

**Report of the Standing Committee on
Implementation and Compliance 2024 (SCIC-2024)**

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**Report of the Meeting of the Standing Committee
on Implementation and Compliance (SCIC)**
(Hobart, Australia, 14 October to 18 October 2024)

Opening of the meeting

1. The Meeting of the Standing Committee on Implementation and Compliance (SCIC) was held in Hobart, Australia, from 14 to 18 October 2024.
2. The Chair of SCIC, Ms M. Engelke-Ros (USA) opened the meeting, welcomed Members and Observers, and thanked the Secretariat for its support. The Chair further expressed thanks to Members for their intersessional work to prepare for SCIC.

Organisation of the meeting

Agenda

3. SCIC considered the SCIC agenda as adopted by the Commission.

Review of compliance and implementation-related measures and systems

Catch Documentation Scheme (CDS)

CDS Fund Review Proposal

4. SCIC considered the proposal from the Secretariat for expenditure from the Catch Documentation Scheme for *Dissostichus* spp. (CDS) Fund (CCAMLR-43/20). SCIC noted that proposals approved at CCAMLR-42 were successfully implemented for e-CDS maintenance and in-person CDS training for Thailand and Colombia, with the remainder of the funds for the two activities being returned to the CDS Fund.
5. SCIC recalled the approval at CCAMLR-42 (CCAMLR-42, paragraph 18) for funds to support online CDS training in 2024 and 2025, noted that this is on track for implementation in late 2024 and throughout 2025, and that an in-person CDS and Port Inspection workshop is on track for 2025.
6. SCIC congratulated the Secretariat on the launch of the updated e-CDS and noted the ongoing maintenance work that has been undertaken to support the operation of the e-CDS.
7. Noting the requirement of CM 10-05, Appendix I0-05/B, for the designation of a Review Panel to consider the CDS Fund expenditure proposal and make recommendations to the Commission, SCIC convened the CDS Fund Review Panel which comprised representatives from Australia, the Republic of Korea (Korea), New Zealand, Russia, the United Kingdom and the United States of America.

8. The CDS Fund Review Panel thanked the Secretariat for the detailed proposal and recommended the expenditure from the e-CDS fund in support of the following proposals:

- (i) An e-CDS maintenance fund, with a value of A\$20 000 a year for three years (2025 – 2027), with the addition of a 2.5% increase a year to cover CPI, for a total amount of A\$61 513. The panel recommended that, going forward, the Secretariat characterise this as a request for upgrades and development costs to clarify that it is not a standard, routine activity of the Secretariat.
- (ii) In-person CDS training on request, with a value of A\$60 000 for use in 2025 and 2026 for two in-person CDS training workshops requested by Contracting Parties or cooperating non-Contracting Parties (NCPs). The panel recommended that requests for training should be prioritised according to volume of catch documents and history of non-compliance.
- (iii) A\$30 000 for 2025 and 2026 to support the implementation of the NCP Engagement Strategy and action plan (CCAMLR-43/16) for activities where there is an interest in cooperating with CCAMLR through the implementation of the CDS.
- (iv) In-person CDS training for Singapore, with a value of A\$25 000 to cover the costs of travel, accommodation, and incidental training materials for use in 2025 or 2026. The panel noted that Singapore last received training in 2017 and has had some staff turnover since that time.

9. The panel recommended that going forward, the Secretariat’s annual report on the expenditure of the CDS fund includes the outcomes of the training, including improvements in compliance and a statement of competency on the use of the CDS. Additionally, the panel recommends that the Secretariat focuses on developing e-learning CDS modules and online training resources to facilitate further virtual training opportunities to support all CPs and NCPs in regular CDS training.

10. The panel did not support the request for A\$30 000 for in-person CDS training for Mexico, noting that Mexico imported very little *Dissostichus* spp. (0.09% of total import weight of *Dissostichus* spp. in 2023) and value for money impact needed to be considered. The panel further noted that a point of contact for Mexico has not been identified and recommended further outreach to Mexico virtually and consideration of virtual training prior to any in-person training. The panel noted that should a request for in-person training from Mexico be received, this could be implemented through the funds assigned to in-person training on request as outlined above in paragraph 8 (ii).

11. SCIC thanked the CDS Fund Review Panel for its work and endorsed the expenditure proposal.

Implementation of the CDS

12. SCIC noted the implementation report of the Catch Documentation Scheme for *Dissostichus* spp. (CCAMLR-43/21) and noted that the CDS was implemented by 15 Members, 3 Acceding States, and 1 non-Contracting Party (NCP) cooperating with CCAMLR by

participating in the CDS. Korea thanked Chile for their efforts as the Port State that handles the greatest number of landings of toothfish and subsequent issuance of *Dissostichus* spp. Catch Documents (DCDs).

13. South Africa noted the arrangement for a Uruguayan-flagged vessel to fish in Subarea 58.7 under authorisation by both countries, noting that this requires the DCDs to be started by Uruguay, as the Flag State, and then completed by South Africa, as the Port State.

14. Two SVDCDs were issued in 2024, one by Argentina (COMM CIRC 24/66) and one by Spain (COMM CIRC 24/07). The European Union clarified that the catch relating to the Spanish SVDCD was seized by authorities and put in cold storage whilst an investigation was underway. At the conclusion of the investigation a fine was issued to the operator and the catch was returned with an accompanying SVDCD.

15. Argentina made the following statement:

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

Consequently, the Argentine Republic makes it known that it does not recognise the toponymy mentioned in this note, nor does it recognise the intervention in catch documents made by the alleged authorities of the Islands.

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

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

16. The United Kingdom made the following statement:

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

17. SCIC, noting the explanations from the respective Members on the issuance of the SVDCDs, recommended to the Commission that no further action was necessary.

18. As per CM 10-05, Appendix I0-05/C, paragraph C9, SCIC considered the current cooperating status granted to Colombia, Mexico, Singapore and Thailand. SCIC recognised that the Secretariat has been trying to get a Mexican point of contact assigned to arrange for CDS training for the previous three years and supports the Secretariat’s continued efforts in this regard.

19. SCIC noted the success of the in-person CDS training undertaken in Thailand and Colombia in 2024. SCIC thanked the Secretariat for their reconciliation of the CDS with trade

data from Thailand following the CDS workshop. SCIC recognised the efforts made by many Members to investigate and report on the discrepancies identified.

Vessel Inspection

20. SCIC reviewed the implementation of CM 10-03 and the System of Inspection (SoI) in the 2023/24 fishing season (CCAMLR-43/15) which noted that 132 port inspections and 12 at sea inspections were undertaken.

21. SCIC noted that during the 2023/24 season, there were four cases of vessels required to enter port due to a crew member needing medical treatment and that in two of these instances, Part A of the port inspection report was not provided at least 48 hours in advance of their intended arrival time. SCIC expressed concern that there was no allowance given in CM 10-03 for a Port State not to conduct a port inspection or a vessel not to submit Part A of the port inspection report in cases of emergency port entry.

22. SCIC recalled that the safety and well-being of human lives at sea is of paramount importance and that situations involving *force majeure*, distress or medical emergencies require special consideration. SCIC further noted that CCAMLR regulations permitting emergency port entry should be aligned with International Law.

23. SCIC endorsed amendments to CM 10-03 to address situations of *force majeure*, distress or medical emergency.

24. SCIC noted that during SCIC-2023, the Secretariat presented a modified Port Inspection Form (CCAMLR-42/16) which could be utilised in conjunction with the Agreement on Port State Measures (PSMA) to eliminate duplicative work for fisheries inspectors. SCIC noted that the modified inspection form and accompanying changes to CM 10-03 were endorsed by SCIC-2023 but consensus was not reached by the Commission. SCIC endorsed the modified form and CM 10-03 revisions.

25. SCIC endorsed the proposed project plan (CCAMLR-43/15, Appendix I) to improve the accessibility and content of inspector resources.

26. SCIC endorsed the Secretariat's plans for future work on CCAMLR website operations and electronic inspection reporting (CCAMLR-43/BG/20).

27. China suggested that electronic reporting systems be made available in the languages of all Members. China further suggested that additional stakeholder engagement take place to incorporate the views of vessel operators on current inspector resources and the development of electronic inspection reporting.

28. SCIC considered information presented by the United Kingdom on the development of an electronic version of the identification document carried by designated CCAMLR inspectors (CCAMLR-43/BG/30). Many Members noted that this would simplify the process of creating inspector identification documents and is in line with the development of the inspector resource workplan (paragraph 24).

29. Russia requested that further consideration of any changes to the current inspector identification system and tasked the Secretariat with including this proposal in its resource workplan.

30. SCIC did not endorse the inclusion of an electronic inspector identification document in the proposed project plan (CCAMLR-43/15, Appendix I).

31. SCIC considered information presented by the United Kingdom on patrols carried out in the Convention Area by the HMS Protector in the 2023/24 fishing season (CCAMLR-43/BG/25). SCIC considered the need for a radio inspection form and aerial overflight inspection form, noting the extreme and hostile environments in which CCAMLR fishing operations and inspections take place.

32. SCIC thanked the United Kingdom and all Members who undertake patrols in the Convention Area. Some Members noted that radio and ariel inspections can contribute to increased compliance with CCAMLR conservation measures by providing information on vessel operations when inclement weather or other adverse circumstances prevent an at-sea inspection.

33. Some Members expressed concern regarding the transmission of potentially sensitive information during radio inspections. Russia further expressed concern that language barriers could result in the reporting of incorrect information during radio inspections and that the technical elements of remote inspections were not clear. China indicated some errors in the names and pictures of Chinese flagged vessels in CCAMLR-43/BG/25 and also expressed concern that photographs in the paper may not reflect the accurate time of inspection.

34. The United Kingdom thanked Members for these suggestions and expressed willingness to incorporate these into future reports and any future proposals to SCIC.

35. SCIC welcomed Chile's submission (CCAMLR-43/BG/41) on inspections undertaken by Chile's vessel OPV-83 Marinero Fuentealba in Subarea 48.1 during the 2023/24 fishing season, where six vessels in total were inspected with all vessels demonstrating compliance with all CCAMLR conservation measures, and a further five vessels were contacted by radio.

36. SCIC thanked the captains of the vessels for their cooperation with CCAMLR's System of Inspection. SCIC also expressed appreciation to Chile for its efforts in undertaking inspection activities on behalf of all Members, noting that Chile conducts the highest number of port inspections and issues the greatest number of CDS documents.

Vessel monitoring system (VMS) and vessel movement activity within the Convention Area

37. SCIC considered the vessel monitoring system (VMS) implementation report submitted by the Secretariat (CCAMLR-43/BG/16) and noted the implementation of CM 10-04 by Contracting Parties.

38. SCIC reminded vessels and Members to ensure vessel movement reports are submitted to the Secretariat in the format outlined in Appendix I0-04/A.

39. SCIC suggested the Secretariat submit all future implementation reports containing recommendations as Working Papers, rather than Background Papers, to draw Members' attention to any recommendations requiring consideration by SCIC.
40. SCIC considered CCAMLR-43/BG/14 which provided a report on progress and scheduled work under a grant provided by the European Union (EU) in 2022 and 2024, provided to strengthen VMS data request systems and automatic data processes. The paper also reviewed VMS hosting options and security provisions in CM 10-04, Annex B. SCIC thanked the European Union for the provision of funding for this work.
41. In light of the improvements to the VMS movement notification system highlighted in CCAMLR-43/BG/14, SCIC considered the invitation contained in CCAMLR-43/BG/16 (paragraph 20 (iii)) for interested Members to nominate vessels for inclusion in a trial of the automated VMS movement notification functionality.
42. Some Members asked for further details about the automated VMS movement notification functionality and expressed interest in participating in the trial once the details have been provided.
43. SCIC agreed that in the event any technical or administrative complications arise during the trial period, there would be no compliance implications for vessels participating in the trial.
44. Several Members highlighted the importance of establishing terms of reference to guide the project and define parameters, including identifying a timeline for the trial period. SCIC tasked those Members who expressed interest in inclusion in the trial to work closely with the Secretariat intersessionally to finalise a detailed set of guidelines or terms of reference, with clear trial objectives, timelines and expected outcomes provided.
45. SCIC tasked the Secretariat with reporting on the outcomes of the trial, including the evaluation of the system's performance and outlining any next steps for wider implementation to be considered by SCIC-2025.
46. SCIC noted the renewal of the CCAMLR Search and Rescue (SAR) Arrangements undertaken in 2024 between each of the five maritime rescue coordination centres (MRCCs) and the CCAMLR Secretariat (CCAMLR-43/17). SCIC noted that these updated Arrangements have been made available to authorised users on the CCAMLR website, and further noted that the next suggested date for renewal would occur in 2029, unless an earlier review is requested under paragraph (C) of the Arrangements.
47. SCIC noted the improvements to the CCAMLR SAR request system and thanked the Secretariat and the five MRCCs for their work.
48. SCIC considered the recommendation to add a new user group for each MRCC to improve the management of permissions for access to the SAR request system as per CM 10-04 and the relevant MRCC Arrangement.
49. Many Members supported the proposal to improve user access for MRCC representatives and noted the importance of engaging in work to improve and support SAR coordination and response in the CAMLR Convention Area.

50. Russia raised concerns about the potential access and confidentiality implications of this proposal and sought clarity as to the role of the Party Administrator in approving accounts.

51. The Secretariat provided clarification on the process, whereby the initial approval of the MRCC representative would remain with the Party Administrator/s approved by the Member, and that additional accounts could be created by this authorised representative, noting data access and use would follow the rules of the Arrangement and provisions contained in CM 10-04, paragraph 17 (iii).

52. SCIC could not reach consensus on the proposal to add a new user group for each MRCC outlined in CCAMLR-43/17 and noted that further discussion is required on the matter.

Promotion of Compliance in CCAMLR

53. SCIC noted the vessel sighting reports (CCAMLR-43/13), which provided a summary of information received over the 2023/24 fishing season and recommended adoption of a standardised form to facilitate reporting and compilation of reported data by the Secretariat. This summary noted 98 sighting reports were submitted from licensed fishing vessels operating in Subarea 88.1 and 88.2 to the Secretariat, which reported sightings of other licensed fishing vessels, cruise ships, scientific research vessels and supply vessels. SCIC noted that none of these sighting reports alleged illegal, unreported and unregulated (IUU) fishing activity.

54. Some Members suggested that vessel sighting reports should be limited to sightings of vessels which are either conducting IUU fishing or related activities, or licensed vessels observed to be acting in a suspicious manner. COLTO recalled that CCAMLR already has a number of monitoring tools such as a centralised VMS, movement notification requirements, AIS and catch reporting requirements, and requested SCIC to consider only requesting the reporting of information regarding non-licensed vessels, which may be relevant and beneficial to licensed vessels and Flag States alike.

55. SCIC recalled that Conservation Measure 10-02, Annex A, sets out a two-step process in reporting vessel sightings, wherein vessels are required to send sighting reports to the Flag State. Upon the Flag State's assessment that the sighting meets the criteria of paragraph 3 of Conservation Measure 10-06 or paragraph 8 of Conservation Measure 10-07, the report shall then be submitted to the Secretariat. Notwithstanding this, vessels are voluntarily reporting sighting information to the Secretariat.

56. SCIC endorsed the recommendation for a standardised excel form for reporting vessel sightings and requested this be made available on the CCAMLR website data form page. SCIC requested the Secretariat to report annually to SCIC on all vessel sightings reports submitted to the Secretariat.

57. SCIC thanked New Zealand, Korea, Australia, and the Secretariat for the progress update under the agreed Workplan on addressing Unidentified Fishing Gear in the Convention Area (CCAMLR-43/BG/17). SCIC noted the importance of the work, recalled the planned next steps, and encouraged continued intersessional participation within the [e-Group](#).

58. SCIC noted the importance of continuing industry engagement and consultation in progressing the Workplan and encouraged further engagement.

59. COLTO noted that they were invited to, but unable to attend the online round table discussions on possible options for a gear marking proposal as they were conducting a gear workshop in Norway at the time. COLTO recommended that any changes to gear marking requirements be tested prior to implementation, be based on risk and be cost-effective. COLTO also highlighted the importance of a phased implementation approach.

60. ASOC recalled SCIC's endorsement of a voluntary reporting form for reporting encounters with unidentified gear (SCIC-2023, paragraph 42) and encouraged its wide use.

61. SCIC noted the report by Ukraine on the marking of fishing gear on Ukrainian longline vessels (WG-FSA-IMAF-2024/48), recognising the report has been also considered by WG-FSA-IMAF (WG-FSA-IMAF-2024, paragraphs 8.1 to 8.3). SCIC supported the recommendation that Members voluntarily submit gear marking reports, noting that this would assist in the identification of lost gear, ensure transparent documentation of gear to be used in the upcoming fishing season, and assist in identifying and combatting IUU fishing in the Convention Area.

62. SCIC considered COLTO's report on the COLTO Gear Workshop held in Oslo, Norway on 15-16 August 2024 (CCAMLR-43/BG/02, Rev. 1). COLTO highlighted the recommendations for CCAMLR to consider delaying the start of the Ross Sea fishery to avoid high ice coverage and minimise gear loss, permit efforts to attempt to recover lost fishing gear outside of open fishing periods, and gear end-of-life use.

63. As a contribution to the important work of ensuring compliance with conservation measures and detecting IUU fishing, New Zealand presented a summary of its routine aerial patrol activities in the Ross Sea region. Aerial patrols are carried out by CCAMLR designated inspectors in accordance with CCAMLR's rules and procedures.

64. SCIC thanked New Zealand for their aerial surveillance patrols undertaken during the 2023/24 season as reported in CCAMLR-43/BG/24 and for their commitment to conducting regular patrols of the Ross Sea region into the future. SCIC further noted its appreciation to Members that undertake surveillance patrols and inspection activities on behalf of CCAMLR.

65. SCIC noted the need for further work to develop the protocol on carrying out aerial surveillance activities in the Convention Area. Some Members highlighted the need to keep a balance of rights and obligations of both the inspectors and the inspected.

66. SCIC further noted the protocol set out in CM 10-04, paragraph 21 regarding the obligation for Contracting Parties conducting active surveillance, and/or CCAMLR inspection activities make information regarding such activities available to the Flag State(s) concerned without undue delay after the activities are completed.

67. China indicated the need to increase the transparency of the aerial surveillance activities and their reports, and highlighted the importance of safeguarding the right of Members of SCIC to access to the reports under certain conditions of confidentiality. In its view, without such access, it is difficult for Members to evaluate any allegations contained in the reports.

68. SCIC considered Chile's report outlining the implementation of electronic monitoring systems (EMS) used in Chile to control discards and incidental by-catch and to implement fishing regulations (CCAMLR-43/BG/33). SCIC thanked Chile for its paper and endorsed the

recommendation for an intersessional e-Group to be established on the CCAMLR Discussions platform to facilitate the participation of Members and Observers on the development of EMS guidelines and standards at CCAMLR, CCAMLR-43/BG/33 Rev. 1 contains draft terms of reference for the establishment of the CCAMLR Discussion platform.

69. The United Kingdom recalled their report CCAMLR-38/BG/40, which describes the United Kingdom's implementation of EMS and supported SCIC's recommendation to establish a CCAMLR Discussion platform for intersessional collaboration. COLTO noted that the majority of their member's vessels have EMS installed for compliance and scientific purposes and highlighted that additional considerations should be given to the economic impact of requiring EMS alongside observers.

70. SCIC considered the report on an informal compliance workshop co-hosted by Korea and ASOC on improving CCAMLR's compliance regime hosted online on 6 and 7 February 2024 (CCAMLR-43/BG/39 Rev. 1). SCIC thanked Korea and ASOC for convening the informal workshop and noted that the workshop identified areas for improving CCAMLR's compliance regime, focusing on aligning with global best practices, standardising data collection, and ensuring transparency. Key topics for further work included transshipment, krill traceability, port inspections, and vessel monitoring. Participants emphasised making compliance measures easy to implement and applicable to all vessels, while considering fishery differences.

71. The United States of America noted the papers submitted by the USA and co-proponents CCAMLR-43/40, CCAMLR-43/42, and CCAMLR-43/43, aimed to further improve CCAMLR's compliance monitoring regime.

Transshipment

72. SCIC considered the transshipment implementation report (CCAMLR-43/BG/15) provided by the Secretariat, noting that 187 notifications for transshipments were received in the 2022/2023 season. SCIC noted the improved compliance with CM 10-09 since the 2021/2022 season.

73. SCIC noted that the transshipment of harvested marine living resources caught within the Convention Area from a fishing vessel to a transshipment vessel and then to another transshipment vessel may compromise the traceability of products. SCIC further noted that transshipments by non-Contracting Parties (NCPs) are concerning and that the 25 transshipments undertaken by two vessels flagged to Liberia in the 2022/2023 season may present a risk requiring further consideration. SCIC recalled that the NCP Engagement Strategy (CCAMLR-43/16) involves the inclusion of NCP's involved in transshipments of marine living resources harvested within the Convention Area.

74. Russia noted that the identification of risk activities should extend beyond the consideration of the actions of individual Flag States and highlighted the importance of ensuring an objective interpretation of risk in this context.

75. SCIC considered an analysis of the FAO Voluntary Guidelines for Transshipment and CCAMLR transshipment regulations, presented by Korea and the Antarctic and Southern Ocean Coalition (ASOC) (CCAMLR-43/BG/38), noting that 38 guidelines were identified as

being implemented partially or not at all, and 15 were identified as being completely implemented. The analysis identified that the guidelines that CCAMLR is fully aligned with included transshipment reporting and procedures to address non-compliance. Additionally, the analysis noted that a number of CCAMLR measures relating to transshipment only apply to fishing vessels, whereas the guidelines recommend application to both fishing and carrier vessels. Furthermore, contrary to the Guidelines CCAMLR does not require mechanisms for independent verification of transshipments such as observers or electronic monitoring, and much information on transshipments and carrier vessels is not public.

76. SCIC thanked Korea and ASOC for the information provided in their paper and noted its general support for strengthening transshipment procedures. Many Members recognised that CCAMLR has fallen behind other international organisations and Regional Fisheries Management Organisations (RFMO) in terms of the monitoring, control and surveillance of transshipment activities and expressed support for strengthening CCAMLR's regulation of transshipment.

77. China agreed on the need to strengthen the regulation of transshipment in the Convention Area. China recalled that SCIC had reached a consensus on a proposal to amend CM 10-09 which would have established a CCAMLR Record of Carrier Vessels, but the proposal had been withdrawn by the proponents during the Commission meeting (CCAMLR-XXXV, paragraphs 3.32 to 3.37). China and the Russian Federation suggested that a concrete proposal would facilitate the discussion to improve CM 10-09.

78. The United States expressed interest in developing a proposal to strengthen CCAMLR's monitoring of transshipment and invited other interested Members to join that effort; several Members expressed interest in doing so.

79. SCIC highlighted the gaps between the Guidelines and conservation measures and noted that this analysis will assist the work of SCIC to consider future development of proposals with accompanying conservation measure changes.

80. SCIC noted the role that monitoring of transshipments plays in combatting illegal, unreported and unregulated (IUU) fishing and safeguarding supply chains.

81. Several Members noted that CCAMLR should develop an authorised carrier vessel list, VMS requirements on carrier vessels and improvement on actions in ports to better address monitoring of transshipment activities.

Implementation of the Scheme of International Scientific Observation (SISO)

82. SCIC considered the report on the implementation of the Scheme of International Scientific Observation (SISO) (WG-FSA-IMAF-2024/11 Rev. 1) provided by the Secretariat. The report provided a summary of deployment information for all observers appointed under SISO onboard vessels in the Convention Area during the 2023/24 fishing season, an update of forms and instructions for the 2025/26 season, and the development of a recognition initiative for krill fishery observers.

83. SCIC thanked the Secretariat for bringing this paper to the attention of SCIC and expressed appreciation to all SISO observers for their diligent work in providing high-quality data which enables the Scientific Committee to conduct its work.

84. Many Members recalled ongoing discussions surrounding the topic of improving SISO observer coverage across the krill fishery and encouraged Members to keep this under consideration moving forward. Some Members expressed the view that national observers appointed under SISO can fill the same role as international observers appointed under SISO.

85. China rejected any question about the quality of the data collected by national scientific observers just because of their nationality, highlighting that both national scientific observers and international scientific observers conform to the same scientific requirements and protocols as per CM 51-06.

86. Some Members noted the advice from the Chair of the Scientific Committee and highlighted the importance of SISO observers to the work of CCAMLR, their independence and the specific requirements required of SISO observers on board vessels that may not be required of national observers (Item 7). Some Members acknowledged the high quality of national observers in CCAMLR but reiterated that the collection of data in a consistent manner across vessels in accordance with SISO's requirements enhances CCAMLR's ability to adjust catch limits and assess ecosystem impacts.

87. The Russian Federation expressed concerns as to the nature under which the report (WG-FSA-IMAF-2024/11 Rev. 1) was submitted to SCIC, querying why a paper from a scientific working group was submitted with no explicit context or considerations for SCIC to consider.

88. SCIC noted the Secretariat's explanation that the report was submitted for information only as has been the usual practice for implementation reporting under this agreed agenda item in past meetings. SCIC recommended that an annotation be included in the introduction of future reports submitted to clarify the reasoning behind the submission of any working group documents to SCIC.

NCP Engagement Strategy

89. SCIC noted the review of the implementation of the NCP Engagement Strategy for 2023-2024 (CCAMLR-43/16). SCIC acknowledged the efforts of the Secretariat in developing relationships with non-Contracting Parties (NCPs) in order to promote their cooperation with CCAMLR.

90. SCIC endorsed the 2025–2026 NCP Engagement Strategy (CCAMLR-43/16, Annex 2) and Action Plan (CCAMLR-43/16, Annex 3).

91. Many Members expressed support for the direction of the NCP Engagement Strategy for 2025-2026 and the increased engagement by the Secretariat with NCPs. Korea noted that the inclusion of NCPs engaged in transshipment activity in the Convention Area was a valuable addition to the NCP Engagement Strategy.

92. Russia thanked the Secretariat for its timely identification of the need to engage directly with Middle Eastern countries given increases in the quantity of *Dissostichus spp.* imported into this region. Russia suggested identifying priority countries to engage with and noted that providing information to SCIC regarding the specific countries in this region that become involved in the NCP Engagement Strategy would be beneficial.

93. SCIC noted the collaboration by the Secretariat with the Southeast Asian Fisheries Development Center (SEAFDEC) and The Regional Plan of Action to promote responsible fishing practices including combatting IUU fishing (RPOA-IUU) within the framework of the NCP Engagement Strategy. SCIC encouraged continued engagement by the Secretariat with SEAFDEC and RPOA-IUU, including an invitation to the CCAMLR Secretariat to attend an RPOA-IUU partners coordination meeting in early November 2024. SCIC endorsed the recommendation that both organisations be invited to observe future CCAMLR meetings.

94. SCIC encouraged Contracting Parties to actively participate in the NCP Engagement Strategy through methods such as attendance and presenting at workshops, joining formal dialogue with NCPs, and providing technical advice and support.

Proposals for new and revised compliance-related conservation measures

Conservation Measure 10-03

95. SCIC reviewed the implementation of CM 10-03 and the System of Inspection (SoI) in the 2023/24 fishing season (CCAMLR-43/15) and the proposal to modify CM 10-03 to allow for delayed inspections and the waiver of the requirement for advanced submission of the information in Appendix I0-03/A in cases of port entry involving medical emergency. The proposed amendments were endorsed by SCIC and referred to the Commission for adoption.

96. SCIC considered the proposal previously agreed during SCIC-2023 (paragraph 26) to amend CM 10-03 and to add an alternative CCAMLR Port Inspection Form which can be utilised by inspectors in conjunction with the Agreement on Port State Measures (PSMA) inspection form to reduce redundancy in reporting for inspectors. The proposed amendments to CM 10-03, including the addition of an alternative CCAMLR inspection form (CM 10-03, Annex C), were endorsed by SCIC and referred to the Commission for adoption.

97. SCIC considered the proposal by Australia, Korea, New Zealand, and the USA to amend CM 10-03 (CCAMLR-43/42) to require Contracting Parties to conduct port inspections of all fishing vessels carrying species and products other than *Dissostichus spp.* that were harvested in the Convention Area. Additionally, proposals were made to include in Appendix I0-03/B references to CMs 25-03, 51-01, 51-02, 51-03 and 51-04 to record inspection of marine mammal exclusion devices on trawl gear and other measures related to the mitigation of seabird mortality, and the inclusion of product codes for boiled, peeled and oil for krill products. Two related papers were presented at the same time (CCAMLR-43/40, paragraphs 130 to 134; CCAMLR-43/43, paragraphs 102 to 106).

98. Many Members expressed support for the proposed revisions to CM 10-03 and highlighted the need to harmonise its requirements across all CCAMLR fisheries, particularly under the krill fishery management approach being considered by the Commission.

99. Some Members recalled that differences exist between the fisheries, further noting that the different levels of risks of IUU activities require further consideration.

100. China made the following statement:

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

101. SCIC discussed improvements to the proposed text to address concerns expressed by Members, however it could not endorse the revision of the CM 10-03 in this proposal at this time. The proposal was referred to the Commission for further consideration.

Conservation Measure 10-04

102. SCIC considered the proposal by the delegations of Australia, New Zealand, Korea, Norway, the United Kingdom and the USA to amend CM 10-04 (CCAMLR-43/43) to require all Contracting Parties whose fishing vessels are operating in the Convention Area to submit VMS data to the CCAMLR Secretariat no later than one hour after receipt.

103. Many Members supported the proposal, highlighting the importance of real-time transmission of VMS data for monitoring of fishing activities. The importance of real-time movement reporting was further highlighted in the context of the krill fishery management approach and the changes required to facilitate this approach if approved.

104. Some Members expressed concerns regarding the feasibility of the measure.

105. Some Members noted that some krill fishing Members already undertake near real-time transmission of VMS data, and that all CCAMLR-licensed vessels transmit VMS data to their Flag State hourly.

106. SCIC could not reach consensus on the proposal to amend CM 10-04. The proposal was referred to the Commission for further consideration.

Conservation Measures 21-01 and 21-02

107. SCIC considered the proposal by the EU to amend CMs 21-01 and 21-02 (CCAMLR-43/45). The proposed changes were to require the presence on board of a scientific observer appointed in accordance with SISO for new fisheries under CM 21-01, and to specify in CM 21-02 that the scientific observers should be appointed in accordance with SISO.

108. Many Members expressed their support for the proposed revisions, but some Members recalled that no notifications for new fisheries were submitted this year and that these fisheries have more of a scientific nature and the requirement of an extra observer would increase costs when it comes to their implementation.

109. SCIC did not reach consensus on the proposal and referred it to the Commission for further consideration.

Conservation Measure 23-01

110. SCIC considered the proposal by the Secretariat (CCAMLR-43/19) to amend CM 23-01 which sought to improve the reporting deadline for vessels where Contracting Parties are required to report catch and effort data to the Executive Secretary. The paper also proposed amendments to the measure which would require fishery closures to be communicated by the Secretariat to fishing vessels in addition to their Contracting Parties.

111. SCIC thanked the Secretariat for their work in developing practical solutions to the recent overrun of krill. SCIC endorsed the proposed improvement to CM 23-01, paragraph 2 to the reporting deadline, and referred it to the Commission for adoption. Some Members questioned whether the proposed changes to CM 23-01, paragraph 7 would have implications on toothfish fisheries and raised concern with the proposed language and its application to different fisheries. SCIC could not reach consensus on the amendments to CM 23-01, paragraph 7.

Conservation Measure 31-02

112. SCIC considered the proposals by the Russian Federation (CCAMLR-43/34 and CCAMLR-43/35) to amend CM 31-02 to clarify the management procedures regarding the delayed retrieval of longline gear after fisheries close in Subareas 88.1 and 88.2. Many Members expressed appreciation for the paper and noted it was presented last year during SCIC-2023, further noting that drafting suggestions previously provided on this matter should be incorporated into any future proposals.

113. Some Members expressed the view that recurrent late gear retrieval is not a systematic issue and has no impacts on the management of the stock, however could further consider the proposal provided that further refinements be made to this measure.

114. SCIC could not reach consensus on the revision of CM 31-02 and the proposal was referred to the Commission for further consideration.

Conservation Measures 41-01 and 41-10

115. SCIC considered two proposals to amend CM 41-01. The first proposal was presented by the Secretariat (CCAMLR-43/18), to realign and clarify the respective requirements of CM 41-01 and CM 41-10 regarding the requirement of research hauls to be conducted when

fishing in Subarea 88.2 SSRU H. SCIC endorsed these revisions proposed for CM 41-01 and 41-10 and referred these to the Commission for adoption.

116. The second proposal for amendments to CM 41-01 considered by SCIC was presented by Australia (CCAMLR-43/49), to permit a vessel to cease a research haul for the purpose of preventing gear loss, securing the safety of a vessel and those on board, or the safety of life at sea, noting various conditions. SCIC endorsed the proposed revision of CM 41-01 and referred it to the Commission for adoption.

Fish nest areas

117. SCIC considered the proposal from the European Union and its Member States (CCAMLR 43/01) for a new CM 32-XX on the protection of notothenioid fish nest areas in the Convention Area, by closing such areas to fishing. Many Members noted that a protection of such areas was recommended by the Scientific Committee.

118. Many Members welcomed the proposal, recalling that this topic had been discussed in-depth in previous years, and highlighted the need for protection of essential habitats.

119. Some Members stated that they could not support the proposal at this time, noting that further work was needed.

120. SCIC could not reach consensus on this proposal and referred it to the Commission for further consideration.

Harmonisation Symposium

121. Korea presented the report of the Harmonisation Symposium (HS-2024) held at the Songdo ConvensiA Centre in Incheon, Republic of Korea from 16 to 20 July 2024 (CCAMLR-43/29), with the primary objective of the Symposium to ‘provide recommendations to CCAMLR for steps to harmonise the implementation of the revised krill fishery management approach (KFMA), the establishment of a Domain 1 MPA (D1MPA) in the Antarctic Peninsula Region, and recommendations for practical and cost-effective collection and analysis of data’.

122. The paper listed many recommendations to improve the KFMA for consideration, however no explicit CM change was suggested for SCIC to consideration. SCIC thanked Korea for the paper and its presentation.

Resolution on Labour and Safety Standards

123. SCIC considered the paper (CCAMLR-43/32) presented by the USA with the proposal for a Resolution on Labour and Safety Standards in CCAMLR Fisheries, noting that labour abuses and safety issues on fishing vessels have rightfully received significant attention in recent years and that this is not a new topic of discussion for SCIC.

124. Many Members recognised that while CCAMLR has made strides in recent years to improve the safety of life at sea, it has failed to keep up with steps taken by other international fisheries bodies (such as RFMOs), preventing progress in this important area. Many Members further noted that the proposal draws from the experience of these organisations in proposing a non-binding resolution, and urged CCAMLR to consider best practices for labour standards, preventing labour abuses, and ensuring safe and fair working and living conditions onboard all fishing vessels engaged in CCAMLR fisheries.

125. Some Members recalled CCAMLR Resolution 23/XXIII (Safety on board vessels fishing in the Convention Area), noting that additional consideration would be required as to the level of implementation of the proposed Resolution and that, therefore, they were unable to support the proposal at this time. Many Members noted that Resolution 23/XXIII is insufficient in addressing complex issues of labour standards, as it only refers to the provision of equipment and clothing.

126. The USA presented a Rev 1 of the proposal referencing Resolution 23/XXIII in the preamble and incorporating comments received by Members during SCIC.

127. SCIC noted the universal agreement as to the importance of the issue, and thanked the USA for preparing the proposal and facilitating discussions during the meeting.

128. The USA thanked SCIC for the constructive discussions and looked forward to continuing the discussion at Commission.

129. SCIC could not reach consensus to endorse the Resolution on Labour and Safety Standards in CCAMLR Fisheries at this time. The revised proposal was referred to the Commission for further consideration.

SISO

130. SCIC considered the proposal by the delegations of Argentina, Australia, New Zealand, Norway, the United Kingdom, and the United States to amend CM 51-06 (CCAMLR-43/40) to require at least one observer on every vessel be appointed under the Scheme of International Scientific Observation (SISO).

131. China expressed the view that national scientific observers are trained to carry out the data collection requirements in line with SISO tasks and follow the same guidelines to produce data of a similar quality.

132. Some Members noted that SISO observers are independent and may prioritise tasks differently.

133. Russia noted that no evidence exists that national scientific observers are not able to accomplish similar tasks as SISO observers.

134. SCIC did not reach consensus on this proposal. The proposal was referred to the Commission for further consideration.

CCAMLR Compliance Evaluation Procedure (CCEP)

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

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

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

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

Provisional Compliance Report

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

Conservation Measure 10-03

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

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

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

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

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

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

Further Action: No further action required

Preliminary Status: No compliance status assigned'

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

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

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

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

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

Preliminary Status: No compliance status assigned'

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

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

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

'The *Procyon* enter the port at 09:30, September 17, 2023, which was delayed by 25 hours and 30 minutes from the estimated time of arrival (06:00, September 16, 2023). The inspection took place at 10:11, September 18, 2023, within the span of 24 hours 41

minutes. Therefore, this case is compliant. However, the actual time of arrival was not indicated in the inspection report, which led to the identification of the alleged inspection delay. The inspection authority will make sure that the actual arrival time will be clearly indicated in all port inspection reports in order to prevent any future confusions.

Further Action: No further action required

Preliminary Status: Compliant'

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

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

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

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

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

Ongoing improvements of monitoring processes regarding inspections.

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

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

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

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

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

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

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

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

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

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

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

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

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

Conservation Measure 10-04

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

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

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

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

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

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

Preliminary Status: Compliant’

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Further Action: No further action required

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

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

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

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

Further Action: no further action required

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

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

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

'The UK investigated this potential infringement.

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

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

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

Further Action: None

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

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

Conservation Measure 10-05

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

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

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

Further Action: No further action needed

Preliminary Status: Compliant'

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

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

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

In addition to the above, it is important to note that a characteristic of the e-CDS system implemented by Chile is the large number of DCDs and DEDs that are validated (over 50% of the world total), which is explained by the fact that the TOP catches made in our

EEZ by industrial and artisanal vessels (6 and 169 for the period analysed, respectively) have to be registered in the e-CDS system, which consequently implies the generation of a large number of export documents (DEDs). Given this, national shipments of *Dissostichus* spp. fluctuated, during the period analysed, between 1 and 67 DEDs per shipment (an average of 9 DEDs), with maritime shipments generally accounting for the largest number of DEDs.

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

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

Preliminary Status: Non-compliant (Level 2)’

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

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

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

Further Action: no further action required

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

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

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

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

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

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

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

Proposed preliminary status: Compliant, no further action required'

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

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

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

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

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

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

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

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

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

Considerations:

1) Both the Vessels *No 707 Hong Jin* and *Southern Ocean* submitted its required Advance Request to Enter Port (AREP) applications prior to entering the SA EEZ and in which their catches were declared.

2) Both Vessels *No 707 Hong Jin* and *Southern Ocean* applied for and were issued with the necessary permits to possess, land, sell Toothfish as required under South African legislation.

3) Both Vessels *No 707 Hong Jin* and *Southern Ocean* were timeously and fully inspected by the Department of Forestry, Fisheries and the Environment (DFFE) Fishery Control Officers. Inspection reports were submitted to CDS and is available online. All catches were verified by the DFFE Fishery Control Officers when the containers were packed.

4) Letter of explanation provided by exporter company Hongjin Corporation.

Decision:

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

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

Further Action: No further actions required

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

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

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

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

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

Further Action: no further action required

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

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

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

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

Further Action: No further action needed

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

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

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

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

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

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

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

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

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

Conservation Measure 10-09

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

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

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

the confirmation form reported by the vessel, the actual date of transshipment reported did comply with the established time (74h 43m). Therefore, Panama considers a preliminary status of Compliant.

Preliminary Status: Compliant'

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

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

Preliminary Status: Compliant'

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

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

Preliminary Status: Compliant'

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

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

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

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

‘Panama confirms that the information provided by the CCAMLR Secretariat, according to the date of the notification received and the possible date of the activity reported by the vessel *PROCYON*, is correct; and the vessel has been informed of the obligation to comply with the time limits for submitting the format for notification of resources regulated by the Commission, both to the Secretariat and to the Authority. However, in the confirmation form reported by the vessel, the actual date of transshipment reported did comply with the established time (72h 14m). Therefore, Panama considers a preliminary status of Compliant.

Preliminary Status: Compliant’

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

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

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

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

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

Further Action: No Further Action required

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

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

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

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

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

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

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

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

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

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

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

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

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

Further Action: No Further Action required

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

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

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

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

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

Preliminary Status: Compliant'

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

Conservation Measure 22-07

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

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

‘The UK investigated this potential infringement.

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

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

Further Action: None

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

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

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

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

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

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

Status: Minor non-compliant.

Further Action:

Устранение технических пробелов.

Addressing technical gaps.

Preliminary Status: Minor non-compliant (Level 1)

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

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

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

Status: Minor non-compliant.

Further Action:

Устранение технических пробелов

Addressing technical gaps

Preliminary Status: Minor non-compliant (Level 1)

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

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

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

shipowner's responsibility. The shipowner was recommended to ensure the installation of reliable anti-virus software on computers and the duplication of information databases.

Status: Minor non-compliant.

Further Action:

Устранение технических пробелов.

Addressing technical gaps.

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

215. In its response to the draft compliance report identified as item 37 in Appendix I for the *Alpha Crux*, Russia had provided the following:

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

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

Status: Minor non-compliant.

Further Action:

Устранение технических пробелов

Addressing technical gaps.

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

216. SCIC noted that in responses to items 34, 35, 36 and 37, of Appendix I the software issues experienced at sea had been resolved to prevent future reoccurrence. SCIC also noted the fishing in these VME closed areas is a serious issue and reached a common understanding on a compliance status of non-compliant (Level 2) for all items.

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

‘Dos periodos de pesca dentro áreas de riesgo VME:

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

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

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

Two fishing periods within VME risk areas:

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

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

Very low presence of organisms; impact was minimal.

Further Action:

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

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

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

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

‘Dos periodos de pesca dentro áreas de riesgo VME:

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

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

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

Two fishing periods within VME risk areas:

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

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

Very low presence of organisms; impact was minimal.

Further Action:

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

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

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

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

Conservation Measure 22-08

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

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

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

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

Further Action: не требуется

Not required

Preliminary Status: Compliant’

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

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

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

Conservation Measure 23-04

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

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

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

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

Further Action: Требуется дальнейшие консультации с корейской стороной.

Further consultations with Korea are required.

Preliminary Status: Additional information required’

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

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

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

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

Preliminary Status: Additional information required'

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

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

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

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

Conservation Measure 25-02

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

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

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

Отстранен капитан судна от возможности участия в рейсах в АНТКОМ;

Часть команды судна отправлена на проверку квалификационным требованиям;

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

проведено тщательное расследование.

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

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

A thorough investigation has been carried out.

Further Action: Не требуются.

Not required

Preliminary Status: Non-compliant (Level 2)'

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

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

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

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

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

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

Further Action: No further action required

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

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

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

‘A thorough investigation was conducted into this matter.

Two streamer lines were regularly used during vessel cruise.

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

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

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

Preliminary Status: Additional information required’

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

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

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

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

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

Preliminary Status: Compliant’

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

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

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

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

Отстранен капитан судна от возможности участия в рейсах в АНТКОМ;

Часть команды судна отправлена на проверку квалификационным требованиям;

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

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

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

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

Further Action: Требуется дальнейшие консультации с корейской стороной.

Further consultations with Korea are required.

Preliminary Status: Additional information required'

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

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

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

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

'All vessels under the operation of TNS industries, including the *Sunstar*, use bright green plastic tube of 4mm diameter as branch streamers in accordance with paragraph 4 of Annex A of CM25-02. The vessels use (PP) 9mm(3S/T) ropes as streamer lines and 4mm tubes as branch streamers. The gear diagrams registered to CCAMLR websites

indicate the vessels do not use ropes whose diameters are 3mm or less. Therefore, the 1.5 mm polypropylene tubes indicated in the observer's report have never been used in any of the TNS vessels.

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

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

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

Further Action: No further action required

Preliminary Status: Compliant'

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

Conservation Measure 26-01

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

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

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

This is corroborated by the statement included in the Campaign Report sent to CCAMLR and prepared by the scientific observers on board the vessel. In point 6.3 of such report, regarding the treatment of fish waste, it indicates: "the waste of unprocessed

fish and by-catch fauna was crushed and stored in tanks to then be thrown into the sea outside the CCAMLR Area.”

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

Preliminary Status: Compliant’

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

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

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

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

Preliminary Status: Compliant’

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

‘The UK investigated this potential infringement.

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

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

Further Action: None

Preliminary Status: Compliant’

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

‘Descarte de productos orgánicos al sur Lat 60S, 11 dic 2023-28 ene 2024. Descarta 39220 ind, 33 ton aprox. 11 especies. Error en las anotaciones en el formulario C2 al no incluir como retenidas las especies a macerar y descartar posteriormente. Según el informe del observador: El vertido de desechos fue el día 08/02/2024, comenzó a las

15:15 hora UTC, latitud 60°00S-longitud 090° 06,4W y finalizó el mismo día a las 18:30 hora UTC, latitud 59°45,7S-longitud 089°24,2W, el vertido total fue de 64 m3.

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

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

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

Preliminary Status: Non-compliant (Level 2)'

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

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

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

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

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

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

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

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

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

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

Отстранен капитан судна от возможности участия в рейсах в АНТКОМ;

Часть команды судна отправлена на проверку квалификационным требованиям;

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

A thorough investigation was conducted into this matter.

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

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

Further Action: Не требуются

Not required

Preliminary Status: Non-compliant (Level 2)’

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

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

Conservation Measure 31-01

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

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

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

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

There is no scientific or legal justification for any Member seeking the closure of the Patagonian toothfish fishery in Subarea 48.3. All Members of the Commission, apart from Russia, agreed that the proposed terms on which CM 41-02 was to be re-adopted at CCAMLR42 were consistent with the best available science and in accordance with the CCAMLR decision rules.

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

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

Further Action: None

Preliminary Status: Compliant'

263. Argentina made the following statement:

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

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

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

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

267. China expressed concerns that the issues have repeated over years. China indicated that all concerned fishing activities should be assessed against CM 31-01, and failure to reach

consensus on conservation measures setting a catch limit by the Commission should not be used as an excuse for conducting illegal fishing. China urged SCIC to take effective and efficient actions to end these persistent, serious violations, which have undermined the objective of the Convention.

268. Argentina made the following statement:

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

269. The United States made the following statement:

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

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

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

Conservation Measure 31-02

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

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

‘Prior to the 2023/24 fishing season the CCAMLR Secretariat issued COMM CIRC 23/123 CCAMLR operational fishery management for krill fisheries in the 2023/24 season (all areas). Paragraph 5.3 of this COMM CIRC states that “the Secretariat will notify the closure of a fishery by COMM CIRC, which will also be sent by email to

Fishery Update Contacts and vessels notified and licensed to participate in the applicable fishery.” The procedure described in COMM CIRC 23/123 is consistent with the practice that has been followed for many years.

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

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

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

Further Action: No further action required.

Preliminary Status: Compliant’

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

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

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

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

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

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

279. Some Members noted the proposal by the Secretariat in CCAMLR-43/19 to amend CM 23-01 to prevent this from happening in the future (paragraphs 110-111).

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

Conservation Measure 41-09

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

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

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

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

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

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

Preliminary Status: Non-compliant (Level 2)’

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

Conservation Measure 91-05

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

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

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

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

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

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

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

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

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

Further Action: Не требуется.

Not required

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

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

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

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

Further Action: no further action required

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

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

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

CCAMLR Scheme of International Scientific Observation

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

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

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

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

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

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

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

Preliminary Status: Additional information required'

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

295. Korea made the following statement:

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

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

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

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

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

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

‘A thorough investigation was conducted into this matter.

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

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

No unauthorised persons were allowed access to this cabin.

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

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

Further Action: Не требуется

Not required

Preliminary Status: Compliant’

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

301. Korea made the following statement:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Status: Compliant.

Further Action: НЕ требуется

Not required

Preliminary Status: Compliant’

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

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

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

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

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

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

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

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

Current level of IUU fishing

319. SCIC considered CCAMLR-43/BG/11 Rev. 1 which outlines CCAMLR's collaboration with INTERPOL throughout 2023 and 2024 to identify and deter illegal, unreported, and unregulated (IUU) fishing activities, supported through a grant of €60 000 provided by the EU (EU Project 101092707-CCAMLRsupport2022).

320. SCIC thanked the EU for providing this funding and welcomed this collaboration with INTERPOL, noting the threat posed by transnational organised crime to the objective of CCAMLR.

321. SCIC considered the report on the implementation of Conservation Measure 10-08 (CCAMLR-43/BG/19) and noted that the Secretariat had not received any new reports relevant to CM 10-08 in 2024.

322. Uruguay expressed its willingness to further investigate the listing of a vessel Master of Uruguayan nationality in relation to the South African flagged vessel *El Shaddai*.

323. The European Union provided SCIC with an update on the actions taken against Spanish nationals linked to the IUU-listed vessels *Cobija* and *El Shaddai*. In relation to the *El Shaddai*, the EU noted that several attempts had been made during the intersessional period to obtain

information from the Flag State about the identity of the fishing Master, and that some information had been received on the first day of CCAMLR-43, which would be followed up on. As regards the vessel *Cobija*, the EU noted that one of the nationals involved with the vessel not included on the list in Table 1 (CCAMLR-43/BG/19) and provided SCIC with an update on the actions taken against the Master and owner of the vessel, and against its legal representative. Fines were imposed on both individuals, as well as the impossibility of obtaining loans, subsidies, or public aid for a period of five years, and disqualification from exercising or carrying out fishing activities for a period of three years.

324. SCIC noted that the Secretariat had experienced significant difficulty compiling Table 1 due to often encountering inconclusive information and that information gaps could be greatly reduced through further engagement between Contracting Parties on relevant investigations and circulation of the results, as required by CM 10-08 and where relevant.

325. SCIC also noted that the Secretariat is further seeking the support of INTERPOL and the Joint Analytical Cell (JAC) to expand the scope of available information, analyse available evidence, and share relevant information useful to Contracting Parties to combat IUU fishing under CMs 10-06 and 10-07 as well as to support implementation of CM 10-08.

326. SCIC welcomed additional input from Contracting Parties on ways to improve information, resources, and mechanisms available to improve information sharing and enhance analysis/investigation to fully implement CM 10-08.

IUU Vessel Lists

NCP-IUU Vessel List

327. SCIC considered the Provisional NCP-IUU Vessel List for 2024/25.

328. SCIC considered a statement from the Islamic Republic of Iran requesting the removal of the vessel *Koosha 4* from the NCP-IUU Vessel List. SCIC also noted that the Islamic Republic of Iran had provided the Secretariat information containing images and a video of a vessel purported to be the *Koosha 4* in the process of being scrapped, which was provided to SCIC for their awareness.

329. SCIC noted the efforts that the Islamic Republic of Iran had taken in attempt to satisfy the requirements of paragraph 18 of CM 10-07.

330. Some Members expressed the view that SCIC should delay the removal of the *Koosha 4* from the NCP-IUU Vessel List for 2024/25 until a definitive confirmation of the scrapping of the *Koosha 4* is received.

331. SCIC noted that no consensus was achieved for the removal of the *Koosha 4* from the NCP-IUU Vessel List for 2024/25.

332. SCIC requested that the Secretariat continue to reach out to the Islamic Republic of Iran for further information on the purported decommission of the *Koosha 4* or information that could otherwise satisfy the requirements set out in Conservation Measure 10-07.

333. The EU recalled that previously the Islamic Republic of Iran had sought to have the *Koosha 4* delisted under CM 10-07, paragraph 18(iii) on the basis that its ownership had changed. The EU noted that in order for SCIC to remove the *Koosha 4* from the NCP-IUU Vessel List on that basis, the Islamic Republic of Iran need to provide proof that the vessel has changed ownership, including beneficial ownership if known to be distinct from the registered ownership, and to establish the previous owner no longer has any legal, financial, or real interests in the vessel, or exercises control over it and that the new owner has not participated in IUU fishing.

CP-IUU Vessel List

334. SCIC considered the Provisional List of Contracting Party IUU Vessels for 2024/25 in accompaniment with the existing 2023/24 CP-IUU Vessel List, noting the proposed inclusion of the *Argos Georgia*, *Argos Helena*, and *Nordic Prince* and the request from South Africa to remove the *El Shaddai* from the existing CP-IUU Vessel List.

335. SCIC expressed its condolences for the victims of the sinking of the *Argos Georgia*.

336. Argentina made the following statement:

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

The relativization of the obligation of a conservation measure worries us because of the fact that illegal fishing is taking place at this moment, but also as a precedent for the future. We wish to highlight that, in the same way that 31-01 determines guidelines for

fishing and then requires other conservation measures, so does, for example, Conservation Measure 21-02, which regulates exploratory fisheries, and on the basis of which the Commission adopts specific conservation measures in different subareas every year. If the Commission were to accept the UK's argument on the relativization of 31-01 as valid, then by analogy the adoption of a conservation measure for exploratory fisheries would not matter either, since countries would be free to take unilateral measures, which would result in a serious erosion of the Convention.'

337. The United Kingdom made the following statement:

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

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

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

338. The Russian Federation made the following statement:

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

339. Norway expressed the view that this situation represented a failure of CCAMLR, not one particular Member and that the absence of an agreed upon Conservation Measure for a particular Subarea did not imply a prohibition of fishing in that Subarea. Norway further expressed the view that the purpose of a Conservation Measure is to add an additional regulatory layer, not to permit an action.

340. Ukraine noted that they did not support the inclusion of the *Argos Georgia*, *Argos Helena* and *Nordic Prince* in the Contracting Party IUU Vessel List.

341. Argentina made the following statement:

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

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

342. The UK rejected the statement by Argentina and recalled its previous statements in regard to the Chairman's Statement of 1980.

343. China expressed concern with regard to the implications of continued fishing in Subarea 48.3 under this circumstance, noting that if the interpretation by Norway that fishing is allowed without catch limits set by the Commission were acceptable for SCIC, that interpretation should be applicable to all Members.

344. SCIC noted that no consensus was achieved for the inclusion of the UK-flagged vessels *Argos Georgia*, *Argos Helena*, and *Nordic Prince* on the Proposed CP-IUU Vessel List.

345. South Africa provided a statement (Appendix IV) expressing the view that the shortcomings identified by the DPP as set out in COMM CIRC 24/96 have been addressed as have the concerns previously raised by Members. South Africa expressed the view that the conditions as they stand are sufficient to demonstrate compliance with paragraph 14(iv) of CM 10-06 and that the permit and license conditions have been revised to now clearly define where on the High seas fishing is permitted to enable a successful prosecution by the Director of Public Prosecutions (DPP). South Africa further stated that although Braxton was not criminally prosecuted and its Patagonian toothfish right was not cancelled, its fishing right has effectively been suspended since the IUU listing, rendering Braxton unable to fish for itself or any other Right Holder, resulting in significant financial losses which ought to act as a strong deterrent to any repeated contravention.

346. Many Members thanked South Africa for the information provided, noted the steps that had been taken by the South Africa to address the circumstances that lead to the listing of the vessel *El Shaddai* on the Contracting Party IUU Vessel List, and expressed their support for removing the vessel from the CP-IUU Vessel List pursuant to CM 10-06, paragraph 14 (iv).

347. Some Members expressed concern that the steps taken by South Africa were not sufficient to ensure that the vessel *El Shaddai* would not be involved with IUU fishing activities in the future.

348. South Africa provided a further statement (Appendix V) reiterating the steps that had been taken with regard to *El Shaddai* and containing additional details on this matter. South

Africa again requested that SCIC endorse the delisting of the vessel *El Shaddai* from the Contracting Party IUU Vessel List.

349. The EU thanked South Africa for the information provided but expressed disagreement with the notion that financial losses resulting from the inclusion of *El Shaddai* on the Contracting Party IUU Vessel List could be considered a sanction, noting that the imposition of sanctions is a Flag State responsibility. The EU noted that it would have been preferable if civil or administrative proceedings had been initiated against the vessel operator once the criminal prosecution was unsuccessful. The EU expressed concern that the revised permit conditions still are not sufficiently clear with respect to where and under what circumstances fishing would be permitted within the Convention Area. The EU expressed willingness to continue to engage in dialogue with South Africa concerning the status of the *El Shaddai* but considered that the conditions for the removal of this vessel from the Contracting Party IUU Vessel List were not presently fulfilled.

350. SCIC could not reach consensus on the removal of the *El Shaddai* from the CP-IUU Vessel List and recommended that this matter be considered by CCAMLR-43.

351. South Africa thanked those Members who supported their de-listing request and the EU for its continued willingness to discuss the matter.

352. Russia expressed concern that some of the mandatory conditions for removal of the *El Shaddai* from the CP-IUU Vessel List presented by the EU goes beyond the requirements of the relevant conservation measures.

Fishery notifications

353. SCIC considered the Secretariat's report on fishery notifications for the 2024/25 season ([CCAMLR-43/BG/09 Rev. 1](#)).

354. Some Members requested the exclusion of the three UK-flagged vessels, *Argos Georgia*, *Argos Helena* and *Nordic Prince* from all fishery notifications, noting the vessels' inclusion on the Draft CP-IUU Vessel List for 2024/25. Russia noted that in relation to the *Argos Georgia*, Members shall immediately inform the Secretariat regarding the replacement in case of *force majeure* in accordance with paragraph 11 of CM 21-02, but UK did not fulfill this obligation. Russia further urged Norway to remove a fishery notification for fishing vessels which were involved in fishery in closed area in previous season.

355. Some Members expressed that Norway's non-compliance was minor and that they did not agree that it constituted IUU fishing.

356. The UK noted that it would comply with requirements of paragraph 11 of CM 21-02 in respect of a replacement vessel for the *Argos Georgia* and then made the following statement:

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

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

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

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

357. The Russian Federation answered that their notifications followed all CM requirements and that during the CCEP evaluation they speak openly about all compliance issues raised and the UK concerns are unjustified.

358. Some Members noted that there was no agreement that the UK vessels fishing in Subarea 48.3 were engaged in IUU fishing. They recalled that the root-cause of this very challenging situation is the undermining of the science basis for CCAMLR decisions for a catch limit for Subarea 48.3, and urged Members to continue to work to build a consensus for a catch limit for that area.

359. Argentina made the following statement:

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

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

360. Some Members noted that Russia has taken responsibility for some issues in the CCEP, but that they remained concerned at the number of serious unresolved compliance issues. They expressed concern over the repeated serious compliance issues and remaining outstanding investigations in respect of Russian-flagged vessels. Those Members urged Russia to undertake to complete the investigations and provide additional information to this meeting as a matter of

urgency, in order to demonstrate that Russia can exercise effective control over its vessels, comply with CCAMLR's rules, and the SISO observers can be deployed safely.

361. The UK recalled its previously stated positions on these issues.

362. Many Members recalled that, under Conservation Measures 21-02 and 21-03, the only grounds for rejecting a vessel notification are its inclusion in the IUU vessel list, non-compliance with the CCAMLR notification fee procedures, the submission of relevant documents such as FOPs and VME Impact Assessments, or a formal withdrawal by the Member. It was also noted that, in accordance with paragraph 11 of CM 21-02, vessel replacements due to legitimate operational reasons or *force majeure* must be immediately reported to the Secretariat.

363. SCIC noted the concerns raised by some Members and agreed to refer the matter to the Commission for further consideration.

364. The Secretariat presented a report on gear details in fishery notifications ([CCAMLR-43/12](#)), which highlighted the discrepancies between gear descriptions published on the CCAMLR website and those provided in Fisheries Operations Plans (FOPs) and Vulnerable Marine Ecosystem (VME) assessments. Several Members expressed their appreciation for the Secretariat's report and indicated their intention to improve the accuracy of the fishing gear data submitted.

365. SCIC endorsed the Secretariat's recommendations that:

- (i) The Commission considers requiring the inclusion of a technical line diagram for each gear description submitted by Members on the CCAMLR website as a mandatory information
- (ii) The Commission confirm there should be only one official description of 'notified gear' for the purposes of CM 21-02, paragraphs 6(ii)(b), 11(iii) and 13, and that this will be the gear description submitted by Members on the CCAMLR website.

366. SCIC requested that the Secretariat further develop the detail in the instructions provided to Members on how and when to submit or update information related to fishing gear details as part of the notification procedures, including worked examples of the required technical information or diagrams.

Advice from the Scientific Committee to SCIC

367. SCIC considered the advice from the Chair of the Scientific Committee (Dr C. Cárdenas (Chile)) on several topics and thanked him for his time.

Scientific observers

368. The Chair of the Scientific Committee highlighted the significant value of data recorded by scientific observers, recalled the ongoing Scientific Committee discussions surrounding the krill fishery management strategy, and noted the need to ensure any additional data collection consider the prioritisation of these requirements. The Chair of the Scientific Committee further

noted the importance of identification and collection accurate data by scientific observers to better understand the fisheries and ongoing issues, such as the by-catch of small fish and larvae and the incidental mortality associated with fishing.

369. SCIC and the Chair of the Scientific Committee discussed comments on the proposals to require 100% SISO observer coverage on all krill vessels and new fisheries. The Chair of the Scientific Committee recalled ongoing discussions to explore and assess the differences between national and SISO observers in terms of data collection. The Chair of the Scientific Committee noted that the guidelines for SISO observers are clear to follow and prioritise the work of the Scientific Committee and its working groups, and recognised the need to ensure consideration is given to the existing workload when responding to requests.

370. China queried the difference between the data collected by national scientific observers and those collected by international scientific observers given both national scientific observers and international scientific observers follow the same scientific requirements and protocols. The Chair of the Scientific Committee replied that international scientific observers carry out more work including marine mammal sightings and monitoring. The Chair of the Scientific Committee noted that in response to future additional requirements, it might be necessary to consider means of deploying a second observer. In addition, the Chair of the Scientific Committee indicated there were concerns over the independence of the national scientific observer.

371. China asked the Chair of the Scientific Committee to provide an update to SCIC as to the status of fishing in Division 58.4.1 and 58.4.2, noting these areas have previously been considered 'data-poor'. The Chair of the Scientific Committee confirmed that there has not been any new information provided regarding the status of research fishing in these areas, further noting that data has not been collected within these areas since 2018, hence the data gap. The Chair of the Scientific Committee highlighted that the Scientific Committee will continue its efforts to collect data in this area to inform future research.

372. In response to the questions from Australia, the Chair of the Scientific Committee in his second visit advised that the Scientific Committee considered in relation to Australia, Korea and Japan's proposal (CCAMLR-43/38) but did not provide particular recommendations to SCIC. The Chair of the Scientific Committee recalled that in 2022 and 2023 the Scientific Committee discussed that there is confusion in the application of 21-02 paragraph 6 (iii) as well as the application of such research plans and referred, inter alia, to recommendations from 2023 that the Commission (i) consider a new Annex to CM 21-02, specifying the requirements for finfish research plans under CM 21-02, paragraph 6(iii) (Attachment A), and (ii) amend the title of CM 24-01, Annex 24-01/A, Format 2 to remove the reference to CM 21-02 (Attachment B), to resolve the confusion (SC-CAMLR-42).

373. The Russian Federation requested a clarification from the Chair of the Scientific Committee on whether the fisheries that have not been carried on for the previous two seasons should be considered as a new fishery in accordance with paragraph 1 (iii) of Conservation Measure 21-01.

374. The Chair of the Scientific Committee stated that there were not any particular recommendations from the Scientific Committee in this regard in 2024, but that these areas do not meet the requirements of a new fishery under Conservation Measure 21-01 as these areas

have had catch and effort data submitted prior to the last two seasons, and a current conservation measure as an exploratory fishery.

Discards

375. SCIC and the Chair of the Scientific Committee discussed the reporting of discards south of 60°S in the fine-scale catch and effort (C2 longline fisheries) data form, noting that catch that is discarded at the point of harvest should be reported as 'discarded' and catch that is retained, even if it is retained only for discard north of 60°S should be reported as 'retained'. SCIC considered that while the instructions for completing the C2 data form is relatively clear, the data field descriptions on the forms themselves could be misinterpreted. SCIC recognised the implications that incorrect reporting as a result of misinterpretation of requirements relating to the reporting of discards may have on these data, and subsequent evaluations of compliance. SCIC noted that clarifying the instructions or data field descriptions in the C2 data form to distinguish between catch may help to alleviate these inconsistencies. SCIC recommended the Commission recommend that the Scientific Committee and its relevant working groups consider clarifying the instructions in the commercial data manual concerning the reporting of discarded and retained catches.

Late gear removal

376. Russia sought clarification from the Chair of the Scientific Committee as to the impacts incurred as a result of the overrun of catch after the closure of the *Euphausia superba* fishery in Subarea 48.1, and whether additional analyses had been undertaken on the relevant C1 data.

377. The Chair of the Scientific Committee noted that there had not been discussion on this topic during their meeting thus far. The Scientific Committee recognises the importance and complexity of the issue. The Chair of the Scientific Committee further noted that the proposed strategy to progress the KFMA could mitigate such issues in the future.

Harmonisation Symposium

378. Korea recalled the report of the Harmonisation Symposium (CCAMLR-43/29) and the recommendations agreed, and requested the Chair of the Scientific Committee confirm whether consideration had been given to these during their meeting. The Chair of the Scientific Committee noted that while some of the recommendations had been discussed in part, further deliberations will occur in detail at the Commission.

Consideration of the Second Performance Review

379. SCIC considered the final report of the Second Performance Review (PR2) (CCAMLR-43/06) which provided a summary of actions taken since CCAMLR-XXXVII.

SCIC, along with the Commission and Scientific Committee, were encouraged to identify any additional actions not already provided in the summary.

380. SCIC thanked the Secretariat for compiling the report, noted the value of tracking progress on the recommendations listed in PR2 on an annual basis, and recognised those who contributed to the progress to date.

381. SCIC noted specific areas where progress has been made and noted that Recommendation 11 (ii) regarding (CCEP) could actually be listed as completed. SCIC also highlighted areas where proposals continue to be submitted, and those where particular outstanding items should be considered (e.g., Recommendations 7 (MPAs), 4(iii) (ATCM participation), and 12 (Transhipments) of PR2).

Other business

382. SCIC considered CCAMLR-43/31, which provided a detailed proposal for a third performance review ('PR3') to be conducted during the 2024–2025 intersessional period, with presentation of the PR3 report to CCAMLR-44.

383. SCIC thanked the EU and its Member States for this proposal and noted the value that previous reports (PR1 and PR2) and their recommendations had provided, highlighting that these have proven to be of great value to CCAMLR.

384. Some Members expressed the view that additional details regarding the scope, structure and timeline of the proposed PR3 would be beneficial. China suggested that the third performance review be comprehensively evaluated against the Convention, in particular Article II, and the review panel includes two external experts, at least one industry representative. In this sense, China was of the view that a detailed terms of reference for the proposed PR3 should be developed which would take time.

385. SCIC did not reach consensus to endorse the proposal for a third performance review to be conducted during the 2024–2025 intersessional period.

386. SCIC considered CCAMLR-43/BG/40 submitted by ASOC, which brought developments relevant to fishing vessel and environmental safety to the attention of SCIC.

387. ASOC made the following statement:

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

ASOC would like to highlight the need for CCAMLR Resolutions 23 and 34 to be updated to reflect these new developments. Furthermore, we wish to draw attention to ongoing work by the IMO to address the threat from marine plastic litter including the marking of fishing gear and the reporting of lost or discharged fishing gear. I would also

like to reiterate ASOC's recommendation that CCAMLR develop its own action plan to reduce all sources of plastics and microplastics. Finally, ASOC recommends that CCAMLR consider including the management of gray water from fishing vessels in the future workplan, including discussion of current practices and ultimately consideration of the need for regulation of untreated gray water.'

388. SCIC noted the information presented by ASOC in CCAMLR-43/BG/40.

389. SCIC endorsed a proposal to add a standing item to its agenda for future meetings under any other business. Under this new agenda item, SCIC will consider the various tasks assigned to the Secretariat, both under conservation measures and through report text, and prioritise and possibly eliminate some tasking given projected budgetary constraints.

390. The Chair welcomed nominations for a new SCIC Chair for 2025-2026. Korea nominated Adam Berry. This nomination was seconded by the United States and endorsed by SCIC. SCIC congratulated Mr Berry on his election as the next SCIC Chair.

391. The Chair welcomed nominations for Vice-Chair of SCIC, however none were received.

392. The Chair thanked all delegates, as well as the interpreters and Secretariat staff, for their efforts for a productive meeting. SCIC also expressed its appreciation to the Secretariat and thanked the Chair for her constructive and efficient leadership throughout the meeting and thanked her for her tenure as SCIC Chair.

Close of the meeting

393. The Chair reflected that it had been a privilege to chair the meeting during her tenure, and thanked the delegates for their patience, professionalism and expertise. She also thanked the Secretariat, interpreters, Congress Rental and other support staff for their contribution to a productive meeting.

394. SCIC expressed its sincere appreciation to Ms. Engelke-Ros for her excellent chairmanship during a difficult meeting for SCIC, and for her cooperative, patient and good-humoured leadership during her time as Chair.

Compliance Issues 2023/24

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

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p><i>to having to offload an injured crew member. The crew member had cut off two fingertips. He was driven to the hospital by the shipping agent. Although in need of medical attention it was certainly not an emergency at that point."</i></p> <p>And in the government official's submission to the Secretariat they also noted: <i>"Slight issue with lack of required notification but this is an internal NZ issue which we have remedied, the safety of crew member was paramount in this situation"</i></p>
03	Korea, Republic of		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Panamanian-flagged vessel <i>Procyon</i> entered the Korean port of Busan at 06:00 16 Sep 2023 and was inspected at 10:00 18 Sep 2023.</p> <p>Time delay of inspection after the 48-hour deadline: 4 hours</p>
04	Uruguay		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Uruguayan-flagged vessel <i>Ainoha</i> entered the Uruguayan port of Montevideo at 2100 28 Oct 2023 and was inspected at 1100 31 Oct 2023.</p> <p>Time delay of inspection after the 48-hour deadline: 14 hours</p>
05	France		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The inspection of the French-flagged vessel <i>Sainte Rose</i> occurred on 08 March 2024 by French port officials and the transmission of the port inspection report occurred on 16 April 2024. The fishing activity occurred in Division 58.4.2 and Subareas 88.1 and 88.2.</p> <p>Time delay of transmission after the 30-day deadline: 9 days</p>
06	South Africa		<p>CM 10-03, paragraph 8, requires the transmission of a port inspection report to the Secretariat within 30 days of the inspection date (or as soon as possible where compliance issues have arisen).</p> <p>The Secretariat identified the port inspection report by South Africa for the Korean-flagged vessel <i>Southern Ocean</i> which corresponded with the issuance of DCD KR-24-0009-E had not been submitted. The Secretariat emailed the South African CCEP Contacts on 9 July 2024 requesting a copy of the port inspection report.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>The port inspection report was submitted on 29 July 2024 reporting the inspection on 10 March 2024.</p> <p>Time delay of transmission after the 30-day deadline: 111 days</p>
CM 10-04			
07	Chile	<i>Antarctic Endeavour</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.</p> <p>A movement notification was provided to the Secretariat on 21 Mar 2024 0225 UTC for the <i>Antarctic Endeavour</i> entry into Subarea 48.1 notifying the entry time of 20 Mar 2024 0126 UTC.</p> <p>Time delay after the 24-hour deadline: 59 minutes</p>
08	France	<i>Albius</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.</p> <p>A movement notification was provided to the Secretariat on 1 Aug 2023 1300 UTC for the <i>Albius</i> entry into Subarea 58.6 notifying the entry time of 31 Jul 2023 0812 UTC.</p> <p>Time delay after the 24-hour deadline: 4 hours 48 minutes</p>
09	France	<i>Albius</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.</p> <p>A movement notification was provided to the Secretariat on 02 Oct 2023 0635 UTC for the <i>Albius</i> entry into Division 58.5.1 notifying the entry time of 01 Oct 2023 0400 UTC.</p> <p>Time delay after the 24-hour deadline: 2 hours 35 minutes</p>
10	France	<i>Sainte Rose</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.</p> <p>Analysis of VMS data identified that a movement notice had not been provided by the <i>Sainte Rose</i> for entry into Subarea 48.1. The Secretariat requested a movement notice from the French VMS Contact Officers on 04 Feb 2024 2313 UTC.</p> <p>A movement notification was provided to the Secretariat 05 Feb 2024 0803 UTC for the <i>Sainte Rose</i> entry into Subarea 48.1 notifying the entry time of 02 Feb 2024 1030 UTC.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			Time delay after the 24-hour deadline: 45 hours 33 minutes
11	Korea, Republic of	<i>Greenstar</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.</p> <p>A movement notification was provided to the Secretariat on 16 Apr 2024 0949 UTC for the <i>Greenstar</i> entry into Subarea 48.1 notifying the entry time of 13 Apr 2024 2245 UTC.</p> <p>The Secretariat identified the missing entry notification and requested it from Korea on 16 Apr 2024. Korea provided the following explanation along with the notification: The <i>Greenstar</i> regarded she was still in the 88.3 when she was entering the subarea 48.1. That is why she reported that she exited the CCAMLR from the 88.3 in the below email. It was our mistake. The office also has a responsibility to monitor our vessel’s movement and to educate our crews. However, the office failed to monitor her movement during the weekend. We apologize for this mistake.</p> <p>Time delay after the 24-hour deadline: 35 hours 04 minutes</p>
12	Spain	<i>Tronio</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.</p> <p>Analysis of VMS data identified that a movement notice had not been provided by the <i>Tronio</i> for the exit from Division 58.4.4a and entry into Division 58.4.4b at approximately 0916 UTC 28 Oct 2023.</p> <p>The Secretariat contacted Spain to clarify the movement notices provided by <i>Tronio</i> in the 2023/24 season. Spain advised the Secretariat that they had investigated the matter and found that the Master of the vessel used the SSRU Map in CM 41-01 and reported movements based upon the SSRUs listed.</p>
13	United Kingdom	<i>Nordic Prince</i>	<p>CM 10-04, paragraph 13, requires Flag States to notify the Secretariat within 24 hours of each entry to, exit from and movement between subareas of the Convention Area.</p> <p>A movement notification was provided to the Secretariat on 18 Apr 2024 1444 UTC for the <i>Nordic Prince</i> entry into Subarea 48.3 notifying the entry time of 13 Apr 2024 1533 UTC.</p> <p>The Secretariat identified the missing entry notification and requested it from the United Kingdom on 18 Apr 2024.</p> <p>Time delay after the 24-hour deadline: 95 hours 11 minutes</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
CM 10-05			
14	Argentina		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ("step 4: Export state confirmation" in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified Argentina validated 1 DED after the declared export date. Therefore, this shipment did not have a completed DED available to accompany it at the time of export. The identified DED accounts for <1% of Argentina's exports and <1% of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 1 DED was issued between 11 - 20 days after declared export date</p> <p>The DED document number is available as an attachment to this record on the website.</p>
15	Chile		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ("step 4: Export state confirmation" in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified Chile validated 75 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export. The identified DEDs account for 2.6 % of Chile's exports and 1.5 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are:</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>5 DEDs were issued between 1 - 2 days after declared export date 68 DEDs were issued between 6 - 10 days after declared export date 1 DED was issued between 11 - 20 days after declared export date 1 DED was issued between 51 - 100 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>
16	France		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template (“step 4: Export state confirmation” in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified France validated 3 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export. The identified DEDs account for 1 % of France's exports and <1 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 2 DEDs were issued between 11 - 20 days after declared export date 1 DED was issued between 21 - 50 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>
17	Netherlands		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template (“step 4: Export state confirmation” in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
18	Peru		<p>Analysis of the e-CDS data has identified the Kingdom of the Netherlands validated 2 DREDS after the declared export date. Therefore, these shipments did not have a completed DRED available to accompany them at the time of export.</p> <p>The identified DREDS account for 13 % of Kingdom of the Netherlands' exports and <1 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 1 DRED was issued between 3 - 5 days after declared export date 1 DRED was issued between 11 - 20 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>
19	South Africa		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDS must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template (“step 4: Export state confirmation” in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified Peru validated 6 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export.</p> <p>The identified DEDs account for 6 % of Peru's exports and <1 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 3 DEDs were issued between 1 - 5 days after declared export date 1 DED was issued between 3 - 5 days after declared export date 1 DED was issued between 11 - 20 days after declared export date 1 DED was issued between 21 - 50 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ("step 4: Export state confirmation" in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified South Africa validated 18 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export. The identified DEDs account for 38 % of South Africa's exports and <1 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 8 DEDs were issued between 6 - 10 days after declared export date 10 DEDs were issued between 21 - 50 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>
20	Spain		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ("step 4: Export state confirmation" in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Noting CCAMLR-42, paragraph 90, SCIC advised a moratorium on compliance assessments should be put in place for DED and DREDs older than two years, recognising that this is an administrative matter.</p> <p>Analysis of the e-CDS data has identified Spain validated 4 DREDs after the declared export date. Therefore, these shipments did not have a completed DRED available to accompany them at the time of export. The identified DREDs account for 2 % of Spain's exports and <1 % of all CDS exports.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
21	United States of America		<p>The time difference between the export and validation for the identified documents are: 3 DREDS were issued between 201 - 300 days after declared export date 1 DREDS was issued between 501 - 600 days after declared export date</p> <p>A list of individual DRED document numbers is available as an attachment to this record on the website.</p> <p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDS must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ("step 4: Export state confirmation" in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Noting CCAMLR-42, paragraph 90, SCIC advised a moratorium on compliance assessments should be put in place for DED and DREDS older than two years, recognising that this is an administrative matter.</p> <p>Analysis of the e-CDS data has identified the United States of America validated 1 DRED after the declared export date. Therefore, this shipment did not have a completed DRED available to accompany it at the time of export. The identified DRED account for <1 % of the United States of America's exports and <1 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 1 DRED was issued between 501 - 600 days after declared export date</p> <p>A list of individual DED document numbers are available as an attachment to this record on the website.</p>
22	Uruguay		<p>CM 10-05, paragraph 6, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of <i>Dissostichus</i> spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED. The import, export or re-export of <i>Dissostichus</i> spp. without a DED or DRED is prohibited.</p> <p>CM 10-05, paragraph 7, requires that DEDs and DREDS must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory. A DED and/or</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>DRED is not completed nor validated in the e-CDS without the verification provided by a government official at section 5 of the DED template ("step 4: Export state confirmation" in e-CDS). Without this validation the import State will not have access to the document in the e-CDS.</p> <p>Analysis of the e-CDS data has identified Uruguay validated 31 DEDs after the declared export date. Therefore, these shipments did not have a completed DED available to accompany them at the time of export. The identified DEDs account for 29 % of Uruguay's exports and <1 % of all CDS exports.</p> <p>The time difference between the export and validation for the identified documents are: 10 DEDs were issued between 1 - 2 days after declared export date 8 DEDs were issued between 3 - 5 days after declared export date 9 DEDs were issued between 6 - 10 days after declared export date 3 DEDs were issued between 11 - 20 days after declared export date 1 DED was issued between 21 - 50 days after declared export date</p> <p>A list of individual DED document numbers is available as an attachment to this record on the website.</p>
CM 10-09			
23	Panama	<i>Frio Aegean</i>	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transhipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 1032 UTC 04 Apr 2024 from the <i>Frio Aegean</i> notifying its intention to tranship Krill and fuel with the <i>Sejong</i> at 0700 UTC 7 Apr 2024.</p> <p>Time difference: 68 hours 28 minutes</p>
24	Panama	<i>Frio Aegean</i>	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transhipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 1243 UTC 13 Apr 2024 from the <i>Frio Aegean</i> notifying its intention to tranship fuel with the <i>Shen Lan</i> at 1200 UTC 16 Apr 2024.</p> <p>Time difference: 71 hours 17 minutes</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
25	Panama	<i>Frio Marathon</i>	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transhipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 1531 UTC 13 July 2023 from the <i>Frio Marathon</i> notifying its intention to tranship krill with the Sejong at 1030 UTC 16 July 2023.</p> <p>Time difference: 66 hours 59 minutes</p>
26	Panama	<i>Frio Oceanic</i>	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transhipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 1654 UTC 24 Feb 2024 from the <i>Frio Oceanic</i> notifying its intention to tranship krill with the Sejong at 1400 UTC 27 Feb 2024.</p> <p>Time difference: 69 hours 06 minutes</p>
27	Panama	<i>Procyon</i>	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transhipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 1247 UTC 22 Apr 2024 from the <i>Procyon</i> notifying its intention to tranship Krill with the Fu Xing Hai at 1100 UTC 25 Apr 2024.</p> <p>Time difference: 70 hours 13 minutes</p>
28	Ukraine	<i>More Sodruzhestva</i>	<p>CM 10-09, paragraph 2, states that each Flag State shall notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area. CM 10-09, paragraph 3 clarifies that that this notification requirement covers the transhipment of harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 1937 UTC 23 Jan 2024 from the <i>More Sodruzhestva</i> notifying its intention to tranship fuel with the Antarctic Provider at 1800 UTC 26 Jan 2024.</p> <p>Time difference: 70 hours 23 minutes</p>
29	Norway		<p>CM 10-09, paragraph 3, states that each Flag State shall notify the Secretariat at least 2 hours in advance from the transhipment of items other than harvested marine living resources, bait or fuel.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>The Secretariat received notification from the Norwegian-flagged vessel the <i>Antarctic Provider</i> on 1601 UTC 29 Mar 2024 their intended transshipment of crew and provisions with the <i>Saga Sea</i> at 1630 UTC 29 March 2024.</p> <p>Time difference: 29 minutes</p>
30	Uruguay	<i>Ocean Azul</i>	<p>CM 10-09, paragraph 3, states that each Flag State shall notify the Secretariat at least 2 hours in advance from the transshipment of items other than harvested marine living resources, bait or fuel.</p> <p>The Secretariat received a notification on 12 Dec 2023 0838 UTC from the <i>Ocean Azul</i> notifying its intention to tranship spare parts with the <i>Helena Ndume</i> on 12 Dec 2023 1000 UTC.</p> <p>Time difference: 1 hour 22 minutes</p>
31	Norway		<p>CM 10-09, paragraph 5, states that each Flag State shall confirm the information provided for a transshipment in accordance with paragraphs 2 or 3 to the Secretariat within 3 working days of having transhipped.</p> <p>The Secretariat received notification from the Norwegian-flagged vessel the <i>Antarctic Provider</i> on 1601 UTC 29 Mar 2024 their intended transshipment of crew and provisions with the <i>Saga Sea</i> at 1630 UTC 29 March 2024.</p> <p>No confirmation was provided for this transshipment by the <i>Antarctic Provider</i>, <i>Saga Sea</i> or Norway.</p>
32	Vanuatu	<i>Hai Feng 718</i>	<p>CM 10-09, paragraph 8, prohibits a vessel to tranship within the Convention Area where a prior notification has not been provided.</p> <p>The Secretariat received a confirmation on 9 Feb 2024 1243 UTC from the <i>Hai Feng 718</i> confirming its transshipment of Krill and Fuel with the <i>Hua Xiang 9</i> from 07 - 08 Feb 2024.</p> <p>No prior notification was provided.</p>
CM 22-07			
33	United Kingdom	<i>Argos Georgia</i>	<p>CM 22-07, paragraph 8, states that vessels shall report in accordance with CM 23-07 total benthos recovered in a daily period.</p> <p>In the C2 report for the <i>Argos Georgia</i> for December 2023 8.1 specimens of VME indicators reported on 19 December 2023. The corresponding daily catch and effort report did not report catches of any VME species</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
34	Russian Federation	<i>Alpha Crux</i>	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a ‘Risk Area’ of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/ccamlr-vme-registry</p> <p>The <i>Alpha Crux</i> reported in C2 data for 24 Dec 2023 on haul 9 line which intersected with the VME risk area "CCAMLR_VMERiskArea_881" which has a latitude of 72.321 S and 176.272 E.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
35	Russian Federation	<i>Alpha Crux</i>	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a ‘Risk Area’ of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/ccamlr-vme-registry</p> <p>The <i>Alpha Crux</i> reported in C2 data for 27 Dec 2023 on haul 15 setting and hauling a line which intersected with the VME risk area "CCAMLR_VMERiskArea_881" which has a latitude of 72.321 S and 176.272 E. A C2 VME segment midpoint was also reported within the VME risk area.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
36	Russian Federation	<i>Alpha Crux</i>	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a ‘Risk Area’ of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/ccamlr-vme-registry</p> <p>The <i>Alpha Crux</i> reported in C2 data for 3 Jan 2024 on haul 26 setting a line which intersected with the VME risk area "CCAMLR_VMERiskArea_881" which has a latitude of 72.321 S and 176.272 E. A C2 VME segment midpoint was also report within the VME risk area.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments
37	Russian Federation	<i>Alpha Crux</i>	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a ‘Risk Area’ of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/ccamlr-vme-registry</p> <p>The <i>Alpha Crux</i> reported in C2 data for 4 Jan 2024 on haul 29 setting and hauling which intersected with the VME risk area "CCAMLR_VMERiskArea_881" which has a latitude of 72.321 S and 176.272 E. Three C2 VME midpoints were also reported with the VME risk area.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
38	Uruguay	<i>Proa Pioneer</i>	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a ‘Risk Area’ of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/ccamlr-vme-registry</p> <p>The <i>Proa Pioneer</i> reported in C2 data for 21 Dec 2023 on haul 16 setting and hauling a line which intersected with the VME risk area "CCAMLR_VMERiskArea_882_205028" which has a latitude of 74.17 S and 112.7933 W. A C2 VME midpoint was also reported with the VME risk area.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
39	Uruguay	<i>Proa Pioneer</i>	<p>CM 22-07, paragraph 9, states that a VME Risk Area shall remain closed for any fishery until reviewed by the SC and management actions are determined by the Commission.</p> <p>CM 22-07, paragraph 2 (v), defines a ‘Risk Area’ of having a 1 n mile radius from the midpoint of the line segment for which 10 or more VME indicator units are recovered. CCAMLR's VME registry is available here: https://www.ccamlr.org/en/document/data/ccamlr-vme-registry</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>The <i>Proa Pioneer</i> reported in C2 data for 22 Dec 2023 on haul 19 setting and hauling a line which intersected with the VME risk area "CCAMLR_VMERiskArea_882_205028" which has a latitude of 74.17 S and 112.7933 W.</p> <p>A map is attached to this CCEP record which illustrates the fishing inside the VMS risk area. Map legend - black is the set line, green is haul line, blue is VME midpoint segments</p>
CM 22-08			
40	Russian Federation	<i>Alpha Crux</i>	<p>CM 22-08, paragraph 1, prohibits fishing in exploratory fisheries for <i>Dissostichus</i> spp. other than for scientific research purposes in depths shallower than 550 m.</p> <p>The SISO observer on the Russian flagged <i>Alpha Crux</i> from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 10 – “At 09:50 (UTC) on December 17, 2023, a tow was initiated from 491m in SET.4, and subsequently, the depth and tow location were adjusted to reflect a tow from 563m.”</p>
CM 23-04			
41	Russian Federation	<i>Alpha Crux</i>	<p>CM 23-04, paragraph 3, requires the total target catch must be reported by species and the total by-catch must be reported by species or to the lowest taxonomic level possible (e.g. species or genus).</p> <p>The SISO observer on the Russian flagged <i>Alpha Crux</i> from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 10 – “Although 86 sets of deployment and retrieval were recorded, a total of 87 sets were actually carried out. The first deployment occurred on December 11, 2023, at 15:30 (UTC), followed by retrieval starting at 19:15 (UTC) of the same day. However, due to damage to the main line, rendering all lines unable to be retrieved, the set was deleted without reporting the loss.”</p> <p>Section 7.2 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, instructs the procedure for reporting in the C2 data when gear has been lost.</p> <p>The Secretariat was notified as per SISO, Part A, paragraph h, of communications on 29 May 2024 between Russia (the Receiving Member) and Korea (the Designating Member) of discrepancies identified by Russia in the observer report which relate to this compliance issue. The Secretariat has not been notified by either party that they were unable to resolve such issues, as required by SISO, Part A, paragraph h.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
42	Russian Federation	<i>Alpha Crux</i>	<p>CM 23-04, paragraph 3, requires the total by-catch must be reported by species or to the lowest taxonomic level possible (e.g. species or genus).</p> <p>The SISO observer on the Russian flagged <i>Alpha Crux</i> from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 4 – “CHW gathered at one location at the hauling station and transported to the restaurant for consumption.(Figure 3) The weight and quantity were not recorded. In some sets, intentional exclusion of by-catch was observed. This practice was not discouraged by the Russian captain and crew.”</p> <p>Figure 2 contains a photo of by-catch</p> <p>Figure 3 contains a photo of <i>Chionobathyscus dewitti</i> (Dewitt's icefish) in a tank with the caption “CHW edible”</p> <p>Figure 4 photo caption states “By-catch deliberate dropout”</p> <p>In Part 10 – “The investigation into by-catch species was not properly conducted. Intentionally, without confirming the quantity or weight, by-catch either deliberately stripped off during fishing operations or brought into the processing area was either ground up and discharged or released intact without inspection. When intentionally discarding by-catch species, neither the Russian captain, Russian navigator, nor any Russian crew members intervened. Regarding CHW, it was not sent to the processing area for consumption but was stored on the mid-deck and utilized for consumption without its quantity or weight being measured. It was also noted that the details of the Observed Haul Catch related to by-catch were arbitrarily altered without the knowledge of the”</p> <p>The Secretariat was notified as per SISO, Part A, paragraph h, of communications on 29 May 2024 between Russia (the Receiving Member) and Korea (the Designating Member) of discrepancies identified by Russia in the observer report which relate to this compliance issue. The Secretariat has not been notified by either party that they were unable to resolve such issues, as required by SISO, Part A, paragraph h.</p>
CM 25-02			
43	Russian Federation	<i>Alpha Crux</i>	<p>CM 25-02, paragraph 6, prohibits the dumping of offal and discards while longlines are being set.</p> <p>The SISO observer on the Russian flagged <i>Alpha Crux</i> from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			In Part 6 in response to the question “On what percentage of sets did offal discarding take place during setting?” the observer reported “1.15”
			Figure 15 photo caption states: “On setting the line was disposal offal”
44	New Zealand	<i>Janas</i>	<p>CM 25-02, paragraph 8, requires a streamer line to be deployed during longline setting.</p> <p>The SISO observer on the New Zealand-flagged <i>Janas</i> from 14 Nov 2023 to 15 Feb 2024 reported in observer trip report number 2455, the following:</p> <p>“Whilst setting line 108, it was noted that the vessel had backed up into tori line (and the line caught in the propeller) prior to setting. There was no tori line during setting from mag 1 – 5, the crew quickly responded to the incident and assembled another.”</p>
45	Russian Federation	<i>Alpha Crux</i>	<p>CM 25-02, paragraph 8, requires a streamer line to be deployed during longline setting.</p> <p>The SISO observer on the Russian flagged <i>Alpha Crux</i> from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>Part 6.1 – “The first set did not deploy streamer lines due to heavy ice conditions.”</p>
46	France	<i>Sainte Rose</i>	<p>CM 25-02, Annex A, paragraph 3, states that the streamer line shall be a minimum of 150 m in length.</p> <p>The SISO observer on the French-flagged <i>Sainte Rose</i> from 26 Nov 2023 to 7 Mar 2024 reported in observer trip report number 2500, the following:</p> <p>“Streamer line length (m): 120m The streamer achieved a horizontal extent of 60 m, calculated with the number of visible aerial lines. The streamer line is a polypropylene 10mm of 120 meters long. Streamers are PEBD double 6mm from 1 to 8 meters long with 3 meters apart.”</p>
47	Russian Federation	<i>Alpha Crux</i>	<p>CM 25-02, Annex A, paragraph 3, states that the streamer line shall be a minimum of 150 m in length.</p> <p>The SISO observer on the Russian flagged <i>Alpha Crux</i> from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Figure 11: Configuration of bird scaring lines, the streamer line length (m) is reported as 70.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
48	Korea, Republic of	<i>Sunstar</i>	<p>CM 25-02, Annex A, paragraph 4, states that the streamers must be branched each comprising of two strands of a minimum of 3 mm diameter.</p> <p>The SISO observer on the Korean-flagged <i>Sunstar</i> from 26 Oct 2023 to 14 Feb 2024 reported in observer trip report number 2506, the following:</p> <p>“The total streamer length deployed by the vessel was 157m, made up of 1.5mm polypropylene line that consisted of 10 single streamers joined at intervals of 4.5m, Figure 16”</p>
CM 26-01			
49	Chile	<i>Puerto Ballena</i>	<p>CM 26-01, paragraph 8, prohibits the dumping or discharging of offal or discards south of 60°S.</p> <p>Section 7.3 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, states that any species that is caught and retained on the vessel for discard at a later date shall be reported in the C2 data as “Retained” and any species landed on the vessels and then discarded overboard without processing is to be reported as “Discarded”.</p> <p>From 02 Dec 2023 to 03 Feb 2024 the <i>Puerto Ballena</i> reported in their C2 data discarding south of 60°S 4 659 individuals (6 665.92 kg) across 22 different species.</p>
50	Namibia	<i>Helena Ndume</i>	<p>CM 26-01, paragraph 8, prohibits the dumping or discharging of offal or discards south of 60°S.</p> <p>Section 7.3 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, states that any species that is caught and retained on the vessel for discard at a later date shall be reported in the C2 data as “Retained” and any species landed on the vessels and then discarded overboard without processing is to be reported as “Discarded”.</p> <p>From 13 Dec 2023 to 29 Jan 2024 the <i>Helena Ndume</i> reported in their C2 data discarding south of 60°S 10 108 individuals (5 224.73 kg) across 6 different species.</p>
51	Russian Federation	<i>Alpha Crux</i>	<p>CM 26-01, paragraph 8, prohibits the dumping or discharging of offal or discards south of 60°S.</p> <p>All fishing effort for the <i>Alpha Crux</i> within the Convention Area occurred south of 60°S in Subarea 88.1</p> <p>The SISO observer on the Russian flagged <i>Alpha Crux</i> from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>In Part 1 – “70% offal and discards was 분쇄한 뒤 port side setting and hauling to disposal, 30% offal and discards was packed in bags and stored in the freezer or fish hold for disposal on shore”</p> <p>In Part 4 – “70% offal and discards was crash to disposal for port side setting and hauling The quantity and weight were not recorded.”</p> <p>In Part 6 in response to the question “On what percentage of sets did offal discarding take place during setting?” the observer reported “1.15”</p> <p>In Part 6 in response to the question “On what percentage of sets did offal discarding take place during hauling?” the observer reported “70”</p> <p>In Part 8 – “70% offal and discards was crash to disposal for port side setting and hauling, 30% offal and discards was packed in bags and stored in the freezer or fish hold for disposal on shore.”</p> <p>Figure 14 contains a photo taken by the observer of offal disposed on ice</p> <p>Figure 15 photo caption states: “On setting the line was disposal offal”</p>
52	United Kingdom	<i>Argos Georgia</i>	<p>CM 26-01, paragraph 8, prohibits the dumping or discharging of offal or discards south of 60°S.</p> <p>Section 7.3 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, states that any species that is caught and retained on the vessel for discard at a later date shall be reported in the C2 data as “Retained” and any species landed on the vessels and then discarded overboard without processing is to be reported as “Discarded”.</p> <p>From 09 Dec 2023 to 01 Jan 2024 the <i>Argos Georgia</i> reported in their C2 data discarding south of 60°S 3 835 individuals (5 404.94 kg) across 6 different species.</p>
53	Uruguay	<i>Ocean Azul</i>	<p>CM 26-01, paragraph 8, prohibits the dumping or discharging of offal or discards south of 60°S.</p> <p>Section 7.3 of the Commercial Data Collection Manual – Longline Fisheries – Version 2023, states that any species that is caught and retained on the vessel for discard at a later date shall be reported in the C2 data as “Retained” and any species landed on the vessels and then discarded overboard without processing is to be reported as “Discarded”.</p> <p>From 11 Dec 2023 to 28 Jan 2024 the <i>Ocean Azul</i> reported in their C2 data discarding south of 60°S 39 220 individuals (33 082.02 kg) across 11 different species.</p>

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

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p><i>Nordic Prince</i> was identified fishing for <i>Dissostichus eleginoides</i> in Subarea 48.3 in 2024 which Comm Cires 24/61 and 24/70 allege is contrary to CM 31-01</p> <p>A response from the United Kingdom has been circulated in COMM CIC 24/69</p> <p>This event is considered further on the Draft IUU Vessel List (COMM CIRC 24/68).</p>
CM 31-02			
58	Norway	<i>Antarctic Endurance</i>	<p>CM 31-02, paragraph 1, states that following notification by the Secretariat of the closure of a fishery, all vessels in the area subject to the closure notice, shall remove their fishing gear from the water by the notified closure date and time.</p> <p>CM 31-02, paragraph 4, states that a vessel or vessel shall notify the Secretariat should the vessel appear likely to be unable remove all its fishing gear from the water by the notified closure date and time and the vessel shall make all reasonable efforts to remove all its fishing gear from the water as soon as possible.</p> <p>In COMM CIRC 24/53 the Secretariat notified that the trawl fishery for <i>Euphausia superba</i> in Subarea 48.1 will close at 2359 h UTC on 18/05/2024.</p> <p>Following the closure of the fishery C1 data for the <i>Antarctic Endurance</i> reported 17 unique trawls of two nets from 00:00 19 May 2024 to 10:00 20 May 2024 with a green weight <i>Euphausia superba</i> catch of 2 106 749 kg.</p> <p>Continuous trawl vessels report a “unique trawl” for every two hour period the net is in the water. The net setting and hauling date and time is also reported in the C1 data. The net was set before the closure date and hauled at 10:00 on 20 May 2024.</p> <p>A report on the delayed gear retrieval was provided by Norway in COMM CIRC 24/58</p>
59	Norway	<i>Antarctic Sea</i>	<p>CM 31-02, paragraph 1, states that following notification by the Secretariat of the closure of a fishery, all vessels in the area subject to the closure notice, shall remove their fishing gear from the water by the notified closure date and time.</p> <p>CM 31-02, paragraph 4, states that a vessel or vessel shall notify the Secretariat should the vessel appear likely to be unable remove all its fishing gear from the water by the notified closure date and time and the vessel shall make all reasonable efforts to remove all its fishing gear from the water as soon as possible.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>In COMM CIRC 24/53 the Secretariat notified that the trawl fishery for <i>Euphausia superba</i> in Subarea 48.1 will close at 2359 h UTC on 18/05/2024.</p> <p>Following the closure of the fishery C1 data for the <i>Antarctic Sea</i> reported 9 unique trawls of two nets and 1 trawl of one net from 00:00 19 May 2024 to 19:22 19 May 2024 with a green weight <i>Euphausia superba</i> catch of 1 077 404 kg.</p> <p>Continuous trawl vessels report a “unique trawl” for every two hour period the net is in the water. The net setting and hauling date and time is also reported in the C1 data. The net was set before the closure date and hauled at 19:22 on 19 May 2024.</p> <p>A report on the delayed gear retrieval was provided by Norway in COMM CIRC 24/58</p>
60	Norway	<i>Saga Sea</i>	<p>CM 31-02, paragraph 1, states that following notification by the Secretariat of the closure of a fishery, all vessels in the area subject to the closure notice, shall remove their fishing gear from the water by the notified closure date and time.</p> <p>CM 31-02, paragraph 4, states that a vessel or vessel shall notify the Secretariat should the vessel appear likely to be unable remove all its fishing gear from the water by the notified closure date and time and the vessel shall make all reasonable efforts to remove all its fishing gear from the water as soon as possible.</p> <p>In COMM CIRC 24/53 the Secretariat notified that the trawl fishery for <i>Euphausia superba</i> in Subarea 48.1 will close at 2359 h UTC on 18/05/2024.</p> <p>Following the closure of the fishery C1 data for the <i>Saga Sea</i> reported 16 trawls of two nets and 1 trawl of one net from 00:00 19 May 2024 to 10:00 20 May 2024 with a green weight <i>Euphausia superba</i> catch of 1 143 056 kg.</p> <p>Continuous trawl vessels report a “unique trawl” for every two hour period the net is in the water. The net setting and hauling date and time is also reported in the C1 data. The net was set before the closure date and hauled at 10:00 on 20 May 2024.</p> <p>A report on the delayed gear retrieval was provided by Norway in COMM CIRC 24/58</p>
CM 41-09			
61	Uruguay	<i>Ocean Azul</i>	<p>CM 41-09, paragraph 6, If the catch of <i>Macrourus</i> spp. taken by a single vessel in any two 10-day periods in any SSRU exceeds 1 500 kg in each 10-day period and exceeds 16% of the catch of <i>Dissostichus</i> spp. by that vessel in that SSRU, the vessel shall cease fishing in that SSRU for the remainder of the season.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>Two breaches of the move-on rule were identified for the <i>Ocean Azul</i> in Small Scale Research Unit 88.1 I. The C2 data reported the following:</p> <p>For ten day period starting 21 Dec 2023 <i>Macrourus</i> spp. total: 2 053.60 kg <i>Dissostichus</i> spp. total: 2 877.97 kg <i>Macrourus</i> spp. percentage of <i>Dissostichus</i> spp. catch: 71.36%</p> <p>For ten day period starting 01 Jan 2024 <i>Macrourus</i> spp. total: 2 189 kg <i>Dissostichus</i> spp. total: 5 858.23 kg <i>Macrourus</i> spp. percentage of <i>Dissostichus</i> spp. catch: 37.37%</p> <p><i>Move-on rule now triggered, vessel should have left SSRU 88.1_I</i></p> <p>For ten day period starting 11 Jan 2024 <i>Macrourus</i> spp. total: 4 245 kg <i>Dissostichus</i> spp. total: 6 951.92 kg <i>Macrourus</i> spp. percentage of <i>Dissostichus</i> spp. catch: 61.06%</p> <p>For ten day period starting 21 Jan 2024 <i>Macrourus</i> spp. total: 4 635.50 kg <i>Dissostichus</i> spp. total: 11 360.59 kg <i>Macrourus</i> spp. percentage of <i>Dissostichus</i> spp. catch: 40.80%</p>
CM 91-05			
62	Namibia	<i>Helena Ndume</i>	<p>CM 91-05, paragraph 24, requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the MPA.</p> <p>A movement notification for the <i>Helena Ndume</i> was provided on 15 Dec 2023 0210 UTC which notified entry into RSR MPA SRZ on 14 Dec 2023 2240 UTC.</p> <p>Time difference: 3 hours 30 minutes after entry</p>
63	Namibia	<i>Helena Ndume</i>	<p>CM 91-05, paragraph 24, requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the MPA.</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>A movement notification for the <i>Helena Ndume</i> was provided on 19 Dec 2023 0141 UTC which notified entry into RSR MPA GPZ(i) on 18 Dec 2023 2143 UTC.</p> <p>Time difference: 3 hours 58 minutes after entry</p>
64	Russian Federation	<i>Alpha Crux</i>	<p>CM 91-05, paragraph 24, requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the MPA.</p> <p>A movement notification for the <i>Alpha Crux</i> was provided on 14 Dec 2023 0517 UTC which notified entry into RSR MPA SRZ on 14 Dec 2023 0137 UTC.</p> <p>Time difference: 3 hours 40 minutes after entry</p>
65	Spain	<i>Tronio</i>	<p>CM 91-05, paragraph 24, requires Flag States to notify the Secretariat prior to entry of their fishing vessels into the MPA.</p> <p>A movement notification for the <i>Tronio</i> was provided on 26 Dec 2023 1614 UTC notifying entry into RSR MPA SRZ on 26 Dec 2023 0340 UTC.</p> <p>A revision was provided on 26 Dec 2023 1955 UTC notifying entry time as 26 Dec 2023 0447 UTC.</p> <p>Time difference between when the Secretariat was first notified and the final movement time: 11 hours 27 minutes after entry</p>
66	Russian Federation	<i>Alpha Crux</i>	<p>Text of the CCAMLR Scheme of International Scientific Observation, Part D, paragraph (b) (i), states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not offer a scientific observer, either directly or indirectly, any gratuity, gift, favour, loan, or anything of monetary value, except for meals, accommodations or salary when provided by the vessel.</p> <p>The SISO observer on the Russian flagged <i>Alpha Crux</i> from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 10 – “During the investigation period of the vessel, on January 10, 2024, attempts were made to communicate with the Russian captain regarding CCAMLR Conservation Measure 26-01, but it was not properly conveyed. Subsequently, a request was made to the National Institute of Fisheries Science to receive</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			<p>the latest version of Conservation Measure 26-01 via email. However, the email was not delivered to the Korean observer, only confirmed by the Russian captain. A few days later, the navigator suggested twice that they could pretend not to know about the fishing situation on the vessel if a bribe of \$10,000 to \$20,000 was provided. Both offers were naturally declined.”</p>
67	Russian Federation	<i>Alpha Crux</i>	<p>Text of the CCAMLR Scheme of International Scientific Observation, Part D, paragraph (b) (ii), states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not intimidate, or interfere with the duties of a scientific observer.</p> <p>The SISO observer on the Russian flagged <i>Alpha Crux</i> from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p> <p>In Part 10 – “On January 1, 2024, while Russian crew members were gathering in the wheelhouse and drinking, a physical altercation ensued. During the altercation, verbal abuse and physical violence were exchanged, with the word "OBSERVER" being mentioned twice. Shortly afterward, while the Korean observer was sleeping, a Russian crew member opened the door to their quarters, stepped inside, observed quietly for 1-2 minutes, then left. Upon investigation, it was found that during the altercation, a Russian processor, who was assisting the Korean observer with biological sampling, was stabbed in the abdomen by another Russian crew member. Subsequently, the Russian processor was incapacitated, rendering them unable to perform their duties. As a result, the Korean observer was left alone to handle TOA processing and biological sampling. Requests for additional personnel from the Russian captain were met with refusal.”</p> <p>The Secretariat was notified as per SISO, Part A, paragraph h, of communications on 29 May 2024 between Russia (the Receiving Member) and Korea (the Designating Member) of discrepancies identified by Russia in the observer report which relate to this compliance issue. The Secretariat has not been notified by either party that they were unable to resolve such issues, as required by SISO, Part A, paragraph h.</p>
68	Russian Federation	<i>Alpha Crux</i>	<p>Text of the CCAMLR Scheme of International Scientific Observation, Part D, paragraph (b) (vii), states that the owner, Master, agent, and crew of a vessel on which a scientific observer is deployed shall not interfere with or prevent the observer from communicating with the Designating Member, including by preventing the scientific observer from having access to the vessel’s communication equipment.</p> <p>The SISO observer on the Russian flagged <i>Alpha Crux</i> from 16 Nov 2023 to 5 Mar 2024 reported in observer trip report number 2518, the following:</p>

Reference number	Party	Vessel	Implementation summary – Secretariat
			In Part 10 – “The communication methods onboard the vessel were limited to wired telephone and email, but the email function was not operating properly. While emails sent to the Resource Management Authority were successfully transmitted, emails sent to the National Fisheries Research Institute were inexplicably failing to send for reasons unknown.”

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

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

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

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

Statement by the Delegation of South Africa

South Africa made the following statement:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

It should be noted that Section 42 of the act currently deals with the implementation of international conservation and management measures and subsection 4 thereof states that the minister may from time to time publish by notice in The Gazette particulars of any international conservation and management measures or international agreement concerning marine living resources. In addition Section 58 (2)(a) of the MLRA makes it an offence to contravene any international conservation or management measures. As such there are currently express references in the MLRA to international agreements. However, these provisions will, as indicated above, be further clarified with specific reference to RFMO's and where appropriate CCAMLR itself.

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

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

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

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

Statement by the Delegation of South Africa

South Africa made the following statement:

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

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

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

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

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

South Africa had hoped that by circulating the extensive document to members 30 days prior to SCIC, any concerns which members had could be addressed upfront and prior

to the meeting. Unfortunately, no comments on the COMM CIRC were received by South Africa.

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

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

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

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

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

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

At this time it is South Africa's position that further amendments to the permit and licence conditions as proposed at this late stage by the EU ought not to be determinant on whether the delisting is supported or not. Conditions can always be improved and this is why South Africa updates all its conditions annually (it will be updated prior to next season starting 1 Dec – and which will consider the EU input received during this SCIC). South Africa believes that the conditions are now robust but despite this has committed to working with the EU to improve them where necessary.

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

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

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

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

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

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

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

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

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

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

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