the same time, the Scientific Committee agreed that the most important consideration in respect of the data derived from the SISO was ensuring that the data are of the highest quality possible and most informative for the work of WG-EMM, rather than focusing on the level of observer coverage alone. The Scientific Committee recommended that the elements of CM 51-06 be retained for 2014/15.

221. SCIC considered the advice of the Scientific Committee. Many Members reiterated their support for the proposal and highlighted the importance of the orderly and precautionary development of CCAMLR krill fisheries and consistency between CCAMLR fisheries. South Africa noted that increased observer coverage would assist in the analysis of by-catch in krill fisheries.

222. Some Members noted that it was more important to improve the quality of data reported by scientific observers and the improvement of the data quality should be considered before increasing observer coverage.

223. The delegations of Brazil, Chile, the EU and the USA introduced a proposal to prohibit the finning of sharks caught in the CCAMLR Convention Area (CCAMLR-XXXIII/20) and proposed an amendment to CM 32-18 to require that the fins of incidentally caught sharks that cannot be released alive remain naturally attached until the point of first landing.

224. In relation to its presentation, the USA made the following statement:

‘Many organizations have recognized that shark populations are uniquely vulnerable to the impact of overexploitation due to their life history characteristics (slow to grow and reproduce) and their highly migratory nature. There has also been recognition of the wastefulness of finning, or removing the fins from sharks and discarding the carcass at sea. This wastefulness is contrary to the FAO’s International Plan of Action for sharks, which calls for the minimization of waste and discards from shark catches in accordance with Article 7.2.2(g) of the Code of Conduct for Responsible Fisheries. It is also contrary to the conservation objective set forth in Article II of the Convention, where conservation is defined to include rational use.

For example, the UN General Assembly’s Sustainable Fisheries resolution, calls upon States, including through regional fisheries management organizations (RFMO) or arrangements, to develop and implement national and, where appropriate, regional plans of action to implement the International Plan of Action for the Conservation and Management of Sharks and to comply with measures that regulate shark fisheries and incidental catch of sharks, in particular those measures that prohibit or restrict fisheries conducted solely for the purpose of harvesting fins and to consider, where necessary and appropriate, taking other measures such as requiring that all sharks be landed with each fin naturally attached.

Most RFMOs have responded by adopting measures to ban shark finning. CCAMLR has also contributed to global efforts to conserve and manage sharks. In 2006, the Commission adopted a proposal by France on the conservation of sharks, which resulted in Conservation Measure 32-18. However, while the CCAMLR measure prohibits the “directed fishing on shark species in the Convention Area ...” and calls for the live release of incidentally-caught sharks where possible, it is silent on the practice of shark finning. In our view, CCAMLR should adopt measures, consistent with the shark provisions in UNGA resolution, to prohibit finning of retained sharks as well as prohibit the possession of fins that are not naturally attached to the corresponding carcass.

In addition to complementing the current prohibition on directed fishing, requiring all incidentally caught sharks that are retained to be landed with their fins naturally attached will enhance species-specific data collection of sharks harvested in the Convention Area and effectively prevent finning.

This proposal is very similar to one that the United States first tabled in 2011, although some changes have been made in response to comments from our co-sponsors and Members. We look forward to further discussion.’

225. Many Members thanked the proponents of the proposal and expressed their full and strong support for the amendment to CM 32-18. They recognised that the proposal promotes the conservation of sharks, is consistent with some Members' domestic policies and fills a gap in the existing conservation measure.

226. Several Members, in expressing general support for the proposal, provided drafting suggestions relating to the inclusion of a reference to Article II of the Convention and that shark finning cannot be considered rational use.

227. France welcomed the proposal and reaffirmed its support for CM 32-18. France recalled the shark provisions in the UNGA resolution and expressed regret that CCAMLR, whose conservation goals are much more ambitious than those of RFMOs, does not have a more proactive approach on that issue.

228. The EU made the following statement:

'The EU has adopted a full shark finning ban in 2013 and all our Member States stand behind it.

The EU is happy to co-sponsor the draft measure which is in line with our domestic legislation and which would fill a gap in the existing conservation measure by banning shark finning in the Convention Area.

We hope the proposal, based on the successful experience in several countries, will also be a success in CCAMLR.'

229. Sweden made the following statement:

'Sweden fully supports the proposal by Brazil, Chile, European Union and the USA, and much appreciates the work and effort involved in this proposal. However, even a full implementation of and adherence to a finning prohibition may not substantially reduce the catch levels and keep the shark populations at sustainable levels. We do, however, think this is a great first step in managing shark mortality in the CAMLR Convention Area.'

230. Japan stated that, as a responsible fishing nation aiming at the sustainable use of sharks, it has been actively participating in relevant RFMOs for the conservation and management of sharks and already introduced the prohibition of finning in accordance with the conservation and management measures adopted by tuna RFMOs. However, Japan did not believe that the proposed amendments are necessary, taking into account the fact that the amount of shark by-catch in the Convention Area is very small and the prohibition of the directed shark fishery has been already adopted, while pointing out that the proposed amendment does not seem relevant to the conservation and management of sharks in the Convention Area. For those reasons, Japan did not support the proposal.

231. China supported the view of Japan and stated that it was also unable to support the proposal.

232. The EU presented a proposal to hold intersessional discussions between CCAMLR-XXXIII and CCAMLR-XXXIV on the possible adoption of trade-related measures by CCAMLR in order to promote compliance (CCAMLR-XXXIII/25 Rev. 1). The EU referred

to the numerous previous discussions concerning the adoption of a trade-related measure that covered many years. This proposal for intersessional discussions was a compromise in an effort to find solutions that might lead to a common understanding and the possible consideration of a more detailed proposal on trade-related measures in future.

233. Argentina made the following statement:

‘Argentina thanked the EU Delegation for its presentation and noted that since 2006 this issue has been the subject of numerous and prolonged deliberations where divergent positions were evident.

With respect to this, the Delegation of Argentina as well as other delegations with similar points of view have contributed their arguments in a precise, thorough and detailed manner. To this end, expert officials attended and presented a detailed argument with the reasons that justify why this delegation has not considered it appropriate to adopt commercial measures against States.

Understanding that there is no possibility of a compromise in order to reach the required consensus, given the profound incompatibility of positions, it does not appear to be constructive to continue the discussion of this issue during the intersessional period.

In this context, the Symposium to be held in the Republic of Chile next year offers an excellent opportunity to explore alternative mechanisms to combat IUU fishing, which is the common objective of all Members, including reinforcement of Conservation Measure 10-08 with respect to the identification and sanctioning of the beneficiaries of vessels that undermine the conservation of Antarctic marine living resources.’

234. Brazil supported Argentina’s statement that CM 10-08 is important in combating IUU fishing. Brazil does not favour the adoption of trade-related measures in CCAMLR, stating that there is no evidence that trade-related measures will combat IUU practices. China shared similar concerns.

235. Some Members thanked the EU for the paper, noting that trade-related measures are an important tool to enhance the ability of CCAMLR to address IUU fishing and promote compliance. Those Members supported the approach reflected in the EU proposal, noting that it looked beyond trade-related measures at other mechanisms that CCAMLR might employ to strengthen the tools available for combating IUU fishing, including through existing measures.

236. Some Members, in supporting the EU proposal, were of the view that the proposal does not conflict with WTO and UNGA measures and that they looked forward to participating in intersessional discussions on the proposal.

237. The USA made the following statement:

‘The U.S. welcomes the paper from the EU and appreciates its efforts to continue discussion on the adoption of a conservation measure on trade-related measures. As we have expressed over the years, we think that trade-related measures are an important tool that would enhance the ability of CCAMLR to address IUU fishing and promote compliance.

The United States continues to support strongly the approach reflected in the most recent EU proposal that ensures due process prior to a determination that a Party is not fulfilling its obligations or a non-Party is undermining CCAMLR conservation measures; provides opportunities for identified Parties and non-Parties to respond to identifications and to rectify their actions; and it is designed to provide the Commission and its members with the necessary flexibility to tailor implementation of the measure on a case-by-case basis in order to take into account relevant international trade obligations.

We note that this paper also looks beyond trade-related measures at other mechanisms that CCAMLR might employ to strengthen the tools available for combating IUU fishing, including through existing measures. We note that, in our view, this is not an either/or proposition and we hope that CCAMLR can consider the adoption of trade-related measures while, at the same time, consider additional approaches, including the strengthening of existing measures. We look forward to this discussion during the intersessional period.'

238. Uruguay, while supporting the comments of Argentina and Brazil, stated that it was willing to participate in intersessional discussions relating to efforts to combat IUU fishing as long as those discussions did not include discussion on trade-related measures.

239. Namibia supported Brazil and Argentina and had no objections to discussion on the matter of trade-related measures but noted that its representatives at this meeting were not responsible for trade-related issues in Namibia.

240. ASOC presented a document on improving the governance and control of fishing vessels operating in the Southern Ocean (CCAMLR-XXXIII/BG/22 Rev. 1). ASOC made the following statement:

'In CCAMLR-XXXIII/BG/22, ASOC highlights several suggested ways for CCAMLR to improve the governance and control of fishing vessels in the Convention Area. We particularly encourage CCAMLR to consider requiring a minimum mandatory ice classification standard for all fishing vessels. Additionally, we encourage CCAMLR to require specialized training for masters and crews on fishing vessels to prepare them for the unique challenges of operating in polar waters. Both of these actions will increase safety and enhance environmental protection.

Furthermore, the IMO plans to work on a second phase of the Polar Code that would include fishing vessels. CCAMLR Members should adopt a Resolution setting out their commitment to engage in the development of appropriate provisions for this second phase, and undertaking to inform the IMO of recent fishing vessel incidents in the Southern Ocean as well as existing CCAMLR measures that contribute to fishing vessel safety and the safety of crews in the Southern Ocean.'

## Current level of IUU fishing

### Progress reports

241. SCIC noted the report from France on recent observations related to IUU fishing in Subarea 58.6 and Divisions 58.5.1 and 58.5.2 including the French and Australian EEZs, as well as in high-seas areas in Divisions 58.4.3 and 58.4.4 (CCAMLR-XXXIII/19). Surveillance operates throughout the year in the French EEZs, and no IUU fishing activity was observed from August 2013 to August 2014; however fishing gear was found on a number of occasions during this period. This fishing gear did not belong to licensed vessels. Since 2004, satellite radar surveillance and maritime patrols have proved effective in detecting IUU fishing activities and, with the exception of one year, vessels on CCAMLR's IUU list have been observed annually over the past ten years within the surveillance area. The interception of an IUU fishing vessel in 2013 and recent and regular recovery of illegal fishing gear provides further evidence of ongoing IUU fishing activities in the French EEZs.

242. SCIC noted the report from Australia on the estimation of IUU catch taken from the Australian EEZ in Division 58.5.2 and efforts to combat IUU fishing (CCAMLR-XXXIII/BG/19). The IUU catch of toothfish was estimated between 0 and 50 tonnes in 2013/14, and this estimate was derived from the findings of Australia's Southern Ocean surveillance and enforcement program, including daily surveillance coverage by commercially operated satellites, cooperative surveillance and enforcement operations with France, licensed fishing vessels and other sources. Australia also reported on strategies it applied to combat IUU fishing in the Convention Area, including on the water surveillance and enforcement operations, including cooperative operations with France; targeting CCAMLR NCP-IUU vessels at ports through the Regional Plan of Action to Promote Responsible Fishing Practices Including Combating IUU Fishing in South East Asia (RPOA-IUU); seeking cooperation from those States whose flagged vessels or nationals have been implicated in IUU fishing and provision of in-country education and capacity building.

243. SCIC noted that sightings of CCAMLR NCP-IUU fishing vessels in 2013/14 indicated that these vessels were heading north and away from the Convention Area, and there have been no sightings of vessels returning to the Convention Area. This is a significant development and indicated that the regional cooperation that has occurred through the RPOA-IUU might be disrupting the operations of these IUU fishing vessels.

244. SCIC noted that Parties cooperating under the RPOA-IUU have undertaken to deny port access to any vessel on IUU vessel lists agreed to by regional fisheries bodies, other than for emergency purposes. The Parties have also agreed to port inspections of vessels that are admitted to port and exchange of information on the activities of IUU fishing vessels.

245. Noting the commitment by Members to combat IUU fishing demonstrated at this meeting, Australia encouraged Members to consider the wide range of strategies that can be implemented and encouraged Members to consider signing and ratifying the Port State Measures Agreement to Prevent, Deter and Eliminate IUU Fishing.

246. Australia urged Members to consider further work that could be undertaken to better understand the problem of IUU fishing, including the formulation of more reliable catch estimates, and said that it hoped that this is a discussion that can be taken forward.

247. New Zealand congratulated Australia, France and Spain on their efforts on combating IUU fishing and also agreed with other Members that Port State measures are very effective in depriving IUU fishing syndicates of lucrative profits from illegal fishing operations.

248. Spain also indicated that such actions are effective in depriving IUU fishing syndicates of lucrative profits from illegal fishing operations.

249. China appreciated Australia's efforts in fighting IUU fishing and requested additional information regarding the probable sighting of the vessel *Tiantai* (CCAMLR-XXXIII/BG/19). Australia advised that it had responded to an emergency signal from the vessel. Aerial surveillance found vessel debris in the vicinity of the signal in Division 58.4.1 and it was believed that the vessel had sunk and that its crew had likely been rescued by the *Chang Bai* (COMM CIRC 14/57, May 2014).

250. SCIC noted the report from Spain on measures taken to combat IUU fishing in the Convention Area in 2014 (CCAMLR-XXXIII/BG/34). Spain highlighted the importance of the Commission's control and inspection mechanisms in providing irrefutable evidence and documentation that supports the initiation of proper investigations. These actions required an agreed action plan to facilitate collaboration, such as joint inspections in the Convention Area. Spain also reported on recent actions taken to fulfil obligations with respect to sanctioning proven illegal actions of Spanish nationals, including a number of ongoing investigations into links between vessel owners and beneficiaries. Spain reported about the process of amending its fisheries law, which will be a very important tool in the fight against IUU activity.

251. SCIC noted the advice from Chile regarding the legal action taken against the Chilean national who was captain of the *Thunder*. This is the first prosecution case under the revised 2011 fisheries legislation and Chilean authorities initiated the action based on evidence provided by Australia. The outcomes of this case will be reported to the Commission.

252. Australia thanked Spain and Chile for the actions they had taken and expressed its appreciation of the ongoing commitment of France to the cooperative surveillance operations.

253. SCIC noted the Secretariat's progress on analysing trends in IUU fishing activity in the Convention Area (CCAMLR-XXXIII/BG/28 Rev. 1). This analysis was guided by the advice of the Scientific Committee (SC-CAMLR-XXXII, paragraphs 6.2 and 6.3) and included the development of approaches to estimate IUU removals where surveillance-based estimates cannot be effort-corrected. The analysis used operational market-related information and newly acquired information including from satellite-based AIS.

254. SCIC noted the distribution of IUU fishing activity based on reports by Members of sightings of IUU fishing vessels and gear, information from observer logbooks, cruise reports and AIS data for 2014 (CCAMLR-XXXIII/BG/28 Rev. 1, Figure 1). It was noted that this was the first time that an IUU fishing vessel had been sighted in Subarea 48.6, however there had been indirect evidence of IUU fishing activity in that subarea since 2005. The sighted vessel was the IUU-listed *Viking*. In addition, AIS data indicated that an unidentified vessel may have been present in Subarea 48.6 between July and September 2014.

255. SCIC noted that data from the recently developed satellite-based AIS contain erroneous reports of vessel positions and that these apparent inconsistencies in vessel positions and movements have not been experienced in association with position data from authorised vessels.

256. New Zealand noted that the unmarked fishing gear sighted in Subarea 88.1 in 2014 was longline fishing gear. New Zealand advised that this gear was likely to have been from authorised fishing vessels and that the marking may have been removed through the abrasive action of sea-ice.

257. Korea informed SCIC that it had implemented mandatory VMS on all distant-water fishing vessels, and this action formed part of Korea's contribution to the international effort to prevent IUU fishing.

258. SCIC thanked Members for the collaborative efforts in surveillance and new initiatives to combat IUU fishing, including the identification links between IUU fishing vessel owners and beneficiaries, and the prosecution of nationals engaged in IUU fishing.

#### Pilot initiative

259. SCIC discussed the joint proposal by France and the Secretariat of a pilot initiative to use satellite-derived imagery to improve estimates of IUU fishing vessel presence in selected, high-seas areas of the Convention Area (CCAMLR-XXXIII/07). The initiative aims to develop new methods to:

- (i) assess IUU fishing vessel presence
- (ii) interpret IUU fishing vessel presence reported by licensed fishing vessels and national surveillance efforts, and develop an index of IUU fishing vessel presence
- (iii) appraise the use of satellite imagery to provide operational data on IUU fishing vessels
- (iv) liaise with relevant national authorities, where appropriate, regarding complementary surveillance activities, and with licensed fishing vessels regarding vessel sightings reports.

260. The pilot initiative will receive in-kind contributions by France and the Secretariat and seeks additional funds (€375 000) to purchase satellite services. CCAMLR Members were invited to contribute to this initiative, including through in-kind contributions.

261. France declared that it was very pleased to contribute to this pilot project in partnership with the CCAMLR Secretariat for a six-month trial period of the radar surveillance scheme. France's in-kind contribution amounts to €158 000 and includes the use of its satellite reception station in Kerguelen Island, the processing and analysis of the radar scenes by technicians of the MRCC based in Réunion Island (CROSS Réunion) and contribution to the program of work.

262. In further discussion of this pilot initiative, SCIC noted that:

- (i) the new methodology may provide information on vessel activity and fishing effort; however, it would not be possible to obtain information on catches and species composition
- (ii) the selection of high-seas areas and the timing of acquisition of satellite images would be determined using historic information on IUU fishing activities
- (iii) consideration will be given to the interpretation of unidentified objects, such as icebergs, and the bias which may be introduced to the analysis if such records were incorrectly attributed to fishing vessels (i.e. 'false positives')
- (iv) the pilot initiative would provide a proof-of-concept study, and ongoing application of this work will be subject to project findings and availability of funds
- (v) the Secretariat's contribution to the project would focus on the results of the image analysis and their interpretation using available data, including VMS data.

263. Members expressed their support for the pilot initiative. The EU expressed its intention to commit €375 000, subject to confirmation of funds availability. Australia and the USA expressed their interest in collaborating in the work.

264. SCIC advised that the liaison with licensed fishing vessels regarding vessel sightings reports would be appropriately conducted by the Flag States.

265. SCIC endorsed the joint proposal by France and the Secretariat and invited Members to consider contributing to this effort, including in-kind contributions and alignment with other complementary initiatives.

#### Collaborative work of ASOC and COLTO

266. SCIC noted the collaborative work of ASOC and COLTO and their joint document to further develop enforcement actions to end illegal, unreported and unregulated fishing in the Southern Ocean (CCAMLR-XXXIII/BG/23). The document outlined steps to:

- (i) review and strengthen the VMS system by enhancing data provision requirements
- (ii) intensify action on nationals of CCAMLR Members potentially involved in IUU fishing
- (iii) enhance the effectiveness of IUU vessel lists by developing a mechanism for listing vessels in the intersessional period
- (iv) intensify efforts to identify IUU fishing activity by supporting the joint proposal by France and the Secretariat (CCAMLR-XXXIII/07).

267. ASOC made the following statement:

‘ASOC is pleased to introduce CCAMLR-XXXIII/BG/23, prepared by ASOC and COLTO describing our joint work over the past year, and offering some recommendations for CCAMLR. As highlighted in submissions by Australia, France, New Zealand, and by the Secretariat, IUU fishing, though reduced, is still occurring in the Convention Area and continued action is necessary to effectively combat it.

We congratulate recent enforcement actions taken by Spain and Uruguay. We also very much appreciate the enforcement actions taken by the Republic of Korea and look forward to the follow-up information that they are planning to provide.

We welcome as well the initiatives undertaken by CCAMLR to review its Catch Documentation Scheme. While generally supporting the recommendations from these groups, we wish to especially highlight the need to increase the transparency and oversight of transshipments.

Also in our paper, we provide some additional suggestions for actions CCAMLR could take to reduce IUU fishing. These include intensifying action on nationals involved in IUU fishing, and rendering the IUU vessel lists more effective by authorizing the provisional listing and delisting of vessels intersessionally, not only once a year (after an IUU vessel may have been operating unhindered for several months).

COLTO and ASOC are committed to working together to end IUU fishing in the Convention Area. We are ready to assist CCAMLR in any way that Members would find useful, and at this time would like to offer to assist the Secretariat in expanding their global toothfish trade analysis over the intersessional period.’

268. France thanked ASOC and COLTO and supported the proposals suggesting the actions that are specified in the document.

269. SCIC thanked ASOC and COLTO for the collaborative work and proposal. SCIC noted that the development of a mechanism for listing IUU fishing vessels intersessionally may be both beneficial and challenging and agreed to give this proposal further consideration.

#### IUU Vessel Lists

270. SCIC considered CCAMLR-XXXIII/15 Rev. 3, presented by the Secretariat, summarising information submitted by Members in relation to IUU fishing activity in 2013/14 and the subsequent NCP correspondence. The Secretariat provided Draft and Provisional CP- and NCP-IUU Vessel Lists for 2014/15 for consideration by the Commission.

271. SCIC noted that three vessels included on the NCP-IUU Vessel List were sighted by Members on three occasions inside the Convention Area in 2013/14 and that nine vessels included on the NCP-IUU Vessel List were sighted by Members on 14 occasions outside the Convention Area.

272. SCIC noted that two sighting reports of vessels were submitted in accordance with CM 10-02 (Annex 10-02/A). These were provided by the Spanish-flagged vessel *Tronio* in respect of the *Nihewan* and by the Japanese-flagged vessel *Shinsei Maru No. 3* in respect of the *Octopus I*.

273. SCIC noted that the Secretariat had written to NCPs (in accordance with CM 10-07 and the Policy to Enhance Cooperation between CCAMLR and non-Contracting Parties) as well as to the Flag States or entities of vessels included on the NCP-IUU Vessel List and sighted during 2013/14 and that one response, from Tanzania, had been received.

274. SCIC noted that responses to correspondence from the Secretariat remain limited and Members agreed to undertake bilateral and multilateral liaison with NCPs including Nigeria and Sierra Leone. The EU offered to contact Nigeria bilaterally and report back to SCIC in 2015.

275. SCIC noted that no new vessels had been proposed for inclusion in the CP-IUU Vessel List or the NCP-IUU Vessel List.

276. SCIC noted that the IUU-listed vessel *Tiantai* was reported by Australia to be in Division 58.4.1 on 29 March 2014 when its distress beacon was activated (COMM CIRC 14/57). SCIC also considered AIS data that identified the *Tiantai* in the Convention Area prior to its sinking. SCIC noted the advice from Australia that it was satisfied that the vessel had sunk.

277. SCIC recommends that in accordance with CM 10-07, paragraph 18, the *Tiantai* be removed from the NCP-IUU Vessel List.

278. SCIC noted that no other information has been received in accordance with CM 10-07, paragraph 16(ii), for SCIC's consideration to remove a vessel from the NCP-IUU Vessel List.

279. Accordingly, SCIC adopted a Proposed NCP-IUU Vessel List to be approved by the Commission (Appendix IV).

280. SCIC noted that Spain had requested additional information in relation to the vessel *Jin Li Chien*, identified by AIS to be in Division 58.4.1. The USA noted that the vessel is included in the Western Central Pacific Fisheries Commission (WCPFC) Vessel Registry and that WCPFC may be able to provide additional information.

281. SCIC noted that information provided under Annex 10-02/A could support the work of the Scientific Committee to develop a vessel detection model for use in estimating IUU fishing activities and acknowledged the request had been made again at this meeting. SCIC noted that while this may be a useful task, it potentially imposed a significant administrative burden on Flag States and the Secretariat. It was suggested that a project be developed to collect vessel sighting data for a discrete area and time period only potentially in conjunction with VMS and weather and sea-state conditions and that this could be used as a trial to see if the information proves useful in supporting the work of the Scientific Committee.

## Other business

282. Uruguay noted the importance of engaging positively with NCPs interested in cooperating with CCAMLR and highlighted the need for clear advice. Uruguay drew SCIC's attention to the recent correspondence between Bolivia and the Secretariat in this regard. Uruguay made the following statement:

'In accordance with CM 10-07 (2009), CCAMLR is committed to a policy of enhancement of the cooperation between the organization and non-Contracting Parties (NCP).

Recently, a note sent by authorities from Bolivia, and the Secretariat's response, were circulated. The note sent by Bolivia states that it intends to fish in the Convention Area, which is not acceptable in the context of CCAMLR conservation measures, and the response sent by the Secretariat correctly refers to the consequences for Bolivia in notifying its intention.

Nevertheless, we think that in the same spirit as CM 10-07 (2009), the above-mentioned letter does not convey in fullness the commitment to foster cooperation between the organization and NCP.

We believe that it is positive that a NCP unilaterally declares the will to approach CCAMLR, even when it is with an erroneous purpose and one that could contravene the requirements set in conservation measures.

Normally, the Secretariat writes to a NCP when vessels registered under its flag are detected operating in the Convention Area without notification or authorization. The Secretariat communicates that these vessels are included in the List of IUU vessels of NCP and urges the State in question to cooperate with CCAMLR. The great majority of these States do not even answer these letters.

Our commitment is to seek cooperation from and offer cooperation to NCP, and hence the objective must be to come together and not to alienate.

Maybe, in this case and others similar cases, what is appropriate would be to give them explicit instructions on how to proceed in accordance with conservation measures, to offer answers to questions or clarify doubts on how to proceed, and everything that would be interpreted by the NCP in question as a show of goodwill from CCAMLR.'

283. Brazil supported Uruguay stating that the convention needs to engage cooperatively with NCPs in order to avoid imposing excessive sanctions.

284. Argentina noted its full support for the statement from Uruguay and emphasised the importance of cooperation with NCPs in CCAMLR.

285. Australia noted that as the depository of the Convention, it had provided relevant information to the Secretariat in relation to this issue, which in turn had provided it to Bolivia.

286. The UK noted that its Ambassador in La Paz had raised the issue with Bolivia's Ministry of Foreign Affairs, which did not have any information available at that time, but had agreed to report back.

287. New Zealand noted that the Bolivian-flagged vessel, the *Cape Flower*, proposed by Bolivia to undertake fishing activities in the Convention Area, had been detained in previous years. It was also noted that this information was derived from a media report and that further investigation is required to confirm this.

## CCAMLR Compliance Report

## Australia

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
10-03	<i>Southern Champion</i>	22 May 2014	<p>The vessel arrived in Albany on 12 April 2014 and was inspected by Australia on 15 April 2014.</p> <p>Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.</p>	<p>The vessel was originally scheduled to arrive earlier that week, however no berths were available until Saturday 12 April. The Australian Fisheries Management Authority (AFMA) had scheduled its Fisheries Officers to inspect the vessel within 48 hours of its original date of arrival. The vessel's delayed arrival, in combination with complications in altering the travel arrangements for one of the officers who was travelling from Darwin to Albany (port where the <i>Southern Champion</i> berthed), meant the officer was unable to arrive until the night of Monday 14 April 2014. As the delayed officer was carrying the inspection authorisation, an inspection of the vessel was unable to be conducted until the delayed officer arrived.</p> <p>Further, for occupational health and safety reasons, AFMA has a policy that all inspections are only to be conducted when there are two Fisheries Officers present. Despite the delay, the two officers were present for the entirety of the unload where all catch was weighed and verified. Australia has examined the matter and as outlined above the delayed inspection was as a result of a combination of logistical factors and the need to adhere to occupational health and safety requirements.</p>	02 Sep 2014	No action required (paragraphs 6 to 8)	Partially compliant

## Chile

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status																									
10-02	<i>Cabo de Hornos</i>	11 Feb 2014	The vessel's licence was issued by Chile on 17 January 2014. The licence notification was submitted to the Secretariat on 11 February 2014. Paragraph 3 requires licence notifications to be submitted to the Secretariat within seven days of licence issuance.	The current procedures for the submission of licence notifications to the Secretariat have been reviewed and have been modified to comply with deadlines established in CM 10-02.	06 Sep 2014	No action required (paragraphs 9 to 12)	Partially compliant																									
10-02	<i>Diego Ramirez</i>	11 Feb 2014	The vessel's licence was issued by Chile on 17 January 2014. The licence notification was submitted to the Secretariat on 11 February 2014. Paragraph 3 requires licence notifications to be submitted to the Secretariat within seven days of licence issuance.	The current procedures for the submission of licence notifications to the Secretariat have been reviewed and have been modified to comply with deadlines established in CM 10-02.	06 Sep 2014	No action required (paragraphs 9 to 12)	Partially compliant																									
10-03		05 Aug 2014	Three vessels were reported through the Catch Documentation Scheme (CDS) to have landed <i>Dissostichus</i> spp. on four occasions at ports in Chile. No inspection reports were received by the Secretariat in respect of these landings as required by paragraph 1.	Sent to the Secretariat on August 21st 2014 Sent to the Secretariat on August 21st 2014 Sent to the Secretariat on August 21st 2014 Sent to the Secretariat on August 21st 2014	06 Sep 2014	No action required (paragraphs 10 to 12)	Partially compliant																									
			<table border="1"> <thead> <tr> <th>Vessel</th> <th>Flag</th> <th>Area(s) fished</th> <th>Port</th> <th>Landing date</th> </tr> </thead> <tbody> <tr> <td><i>Antarctic Bay</i></td> <td>Chile</td> <td>48.3</td> <td>Punta Arenas</td> <td>3 Apr 2014</td> </tr> <tr> <td><i>Global-pesca II</i></td> <td>Chile</td> <td>41.3.2</td> <td>Punta Arenas</td> <td>4 Jun 2014</td> </tr> <tr> <td><i>Global-pesca III</i></td> <td>Chile</td> <td>41.3.2</td> <td>Punta Arenas</td> <td>10 Sep 2013</td> </tr> <tr> <td><i>Global-pesca III</i></td> <td>Chile</td> <td>41.3.2</td> <td>Punta Arenas</td> <td>7 Jun 2014</td> </tr> </tbody> </table>	Vessel	Flag	Area(s) fished	Port	Landing date	<i>Antarctic Bay</i>	Chile	48.3	Punta Arenas	3 Apr 2014	<i>Global-pesca II</i>	Chile	41.3.2	Punta Arenas	4 Jun 2014	<i>Global-pesca III</i>	Chile	41.3.2	Punta Arenas	10 Sep 2013	<i>Global-pesca III</i>	Chile	41.3.2	Punta Arenas	7 Jun 2014				
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(continued)

## Chile (continued)

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
10-03	<i>Poseydon I</i>	20 Mar 2014	The vessel arrived in Punta Arenas on 13 February 2014 and was inspected by Chile on 22 February 2014. Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.	<p>The vessel arrived in Punta Arenas on 13 February 2014.</p> <p>Although the vessel was initially authorized to enter the port, it remained off port due to a labour strike on board. The captain informed this situation to the Maritime Authority, which then requested the vessel not to enter port.</p> <p>Due to this situation, as well as for security reasons, it was not possible to make the inspection within the required 48 hours. It was decided to wait for the strike to end.</p> <p>Only on 24 February 2014 the crew permitted the inspection of the ship, which was performed without incidents while the ship was off the port.</p> <p>The vessel is currently in Punta Arenas and the crew remains on strike.</p> <p>All these facts are properly registered on the report sent to the CCAMLR.</p>	06 Sep 2014	No action required (paragraphs 11 to 12)	Partially compliant
10-03	<i>Simeiz</i>	13 Mar 2014	The vessel arrived in Punta Arenas on 6 February 2014 and was inspected by Chile on 11 February 2014. Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.	<p>The vessel arrived in Punta Arenas on 6 February 2014. It was initially authorized to enter the harbor, but it remained off port because the company representative did not provide the required documents established in national legislation.</p> <p>The representative of the company provided the necessary documents on 9 February 2014.</p> <p>The vessel was inspected on 11 February at 16:50 hrs.</p> <p>All these facts are properly registered on the report sent to the CCAMLR.</p>	06 Sep 2014	No action required (paragraphs 11 to 12)	Partially compliant

(continued)

## Chile (continued)

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
25-02	<i>Antarctic Bay</i>	31 Jul 2014	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subarea 48.3 between 18 April 2013 and 23 August 2013.</p> <p>The observer reported on 14 August 2013 that the streamer line was not deployed for one set due to streamer entanglement. Paragraph 8 requires streamer lines to be deployed during longline setting.</p>			Further action required (paragraphs 15 to 16)	Non-compliant
25-02	<i>Antarctic Bay</i>	04 Aug 2014	<p>The vessel set a line starting at 05:35 UTC and ending at 06:10 UTC on 13 April 2014 while fishing in Subarea 48.3. Morning twilight at the reported position of setting began at 06:03 UTC, with sunrise at 07:19 UTC.</p> <p>Paragraph 5 requires vessels to set longlines at night only (between the times of nautical twilight).</p> <p>The incidental mortality reported from this line when hauled on 15 April 2014 was 74 dead white-chinned petrels.</p>	Servicio Nacional de Pesca (SERNAPESCA) has initiated a formal inquiry that is still ongoing.	06 Sep 2014	Further action required (paragraphs 13 to 16)	Non-compliant
China							
10-04	<i>Fu Rong Hai</i>	01 Aug 2014	The vessel entered Subarea 48.1 on 18 December 2013 and exited on 21 January 2014. VMS data for this trip was provided to the Secretariat on 13 February 2014. Paragraph 10(ii) requires VMS data to be provided to the Secretariat within 10 working days following departure from the Convention Area.	As above	28 Aug 2014	No action required (paragraphs 17 to 21)	Partially compliant

(continued)

## China (continued)

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
10-04	<i>Fu Rong Hai</i>	22 Jan 2014	The vessel entered Subarea 48.1 on 3 January 2013 and exited on 1 February 2013. The vessel returned to Subarea 48.1 on 7 February 2013 and exited on 31 March 2013. VMS data for these two trips was provided to the Secretariat on 10 October 2013. Paragraph 10(ii) requires VMS data to be provided to the Secretariat within 10 working days following departure from the Convention Area.	By our understanding, the word ‘departure’ in CM 10-04, we tend to think it means a fishing vessel exits from the convention area for no more intention of fishing operation or suspending for a considerable long period in the season. Considering the vessel <i>Fu Rong Hai</i> ’s temporary departure (less than 10 days), we are not quite sure whether to report the VMS data for the section of the fishing cruise individually, or for the integrated sections of the whole fishing season.	28 Aug 2014	No action required (paragraphs 17 to 21)	Partially compliant
10-09	<i>Kai Li</i>	31 Mar 2014	The vessel transhipped krill and krill meal to the <i>Iris</i> in Subarea 48.1 on 29 March 2014. The transhipment notification was submitted to the Secretariat on 28 March 2014. Paragraph 2 requires transhipment notifications to be submitted to the Secretariat 72 hours in advance of transhipment.	The late notification of transhipment is the result of unexpected factors at sea, such as weather condition, the availability of transportation vessels, which made the company cannot make sure the date for the transhipment required by CM 10-09. China has required the company to carry out transhipment in accordance with CM 10-09 and CCAMLR’s other relevant requirements.	28 Aug 2014	No action required (paragraphs 22 to 24)	Partially compliant
10-09	<i>Kai Yu</i>	07 Apr 2014	The vessel transhipped krill and krill meal to the <i>Frio Shinano</i> in Subarea 48.1 on 6 April 2014. The transhipment notification was submitted to the Secretariat on 6 April 2014. Paragraph 2 requires transhipment notifications to be submitted to the Secretariat 72 hours in advance of transhipment.	As above	28 Aug 2014	No action required (paragraphs 22 to 24)	Partially compliant

(continued)

## China (continued)

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
10-09	<i>Kai Li</i>	09 May 2014	<p>The vessel transhipped krill to the <i>Iris</i> in Subarea 48.1 on 10 May 2014. The transhipment notification was submitted to the Secretariat on 09 May 2014.</p> <p>Paragraph 2 requires transhipment notifications to be submitted to the Secretariat 72 hours in advance of transhipment.</p>	As above	28 Aug 2014	No action required (paragraphs 22 to 24)	Partially compliant
France							
10-02	<i>Saint André</i>	26 May 2014	<p>The vessel's licence was issued by France on 24 March 2014.</p> <p>The licence notification was submitted to the Secretariat on 7 May 2014. Paragraph 3 requires licence notifications to be submitted to the Secretariat within seven days of licence issuance.</p>	<p>France regrets the lateness, due to an administrative error, of this notification to the Secretariat of a fishing licence being issued to the <i>Saint André</i>. The date of issue had to be brought forward to 24 March 2014 as a way of dealing with potential administrative uncertainties, thereby allowing the captain to depart for his fishing trip with an original document, since the trip was organised to take place in 2 phases, the first in the Kerguelen EEZ (April to early May), and the second in Division 58.4.3a, known as 'Elan Bank'. However, only the latter area, being international, is subject to CM 10-02 (given that the Chairman's Statement applies to the Kerguelen EEZ), and it should be noted that the authorisation to undertake exploratory fishing on 'Elan Bank' actually states (paragraph 2) that it is valid from 1 May to 31 August 2014.</p> <p>In fact, France did notify the Secretariat, on 7 May, that the licence had been issued to the <i>Saint André</i>, before it actually entered the 'Elan Bank' area (on 13 May).</p>	04 Sep 2014	No action required (paragraphs 25 to 26)	Partially compliant

(continued)

## France (continued)

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
10-02 (continued)	<i>Saint André</i> (continued)			France undertakes to ensure that this type of administrative error will not be repeated and that it will inform the Secretariat, within the regulatory time-frame of 7 days, of any fishing licences issued to its vessels entering the CAMLR Convention Area.			
Korea, Republic of							
10-09	<i>Sejong</i>	12 May 2014	The vessel transhipped fuel from the <i>Iris</i> in Subarea 48.1 on 10 May 2014. The transhipment notification was submitted to the Secretariat on 10 May 2014. Paragraph 2 requires transhipment notifications to be submitted to the Secretariat 72 hours in advance of transhipment.	<ul style="list-style-type: none"> <li>○ As it was notified of sudden schedule change of the fuel carrier, the vessel could not comply with prior notification provision.</li> <li>- At first, <i>Sejong</i> was supposed to tranship fuel from the <i>Iris</i> on 15 May 2014. However, <i>Iris</i> notified <i>Sejong</i> via VHF communications that it would withdraw from the fishing ground ahead of schedule.</li> <li>- <i>Sejong</i> had no choice but to tranship fuel from <i>Iris</i> according to the changed schedule because it was impossible for the vessel to wait with the fuel it had then until the next fuel supply date.</li> <li>- <i>Sejong</i> notified transhipment of fuel to the Secretariat (9 a.m. 10 May 2014) right after it was informed of schedule change from <i>Iris</i>.</li> <li>* Attachments (E-mail)</li> <li>- (#5) transhipment notification (<i>Sejong</i>→Secretariat)</li> </ul>	26 Aug 2014	No action required (paragraphs 27 to 28)	Partially compliant

(continued)

## Korea, Republic of (continued)

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
10-09 (continued)	<i>Sejong</i> (continued)			<ul style="list-style-type: none"> <li>- (#6) transshipment notification (Operator→Secretariat)</li> <li>- (#7) Notification on completion of transshipment (<i>Sejong</i>→Secretariat)</li> </ul>			
23-06	<i>Kwang Ja Ho</i>	01 Aug 2014	The vessel fished 1 to 8 May 2014 and submitted its C1 haul-by-haul data to the Secretariat on 7 July 2014. Paragraph 2 requires C1 haul-by-haul data to be submitted to the Secretariat by the end of the month following the catch month (linked to CM 23-03, paragraph 2).	<ul style="list-style-type: none"> <li>○ The vessel had to submit its May catch data (fishing period: 1–8 May 2014) to the Secretariat by the end of June. However, because of administrative errors, it belatedly reported to the Secretariat on 7 July 2014.</li> <li>- However, the vessel timely submitted 5-day report on 7 May (fishing period: 1–5 May) and 13 May (6–10 May).</li> <li>* Attachments (E-mail)</li> <li>- (#8) 5-day report dated 7 May</li> <li>- (#9) 5-day report dated 13 May</li> <li>- (#10) C1 data report</li> </ul>	26 Aug 2014	No action required (paragraphs 29 to 30)	Partially compliant
Norway							
10-04	<i>Seljevaer</i>	17 Jan 2014	<p>The vessel was inspected by New Zealand on 9 December 2013 in Subarea 88.1. It was reported by New Zealand that the VMS unit had its seal broken.</p> <p>The unit was re-sealed by an embarked observer.</p> <p>Paragraph 2(ii) requires that the Flag State ensures the VMS unit is protected by official seals (or mechanisms).</p>	<p>Based on the information in the inspection report the Directorate of Fisheries has been in contact with the vessel/vessel owner. The vessel has reported that the master had not been aware that the seal had been broken during the inspection in Montevideo.</p> <p>Based on the incident, the Directorate of Fisheries has issued a warning to the vessel. The vessel owner has assured the Directorate of Fisheries that the vessel will not leave port without checking the VMS unit. Norwegian authorities expect full compliance with this conservation measure in the future.</p>	05 Sep 2014	No action required (paragraphs 33 to 34)	Non-compliant

(continued)

Norway (continued)

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
10-04	<i>Juvel</i>	02 Apr 2014	The vessel was inspected by Chile on 13 March 2014 in Punta Arenas. It was reported that the vessel's VMS unit was not sealed with an official seal as required by paragraph 2(ii).	Based on the information in the inspection report the Directorate of Fisheries contacted the vessel/vessel owner. The vessel has reported that in accordance with the installation certificate from 2008, the seal is placed on the VMS unit mounted on the bridge, and that there has never been a seal on the antenna itself. The original seal from 2008 is still intact. The vessel has also informed us that the antenna shown on the pictures in the report is a VHF antenna, which has nothing to do with the VMS. To be on the safe side, a new and additional seal is now placed on the VMS unit on the bridge. A seal is also placed on the (right) antenna.	04 Sep 2014	Further action required (paragraphs 35 to 36)	Additional information required

Russian Federation

10-01	<i>Sparta</i>	27 Feb 2014	The vessel was inspected by New Zealand on 10 January 2014 in Subarea 88.1. It was reported that the international radio call sign on both sides of the hull were 0.22 metre in height and not 1.0 metre.  Paragraph 1 requires vessels to be marked in such a way that they can be readily identified in accordance with international standards.	Conservation Measure 10-01 specifies that the markings on fishing vessels licensed to conduct fishing in the Convention Area in accordance with Conservation Measure 10-02 allow for rapid identification in line with internationally recognised standards such as the FAO Standard Specifications for the Marking and Identification of Fishing Vessels. Although Conservation Measure 10-01 does not directly state that the FAO standards are the only international standards applicable to determining the criteria for marking vessels, the vessel owner has been sent an order to remove the relevant remark taking into account requirements about proportion in the application of hull numbers and IRCS.	04 Sep 2014	Further action required (paragraphs 44 to 46)	Partially compliant
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(continued)

Russian Federation (continued)

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
10-04	<i>Ugulan</i>	11 Feb 2014	The vessel was inspected by New Zealand on 11 February 2014 in Lyttleton. It was reported that the vessel's VMS unit was not sealed with an official seal as required by paragraph 2(ii).	<p>In line with requirements only the antenna (dome-shaped) unit needs to be sealed. The antenna (dome-shaped) unit receives and transmits data; it houses a GPS receiver board, electronic transmitter board, antenna, built-in batteries, etc., i.e. items of equipment to which crew members do not have access. The antenna (dome-shaped) unit on the vessel <i>Ugulan</i> was sealed in the appropriate manner by the service company and tested by the Murmansk branch of Monitoring and Communications Centre.</p> <p>The report of inspection of the <i>Ugulan</i> provides as proof of the lack of seals a photograph of the junction box that is part of the radio beacon. According to the installation and operation manual for the radio beacon, the junction box contains a mounting block, buzzer switch, fuse circuit breaker, transducer and power regulator, i.e. items of equipment that need to be accessible for installation and during operation of the device. Therefore, the junction box does not need to be sealed.</p>	03 Sep 2014	(paragraphs 48 to 50)	Additional information required
10-09	<i>Yantar 31</i>	24 Jan 2014	The vessel transhipped fuel to the <i>Yantar 35</i> in Subarea 88.2 on 23 January 2014. The transhipment notification was submitted to the Secretariat on 24 January 2013. Paragraph 2 requires transhipment notifications to be submitted to the Secretariat 72 hours in advance of transhipment.	In accordance with Conservation Measure 10-09, a transhipment notification should have been made by the vessel owner. However, the vessel owner duplicated the transhipment notification to the relevant Russian authority and did not notify the CCAMLR Secretariat.	06 Sep 2014	No action required (paragraphs 51 to 52)	Partially compliant

(continued)

Russian Federation (continued)

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
10-09 (continued)	<i>Yantar 31</i> (continued)			Russia carried out an investigation to determine the reasons for this with the participation of the vessel owner. Given that the vessel owner did not implement the procedures set forth in Conservation Measure 10-09 in the proper manner, appropriate measures have been taken against him.			

South Africa

10-03		05 Aug 2014	One vessel was reported through the Catch Documentation Scheme to have landed <i>Dissostichus</i> spp. on one occasion in port in South Africa. No inspection report was received by the Secretariat in respect of this landing as required by paragraph 1.	South Africa has a contract with an independent company to conduct the monitoring of vessels that report to South African ports. The contract for monitoring was terminated due to unforeseen circumstances and this has put a huge burden on the inspectors who have to inspect the local fishery and foreign vessels that report to our ports.	04 Sep 2014	Further action required (paragraphs 56 to 59)	Non-compliant										
			<table border="1"> <thead> <tr> <th>Vessel</th> <th>Flag</th> <th>Area(s) fished</th> <th>Port</th> <th>Landing date</th> </tr> </thead> <tbody> <tr> <td><i>Shinsei Maru No. 3</i></td> <td>Japan</td> <td>48.6 and 47.4</td> <td>Cape Town</td> <td>10 Jan 2014</td> </tr> </tbody> </table>	Vessel	Flag	Area(s) fished	Port	Landing date	<i>Shinsei Maru No. 3</i>	Japan	48.6 and 47.4	Cape Town	10 Jan 2014	Due to capacity of inspectors it has been difficult to continue the level of monitoring and inspections. Therefore, the landing of the <i>Shinsei Maru No. 3</i> on 10 January 2014 was not inspected. The terms of reference for the new contract have been drafted and a service provider will be appointed soon. The Fisheries Branch is committed to maintain the high level of monitoring and inspections of vessels entering South African ports.			
Vessel	Flag	Area(s) fished	Port	Landing date													
<i>Shinsei Maru No. 3</i>	Japan	48.6 and 47.4	Cape Town	10 Jan 2014													

(continued)

South Africa (continued)

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
10-03	<i>Koryo Maru No. 11</i>	04 Jul 2014	The vessel arrived in Cape Town on 10 May 2014 and was inspected by South Africa on 16 May 2014. Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.	<p>We agree and confirm that the inspection was conducted on the 16 May 2014 and are mindful that the inspection should have been conducted within 48 hours of port entry. The inspection could not be conducted within 48 hours due to the unavailability of inspectors at the time, because they were conducting joint operations with other stakeholders. We can confirm that the discharge of product was monitored.</p> <p>South Africa has a contract with an independent company to conduct the monitoring of vessels that report to South African ports. The contract for monitoring was terminated due to unforeseen circumstances and this has put a huge burden on the inspectors whom have to inspect the local fishery and foreign vessels that report to our ports. Due to capacity of inspectors it has been difficult to continue the level of monitoring, inspections and joint operations.</p>	04 Sep 2014	Further action required (paragraphs 53 to 55)	Partially compliant
26-01	<i>El Shaddai</i>	31 Jul 2014	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subareas 58.6 and 58.7 between 13 July 2013 and 23 September 2013.</p> <p>The observer reported that the vessel used plastic packaging bands to secure bait boxes. Paragraph 1 prohibits the use of plastic packaging bands to secure bait boxes.</p>	<p>All relevant CCAMLR requirements are made legally binding for South African vessels through national laws and regulations and annual permits for each vessel participating in the CCAMLR region.</p> <p>Based on the information in the observer report, the plastic packaging was removed whilst in the freezer hold and cut into short sections and retained on board for disposal ashore. The Fisheries Branch has issued a warning to the vessel.</p>	04 Sep 2014	No action required (paragraphs 60 to 61)	Non-compliant

(continued)

South Africa (continued)

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
26-01 (continued)	<i>El Shaddai</i> (continued)			The owner of the vessel has assured the Fisheries Branch that the vessel will not leave port with such plastic packaging bands on board, and the South African authorities expect full compliance with this CM in the future.			

Ukraine

10-01	<i>Simeiz</i>	17 Jan 2014	<p>The vessel was inspected by New Zealand on 12 December 2013 in Subarea 88.1. It was reported that the international radio call sign on both sides of the hull were 0.4 metre in height and not 1.0 metre.</p> <p>Paragraph 1 requires vessels to be marked in such a way that they can be readily identified in accordance with international standards.</p>	<p>We have carefully reviewed the documents resulting from an inspection of a Ukrainian-flagged vessel (Boarding and Inspection Report, Inspection Report) carried out by authorised CCAMLR inspectors (New Zealand nationals), and would like to make the following comments.</p> <p>The inspection was carried out properly and was fully understood by the vessel's senior officers and crew.</p> <p>According to the attached Inspection Report, the inspectors noted non-compliance with the requirements of conservation measures covering external vessel markings (CM 10-01). This is not questioned and this oversight will be rectified once the vessel leaves high-latitude waters and arrives at a place where suitable painting can be done. Evidence of proper markings will be documented and sent to New Zealand and the Secretariat.</p>	03 Feb 2014	No action required (paragraphs 62 to 63)	Partially compliant
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(continued)

## Ukraine (continued)

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
10-01 (continued)	<i>Simeiz</i> (continued)			<p>As we reported, the oversight on the part of the vessel's crew in relation to the size of lettering for the external markings of the <i>Simeiz</i> was corrected as soon as the vessel reached relatively low latitudes, i.e. as can be seen in the photo provided to the Secretariat taken on 4 February 2014 (the vessel entered the port of Punta Arenas, Republic of Chile, on 07/02/2014). The size of the lettering meets the requirements of CCAMLR Conservation Measure 10-01 and FAO Standards governing the markings of fishing vessels; lettering height is 1 000 mm.</p> <p>This information has been entered by the Secretariat on behalf of Ukraine on 23 September 2014 to reflect information that was provided by Ukraine to the Secretariat on 03 February 2014.</p>			
10-04	<i>Poseydon I</i>	04 Mar 2014	The vessel was inspected by Chile on 24 February 2014 in Punta Arenas. It was reported that the vessel's VMS unit was not sealed with an official seal as required by paragraph 2(ii).	Nil response.		Further action required (paragraphs 64 to 66)	Non-compliant

Uruguay

Conservation Measure	Vessel	Recorded date	Implementation summary – Secretariat					Response – Member	Response date	SCIC response	Status										
10-03	<i>Juvel</i>	24 Jul 2014	The vessel arrived in Montevideo on 23 June 2014 and was inspected by Uruguay on 10 July 2014. Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.					<i>Juvel</i> (NOR) inspections are carried out in a coordinated manner with companies, once they provide all the documents required. As well, it is important to have access to the vessel, from an operational perspective, and this does not depend on the body in charge of the inspection. Inspections were carried out with ease when conditions were favourable and the companies were not adversely affected by the period of time elapsed.	28 Aug 2014	No action required (paragraphs 67 to 71)	Compliant										
10-03		05 Aug 2014	<table border="1"> <thead> <tr> <th>Vessel</th> <th>Flag</th> <th>Area(s) fished</th> <th>Port</th> <th>Landing date</th> </tr> </thead> <tbody> <tr> <td><i>Hong Jin</i></td> <td>Korea, Republic of</td> <td>41.3.1</td> <td>Montevideo</td> <td>17 Oct 2013</td> </tr> </tbody> </table>					Vessel	Flag	Area(s) fished	Port	Landing date	<i>Hong Jin</i>	Korea, Republic of	41.3.1	Montevideo	17 Oct 2013	<i>Hing Jun No. 701</i> (KOR). It was not carried out due to operational problems, which are currently under investigation by the relevant administrative authorities. The information submitted by the company prior to the entry of the vessel to port in Montevideo is enclosed for the Secretariat of CCAMLR.	05 Sep 2014	Further action required (paragraphs 72 to 73)	Non-compliant
Vessel	Flag	Area(s) fished	Port	Landing date																	
<i>Hong Jin</i>	Korea, Republic of	41.3.1	Montevideo	17 Oct 2013																	
10-03	<i>Aquamarine</i>	02 Jul 2014	The vessel arrived in Montevideo on 2 June 2014 and was inspected by Uruguay on 13 June 2014. Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.					<i>Aquamarine</i> (Moldova) inspections are carried out in a coordinated manner with companies, once they provide all the documents required. As well, it is important to have access to the vessel, from an operational perspective, and this does not depend on the body in charge of the inspection.  Inspections were carried out with ease when conditions were favourable and the companies were not adversely affected by the period of time elapsed. On the other hand, one must take into account that when a shipment arrives in a transport vessel, accessibility is a complex issue.	28 Aug 2014	No action required (paragraphs 67 to 71)	Compliant										

**Terms of reference for the implementation  
of the CDS Review Panel's recommendations**

1. To further consider and implement the recommendations of the CDS Review Panel (CCAMLR-XXXIII/09 Rev. 1) that undertook an independent review of CCAMLR's CDS, the terms of reference for the CDS Implementation Panel<sup>1</sup> are:

- (i) develop and implement a scope of work for the upgrade of the current e-CDS to a more modern platform
- (ii) implement the recommendations of the CDS Review Panel agreed to by SCIC (Attachment A)
- (iii) further consider, including through consultation with the CDS Technical Working Group, the CDS Review Panel recommendations identified by SCIC as requiring additional work, inter alia, possible revisions to CM 10-05 and the e-CDS User Manual (Attachment A)
- (iv) implement the CDS Review Panel recommendations to improve NCP participation in the CDS (CCAMLR-XXXIII, Annex 6, paragraph 162)
- (v) the CDS Implementation Panel will undertake the work identified in paragraphs 1(i) to 1(iv) utilising the budget recommended by SCIC of A\$55 000<sup>2</sup>.

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<sup>1</sup> To include the CDS Review Panel established in 2014 and the Secretariat.

<sup>2</sup> A\$15 000 funded from the General Fund and A\$40 000 funded from the CDS Fund.

Weakness	Context/explanation	Recommendation	Benefit of implementation	Implementation steps
<b>CM 10-05</b>				
<p>Obsolete requirement for a seal or stamp</p>	<p>Legacy from the paper scheme.</p> <p>Some Parties may still have a domestic requirement for the stamp, so this recommendation may need a national-level review and confirmation.</p>	<p>Remove.</p> <p>Use the space to accommodate Issuing Authority details.</p>	<p>Replaces obsolete information with information of value.</p>	<p>CM revision 2014</p>
<p>No issuing authority/agency information provided in Section 13 – Export Government Authority Validation</p>	<p>Export and Re-Export Documents do not currently require authority/agency information in Section 13 other than an individual’s name.</p>	<p>Require the issuing authority/agency and job description information to be included in Section 13 of Export and Re-Export Documents.</p>	<p>Improved clarity in respect of the Export Government Authority Validation.</p>	<p>CM revision 2014</p>
<p>Incomplete VMS record relative to a <i>Dissostichus</i> Catch Document (DCD) date range</p>	<p>A DCD only requires the start and end date of fishing, not port-to-port dates. This can make it difficult to reconcile VMS data when requested for port-to-port, e.g. to meet US import requirements.</p>	<p>Mandatory port-to-port VMS reporting.</p> <p>Change the DCD date range to port-to-port.</p>	<p>Increased accountability.</p> <p>Improved reconciliation of VMS data with CDS documents.</p>	<p>Further consideration by Panel 2015</p> <p>Recommendation to SCIC 2015</p>
<b>Implementation and Operation</b>				
<p>Inadequate and out-of-date user documentation</p>	<p>The e-CDS User Manual requires revision and improvement.</p> <p>The e-CDS User Manual is only produced in the four official CCAMLR languages.</p>	<p>Update and revise e-CDS User Manual, adding flow diagrams and screen shots.</p> <p>Prepare and distribute specifically tailored User Guides for different users, such as vessel masters and authorised representatives.</p>	<p>Will result in a more user-friendly e-CDS and training will be better facilitated by a comprehensive, up-to-date manual.</p> <p>Improved clarity regarding data requirements.</p>	<p>Implementation by Panel in 2015</p>

Weakness	Context/explanation	Recommendation	Benefit of implementation	Implementation steps
		<p>Translate the e-CDS User Manual to most commonly used non-CCAMLR languages.</p> <p>Develop the facility to provide context-sensitive online help for the e-CDS.</p> <p>Implement a system to communicate CDS developments, refinements and upgrades directly to all stakeholders.</p>	Reduction in the number of amendment requests.	
Inefficient data amendment process	<p>The current amendment process can be time-consuming and resource-demanding on CDS Contact Officers and the Secretariat.</p> <p>The Secretariat is required to be informed and make all changes, including minor edits.</p>	<p>CDS Contact Officers be permitted to make certain amendments to CDS documents.</p> <p>A list of amendment types be approved by the Commission.</p>	Reduced overheads associated with minor amendment requests and reduced delays in exports and re-exports due to amendment requirements.	<p>Further consideration by Panel 2015</p> <p>Recommendation to SCIC 2015</p>
Insufficient delegation and inefficient processing for vessel-related data entry	Flag States are required to generate e-CDS documents and provide a copy of the document to vessel masters or authorised representatives to complete. Data are then entered into the e-CDS by the Flag State.	<p>Provide a vessel master or authorised representative with optional and limited access to the e-CDS for the purpose of completing Sections 4, 5 and 6 on a DCD.</p> <p>Vessel master or authorised representative-entered data to be verified and approved by the Flag State.</p>	<p>Reduced overheads associated with data entry and the use of paper document copies between the vessel and Flag State.</p> <p>Improved timeliness and accuracy of data inclusion in the e-CDS.</p>	<p>Further consideration by Panel 2015</p> <p>Recommendation to SCIC 2015</p>

Weakness	Context/explanation	Recommendation	Benefit of implementation	Implementation steps
Incomplete external documentation associated with a DCD	Where supporting documentation exists, such as a bill of lading, customs certificate or health inspection certificate, there is no facility to support their transmission via the e-CDS.	Provide a mechanism to allow optional supplementary documentation to be attached to CDS documents after they are issued.	Improved scope of information associated with a DCD.  Improved workflow captures additional CDS-related documentation.	Implementation by Panel in 2015
Lack of information during e-CDS data entry on the amount of catch available for export	Only way to view balance available for export/re-export is to run a separate report.  At the time of the creation of an Export/Re-Export Document, it would benefit users to see how much catch is available (yet to be recorded) for export/re-export.	The e-CDS system be modified to display the catch balance remaining for export/re-export.	The catch balance for export/re-export will be readily visible to exporting authorities.	Implementation by Panel in 2015
No standard procedure in place to reconcile and/or validate catch/export data from all available information sources	The Secretariat is not routinely validating information contained in the e-CDS with information from catch and effort reports (C-data) from vessels fishing inside the Convention Area.  The Secretariat does not undertake routine validation or reconciliation of e-CDS data with <i>Dissostichus</i> trade-related information maintained by other organisations.	The Secretariat to undertake an annual reconciliation of catch and effort data reported from inside the Convention Area with CDS data on a vessel-by-vessel basis and make the results available to the Commission.  The Secretariat to undertake an annual comparison of CDS trade information with alternative trade databases.	Improved reporting associated with the CDS.  Provide extra assurance regarding CDS data quality by expanded verification of catch data from various data sources.	Implementation by Panel in 2015
Limited resolution for CDS data summaries presented in the <i>Statistical Bulletin</i>	<i>Statistical Bulletin</i> CDS data provides a consolidated summary for <i>Dissostichus</i> spp.	<i>Statistical Bulletin</i> CDS information to be presented separating CDS data for <i>Dissostichus eleginoides</i> and <i>D. mawsoni</i> .	Improved transparency, and additional resolution, of CDS information associated with <i>Dissostichus</i> spp.	Implementation by Panel in 2015

Weakness	Context/explanation	Recommendation	Benefit of implementation	Implementation steps
Manual processes associated with validation of CDS data with VMS data upon request from Contracting Parties	<p>The Secretariat is required to manually check available VMS data against DCD information.</p> <p>There is no facility for a Flag State to monitor the status of VMS data reporting for its vessels to the Secretariat.</p>	<p>Develop and implement an automated process for vessels and/or Flag State authorities to verify VMS reporting with respect to a DCD.</p> <p>Provide a mechanism for Flag States to check the VMS reporting status of their vessels to the Secretariat at any time.</p>	<p>Improved range of tools available for Flag States to monitor the reporting status of their vessels to the Commission's VMS.</p> <p>Reduced requirements for manual reconciliation of VMS data against DCD claims.</p>	Implementation by Panel in 2015
Incomplete assimilation of relevant data from other CCAMLR CMs	<p>The relationship between a DCD and a port inspection is not linked and is only manually auditable.</p> <p>The relationship between a DCD and a transshipment notification is not linked and is only manually auditable.</p>	<p>Integrate the relevant provisions of CM 10-03 with CM 10-05 by providing the facility to link a DCD to a port inspection report.</p> <p>Integrate the relevant provisions of CM 10-09 (paragraphs 4, 5 and 7) with CM 10-05 by providing the facility to link a DCD to a transshipment notification.</p>	Provide extra assurance regarding CDS data quality by expanded verification of catch data from various data sources.	<p>Further consideration by Panel 2015</p> <p>Recommendation to SCIC 2015</p>
Poor traceability associated with transshipment	The current CDS does not provide an appropriate level of traceability if transshipment occurs at sea and it does not accommodate multiple transshipments or partial transshipments <sup>1</sup> .	<p>Transshipment documentation needs to reflect operational reality by:</p> <ul style="list-style-type: none"> <li>• associating each transshipment with the original DCD that records the total amount of catch by the vessel to which the DCD relates before transshipment occurs</li> </ul>	Improved traceability.	<p>Further consideration by Panel 2015</p> <p>Recommendation to SCIC 2015</p>

<sup>1</sup> The Review Panel considered that CM 10-05 provides for in-port and at-sea transshipment and that the DCD does accommodate an in-port transshipment well. However, it does not provide an appropriate level of traceability if transshipment occurs at sea. Furthermore, it does not accommodate multiple transshipments or partial transshipments. Nevertheless, CDS data suggests that the vast majority of transshipments occur in port in one event for all the catch on board and it is not recommended that the CDS be amended to accommodate the few exceptions.

Weakness	Context/explanation	Recommendation	Benefit of implementation	Implementation steps
		<ul style="list-style-type: none"> <li>upon each transshipment, a secondary DCD to be generated listing the amount of catch transhipped and linked to the original (primary DCD).</li> </ul>		
Incomplete information associated with where a shipment is actually departing with regard to exports/re-exports	The Export/Re-Export Document is currently limited to 'Place of Issue' in Section 11a, which may be different to the 'Port of Departure' for an export/re-export.	Include 'Port of Departure' in Export and Re-Export Documents.	Improved scope and accuracy of information associated with exports/re-exports.	CM revision 2014
Limited information concerning size distributions of <i>Dissostichus</i> in the CDS	<i>Dissostichus</i> spp. landings and exports/re-exports are typically grouped by size category. In addition, industry maintains a record of the size categories of toothfish.	Agree on standard size categories for use in Export and Re-Export Documents.	Additional information available for <i>Dissostichus</i> trade analysis. Additional information available to the Scientific Committee for preparation of advice in relation to precautionary management.	Further consideration by Panel 2015 Recommendation to SCIC 2015
Inflexibility relating to portioning of catch and/or exports	Toothfish landings may be split between a number of recipients. Section 7 needs to be revised to accommodate multiple recipients.	Provide for multiple recipients in Section 7 on a DCD.	Improved operational functionality.	Implementation by Panel in 2015
<b>User Interface and Technical</b>				
Poor e-CDS security	Shared e-CDS user access: Some e-CDS user administrators are allowing multiple e-CDS users to access the e-CDS using a single log-in.	A new e-CDS platform, which would include an audit trail, is recommended to address these issues.	A secure and auditable e-CDS which consequently provides increased confidence in the integrity of the CDS. An audit trail also reduces risks associated with another recommendation concerning data amendment processes.	Implementation by Panel in 2015

Weakness	Context/explanation	Recommendation	Benefit of implementation	Implementation steps
	<p>Inability to identify and authenticate individual e-CDS users: e-CDS user profiles do not require a sufficient level of detail.</p> <p>No ability to audit e-CDS user access.</p> <p>No ability to keep a record of amendments to e-CDS data over time.</p>			
<p>The e-CDS user interface is outdated and is difficult to use</p>	<p>The architecture of the e-CDS application was built using very early Internet standards. Recent developments in standards, such as HTML5, provide significant scope for interacting with e-CDS data in a more user-friendly manner.</p>	<p>Streamline user interface using updated web technologies, e.g.:</p> <ul style="list-style-type: none"> <li>• back button function</li> <li>• auto-fill function</li> <li>• streamline the creation of Export and Re-Export Documents</li> <li>• display all Export and Re-Export Documents associated with a DCD.</li> </ul>	<p>Improved data entry processes.</p> <p>Reduced training needs for new users.</p> <p>Improved data quality and fewer amendments.</p>	<p>Implementation by Panel in 2015</p>
<p>Limited business rules resulting in data-quality issues</p>	<p>Some business rules constraining valid data have been incorporated in the e-CDS, however, there is scope for better validation and the use of both error and warning messages to constrain erroneous data from being entered.</p>	<p>Improve the implementation of business rules, e.g.:</p> <ul style="list-style-type: none"> <li>• checking authorisation of vessels</li> <li>• add a drop-down menu for fields where appropriate</li> <li>• make it impossible to export more than what is captured. For example, heads cannot be exported if the catch was declared as tails.</li> </ul>	<p>Improved data quality and accuracy of the e-CDS data.</p> <p>Reduce the scope for fraud and unauthorised activities.</p>	<p>Implementation by Panel in 2015</p>

Weakness	Context/explanation	Recommendation	Benefit of implementation	Implementation steps
Reactive management of reference information	Flag States cannot manage reference information without going through a process of creating a DCD to view possible options. A separate administrative set of lists to view reference data, such as vessels, importers and exporters, would be easy to browse and update while still providing an option for an approval/verification process.	Provide Flag States with an ability to manage lists of authorised vessels <sup>2</sup> , importer and exporter details, vessel Masters and government authorities and agencies.	Improved data management efficiencies for Flag States.	Implementation by Panel in 2015
Statistical information	The system should allow contact officers/master user to extract statistical information with the use of an Excel file for analysis purposes. Extracting statistical information manually is not practical, considering the number of documents issued in some countries.	Provide Flag States with the option of extracting statistical information for analysis purposes.		
The e-CDS only records UTC/GMT not local time	The e-CDS does not currently display local time when generating CDS documentation and requires amendment for e-CDS users.	Allow local time for display but data to be stored in UTC/GMT.	Improved efficiency for e-CDS users.	Implementation by Panel in 2015

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<sup>2</sup> It was agreed that this could use the web-based system already developed by the Secretariat and that the e-CDS would draw on this for vessel details.

**Arrangement for the access and use of CCAMLR vessel monitoring system data for maritime search and rescue between CCAMLR Secretariat and [name of agency in Argentina] [name of agency in Australia] [name of agency in Chile] [name of agency in New Zealand] [name of agency in South Africa]**

Version 1.7

Summary of the arrangement

- (A) This Arrangement between the competent Marine Rescue Coordination Centre (MRCC<sup>1</sup>), [Agencia Nacional SAR Argentina, Argentina], [the Australian Maritime Safety Authority, Australia] [Directorate General of the Maritime Territory And Merchant Marine, Chile] [[Rescue Coordination Centre New Zealand (RCCNZ)] [[Maritime SAR Operations, South Africa]] and the Secretariat for the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) (“the Participants”) sets out each Participant’s understanding regarding the procedures that will be followed, and the safeguards to be put in place, to ensure that data provided by the CCAMLR Secretariat to support search and rescue (SAR) efforts in the CAMLR Convention Area comply with the data security requirements described in CCAMLR’s Conservation Measure 10-04 on automated satellite-linked vessel monitoring systems (VMS) (Appendix I).
- (B) This Arrangement describes the procedures that both Participants, and their agents, have mutually decided to implement in order to ensure that the VMS data shared pursuant to this Arrangement:
- are kept secure to maintain their confidentiality;
  - are used only for search and rescue purposes;
  - are not released into the public domain or published except in accordance with the processes described below.
- (C) This Arrangement may be reviewed every two years, or earlier where substantial revisions are required, or in the event of a Participant acting in a manner inconsistent with the terms of this Arrangement. The first scheduled review will be in January 2017.
1. Maritime search and rescue incident
- 1.1 A ‘SAR incident’ for the purpose of this Arrangement is defined as an event that involves a potential or actual threat to the safety of human life at sea that is likely to require a response from the MRCC responsible for that area in the form of SAR operations.

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<sup>1</sup> In this draft Arrangement, the relevant government authority for search and rescue is referred to collectively as the Marine Rescue Coordination Centre (MRCC). In the final Arrangement [the MRCC] will be replaced with the name of the agency responsible for SAR in that country.

## 2. Access and use of CCAMLR VMS data

- 2.1 Pursuant to this Arrangement, [[the MRCC]] may request the CCAMLR Secretariat to provide VMS data from all vessels reporting to CCAMLR's VMS which were within a 500 nautical mile radius of the location of a SAR incident falling within the responsibility of the [[MRCC]] ('the requested area') or being coordinated by an MRCC. Data will be provided for all vessels recorded to have been in the requested area within the 24 hours preceding [[the MRCC's]] request. The CCAMLR Secretariat will endeavour to provide the data in an accessible format. The VMS data provided to [[the MRCC]] will include vessel identification details, date, time (UTC), latitude and longitude. In addition to VMS data, [[the MRCC]] will also be provided with communication types and contact details relating to all vessels reporting to the CCAMLR Secretariat in the requested area.
- 2.2 The CCAMLR Secretariat will notify the Flag States of those vessels that have had their data released in accordance with Clause 2.1 of this Arrangement.

## 3. Terms of data access and use

- 3.1 To request CCAMLR VMS data, an authorised staff member of [[the MRCC]] will complete a CCAMLR VMS Data Release Form (Appendix II) which details the reported location and time of the SAR incident and submit it directly to the CCAMLR Secretariat.
- 3.2 On receipt of a completed and duly authorised CCAMLR VMS Data Release Form, the CCAMLR Secretariat will provide the CCAMLR VMS data referred to in Clause 2.1 of this Arrangement directly to [[the MRCC]]. Best endeavours will be made to make the data available in a timely manner. The data will be transferred securely via electronic means. A copy of the completed CCAMLR VMS Data Release Form will accompany the VMS data provided.
- 3.3 [[The MRCC]] will assume responsibility for the security of CCAMLR VMS data once it has been received from the CCAMLR Secretariat.
- 3.4 [[The MRCC]] will implement the following procedures to safeguard the CCAMLR VMS data once received:
  - (i) All data will be securely stored in [[the MRCC]] or an MRCC-approved storage area or facility in a manner that maintains the confidentiality of all of the data.
  - (ii) Access to the CCAMLR VMS data will be restricted to authorised staff in [[the MRCC]].
  - (iii) [[The MRCC]] will ensure that the authorised staff know, understand and provide appropriate assurances in regard to the confidentiality and disclosure requirements associated with CCAMLR VMS data outlined in this Arrangement.
- 3.5 [[The MRCC]] will take all necessary measures to keep the CCAMLR VMS data confidential and will use or disclose that data only for search and rescue purposes set out under this Arrangement. CCAMLR VMS data released to [[the MRCC]] under the

terms of this Arrangement will not be released or published in the public domain, except as required by domestic law. In such a case, the CCAMLR VMS data should not be released or published without consultation with the CCAMLR Secretariat and consultation with and the prior consent of the Flag State, or Flag States, concerned. Such consultation should cover the method and format of the proposed release or publication, as well as the identity of the recipient(s) so as to ensure that the commercial sensitivity of the VMS data is appropriately taken account of.

4. Representatives

4.1 The CCAMLR Secretariat and [[the MRCC]] will each appoint a Representative to be the primary point of contact in all matters relating to this Arrangement:

For [[the MRCC]]:

The Representative will be .....

For the CCAMLR Secretariat the Representative will be the Manager, Fishery Monitoring and Compliance (email: [vms@ccamlr.org](mailto:vms@ccamlr.org), phone: +61 3 6210 1102).

4.2 Any change in contact details for either Representative will be immediately notified to the other Participant, which will acknowledge receipt of such notification.

5. Loss and unauthorised release

5.1 [[The MRCC]] will report to the CCAMLR Secretariat any loss or unauthorised release of the CCAMLR VMS data as soon as possible, but no later than 24 hours after the loss or unauthorised release is detected. The CCAMLR Secretariat will notify all Members of the loss or release of data in accordance with instructions from the Commission.

5.2 Any loss or unauthorised release of the CCAMLR VMS data will be investigated by [[the MRCC]] in consultation with the CCAMLR Secretariat. The CCAMLR Secretariat will provide a report of the investigation to CCAMLR.

6. Liability

6.1 Neither CCAMLR, nor the CCAMLR Secretariat, will be liable in relation to any aspects of a SAR incident that may be associated with the release of CCAMLR VMS data.

6.2 While the MRCC will take all necessary measures to adhere to the terms of this Arrangement, where operational or legal requirements of the MRCC prevent full compliance, the MRCC will not be liable in relation to the treatment or use of CCAMLR VMS data, including its release.

6.3 While the CCAMLR Secretariat will take all necessary measures to adhere to the terms of this Arrangement, where operational or legal requirements of the CCAMLR

Secretariat prevent full compliance, neither CCAMLR nor the CCAMLR Secretariat will be liable in relation to the treatment or use of CCAMLR VMS data, including its release.

- 7. Entry into effect, dispute resolution and termination
  - 7.1 Any dispute arising from the terms of this Arrangement will, in the first instance, be discussed promptly between the respective Representatives, or their delegates.
  - 7.2 Termination of the Arrangement will be considered by the Participants as a last resort, and will require the relevant Participant to give one (1) month's written notice of their intention to terminate.
  - 7.3 This Arrangement will come into effect upon signing and dating by both Participants.

**Signed** for and on behalf of  
**[[THE MRCC]]**

.....  
Signature  
.....  
Name  
Position: .....  
Date:.....

**Signed** for and on behalf of  
**The Secretariat of the Commission for the Conservation  
of Antarctic Marine Living Resources**

.....  
Andrew Wright  
Executive Secretary  
Date:.....

**CCAMLR Conservation Measure 10-04: automated satellite-linked vessel monitoring systems (VMS) [to be provided and available from the CCAMLR website]**

*To be established on the CCAMLR website as a secure web form for access by authorised users*

**CCAMLR VMS data release form: search and rescue incident**

**To be completed by the MRCC Representative:**

1. Requesting MRCC: .....
2. Date incident reported to the MRCC: .....
3. Time incident reported to the MRCC (UTC): .....
4. Name of the craft that is the subject of the SAR operation: .....
5. Flag of the craft that is the subject of the SAR operation: .....
6. Geographical coordinates provided in relation to the incident: .....
7. Date request dispatched to the CCAMLR Secretariat: .....
8. Time request dispatched to the CCAMLR Secretariat (UTC): .....

**MRCC Representative (print name)**

.....

**To be completed by the CCAMLR Representative:**

1. Date request received from the MRCC: .....
2. Time request received from the (UTC): .....
3. CCAMLR VMS data release summary: .....

Craft name	Vessel flag	Position time (UTC)	Latitude	Longitude	Course	Speed	Communication type	Communication number(s)

.....

**CCAMLR Representative (print name)**

Date: .....

Time (UTC): .....

## Non-Contracting Party IUU Vessel List

Vessel name	Flag	IMO Number	Callsign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Aldabra</i>		7424891	5VAA2	• Fishing 58.4.4b (10 Nov 2006)	2007	• Cecibell Securities • Farway Shipping
<i>Amorinn</i>		7036345	5VAN9	• Sighted 58.5.1 (11 Oct 2003) • Sighted 58.4.2 (23 Jan 2004)	2003	• Infitco Ltd (Ocean Star Maritime Co.) • Seric Business S.A.
<i>Challenge</i>		6622642	HO5381	• Sighted 58.4.3b (14 Feb 2006) • Sighted 58.4.3b (22 May 2006) • Sighted 58.4.3b (10 Dec 2006) • Sighted 58.4.3b (08 Feb 2008)	2006	• Prion Ltd • Vidal Armadores S.A. • Mar de Neptuno S.A. • Advantage Company S.A. • Argibay Perez J.A.
<i>Chang Bai</i>		7322897	5IM877	• Sighted 58.5.2 (31 Jan 2004) • Sighted 58.5.1 (10 May 2006) • Sighted 58.4.1 (21 Jan 2010) • Sighted 58.4.1 (13 Feb 2011) • Towing <i>Baiyangdian 57</i> (01 Apr 2012) • Sighted 58.6 (01 Jul 2012) • Sighted 58.4.2 (28 Jan 2013) • Sighted 57 (10 Mar 2013) • Fishing 58.5.1 (13 May 2013) • Sighted 57 (07 Sep 2013) • Sighted 58.4.1 (30 Mar 2014) • Sighted 57 (14 Apr 2014)	2003	• Navalmar S.A. • Vidal Armadores S.A. • Meteora Development Inc • Rajan Corporation • Rep Line Ventures S.A. • Stanley Management Inc

(continued)

(continued)

Vessel name	Flag	IMO Number	Callsign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Chengdu</i>		9042001	5IM403	<ul style="list-style-type: none"><li>• Undocumented landing Malaysia (01 Aug 2004)</li><li>• Fishing 58.4.3a (22 Feb 2005)</li><li>• Fishing 58.4.3a (28 Apr 2005)</li><li>• Fishing 58.4.3b (16 Dec 2005)</li><li>• Fishing 58.4.3b (01 Jul 2009)</li><li>• Fishing 58.4.2 (27 Jan 2010)</li><li>• Fishing 58.4.3b (04 Apr 2010)</li><li>• Fishing 58.4.1 (13 Feb 2011)</li><li>• Sighted 57 (16 May 2012)</li><li>• Sighted 57 (20 Oct 2012)</li><li>• Sighted 57 (28 May 2013)</li><li>• Sighted 57 (01 Jul 2013)</li><li>• Sighted 57 (13 May 2014)</li></ul>	2004	<ul style="list-style-type: none"><li>• Viarsa Fishing Company/Navalmar S.A.</li><li>• Global Intercontinental Services</li><li>• Rajan Corporation</li><li>• Redlines Ventures SA</li></ul>
<i>Good Hope</i>	Nigeria	7020126	5NMU	<ul style="list-style-type: none"><li>• Resupplying IUU vessels 51 (09 Feb 2007)</li></ul>	2007	<ul style="list-style-type: none"><li>• Sharks Investments AVV</li><li>• Port Plus Ltd</li></ul>
<i>Heavy Sea</i>		7322926	3ENF8	<ul style="list-style-type: none"><li>• Sighted 58.5.1 (03 Feb 2004)</li><li>• Fishing 57 (29 Jul 2005)</li></ul>	2004	<ul style="list-style-type: none"><li>• C &amp; S Fisheries S.A.</li><li>• Muner S.A.</li><li>• Meteros Shipping</li><li>• Meteora Shipping Inc.</li><li>• Barroso Fish S.A.</li></ul>
<i>Itziar II</i>		6803961	5NTV3	<ul style="list-style-type: none"><li>• Undocumented landing Singapore (24 Sep 2002)</li><li>• Fishing 58.4.3b (22 Apr 2004)</li><li>• Sighted 58.4.3b (02 Jul 2006)</li><li>• Sighted 58.4.3b (24 Nov 2006)</li><li>• Sighted 58.4.3b (25 Jan 2007)</li><li>• Sighted 58.4.3b (07 Jan 2008)</li><li>• Fishing 58.5.1 (28 Feb 2008)</li><li>• Sighted 58.5.1 (01 Apr 2008)</li><li>• Sighted 88.2 (16 Dec 2009)</li></ul>	2003	<ul style="list-style-type: none"><li>• Monteco Shipping</li><li>• Transglobe Investments Ltd</li><li>• Capensis</li></ul>

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Vessel name	Flag	IMO Number	Callsign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Koosha 4</i>	Iran, Islamic Republic of	7905443	9BQK	<ul style="list-style-type: none"><li>• Sighted 58.4.1 (20 Jan 2011)</li><li>• Sighted 58.4.1 (15 Feb 2011)</li></ul>	2011	<ul style="list-style-type: none"><li>• Pars Paya Seyd Industrial Fish</li></ul>
<i>Lana</i>	Nigeria	9037537	5NVA	<ul style="list-style-type: none"><li>• Fishing 58.4.1 (19 Mar 2007)</li><li>• Sighted 88.1 (15 Jan 2008)</li><li>• Sighted 57 (19 Dec 2010)</li><li>• Sighted 57 (05 Oct 2012)</li><li>• Sighted 57 (24 Mar 2013)</li><li>• Sighted 57 (03 Sep 2013)</li><li>• Sighted 57 (19 Nov 2013)</li><li>• Sighted 57 (14 Feb 2014)</li></ul>	2007	<ul style="list-style-type: none"><li>• Punta Brava Fishing SA</li><li>• Vero Shipping Corporation</li></ul>
<i>Limpopo</i>		7388267		<ul style="list-style-type: none"><li>• Fishing 58.5.2 (21 Sep 2003)</li><li>• Sighted 58.5.1 (03 Dec 2003)</li><li>• Fishing 58.4.3b (23 Feb 2005)</li><li>• Fishing 58.4.3b (14 Dec 2005)</li><li>• Sighted 58.4.3b (25 Jan 2007)</li></ul>	2003	<ul style="list-style-type: none"><li>• Grupo Oya Perez (Kang Brothers)</li><li>• Lena Enterprises Ltd</li><li>• Alos Company Ghana Ltd</li></ul>
<i>Nihewan</i>		9319856	5IM284	<ul style="list-style-type: none"><li>• Supporting activities of IUU vessels 51 (16 May 2008)</li><li>• Sighted 58.4.3b (22 Apr 2009)</li><li>• Sighted 57 (07 Dec 2009)</li><li>• Fishing 58.4.1 (07 Apr 2010)</li><li>• Sighted 58.4.1 (29 Jan 2012)</li><li>• Sighted 58.4.1 (30 Jan 2012)</li><li>• Sighted 58.4.1 (31 Jan 2012)</li><li>• Sighted 57 (24 Apr 2012)</li><li>• Fishing 58.6 (03 Jul 2012)</li><li>• Sighted 57 (28 May 2013)</li><li>• Sighted 57 (04 Jul 2013)</li><li>• Sighted 58.4.1 (20 Jan 2014)</li><li>• Sighted 57 (13 May 2014)</li></ul>	2008	<ul style="list-style-type: none"><li>• Mabenal S.A.</li><li>• Gongola Fishing JV (Pty) Ltd</li><li>• Omunkete Fishing Pty Ltd</li><li>• Eastern Holdings</li></ul>

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Vessel name	Flag	IMO Number	Callsign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Perlon</i>	Nigeria	5062479	5NTV21	<ul style="list-style-type: none"><li>• Sighted 58.5.1 (03 Dec 2002)</li><li>• Sighted 58.5.1 (04 Jun 2003)</li><li>• Sighted 58.4.2 (22 Jan 2004)</li><li>• Sighted 58.4.3b (11 Dec 2005)</li><li>• Fishing 58.4.1 (26 Jan 2006)</li><li>• Sighted 58.4.3b (07 Dec 2006)</li><li>• Sighted 58.4.1 (30 Dec 2006)</li><li>• Sighted 58.4.1 (16 Dec 2008)</li><li>• Gear sighted (10 Feb 2009)</li><li>• Fishing 58.5.1 (08 Jun 2010)</li><li>• Sighted 51 (10 Feb 2012)</li><li>• Sighted 57 (20 Jul 2014)</li></ul>	2003	<ul style="list-style-type: none"><li>• Vakin S.A.</li><li>• Jose Lorenzo SL</li><li>• Americagalaica S.A.</li></ul>
<i>Ray</i>		6607666	V3RB2	<ul style="list-style-type: none"><li>• Fishing 58.4.3b (23 May 2006)</li><li>• Fishing 58.4.2 (18 Feb 2007)</li><li>• Fishing 58.4.3b (24 Mar 2007)</li><li>• Fishing 58.4.3b (12 Jan 2008)</li><li>• Fishing 58.4.3b (09 Jan 2009)</li><li>• Fishing 58.4.3b (20 Jan 2009)</li></ul>	2006	<ul style="list-style-type: none"><li>• Arniston Fish Processors Pty Ltd</li><li>• Vidal Armadores S.A.</li><li>• Nalanza S.A.</li><li>• Argibay Perez J.A.</li><li>• Belfast Global S.A.</li></ul>
<i>Tchaw</i>		6818930		<ul style="list-style-type: none"><li>• Fishing 58.4.3b (25 Feb 2005)</li><li>• Fishing 58.4.4a (02 Aug 2005)</li><li>• Sighted 58.4.3b (11 Dec 2005)</li><li>• Fishing 58.4.2 (01 Feb 2006)</li><li>• Fishing 58.4.3b (14 Mar 2007)</li></ul>	2005	<ul style="list-style-type: none"><li>• Arcosmar Fisheries Corporation</li><li>• JMS Lopez</li><li>• Premier Business</li><li>• His-To Company Ltd</li><li>• Jose Manuel Salgueiro</li></ul>

(continued)

(continued)

Vessel name	Flag	IMO Number	Callsign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Thunder</i>	Nigeria	6905408	5NTV	<ul style="list-style-type: none"><li>• Fishing 58.4.2 (05 Feb 2006)</li><li>• Sighted 58.4.3b (08 Dec 2006)</li><li>• Sighted 58.4.2 (29 Dec 2006)</li><li>• Fishing 58.5.1 (29 Apr 2007)</li><li>• Fishing 58.4.2 (04 Oct 2008)</li><li>• Sighted 58.4.3b (03 May 2009)</li><li>• Sighted 58.4.3b (04 Dec 2009)</li><li>• Fishing 58.4.2 (25 Jan 2010)</li><li>• Fishing 58.4.2 (19 Feb 2010)</li><li>• Sighted 58.4.1 (16 Dec 2010)</li><li>• Sighted 57 (17 Aug 2012)</li><li>• Sighted 58.4.3b (13 Feb 2013)</li><li>• Sighted 57 (15 Apr 2013)</li><li>• Port Inspection (20 Apr 2013)</li><li>• Fishing 58.6 (23 Aug 2013)</li><li>• Sighted 57 (18 Sep 2013)</li><li>• Sighted 57 (14 Apr 2014)</li></ul>	2006	<ul style="list-style-type: none"><li>• Southern Shipping Ltd</li><li>• Estellares S.A.</li><li>• Felicite Shipping Corporation</li><li>• Trancoeiro Fishing S.A.</li><li>• Canela Shipping Limited</li><li>• Royal Marine and Spare Nig. Limited</li></ul>
<i>Viking</i>	Nigeria	8713392		<ul style="list-style-type: none"><li>• Supporting IUU activities of <i>Thule</i> 51 (05 Apr 2004)</li><li>• Fishing 58.4.3b (23 May 2006)</li><li>• Sighted 58.4.3b (02 Jul 2006)</li><li>• Sighted 58.4.3b (16 Mar 2007)</li><li>• Sighted 58.5.1 (19 Jul 2007)</li><li>• Sighted 58.5.1 (04 Apr 2008)</li><li>• Sighted 58.4.4 (04 Apr 2011)</li><li>• Sighted 57 (27 Jan 2012)</li><li>• Sighted 51 (20 Apr 2012)</li><li>• Sighted 57 (31 May 2013)</li><li>• Sighted 57 (24 Oct 2013)</li><li>• Sighted 57 (04 Dec 2013)</li><li>• Fishing 48.6 (24 Jan 2014)</li><li>• Sighted 57 (16 Mar 2014)</li><li>• Sighted 57 (21 Mar 2014)</li></ul>	2004	<ul style="list-style-type: none"><li>• Manuel Martinez</li><li>• Cazenove International S.A.</li><li>• Canela Shipping Ltd</li><li>• Canela Shipping Limited</li><li>• Trancoeiro Fishing S.A.</li></ul>

**Report of the Standing Committee on  
Administration and Finance (SCAF)**

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## **Report of the Standing Committee on Administration and Finance (SCAF)**

### **Finance and administration**

1. The Chair of the Standing Committee on Administration and Finance (SCAF), Mr Z.H. Rhee (Republic of Korea), opened discussions on Item 4 of the Commission's agenda.

#### Examination of Audited Financial Statements for 2013

2. Noting that a full audit had been carried out on the 2013 Financial Statements and that the Auditor's report had identified no incidents of non-compliance with Financial Regulations or International Accounting Standards, SCAF accepted the Financial Statements as presented in CCAMLR-XXXIII/03.

#### Secretariat matters

##### Executive Secretary's Report

3. The Executive Secretary introduced CCAMLR-XXXIII/06 and CCAMLR-XXXIII/BG/03, noting the report included:

- (i) third-year implementation report for the Secretariat's Strategic Plan (2012–2014)
- (ii) third-year implementation report on the Secretariat's Staffing and Salary Strategy
- (iii) a basis for the assessment of the Executive Secretary (CCAMLR-XXI, paragraph 3.13)
- (iv) the requirement to report on data-related activities and measures taken to maintain the integrity of CCAMLR data (SC-CAMLR-XVI, paragraph 10.14).

4. The Executive Secretary also advised SCAF that the action to attempt to recover losses incurred as a result of failed investments in CDOs in 2009 and 2010 remains unresolved. The action is being led by legal firm Piper Alderman and the matter is currently in a mediation process with the bank concerned. The Secretariat noted that it would inform Members of outcomes regarding the issue via a COMM CIRC.

5. SCAF accepted the report, noting the broad scope of activities supported by the Secretariat during the last 12 months, particularly the web-based services and the greener office policy, and acknowledging the ongoing efforts to improve efficiencies and control costs. SCAF expressed appreciation to the Secretariat for maintaining the information from previous years within the implementation report matrix to allow between-year comparisons to

be undertaken as requested by SCAF last year. SCAF noted the high quality, comprehensiveness and transparency of documentation that is prepared by the Secretariat to support the work of the Commission and the Scientific Committee intersessionally and during meetings.

#### Secretariat's Strategic Plan (2015–2018)

6. The Executive Secretary provided SCAF with an overview of the process conducted by the Secretariat during 2014 to revise the current Strategic Plan to serve the period 2015 to 2018 as endorsed by SCAF at CCAMLR-XXXII (Annex 7, paragraph 6). He noted that the new Strategic Plan built on the experience of the Secretariat during 2012–2014 and that it provided a means for the Commission to monitor the Secretariat's performance against tasks assigned in the plan.

7. Noting the difficult domestic financial climate that has been experienced among many CCAMLR Members for several years, resulting in significant austerity and budget reductions, some Members of SCAF expressed concerns at the level of salary increases payable to Secretariat staff forecast over the life of the Strategic Plan. Some SCAF Members noted that salary increases to reflect increases in inflation were no longer applicable in their governments, nor was an automatic annual salary paypoint increment. It was noted that the payments referred to are provided for in the CCAMLR Staff Regulations, revised in 2012, and that there are contractual obligations associated with these provisions. It was also noted that CCAMLR budget policy had required the Secretariat to operate within a zero-growth budget in real terms since 1998 and that, in that time, financial obligations to staff had been accommodated within the approved budget. This situation was not forecast to change during the period of the new Strategic Plan.

8. Noting that the current Strategic Plan and associated Staffing and Salary Strategy will theoretically conclude in 2014, and that the Commission would be provided with an opportunity to revise it as considered necessary at each annual Meeting, SCAF recommended the Draft 2015–2018 Strategic Plan, as amended by SCAF, be endorsed by the Commission (Appendix I). It drew attention to the focus on data governance systems, data integration and quality assurance as areas that will receive particular attention during the next Strategic Plan.

#### Intersessional Correspondence Group on Sustainable Financing (ICG-SF)

9. The Executive Secretary noted that CCAMLR-XXXII requested the Intersessional Correspondence Group on Sustainable Financing (ICG-SF) to undertake additional work during 2014, including:

- (i) a review of the Secretariat's Translation Services (CCAMLR-XXXII, Annex 7, paragraph 9iv)
- (ii) the development of Guiding Principles to assist with establishing a sound financial position for the organisation (CCAMLR-XXXII, Annex 7, paragraph 10i).

10. Working intersessionally, using the e-group facility on the CCAMLR website, the ICG-SF had completed both tasks to a point requiring formal review by SCAF.

#### Guiding Principles

11. SCAF considered the draft Guiding Principles prepared by the ICG-SF (CCAMLR-XXXIII/12 Rev. 2). It was not possible to reach consensus on the adoption of the draft Guiding Principles and the draft was referred to the ICG-SF for further consideration during the intersessional period, to be brought back to SCAF in 2015.

#### Translation services

12. SCAF considered the report of the ICG-SF relating to the review of the Secretariat's translation services (CCAMLR-XXXIII/05 and XXXIII/BG/06). SCAF complimented the ICG-SF on the process used to engage as many stakeholders as possible during its review, for the thoroughness of the research and supporting information provided and for the range of options that had been considered by the ICG-SF. SCAF also emphasised the importance of professional support to the four official languages of the Commission as being critical to the effective functioning of the organisation and emphasised the high regard that the Secretariat's current translation services are held in.

13. SCAF noted that the Secretariat had implemented several of the options considered by the ICG-SF as part of its ongoing processes to reduce overheads without compromising the quality of Secretariat services. One of the options implemented was a trial of partial outsourcing of translation services for one language. The Secretariat was requested to report to SCAF in 2015 on the results of that trial with a focus on costs and any issues arising in relation to the quality of service.

#### Future work

14. Noting that the work of the ICG-SF had generated considerable benefits to the Commission, generating some A\$269 000 in savings in the two years that the ICG-SF has been functioning, SCAF considered options for additional work to be undertaken during the next intersessional period. SCAF recommended that the ICG-SF continue its work to evaluate possible income-generating and cost-saving options, including, but not limited to:

- (i) reviewing all components of the new and exploratory and krill fisheries notification fees
- (ii) further reviewing Secretariat costs
- (iii) holding alternate Working Group meetings in Hobart
- (iv) thoroughly examining the Special Funds, including giving consideration to consolidation with the General Fund where appropriate

- (v) levying a fee for Observers who participate in CCAMLRL meetings
- (vi) researching options for full cost recovery of Secretariat services such as VMS and CDS
- (vii) introducing a contribution levy for Acceding States
- (viii) considering the implications of zero real growth and zero nominal growth in Member contributions
- (ix) reviewing the formula for assessed contributions
- (x) further developing the Guiding Principles supporting sound management of CCAMLRL finances, as amended by SCAF at CCAMLRL-XXXIII.

SCAF agreed that the ICG-SF should determine its own priorities in considering these items based on any advice that may be forthcoming from the Commission.

15. SCAF noted that while the Secretariat would again lead the ICG-SF, the identification of income-generation and expenditure-reduction options will require the active input and consideration of Members in the upcoming intersessional period.

16. SCAF advised the Commission that, in the absence of successful efforts to further reduce costs, increase revenue and eliminate deficits over the next two years, the Commission may be required to undertake a comprehensive review of existing and planned services provided by the Secretariat. Such a review may be achieved through a comprehensive review of the Secretariat's Strategic Plan and the associated Staffing and Salary Strategy.

#### Budgets for 2014, 2015 and 2016

17. The Commission approved the budget for 2014, which included a projected deficit of A\$185 000 to be carried forward in the General Fund, as presented in Appendix II.

18. SCAF received advice from the Scientific Committee that it requested the funds approved for expenditure in 2014 relating to the Ross Sea assessment be transferred to the Scientific Multi-year Special Fund for expenditure in 2015.

19. SCIC advised SCAF that it had approved funding of A\$40 000 from the CDS Special Fund for a A\$55 000 upgrade of the e-CDS platform and to implement the recommendations of the CDS Review Panel agreed to by SCIC. In response to a request for justification of a contribution of A\$15 000 from the General Fund to this activity, the Secretariat responded that it was its understanding that SCIC had recommended that, as part of the project involved work on the Secretariat's corporate systems, it was appropriate for the General Fund to contribute to the activity.

20. In considering the draft budget for 2015, some Members maintained that Members' contributions should be maintained at zero nominal growth, i.e. no increase in Member Contributions to accommodate a consumer price index (CPI) increase due to inflation. The current Commission policy, adopted in 1998, limits increases to Member contributions to

CPI. SCAF was also concerned that forecast expenditure continued to exceed forecast income, which it considered cannot be sustained in the longer term. This concern supported the requirement for the ICG-SF to consider additional income streams and cost-saving measures.

21. SCAF noted that, in recommending the budget for adoption, with some Members registering a preference for a zero nominal growth budget, the ICG-SF will be undertaking additional work in 2014/15 to continue its efforts to identify cost savings and research opportunities to diversify income sources. It complimented the ICG-SF on the valuable work undertaken in the last two years, particularly in relation to cost reductions in the Secretariat. SCAF advised the Commission that there remained items that warrant further detailed examination in working towards a sustainable funding environment for the organisation over the longer term.

22. SCAF approved a General Fund budget for 2015 comprising total forecast expenditure of A\$4 654 000 against forecast total income of A\$4 415 000, resulting in a deficit of A\$239 000. This is to be funded from reserves accumulated in the General Fund over previous years. SCAF recognised that, as CCAMLR does not have Working Capital, diminution of the General Fund balance through annual deficits will have an adverse impact on future interest income streams. The budget for 2015 is presented in Appendix III.

23. The aggregate Member contributions for 2015 have been maintained at the 2014 level. Some Members considered that this was in line with the Financial Regulations which provide that any surplus be returned to Members (Financial Regulations 6.1c). SCAF resolved that this should not be taken as a decision to implement a zero nominal growth policy. This issue will be considered by the ICG-SF intersessionally.

24. SCAF also approved expenditure from Special Funds relating to the e-CDS upgrade (A\$40 000), Ross Sea assessment (A\$50 000) and CCAMLR scholarships (A\$45 000) (Appendix III).

25. SCAF noted the forecast budget for 2016 as presented in Appendix IV. The 2016 budget is indicative only. Care should be taken when it is used as a basis for budgeting by individual Members (Appendix V).

## Other business

### Election of Vice-Chair

26. Mr S. Davidson (UK) was elected as Vice-Chair for a period of two years commencing at the conclusion of CCAMLR-XXXIII and ending at the conclusion of CCAMLR-XXXV.

27. SCAF, on behalf of the Commission, expressed appreciation to Mr Rhee for his excellent chairmanship during a difficult meeting for SCAF.

## CCAMLR Secretariat Strategic Plan 2015–2018

### Introduction

The CAMLR Convention entered into force on 7 April 1982. It establishes the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), comprising the original signatories and acceding parties. CCAMLR, which currently has 25 Members, maintains a Secretariat in Hobart, Tasmania, Australia ([www.ccamlr.org](http://www.ccamlr.org)). Arrangements supporting the operations of the CCAMLR Secretariat in Australia are the subject of a Headquarters Agreement signed with the Australian Government on 8 September 1986.

The purpose of this Strategic Plan is to describe the core services provided to Members and other stakeholders by the CCAMLR Secretariat for the period 2015 to 2018 in its endeavour to support the functions of the Commission, as described in the CAMLR Convention. In addition, the Plan describes the structure of the Secretariat and provides a means for Members to periodically assess the Secretariat's performance. This Strategic Plan draws on the Secretariat's experience with previous Strategic Plans which served the period 2002–2011 and then 2012–2014.

### Vision

Globally recognised as a best-practice model for the provision of technical, administrative, scientific and logistical support to an intergovernmental marine conservation and management organisation.

### Mission

To provide support to the Commission in achieving the Convention's objective of conserving Antarctic marine living resources where conservation includes rational use.

### Goals, Objectives and Tasks

The Secretariat's Strategic Plan describes two overarching Goals which underpin all services provided by the Secretariat to assist the work of the Commission and the Scientific Committee. The two Goals are supported by nine related Objectives.

Each Objective is supported by a suite of specific, mostly measureable, achievable Tasks. Tasks are delivered through seven independent and interdependent core functions: Executive Services, Finance and Administration Services, Fisheries Monitoring and Compliance Services, Scientific Services, Data Services, Information Communication Technology Services (ICT) and Communication Services (Attachment 2, Figure 1).

Tasks are supported by annual work programs. Annual work programs serve the basis of internal processes to report on the performance of the Secretariat.

Tasks will be periodically revised to take into account the decisions of the Commission and the performance of the Secretariat.

## **Stakeholders**

The CCAMLR Secretariat communicates with stakeholders from varying backgrounds from around the world in the four official languages of the Antarctic Treaty System (English, French, Russian and Spanish).

CCAMLR's 25 Members, Acceding States, Fishers/Industry and Secretariat staff are the Secretariat's primary stakeholders. Scientists, resource managers and policymakers associated with each CCAMLR Member require timely and accurate information from the Secretariat in the form of circulars, reports, meeting documents and other related information.

### Primary stakeholders

- Members
- Acceding States
- fishers/industry
- CCAMLR staff.

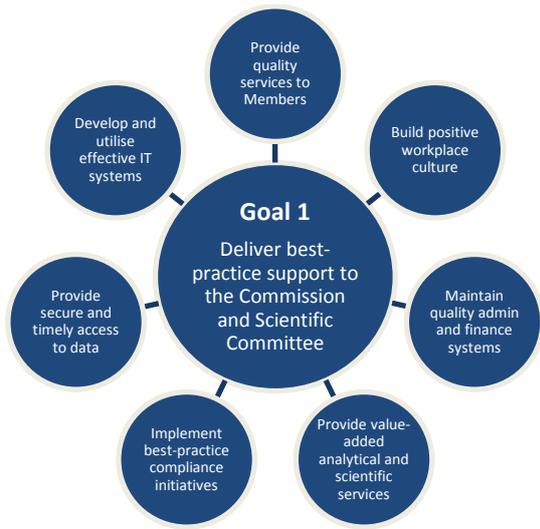
### Other stakeholders include:

- other multilateral organisations
- other elements of the Antarctic Treaty
- academia, researchers and students
- non-government organisations (NGOs)
- non-Contracting Parties
- media
- general public.

<p style="text-align: center;"><b>Goal 1:</b></p> <p style="text-align: center;">To deliver best-practice administrative, technical, logistical and scientific support to the Commission and the Scientific Committee</p>	<p style="text-align: center;"><b>Goal 2:</b></p> <p style="text-align: center;">To facilitate communication and collaboration among stakeholders through effective dissemination of information, education, outreach and capacity building.</p>
<p style="text-align: center;">Objectives</p> <p>To maintain Secretariat services to Members at internationally recognised standards through internal coordination and monitoring of best-practice administrative and operational policies, and supporting procedures and engagement with relevant external stakeholders.</p> <p>To support an open and inclusive workplace culture and identity consistent with the Commission’s international nature.</p> <p>To provide efficient and effective delivery of Secretariat services within approved budgets, through quality administration and finance systems, based on accepted host-country standards.</p> <p>To provide value-added support for Members, the Scientific Committee, its subsidiary bodies and the Commission through analytical and science services.</p> <p>To provide professional support to the Commission utilising best-practice fishery monitoring and compliance expertise, advice and tools.</p> <p>To support Members, the Scientific Committee and subsidiary bodies and the Commission through secure and timely access to comprehensive and high-quality CCAMLR data.</p> <p>To deliver stakeholder-focused ICT<sup>1</sup> products and services that are effective, robust and scalable.</p>	<p style="text-align: center;">Objectives</p> <p>To provide professional communication and outreach services to support the exchange of information among CCAMLR Members and effectively raise awareness of CCAMLR’s initiatives to conserve Antarctic marine living resources.</p> <p>To provide expert translation services in the four official languages of the Convention to support broad participation in the work of the Commission.</p>

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<sup>1</sup> The term ICT (Information and Communication Technology) is interchangeable with the term IT (Information Technology).



**Goal 1: To deliver leading-practice administrative, technical, logistical and scientific support to the Commission and the Scientific Committee.**

**1.1 Executive Services**

The function of Executive Services is to coordinate the implementation of the Secretariat's annual program of work agreed by the Commission and the Scientific Committee. Executive Services manages and coordinates the development, implementation and monitoring of internal policies and procedures, financial accountability, work program development, implementation and monitoring and serves as an ambassador for the Commission including through the promotion of mutually beneficial networks and relationships.

**1.1.1 Objective: To maintain Secretariat Services to Members at internationally recognised standards through internal coordination and monitoring of leading-practice administrative and operational policies, and supporting procedures, and engagement with relevant external stakeholders.**

**Tasks:**

- 1.1.1.1 Develop and implement internal administrative and operational policies and procedures<sup>2</sup> that aspire to support the delivery of value-for-money Secretariat services in a coordinated and transparent manner.
- 1.1.1.2 Review and periodically revise, as necessary, a Strategic Plan for the Secretariat for endorsement by the Commission.
- 1.1.1.3 Review and revise intersessional work plans within three months of the conclusion of the annual session of the Commission.
- 1.1.1.4 Implement the Commission's stated policies for the Secretariat's cooperation with external stakeholders and report outcomes to the Commission as required.
- 1.1.1.5 Support cooperation and information exchange mechanisms with international organisations sharing common interests with CCAMLR for mutual benefit.
- 1.1.1.6 Promote the work of CCAMLR internationally.
- 1.1.1.7 Coordinate professional, technical, logistical and administrative Secretariat support to meetings of the Commission, the Scientific Committee and subsidiary bodies.
- 1.1.1.8 Maintain Secretariat standards and skills necessary to service the requirements of the Commission through periodic performance monitoring and structured training opportunities.

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<sup>2</sup> The most widely applied international voluntary standards for business and organisation management include ISO 9000, ISO 14000, ISO 26000 and ISO 31000, for example.

- 1.1.1.9 Collaborate and cooperate with other relevant institutions to develop and maintain Secretariat expertise, standards and skills at an internationally acceptable level.

**1.1.2 Objective: To support an open and inclusive workplace culture and identity consistent with the Commission’s international nature.**

**Tasks:**

- 1.1.2.1 Agree to and apply values and guiding principles that provide guidelines and standards for cultural acceptance, mutual respect, transparency, non-discriminatory and fair treatment, consultation, tolerance and acceptable behaviour in the workplace and in relation to the professional engagement of staff with other CCAMLR stakeholders.
- 1.1.2.2 Review and revise where necessary workplace standards relative to an appropriate benchmark within the public service of the host country.
- 1.1.2.3 Provide opportunities for staff discussion of workplace-related issues.

**1.2 Finance and Administration Services**

Finance and Administration provides critical support to the Secretariat’s executive, technical and support services by maintaining leading-practice standards for the administration of the Secretariat’s financial resources, personnel management, including workplace policies and procedures, and the maintenance of the Secretariat’s physical assets. It also provides administrative and professional support to the Commission through the Standing Committee on Administration and Finance (SCAF).

**1.2.1 Objective: Quality administration and finance systems, based on accepted host-country standards, supporting efficient and effective delivery of Secretariat Services within approved budgets.**

**Tasks:**

Personnel

- 1.2.1.1 Establish and effectively administer policies and procedures to support the administration of Secretariat personnel and short-term service providers consistent with ICSC and Australian workplace legislation, practices and taxation requirements, where appropriate.
- 1.2.1.2 Coordinate Secretariat training and capacity-building initiatives within available resources.

- 1.2.1.3 Monitor and review workplace health and safety standards in compliance with Australian workplace practice.

#### Finance and administration

- 1.2.1.4 Administer CCAMLR's finances consistent with the Commission's Financial Regulations, Investment Principles and Headquarters Agreement, including production and distribution of annual and quarterly financial statements.
- 1.2.1.5 Provide financial, costing and budget advice for CCAMLR-related services and activities to staff as required.
- 1.2.1.6 Document and administer systems and procedures for maintaining finance and administration records.
- 1.2.1.7 Periodically revise, as necessary, procedures supporting CCAMLR-sponsored travel.
- 1.2.1.8 Support effective working relations with the organisation's business affiliates such as banks, financial institutions, insurance brokers, landlord and Commonwealth and State governments through regular communication.
- 1.2.1.9 Effectively administer the Commission's premises and assets.
- 1.2.1.10 Provide effective front office services.
- 1.2.1.11 Review and effectively implement the Secretariat's Greener Office Policy.
- 1.2.1.12 Provide documentation and expert support to the Executive Secretary and to the SCAF Chair at the annual session of SCAF and to the Commission Chair on Commission matters including in relation to sustainable financing.

### **1.3 Science Services**

The primary purpose of Science Services is to provide technical and administrative support to the work of the Scientific Committee and its subsidiary bodies. This requires close consultative arrangements with the Chair of the Scientific Committee and the conveners of working groups. Science Services undertakes analysis of scientific and fishery data for subsequent consideration by the Scientific Committee and provides administrative support to technical programs including CCAMLR's Scheme of International Scientific Observation, CCAMLR's Ecosystem Monitoring Program, tagging initiatives and marine debris monitoring.

**1.3.1 Objective: To provide value-added support for Members, the Scientific Committee, its subsidiary bodies and the Commission through analytical and scientific services.**

**Tasks:**

Science administration and logistical support

- 1.3.1.1 Provide technical and administrative support to the Chair of the Scientific Committee and Convenors of Scientific Committee working groups.
- 1.3.1.2 Coordinate logistical and technical support to meetings of the Scientific Committee, working groups and subsidiary bodies.
- 1.3.1.3 Support the Secretariat's scientific engagement with relevant external stakeholders, including other organisations, networks and associations.
- 1.3.1.4 Provide editorial services for the scientific content of CCAMLR Science and coordinate the science input to Secretariat publications and the website.
- 1.3.1.5 Coordinate work experience opportunities, internships or other capacity-building initiatives for early career CCAMLR scientists including through the CCAMLR Science Scholarship Scheme.
- 1.3.1.6 The Secretariat's science-related personnel efficiently managed.

Synthesis and analysis of scientific data and information

- 1.3.1.7 Coordinate the Secretariat's technical and logistical advice and support in respect of scientific initiatives and associated programs implemented by Members including, inter alia:
  - the CCAMLR Scheme of International Scientific Observation
  - the CCAMLR Ecosystem Monitoring Program
  - tagging
  - marine debris
  - status and trend assessments for target and by-catch species
  - by-catch monitoring and mitigation
  - fishery interactions including with vulnerable marine ecosystems
  - fishery management options
  - climate change.
- 1.3.1.8 Collaborate with Members to facilitate data collection and analyses contributing to CCAMLR's scientific objectives.
- 1.3.1.9 Provide technical tools and analytical services to facilitate the efficient use of CCAMLR data by the Commission, the Scientific Committee and subsidiary bodies.

- 1.3.1.10 Produce routine synthesis and analyses to the Scientific Committee (and working groups) on data submitted through CCAMLR scientific initiatives and associated programs.
- 1.3.1.11 Provide expert analysis and synthesis of CCAMLR data and related information to support identified priority intersessional tasks of the Scientific Committee.
- 1.3.1.12 Provide feedback on science aspects of all Secretariat papers/publications.

## **1.4 Fishery Monitoring and Compliance Services**

The Fishery Monitoring and Compliance (FMC) Services provides expert professional, technical, logistical and administrative support to the Commission, primarily through the Standing Committee on Implementation and Compliance (SCIC).

As the focal point for the Secretariat's work associated with the implementation of, and compliance with, conservation measures and other decisions of the Commission, FMC Services is a key provider and user of CCAMLR data.

### **1.4.1 Objective: To provide professional support to the Commission utilising leading-practice fishery monitoring and compliance expertise, advice and tools.**

#### **Tasks:**

Compliance administration and logistical support

- 1.4.1.1 Develop, implement and monitor the annual work plan for the FMC Section.
- 1.4.1.2 Coordinate Secretariat support and advice to SCIC and the Commission.
- 1.4.1.3 Coordinate Secretariat support and advice to the Chair of SCIC.
- 1.4.1.4 Coordinate the provision of FMC-related advice, as required, to the Scientific Committee and its Working Groups.
- 1.4.1.5 Coordinate the FMC input to Secretariat publications.
- 1.4.1.6 Provide advice for the management of FMC-related content and structure, including news items, social media content, databases and FMC-related processes on the CCAMLR website.
- 1.4.1.7 Manage FMC-related work experience opportunities, internships or other capacity-building initiatives for students and early career professionals at the CCAMLR Secretariat.

## Compliance monitoring and technical services

- 1.4.1.8 Manage the Secretariat's support and advice in respect of Contracting Parties' implementation and operation of:
- fishery notifications
  - compliance notifications
  - vessel database
  - Vessel Monitoring System
  - Catch Documentation Scheme
  - System of Inspection
  - Compliance Evaluation Procedure
  - Schemes to Promote Compliance
  - programs to combat illegal, unreported and unregulated (IUU) fishing.
- 1.4.1.9 Contribute to the Secretariat's engagement with, and advice to, Members, Acceding States, cooperating non-Contracting Parties, non-Contracting Parties not cooperating with CCAMLR, other IGOs, NGOs, networks and associations.
- 1.4.1.10 Coordinate expert advice and support for the integration and improved implementation of Secretariat responsibilities associated with:
- fishery notifications
  - compliance notifications
  - vessel database
  - Vessel Monitoring System
  - Catch Documentation Scheme
  - System of Inspection
  - Compliance Evaluation Procedure
  - illegal, unreported and unregulated (IUU) fishing
  - conservation measures.
- 1.4.1.11 Develop and implement projects for the improved understanding of fishery operations, conservation measure implementation and trends and capacity in IUU fishing and in respect of intersessional tasks agreed by the Scientific Committee and/or the Commission.

## 1.5 Data Centre

The Data Centre is the custodian of CCAMLR data<sup>3</sup> and provides data-related services to support decision-making by the Commission, the Scientific Committee and their subsidiary bodies, and to support Secretariat services. Responsibility for the management of CCAMLR data and the data-related activities of the Secretariat, including data processing, quality assurance, risk management, access and use, storage and data-related online information services resides with the Data Centre. The Secretariat's governance of CCAMLR data is

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<sup>3</sup> Data submitted to the Secretariat to support the policy, technical and administrative work of the Commission and Scientific Committee and to give effect to Article XX of the Convention.

guided by the 'CCAMLR Secretariat Information Management Framework' which aspires to best practice and international standards to improve the quality and availability of data and information, ensure the confidentiality and integrity of data and information, promote the integration of data and information, support effective business processes and informed decision making through accurate data, and reduce Secretariat costs through efficient management of data and information. This framework supports the Secretariat's data and information and communication strategies, including the Data Management Strategy which promotes:

- compliance with relevant international standards
- data storage and security
- efficient, error-free data processing and administration
- comprehensive data quality assurance
- improved data models and architecture
- integration of data and business processes
- timely and efficient access to data, derived data and outputs
- feedback for data and process improvements.

**1.5.1 Objective: To support Members, the Scientific Committee and subsidiary bodies and the Commission through secure and timely access to comprehensive and high-quality CCAMLR data.**

**Tasks:**

Logistical and administrative support to data processes

- 1.5.1.1 Manage personnel and budget resources to support the Data Centre's operation.
- 1.5.1.2 Technical and logistic support at meetings of the Commission, the Scientific Committee and subsidiary bodies.
- 1.5.1.3 Technical and logistic support to the annual review, development and implementation of CCAMLR conservation measures and resolutions.

Data systems

- 1.5.1.4 Develop and implement the CCAMLR Data Management Strategy
- 1.5.1.5 Manage CCAMLR data including, inter alia, fishery and scientific observer data, research data, GIS data and fishing vessel compliance data. Tasks include data processing, archiving and documentation, and the oversight of data access and use.
- 1.5.1.6 Promote the integration of data and information across Secretariat services.
- 1.5.1.7 Implement fully documented data integrity and quality assurance procedures.

## Data access and use

- 1.5.1.8 In-season monitoring and reporting for CCAMLR fisheries
- 1.5.1.9 Online information services and publications, including CCAMLR's Statistical Bulletin, GIS, metadata and data forms.
- 1.5.1.10 Advise and support data users, including international collaborators and partners, with data access and use, data analysis and reporting, and information on data standards and documentation.

## 1.6 ICT Services

Information Communications Technology (ICT) Services are responsible for the acquisition and maintenance of reliable, cost-effective and secure information and communications technology infrastructure supporting the business requirements of the Secretariat. ICT Services include the management of computing and communications infrastructure, administration and technical support for applications and helpdesk services, including computing-related training needs within the Secretariat.

### **1.6.1 Objective: To deliver stakeholder focussed ICT<sup>4</sup> products and services that are effective, robust and scalable.**

#### **Tasks:**

##### Business systems and applications

- 1.6.1.1 Implement and maintain encompassing ICT systems that provide required services to all stakeholders.
- 1.6.1.2 Ensure effective and efficient use of ICT systems through defined ICT development training.
- 1.6.1.3 Integrate ICT Systems to support optimisation of business processes.
- 1.6.1.4 Improve online services for staff and external service consumers utilising contemporary systems.
- 1.6.1.5 Automate input processes and relevant notifications to improve efficiency and end-user services.

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<sup>4</sup> The term ICT (Information and Communication Technology) is interchangeable with the term IT (Information Technology). The use of the term ICT, which is more current, is due to the merging of traditional telephone communication with general computing and network technologies

## Information management

- 1.6.1.6 Maintain standards, procedures and systems for the Secretariat's information stores.
- 1.6.1.7 Strengthen knowledge management across the Secretariat through defined policies and practices for usage of systems.
- 1.6.1.8 Adopt leading-practice processes and standards to secure Secretariat information resources.
- 1.6.1.9 Manage and classify information in line with its value and regulatory requirements.

## Emerging trends and technologies

- 1.6.1.10 Implement technologies that ensure efficient and effective access to ICT systems and services by staff.
- 1.6.1.11 Manage all ICT hardware and software through agreed policies which include a defined and documented lifecycle in line with an Asset Management Plan.
- 1.6.1.12 Research and apply robust, scalable, secure voice and data services.
- 1.6.1.13 Employ environmentally appropriate technology procurement and associated operational practices.

## Governance

- 1.6.1.14 Continual alignment of ICT systems, services, and budget with the Secretariat's strategic and operational directions.
- 1.6.1.15 Refine the ICT Governance model to incorporate business rules and procedures which validate activities with parameters and performance measures.

## Infrastructure and technology

- 1.6.1.16 Manage ICT infrastructure and technology service providers.
- 1.6.1.17 Transparent monitoring and reporting applied to ensure accountability of ICT resources. Implement and monitor leading practice ICT Service Management processes to ensure required service levels can be met.

**Goal 2: To facilitate communication and collaboration among Members and other stakeholders through effective dissemination of information, education, outreach and capacity building.**

## **2.1 Communication Services**

The key role of Communication Services is to provide logistical and technical support for the operation of the Commission in its four official languages. In this role, Communications provides professional translation and interpretation support to the annual meetings of the Commission, including the translation of relevant reports and supporting documents of the Commission, Scientific Committee and their subsidiary bodies. Communications is responsible for developing and implementing the Secretariat's Communications strategy to raise the profile of CCAMLR locally and internationally, coordinating the management of information internally in the Secretariat and managing publications and other information resources.

**2.1.1 Objective: To provide professional communication and outreach services to support the exchange of information among CCAMLR Members and effectively raise awareness of CCAMLR's initiatives to conserve Antarctic marine living resources.**

### **Tasks:**

Communications administration and logistical support

- 2.1.1.1 The Secretariat's communication-related personnel, budgets, equipment and other resourcing needs efficiently managed and monitored.
- 2.1.1.2 Effective logistical and administrative support to the Commission, the Scientific Committee and subsidiary bodies, including meeting preparation and arrangements, provided.
- 2.1.1.3 Implementation of the Secretariat's Enterprise Content Management Strategy (= Intranet) supported.
- 2.1.1.4 In collaboration with IT, in-house training to build capacity among staff to contribute content to the CCAMLR website provided.

Public relations, outreach and capacity building

- 2.1.1.5 Liaise as appropriate with Members to ensure alignment of communications and outreach products with CCAMLR's role.
- 2.1.1.6 A strategy for communicating with external stakeholders, including public relations, awareness-raising and outreach components implemented and monitored.

- 2.1.1.7 CCAMLR website content as a best-practice information portal for Members and the public maintained and administered.
- 2.1.1.8 A current media contacts list maintained.
- 2.1.1.9 A media plan for the annual meetings is developed.
- 2.1.1.10 Periodic sanctioned media releases to promote the achievements of CCAMLR prepared and disseminated.
- 2.1.1.11 Information releases profiling CCAMLR activities and related Antarctic issues and Southern Ocean fisheries prepared and uploaded.
- 2.1.1.12 Information relating to opportunities for early career professionals from CCAMLR Members to undertake additional studies or gain work experience in CCAMLR-related fields disseminated.

#### Library services

- 2.1.1.13 Develop and implement a strategy for the management of hard copy publications currently held by the Secretariat.

#### Publications

- 2.1.1.14 CCAMLR editorial services to support timely and professional production of CCAMLR publications provided.
- 2.1.1.15 Publications-related styles, formats and guidelines maintained and updated as necessary.
- 2.1.1.16 Annual publication schedule prepared.
- 2.1.1.17 CCAMLR publication discoverability assessed.
- 2.1.1.18 Edited and professionally formatted publications, electronically or in hard copy, distributed and archived.
- 2.1.1.19 Circulars, Commission, Scientific Committee and subsidiary body meeting documents, processed, distributed and archived in accordance with adopted procedures.

**2.1.2 Objective: To provide expert translation services in the four official languages of the Convention to support broad participation in the work of the Commission.**

**Tasks:**

- 2.1.2.1 Provide expert translation services in the four official languages of the Commission for designated Commission and Scientific Committee communications, documents and publications in an accurate, cost-effective and timely manner.
- 2.1.2.2 Support inclusive discussions and informed decision-making by the Commission and the Scientific Committee by promoting multilingual information exchange and communication.
- 2.1.2.3 Maintain best-practice translation standards in line with those of UN agencies, other international organisations and national accreditation bodies.
- 2.1.2.4 Support transparency of CCAMLR and promote its work in a global context.
- 2.1.2.5 Support the language requirements of all other functions of the Secretariat, as appropriate.
- 2.1.2.6 Provide high-quality interpretation services to the annual meetings of the Commission.
- 2.1.2.7 Implement and periodically review Translation Guidelines as an integral component of the Secretariat's Communication Strategy.

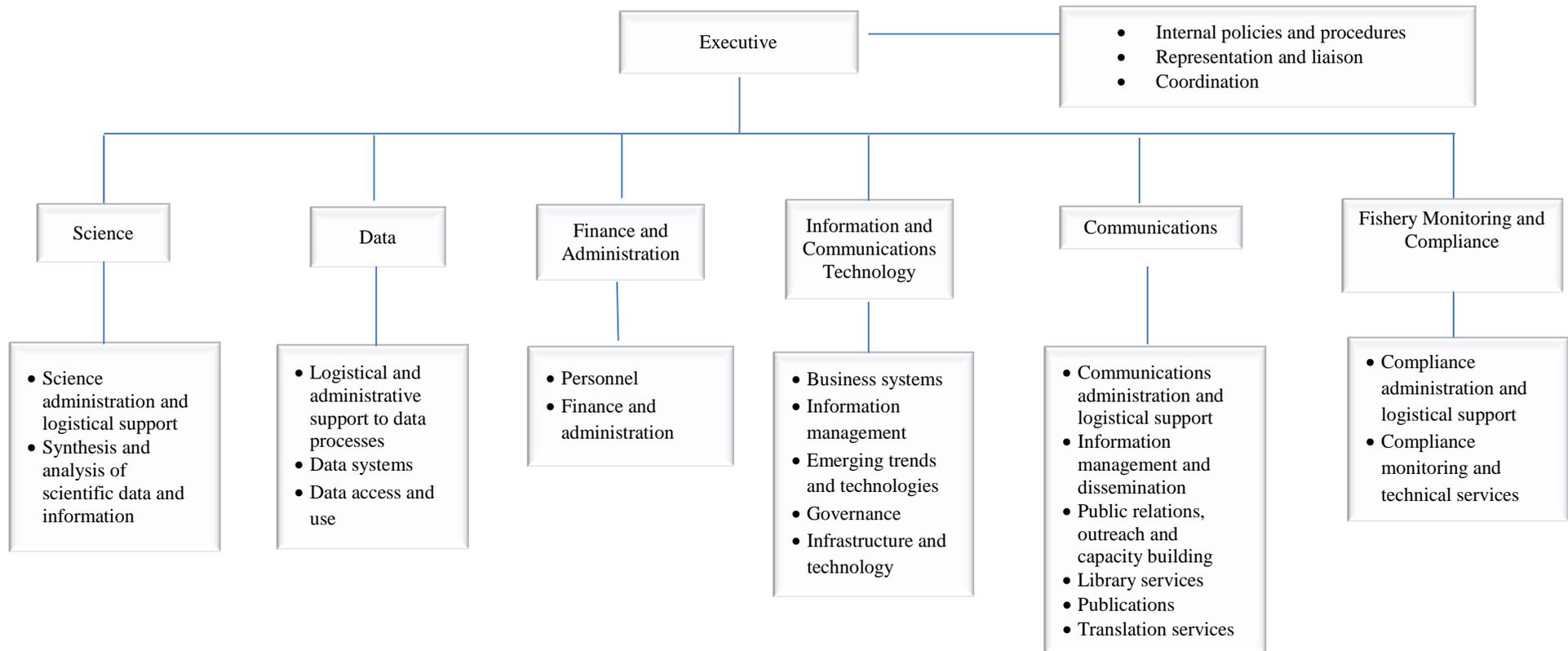
**Internal collaborative framework**

The CCAMLR Secretariat is a multidisciplinary team supporting a range of specialist knowledge, skills and responsibilities that are applied in a collective effort for a common endeavour. No part of the Secretariat works in isolation – information and knowledge is pooled, activities coordinated and lessons jointly reviewed so that the Secretariat's capacity to service the priorities of Members continually improves.

**Monitoring and evaluation**

Monitoring the delivery of intersessional tasks assigned to the Secretariat throughout the year offers one opportunity to regularly assess the Secretariat's performance. The main opportunity for Members to assess the performance of the Secretariat is at its regular annual session. To facilitate this, the Secretariat will present a summary matrix of outcomes and achievements associated with the Strategies described in this Strategic Plan to each session of the Commission, Scientific Committee and relevant subsidiary bodies. On the basis of responses received, and agreement regarding new issues for the Secretariat to address, the Strategic Plan may be periodically revised.

A revised Strategic Plan, to serve the period beyond 2018 will be prepared for consideration by Members at the 2018 annual meeting of the Commission. The revision may simply be a refinement of this Strategic Plan.



## CCAMLR Staffing and Salary Strategy (2015–2018)

### Introduction

In 2013, the Commission endorsed a proposal to review of the 2012–2014 Strategic Plan (CCAMLR-XXXII, Annex 7, paragraph 6). The review provides an opportunity to also review the Staffing and Salary Strategy which was associated with the 2012–2014 Strategic Plan and align it with the new strategic plan period 2015–2018.

### CCAMLR Staffing and Salary Strategy (2015–2018)

**Objective:** CCAMLR Secretariat staffing arrangements that deliver leading-practice services, as described in its Strategic Plan, within a maximum zero real-growth budget for the Commission for the period 2015–2018.

**Scope:** This Strategy applies to all personnel employed by the CCAMLR Secretariat.

**Alignment with national law:** The Headquarters Agreement between CCAMLR and the Government of Australia provides the Commission, its staff and property immunity from legal processes in the scope of its official activities with some exceptions (Articles 5(2) and 5(3), 8, 9, 10, 16, 17). Apart from these exceptions the activities of the Commission are governed by the laws of Australia (Article 5(1)). Consequently, CCAMLR is not exempt from Australian workplace law. Periodic reviews will be undertaken to ensure compliance and consistency between the CCAMLR Secretariat and appropriate Australian workplace policies and practices.

**Administration:** The Staff Establishment for the CCAMLR Secretariat is authorised by the Commission (Article XVII). The Executive Secretary administers staff, on behalf of the Commission, according to CCAMLR's Staff Regulations and decisions of the Commission. The Staff Regulations, together with the individual Deeds of Employment (DoE), establish the fundamental principles of employment, regulate the working relationships and establish the rights and responsibilities of all employees of the Secretariat. This Staffing and Salary Strategy is to be read in conjunction with the Staff Regulations, DoEs and the relevant provisions of the Headquarters Agreement.

The implementation of, and reporting on, the Staffing and Salary Strategy is the responsibility of the Executive Secretary. The Commission, through the Standing Committee on Administration and Finance (SCAF), is responsible for the periodic review of the Strategy.

**Staff Establishment:** The Staff Establishment to support the implementation of the Strategic Plan for 2015–2018, as approved by the Commission, is presented at Attachment 2, Figure 1.

**Staff Classification:** The Commission supports three categories of staff (i) International Professional, (ii) General Services, and (iii) Temporary (Staff Regulations 4 and 11). The grading systems for International Professional and General Service staff are described in a Job

Classification System (JCS) administered by the Secretariat. The JCS reflects the two arrangements that apply to staffing arrangements at the CCAMLR Secretariat. For International Professional staff, these are based on those applying in the International Civil Service Commission (ICSC) of the United Nations. General Services staff classification is based on the work-level standards and classifications that apply in the Australian Public Service (APS).

**Staff recruitment:** The Executive Secretary will advertise all vacancies that arise at the Secretariat. A selection panel, which may involve appropriately qualified and knowledgeable personnel external to the Secretariat, will be appointed by the Executive Secretary to advise on staff selection. Suitability for recruitment will be assessed in a transparent manner that takes account of (i) the international character of the Commission, (ii) the requirements of the position as described in its Duty Statement, (iii) the qualifications, experience, qualities and capabilities of applicants, (iv) testimonials from the applicant's referees, and (v) other sources of information regarding the applicant's suitability.

**Personal Qualities and Capabilities:** The CCAMLR Secretariat seeks to attract and retain staff who demonstrate a broad cross-section of the following qualities and capabilities:

Achieve results:

- contributes to organisational capability and responsiveness
- supports coordination and networking
- adapts to change and deals with uncertainty
- commits to closure and delivery on intended results
- applies and builds appropriate professional, technical and administrative expertise.

Cultivate productive working relationships:

- values differences and diversity
- develops and maintains effective internal and external relationships, partnerships and networks
- listens, understands and recognises others
- promotes and shares learning and supports and guides others.

Communicate effectively:

- listens, understands and adapts to an audience
- negotiates persuasively
- communicates clearly and concisely
- keeps self and others informed
- contributes to processes to reconcile diverse views.

Demonstrate personal drive and integrity:

- demonstrates self-awareness and a commitment to personal development
- behaves ethically and accepts responsibility for own actions

- promotes and adopts a positive and balanced approach to work
- shows initiative and resilience in managing work outcomes, opportunities and challenges.

Contribute to strategic thinking:

- focuses strategically
- harnesses information and opportunities
- shows judgement, intelligence and common sense
- supports shared purpose and direction.

**Appointment term:** General Service staff are initially appointed for a three-year term. Subject to satisfactory performance, and to the needs of the Commission, General Service staff may be re-appointed on an ongoing/permanent basis.

International Professional staff, other than the Executive Secretary (see below), are appointed for an initial four-year term. Subject to satisfactory performance, and to the needs of the Commission, International Professional staff may be re-appointed for a further term of four years<sup>1</sup>. At the conclusion of two terms the post must be advertised. The incumbent is eligible to apply.

The Executive Secretary's term of office is initially four years. He/she is eligible for reappointment for one additional term.

Temporary personnel are contracted for a specific task which is normally short term.

**Annual salary increment:** Staff members shall receive annual salary pay point increments. Increments shall cease once the staff member concerned has reached the highest pay point in the Grading Band in which he/she is serving.

**Promotion:** The promotion of Professional staff from one salary grade to another requires the prior approval of the Commission. Subject to budgetary restrictions, the Executive Secretary has the authority to revise the gradings of individual General Service staff<sup>2</sup>.

**Performance monitoring:** Staff performance is reviewed at 6-monthly intervals using CCAMLR's Performance Management Appraisal System (PMAS). Ongoing two-way feedback on achievement of key performance criteria, adding and changing key performance criteria and general performance discussions are encouraged throughout the annual cycle between staff and their manager. PMAS uses (i) the Duty Statement for the staff post being appraised and (ii) key performance criteria which include the status of agreed individual work programs and qualities and capabilities demonstrated.

**Broad banding:** The CCAMLR Secretariat supports a broad-band pay structure for General Service grades 3/4 (7 pay points), 4/5 (8 pay points), 5/6 (8 pay points) and 7/8 (6 pay points). Pay point progression ceases once a staff member has reached the highest step in the grade band in which they are serving. Increments for International Professional posts are confined to the grade of appointment, subject to Staff Regulation 1.5.2.

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<sup>1</sup> Incumbents serve on an ongoing basis. The 4-year provision will apply to their replacements (see CCAMLR-XXXI, Annex 7, paragraph 5).

<sup>2</sup> CCAMLR-XXI, paragraph 3.16.

**Professional Development:** The CCAMLR Secretariat supports personnel development and training opportunities for all staff within an agreed, costed and budgeted annual training program.

**Review**

Implementation of this Staffing and Salary Strategy will be reported on and reviewed annually by SCAF.

## Staff structure and associated costs for the CCAMLR Secretariat (2015–2018)

### Introduction

Personnel costs are determined by:

- the staffing structure (the number of funded posts)
- individual post gradings
- the pay points and allowances associated with each post grading.

This appendix to the Staffing and Salary Strategy summarises the employment terms and conditions at the CCAMLR Secretariat, the staff structure and personnel costs supported under the 2012–14 Strategic Plan and the staff structure and cost estimates for the 2015–2018 period.

### Grading and pay scales

Provisions of CCAMLR Staff Regulations and staff Deeds of Employment

Two staff categories are provided for within the Secretariat under Staff Regulation 1.4<sup>1</sup>. They are International Professional staff and General Services staff. In addition, Section 5 provides for the employment of temporary personnel under contract. The Regulations describe salaries and other remuneration offered to CCAMLR Secretariat staff. The terms and conditions of employment are described in a Deed of Employment which are consistent with the Staff Regulations<sup>2</sup>.

International Professional staff posts are graded according to the United Nations Classification System administered by the ICSC. As an accredited agency, the CCAMLR Secretariat has access to a secure website which supports the ICSC Job Evaluation System (<http://icsc.un.org/>). That system is used for the purposes of classifying Professional Staff posts in the Secretariat.

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<sup>1</sup> CCAMLR's Staff Regulations were formally adopted at the First Meeting of the Commission in 1982. Regulation 1.4 provides two classifications of staff: International Professional and General Services. The four currently designated International Professional posts within the Secretariat mandate international recruitment from among CCAMLR Members. General Services staff are recruited in Australia from among citizens of Members of the Commission. The Regulations describe the basis of salaries and other remuneration that apply to Secretariat staff. The CCAMLR Secretariat Staff Deed of Employment defines salary rate applicable to mean, in relation to the General Services employee, the Australian Public Service Pay Rate applicable to the classification and pay step in force at 30 June 1998 and increased annually thereafter by the consumer price index announced by the Australian Bureau of Statistics. In the case of the Professional employee, the salary rate applicable means that which applies to officials of the United Nations Secretariat employed in Australia, or any other salary rate as agreed by the Commission from time to time.

<sup>2</sup> See CCAMLR-XXIII/37 and CCAMLR-XXIII, Annex 4, paragraph 5.

General Services staff positions in the CCAMLR Secretariat were graded in 1998 using the Australian Public Service (APS) classification system. This is periodically reviewed by the Commission<sup>3</sup>.

Over the last decade, Australian government agencies have moved away from a centrally administered staff arrangement that applied in the 1990s to periodically negotiated agency-specific enterprise agreements. While still broadly based on the APS, arrangements at the CCAMLR Secretariat have not maintained complete harmony with arrangements applying generally in the APS or in specific agencies, such as the Hobart-based Australian Antarctic Division (AAD), which was identified as a suitable local comparator agency for CCAMLR in 2003/04<sup>4</sup>.

The extent to which CCAMLR maintains harmony with a local comparator agency is influenced by a number of factors which include the fact that CCAMLR administers a hybrid staffing system (ICSC and APS), which includes international staff, and that CCAMLR staff are subject to various treatments under Australian tax law.

CCAMLR Staff Regulation 2.1 provides that the scale of salaries for staff members in the International Professional category is established in US dollars according to corresponding scales of salaries which apply to officials of the United Nations Secretariat employed in Australia. Regulation 2.1 also describes the types of allowances available to staff members in the professional category as being, in principle, those allowances in force in the UN according to corresponding scales of allowances which apply to non-Australian officials of the UN Secretariat in Australia. As such, only International Professional category staff salaries are exposed to exchange rate fluctuations.

CCAMLR Staff Regulation 1.5.1 provides that staff members in the General Services category shall, in principle, be paid at rates equivalent to those paid in Hobart for staff of equivalent qualifications and experience.

CCAMLR Staff Regulation 1.5.3 provides that staff members shall receive annual increments. Increments shall cease once the staff member has reached the highest step in the grade in which he/she is serving.

The Executive Secretary may complete two contract terms of 4 years duration; contracts for other staff may be either ongoing or for a fixed term<sup>5</sup>.

## **Staffing structure**

The staff establishment to support implementation of the Strategic Plan in 2015–2018 provides for a staff complement of 25 staff (Figure 1).

The duty statements for each post associated with the new staff structure are available from the Secretariat on request.

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<sup>3</sup> Most recently in 2006; see *CCAMLR Staff Regulations* ([www.ccamlr.org/node/75270](http://www.ccamlr.org/node/75270)).

<sup>4</sup> CCAMLR-XXII/46.

<sup>5</sup> Subject to the provisions of Staff Regulation 5.9, and an annual performance appraisal, staff are employed on a continuing/ongoing or temporary contract arrangement.

## Job classification

CCAMLR's revised Job Classification System (JCS) was adopted in 2012<sup>6</sup>. The JCS will serve the period 2015–2018.

The base grade for each established post at the CCAMLR Secretariat, and the distribution of staff across salary grades, as of September 2014, is provided at Table 1(a).

The base grade for each post in the staff structure associated with the Strategic Plan in 2015–2018 is based on the revised Job Classification System presented at Table 1(b).

Table 1(a): CCAMLR staff structure as provided for in the 2012–14 Strategic Plan (September 2014).

Grade	# staff	
	Base	Current
<i>GS</i>		
1-2	0	0
3	3	2
4	5	4
5	5	5
6	6	6
EL1	3	2
EL2	0	1
Subtotal	22	20
<i>ICSC</i>		
P3	1	1
P4	2	1
P5	0	1
D1	1	1
Subtotal	4	4
Total	26	24

Table 1(b): Staff establishment grade distribution Strategic Plan (2015–2018).

Grade	# staff	
	Base	Current
<i>GS</i>		
1-2	0	0
3	2	2
4	6	6
5	4	4
6	6	6
EL1	3	1
EL2	0	2
Subtotal	21	21
<i>ICSC</i>		
P3	1	1
P4	2	1
P5	0	1
D1	1	1
Subtotal	4	4
Total	25	25

## Broad banding

Broad banding was adopted in the 2012 SSS for CCAMLR General Service grades 3/4 (7 pay points), 4/5 (8 pay points), 5/6 (8 pay points) and 7/8 (6 pay points). Pay point progression ceases once a staff member reaches the highest step in the grade band in which they serve. Increments for Professional posts are confined to the grade of appointment, subject to Staff Regulation 5.5.

<sup>6</sup> CCAMLR-XXII/46 refers to both a Work Level Standard for the CCAMLR Secretariat and a Post Grading and Salary Structure. The WLS applies to General Services staff posts only. With the assistance of an expert at AAD, a revision of the WLS in place at the AAD was undertaken in 2011. This was used to prepare a CCAMLR Job Classification System (JCS) which is available, in English only, as an administrative document from the Secretariat. The Executive Secretary has authority to revise gradings of individual GS staff (CCAMLR-XXI, paragraph 3.16).

## **Other personnel costing considerations**

### Annual adjustment

The CCAMLR Staff Contract provides for an annual Consumer Price Index (CPI) adjustment to General Services Staff in addition to an annual single pay step increment.

The CPI for Australia, published by the Australian Bureau of Statistics ([www.abs.gov.au](http://www.abs.gov.au)), has ranged between 2.0% and 3.6% each year (average 2.47%) for the last 7 years<sup>7</sup>.

### Salary increment

CCAMLR's Staff Regulations provide for an annual single pay point (pay step) increment (Regulation 1.5.3b):

‘the employee will advance by one pay step at each anniversary of their commencement date up to a maximum of the top pay step of the applicable classification in accordance with CCAMLR's Staffing and Salary Strategy.’

The increment between pay points in the current CCAMLR salary structure is approximately 3% for General Services staff and 2% for International Professional staff. This regulation is implemented in the Staff Deed of Employment.

### External services

It has been CCAMLR practice to include the costs of periodically contracted external services in the personnel cost item of the budget. The majority of such costs are associated with additional translation support during meetings.

### Training and capacity building

Capacity building and training has been a regular item, separate to personnel costs, in the Commission's budget for many years.

## **Cost estimates**

The cost estimates used to support the Staffing and Salary Strategy for 2015–2018 are based on:

- the salary scales applying in the APS and ICSC for the salary grades supported in the CCAMLR Secretariat are applied to CCAMLR posts

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<sup>7</sup> 2004: 2.3%; 2005: 2.5%; 2006: 3.6%; 2007: 2.2%; 2008: 2.4%; 2009: 2.3%, 2010: 2%, 2011: 3%, 2012: 2.2% and 2013: 2.7%.

- applicable annual salary increments within Grade bands<sup>8</sup>
- an annual adjustment for all General Service staff based on the annual CPI published by the Australian Bureau of Statistics
- limited annual staff training and capacity building
- overtime for General Service staff and periodically contracted external services follow similar trends as in previous years<sup>9</sup>.

Relative to the costs associated with maintaining the staffing arrangements that have been supported for the period 2012–2014, the proposed arrangement associated with the Secretariat’s Strategic Plan for the period 2015–2018 would represent a potential cost increase of 12.6% over the 4-year projection relative to the cost estimate for 2014 (3.2% increase for 2015, 3.2% in 2016, 3.2% in 2017 and a 3.0% increase in 2018).

Subject to externalities beyond the control of the Secretariat, such as CPI<sup>10</sup> and abnormal exchange rate fluctuations, the Secretariat will continue to explore opportunities to increase efficiency and reduce costs as these arrangements are implemented.

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<sup>8</sup> For budgetary purposes, costs provide for an increment for all staff who have not reached the top step in the grade above their initial appointment. Increments are not available above Grade EL1, Pay Point 30.

<sup>9</sup> This is based on CCAMLR-XXXIII adopting the recommendations of the Translation Services Review (see CCAMLR-XXXIII/05).

<sup>10</sup> CPI adjustments have implications for the Staff Termination Fund and Superannuation contributions.

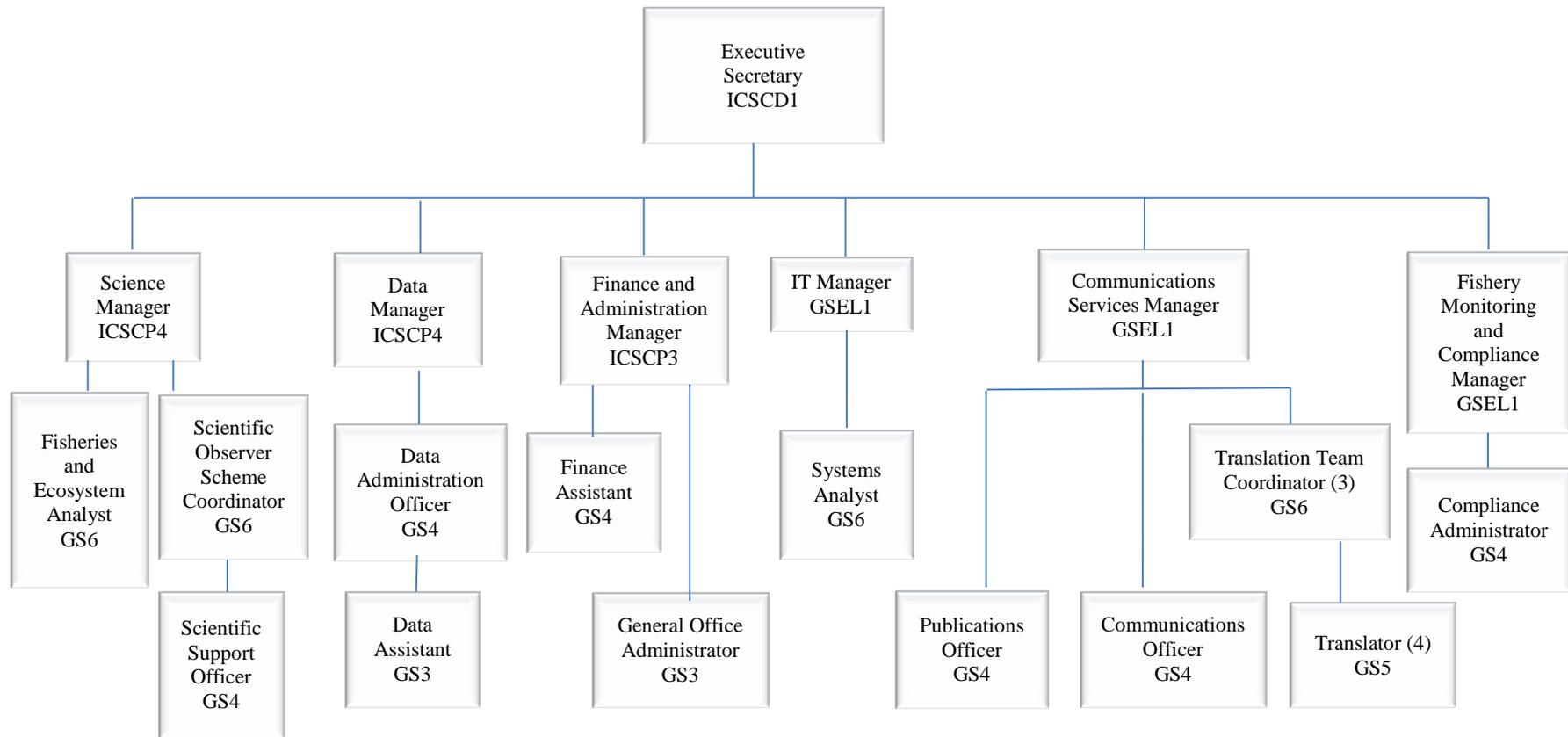


Figure 1: Staff structure associated with the Strategic Plan (2015–2018).

**General Service category salary scale (as of September 2014)**

Grade	Paypoint	
1	1	\$40 746
	2	\$41 967
	3	\$43 227
	4	\$44 524
2	5	\$45 860
	6	\$47 235
	7	\$48 651
	8	\$50 111
	9	\$51 613
3	10	\$53 162
	11	\$54 757
	12	\$56 397
4	13	\$58 091
	14	\$59 835
	15	\$61 630
	16	\$63 478
5	17	\$65 384
	18	\$67 342
	19	\$69 362
	20	\$71 444
6	21	\$73 589
	22	\$75 796
	23	\$78 069
	24	\$80 410
7	25	\$82 822
	26	\$85 305
	27	\$87 867
8	28	\$90 505
	29	\$93 218
	30	\$96 017

## **ICSC salary scale**

The salary scales for the Professional and higher categories in the United Nations are based on five Professional grades (P-1 to P-5), two Director levels (D-1 and D-2) as well as the levels of Assistant Secretary-General and Under Secretary-General in some organisations and Assistant Director-General and Deputy Director-General in others. The scales are expressed as gross and net base salaries and applied uniformly, worldwide, by all organisations in the United Nations common system. Net base salary is obtained by deducting staff assessment from gross base salary.

A Post Adjustment (August 2014: 62.2% for Australia) is added to the net salary to calculate the remuneration paid to the International Professional Officers.

The salary scales applying from 1 January 2014 are available at: [http://www.un.org/Depts/OHRM/salaries\\_allowances/salary.htm](http://www.un.org/Depts/OHRM/salaries_allowances/salary.htm).

## Revised Budget for the year ended 31 December 2014

	General Fund adopted 2013	General Fund revised	Equity Funds			Special Funds										Total	
			Asset Replacement Reserve	Fisheries Notifications Fund	Staff Replacement Fund	Contingency	Observer	VMS	CDS	Compliance	MPA	Scientific	Enforcement	Gen SC capacity	CEMP		
	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	
<b>Income</b>																	
Members' General Fund	3 272 000	3 272 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3 272 000
Contributions																	
Members' Special Contributions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Interest	160 000	150 000	0	0	0	0	5 000	620	8 000	1 100	2 500	0	500	0	4 300	172 020	
Staff Assessment Levy	465 000	475 000	0	0	0	0	0	0	0	0	0	0	0	0	0	475 000	
Fund transfers – incl. SC Fund	150 000	90 000	0	0	0	(90 000)	0	0	0	0	0	50 000	0	0	0	50 000	
Sales (Tagging)	30 000	30 000	0	0	0	0	0	0	0	0	0	0	0	0	0	30 000	
Miscellaneous Income	378 000	376 000	25 000	172 800	0	100 000	0	0	0	0	0	0	0	0	0	673 800	
<b>Total Income</b>	<b>4 455 000</b>	<b>4 393 000</b>	<b>25 000</b>	<b>172 800</b>	<b>0</b>	<b>10 000</b>	<b>5 000</b>	<b>620</b>	<b>8 000</b>	<b>1 100</b>	<b>2 500</b>	<b>50 000</b>	<b>500</b>	<b>0</b>	<b>4 300</b>	<b>4 672 820</b>	
<b>Expenditure</b>																	
Salaries and Allowances	3 104 000	3 104 000	0	172 800	0	0	0	0	0	0	0	0	0	0	0	3 276 800	
Equipment	200 000	170 000	0	0	0	0	0	0	0	0	0	0	0	0	0	170 000	
Insurance and Maintenance	210 000	210 000	0	0	0	0	0	0	0	0	0	0	0	0	0	210 000	
Training	15 000	15 000	0	0	0	0	0	0	0	0	0	0	0	0	0	15 000	
Meeting Facilities	320 000	330 000	5 444	0	0	0	0	0	0	0	0	0	0	0	0	335 444	
Travel	150 000	150 000	0	0	0	0	0	0	0	0	0	0	0	30 000	0	180 000	
Printing and Copying	21 000	21 000	0	0	0	0	0	0	0	0	0	0	0	0	0	21 000	
Communications	38 000	38 000	0	0	0	0	0	0	0	0	0	0	0	0	0	38 000	
Sundry	140 000	140 000	0	0	0	5 000	0	0	16 000	0	0	0	0	0	0	161 000	
Rent/COGS	403 000	400 000	0	0	0	0	0	0	0	0	0	0	0	0	0	400 000	
<b>Total Expenditure</b>	<b>4 601 000</b>	<b>4 578 000</b>	<b>5 444</b>	<b>172 800</b>	<b>0</b>	<b>5 000</b>	<b>0</b>	<b>0</b>	<b>16 000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>30 000</b>	<b>0</b>	<b>4 807 244</b>	
<b>Surplus/(Deficit)</b>	<b>(146 000)</b>	<b>(185 000)</b>	<b>19 556</b>	<b>0</b>	<b>0</b>	<b>5 000</b>	<b>5 000</b>	<b>620</b>	<b>(8 000)</b>	<b>1 100</b>	<b>2 500</b>	<b>50 000</b>	<b>500</b>	<b>(30 000)</b>	<b>4 300</b>	<b>(134 424)</b>	
Balance at 1 January 2014	622 235	941 283	237 455	363 920	135 846	205 000	124 955	15 679	200 643	29 107	63 770	0	13 277	235 157	108 187	2 674 279	
Balance at 31 December 2014	476 235	756 283	257 011	363 920	135 846	210 000	129 955	16 299	192 643	30 207	66 270	50 000	13 777	205 157	112 487	2 539 855	

## Draft Budget for the year ended 31 December 2015

	General Fund	Equity Funds			Special Funds										Total
		Asset Replacement Reserve	Fisheries Notifications Fund	Staff Replacement Fund	Contingency	Observer	VMS	CDS	Compliance	MPA	Scientific	Enforcement	Gen SC capacity	CEMP	
		A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	
<b>Income</b>															
Members' General Fund Contributions	3 272 000	0	0	0	0	0	0	0	0	0	0	0	0	0	3 272 000
Members' Special Contributions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Interest	157 000	0	0	0	0	3 300	400	4 200	800	400	0	400	2 000	3 000	171 500
Staff Assessment Levy	480 000	0	0	0	0	0	0	0	0	0	0	0	0	0	480 000
Fund transfers	90 000	0	0	0	(90 000)	0	0	0	0	0	0	0	0	0	0
Sales (Tagging)	30 000	0	0	0	0	0	0	0	0	0	0	0	0	0	30 000
Miscellaneous Income	386 000	30 000	252 000	0	90 000	0	0	0	0	0	0	0	0	0	758 000
<b>Total Income</b>	<b>4 415 000</b>	<b>30 000</b>	<b>252 000</b>	<b>0</b>	<b>0</b>	<b>3 300</b>	<b>400</b>	<b>4 200</b>	<b>800</b>	<b>400</b>	<b>0</b>	<b>400</b>	<b>2 000</b>	<b>3 000</b>	<b>4 711 500</b>
<b>Expenditure</b>															
Salaries and Allowances – Revised	3 130 000	0	252 000	0	0	0	0	0	0	0	0	0	0	0	3 382 000
Equipment	200 000	0	0	0	0	0	0	0	0	0	0	0	0	0	200 000
Insurance and Maintenance	220 000	0	0	0	0	0	0	0	0	0	0	0	0	0	220 000
Training	15 000	0	0	0	0	0	0	0	0	0	0	0	0	0	15 000
Meeting Facilities	330 000	4 444	0	0	0	0	0	0	0	0	0	0	0	0	334 444
Travel	195 000	0	0	0	0	0	0	0	0	0	0	0	45 000	0	240 000
Printing and Copying	21 000	0	0	0	0	0	0	0	0	0	0	0	0	0	21 000
Communications	42 000	0	0	0	0	0	0	0	0	0	0	0	0	0	42 000
Sundry	90 000	0	0	0	0	0	0	40 000	0	0	50 000	0	0	0	180 000
Rent/COGS	411 000	0	0	0	0	0	0	0	0	0	0	0	0	0	411 000
<b>Total Expenditure</b>	<b>4 654 000</b>	<b>4 444</b>	<b>252 000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40 000</b>	<b>0</b>	<b>0</b>	<b>50 000</b>	<b>0</b>	<b>45 000</b>	<b>0</b>	<b>5 045 444</b>
<b>Surplus/(Deficit)</b>	<b>(239 000)</b>	<b>25 556</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3 300</b>	<b>400</b>	<b>(35 800)</b>	<b>800</b>	<b>400</b>	<b>(50 000)</b>	<b>400</b>	<b>(43 000)</b>	<b>3 000</b>	<b>(333 944)</b>
Balance at 1 January 2015	756 283	257 011	363 920	135 846	210 000	129 955	16 299	192 643	30 207	66 270	50 000	13 777	205 157	112 487	2 539 855
Balance at 31 December 2015	517 283	282 567	363 920	135 846	210 000	133 255	16 699	156 843	31 007	66 670	0	14 177	162 157	115 487	2 205 911

**Forward Estimate for the year ended 31 December 2016**

	General Fund	Equity Funds			Special Funds									Total
		Asset Replace-ment Reserve	Fisheries Notifica-tions Fund	Staff Replace-ment Fund	Contin-gency	Observer	VMS	CDS	Compli-ance	MPA	Enforce-ment	Gen SC capacity	CEMP	
		A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	
<b>Income</b>														
Members' General Fund Contributions	3 448 000	0	0	0	0	0	0	0	0	0	0	0	0	3 448 000
Members' Special Contributions	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Interest	160 000	0	0	0	0	3 300	400	4200	800	400	400	2 000	3 000	175 500
Staff Assessment Levy	497 000	0	0	0	0	0	0	0	0	0	0	0	0	497 000
Fund transfers	90 000	0	0	0	(90 000)	0	0	0	0	0	0	0	0	0
Sales (Tagging)	30 000	0	0	0	0	0	0	0	0	0	0	0	0	30 000
Miscellaneous Income	397 000	30 000	252 000	0	90 000	0	0	0	0	0	0	0	0	769 000
<b>Total Income</b>	<b>4 622 000</b>	<b>30 000</b>	<b>252 000</b>	<b>0</b>	<b>0</b>	<b>3 300</b>	<b>400</b>	<b>4 200</b>	<b>800</b>	<b>400</b>	<b>400</b>	<b>2 000</b>	<b>3 000</b>	<b>4 919 500</b>
<b>Expenditure</b>														
Salaries and Allowances – Revised	3 270 000	0	252 000	0	0	0	0	0	0	0	0	0	0	3 522 000
Equipment	200 000	0	0	0	0	0	0	0	0	0	0	0	0	200 000
Insurance and Maintenance	228 000	0	0	0	0	0	0	0	0	0	0	0	0	228 000
Training	15 000	0	0	0	0	0	0	0	0	0	0	0	0	15 000
Meeting Facilities	336 000	4 444	0	0	0	0	0	0	0	0	0	0	0	340 444
Travel	180 000	0	0	0	0	0	0	0	0	0	0	45 000	0	225 000
Printing and Copying	21 000	0	0	0	0	0	0	0	0	0	0	0	0	21 000
Communications	43 000	0	0	0	0	0	0	0	0	0	0	0	0	43 000
Sundry	90 000	0	0	0	0	0	0	0	0	0	0	0	0	90 000
Rent/COGS	422 000	0	0	0	0	0	0	0	0	0	0	0	0	422 000
<b>Total Expenditure</b>	<b>4 805 000</b>	<b>4 444</b>	<b>252 000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>45 000</b>	<b>0</b>	<b>5 106 444</b>
<b>Surplus/(Deficit)</b>	<b>(183 000)</b>	<b>25 556</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3 300</b>	<b>400</b>	<b>4 200</b>	<b>800</b>	<b>400</b>	<b>400</b>	<b>(43 000)</b>	<b>3 000</b>	<b>(186 944)</b>
Balance at 1 January 2016	517 283	282 567	363 920	135 846	210 000	133 255	16 699	156 843	31 007	66 670	14 177	162 157	115 487	2 205 911
Balance at 31 December 2016	334 283	308 123	363 920	135 846	210 000	136 555	17 099	161 043	31 807	67 070	14 577	119 157	119 487	2 018 967

**Members' Contributions 2014/2015/2016**  
 General Fund contributions – payable by 31 May  
 (all amounts in Australian dollars)

Member	Date paid 2014	Contributions 2014	Draft contributions 2015	Forecast contributions 2016
Argentina	5 August 2014 (part)	126 083	125 022	131 550
Australia	5 December 2013	136 239	136 625	144 168
Belgium	8 May 2014	125 083	125 022	131 550
Brazil		125 083	125 022	131 550
Chile	16 December 2013	128 169	129 157	136 762
China, People's Republic of	22 May 2014	128 235	132 427	141 734
European Union	29 January 2014	125 083	125 022	131 550
France	21 January 2014	150 979	151 324	159 555
Germany	24 April 2014	125 083	125 022	131 550
India		125 083	125 022	131 550
Italy	26 May 2014	125 083	125 022	131 550
Japan	23 January 2014	136 418	131 984	134 961
Korea, Republic of	10 February 2014	145 014	144 402	153 970
Namibia	14 January 2014	125 083	125 022	131 550
New Zealand	23 April 2014	131 666	131 362	138 203
Norway	14 March 2014	171 391	173 126	186 667
Poland	14 February 2014	126 506	126 022	131 550
Russia	6 March 2014	127 596	126 865	133 348
South Africa	23 December 2013	126 342	126 215	132 995
Spain	9 April 2014	128 316	127 423	133 957
Sweden	26 March 2014	125 083	125 022	131 550
Ukraine		125 083	126 022	133 139
UK	18 December 2013	132 133	132 804	139 941
USA	26 February 2014	125 083	125 022	131 550
Uruguay	Cr. bal. from 2013 (part)	126 083	126 022	131 550
<b>Total</b>		<b>3 272 000</b>	<b>3 272 000</b>	<b>3 448 000</b>