

IMPLEMENTATION AND COMPLIANCE

Report of SCIC

6.1 The meeting of SCIC was held from 24 to 28 October 2005 and chaired by Mrs V. Carvajal (Chile). All attending Members of the Commission and observers participated in the meeting.

6.2 The SCIC Chair presented the Committee's report (Annex 5) relating to Commission Agenda Item 6 (Implementation and Compliance) and drew the Commission's attention to a number of recommendations. The Commission's deliberations on SCIC recommendations in respect of compliance and implementation issues are provided in paragraphs 6.7 to 6.11. The deliberations of the Commission on recommendations in respect of the CDS, IUU fishing in the Convention Area and the Scheme of International Scientific Observation are provided in sections 7, 8 and 9 respectively.

6.3 The Commission noted with appreciation the summary of SCIC advice prepared for the Commission's deliberations. This clearly indicated actions sought by SCIC from the Commission on each item of advice.

6.4 Argentina recalled 'the views already expressed by another delegation in SCIC that there is no UK territory in Subarea 48.3 and that all Members should be encouraged to maximise CCAMLR inspection coverage of the Convention Area'.

6.5 In response to Argentina, the UK expressed support in principle for the application of the CCAMLR Scheme of Observation and System of Inspection in Area 48. The UK noted that to date, very few Members had undertaken inspections within the CAMLR Convention Area. That said, the UK reminded Argentina that in respect of waters adjacent to the islands within the area to which the Convention applies over which the existence of State sovereignty is recognised by all Contracting Parties, the 1980 Chairman's Statement was relevant. In particular, the UK drew attention to paragraphs 4 and 5 of the Statement in this respect as they relate to Subareas 48.2, 48.3 and 48.4.

6.6 Argentina rejected the UK's views and reiterated its position reflected in paragraph 3.3 of the SCIC report (Annex 5).

Compliance with conservation measures

6.7 In considering SCIC's report (Annex 5, paragraphs 3.16, 3.19, 3.21 and 3.22), the Commission agreed that:

- (i) Members should submit reports of port inspections on each occasion that a vessel unloads *Dissostichus* spp. in their territories;
- (ii) the Secretariat should implement a procedure for reminding Members about outstanding reports;

- (iii) Members should comply in full with all provisions of Conservation Measure 21-02. Incomplete exploratory fisheries notifications would not be considered in future;
- (iv) the Secretariat should develop and circulate a pro forma and checklist to assist Members to fulfil the requirements of Conservation Measure 21-02 in future. The Secretariat should also bring deficient exploratory fishery notifications to the attention of the submitting Member.

6.8 The Commission noted that SCIC had worked on revising Conservation Measures 10-03, 10-04, 10-05, 10-06, 10-07 and 21-02, but had been unable to agree on final wording. The draft measures had therefore been referred to the Commission for further consideration (paragraphs 11.7 to 11.17). The Commission also noted that SCIC had reached agreement on a draft resolution dealing with enhancing cooperation with non-Contracting Party developing States (paragraph 8.9).

Compliance evaluation procedure

6.9 The Commission noted that SCIC considered further actions required to advance developing and implementing procedures for evaluating compliance with conservation measures (Annex 5, paragraphs 3.26 to 3.28).

6.10 The Commission, in particular, noted that there are a number of outstanding issues in the proposed procedure that still need clarification, such as division of responsibilities between SCIC and the Scientific Committee as well as identification of compliance evaluation criteria. The Commission recalled its decision at CCAMLR-XXIII (CCAMLR-XXIII, paragraph 6.7; CCAMLR-XXIII, Annex 5, paragraphs 3.27 to 3.29) that responsibility for evaluating compliance with conservation measures should reside with SCIC and that the Scientific Committee should continue to play an important role in the evaluation of conservation measure performance. Specific Secretariat tasks in relation to compliance evaluation are listed in paragraph 6.11.

6.11 The Commission noted SCIC's intersessional work, including the following tasks for the Secretariat (Annex 5, paragraph 3.28):

- (i) to identify, in consultation with Members, key compliance elements in conservation measures;
- (ii) to prepare a summary of compliance information received for the 2005/06 season in respect of key elements identified for consideration at the next meeting of CCAMLR.