

## IMPLEMENTATION AND COMPLIANCE

8.1 The Chair of SCIC, Ms K. Dawson-Guynn (USA), reported to the Commission on the work of SCIC in relation to compliance with conservation measures, IUU fishing in the Convention Area and consideration of progress made in respect of recommendations contained in the PRP Report (Annex 6).

### Compliance with conservation measures in force

#### System of Inspection

8.2 The Commission noted advice from SCIC that no incidents of non-compliance had been identified as a result of inspections of Members' vessels conducted under the System of Inspection during 2009/10. The Commission also noted that Members had been encouraged to participate in the System of Inspection and report the results of all inspections to CCAMLR.

#### Tagging program (CM 41-01, Annex C)

8.3 The Commission's deliberations on the implementation of the tagging program in accordance with CM 41-01, Annex C, are contained in paragraphs 11.14 to 11.25.

#### Environmental and mitigation measures

8.4 The Commission noted advice from SCIC that a number of vessels had not complied with all the requirements of CMs 25-03 and 26-01 during the 2009/10 season.

8.5 The Commission also noted advice from SCIC that no reports of non-compliance with CM 25-02 had been received during the 2009/10 season. Therefore, all longline vessels might be eligible to receive an extension of the licensing period in Subarea 48.3 in the 2010/11 season.

#### Port inspections (CM 10-03)

8.6 The Commission noted that three Members and one Contracting Party had submitted port inspection reports during 2009/10. The Members concerned were thanked for submitting these reports.

#### C-VMS reporting (CM 10-04)

8.7 The Commission noted advice from SCIC that the Secretariat had experienced a number of technical problems and delays in the receipt of C-VMS data for vessels operating outside the Convention Area in 2009/10.

8.8 The Commission agreed that the Secretariat had confirmed that it would assist Chile when it voluntarily requested the Secretariat to receive, process, manage and transmit in a timely manner, VMS data in respect of catches of *D. eleginoides* from outside the Convention Area.

#### Compliance evaluation procedure

8.9 The Commission noted intersessional work conducted by the ad hoc Development of a Compliance Evaluation Procedure group (DOCEP) during 2009/10.

8.10 Noting advice from SCIC that the work of DOCEP should continue, the Commission agreed that in 2011 DOCEP would continue to work intersessionally via electronic means. The Commission thanked Australia for offering to provide a convener for the future work of DOCEP.

#### Catch Documentation Scheme (CM 10-05)

8.11 The Commission noted that the ports of Singapore and Malaysia had been used by a number of vessels included on the CP-IUU Vessel List during 2009/10. The Commission also noted that Singapore was reported to be implementing the CDS only partially by issuing re-export documents but not taking steps to control landings or imports of toothfish.

8.12 The EU expressed the view that lack of control over trade undermined the CDS and that non-cooperating parties should be identified and brought to the attention of the international community. The EU was also of the view that failure to respond to correspondence from CCAMLR was a further act of non-cooperation.

8.13 The EU noted the long list of NCPs which had not responded to the letter from the Secretariat requesting cooperation, which shows a lack of political will on their side. The EU expressed appreciation to Nigeria for its participation in the CDS and its presence at the meeting as the only State that has undertaken effective cooperation with CCAMLR in recent years. The EU also expressed appreciation for initiatives such as the capacity building workshop relating to IUU held in Cape Town, South Africa, in August 2010 and support for such endeavours in the future.

8.14 The Commission agreed that the Chair of the Commission would write to Singapore and Malaysia and request them to deny the use of their ports by vessels on the NCP-IUU Vessel List. The Commission also agreed that Singapore be urged to take immediate action to fully implement the CDS in order to ensure continuation of its status as a non-Contracting Party cooperating with CCAMLR in the implementation of the CDS.

8.15 The Commission also noted advice from SCIC that the Hong Kong Special Administrative Region (SAR) was reported to have imported significant quantities of toothfish in 2009 and 2010 as documented under the CDS. Several Members noted with concern that the Hong Kong SAR did not implement the CDS.

8.16 China reminded Members that the CAMLR Convention does not apply to the Hong Kong SAR and that it had declared this when depositing its instrument of accession to CCAMLR. There is no legal obligation for the Hong Kong SAR to implement the CDS. China nevertheless advised that it attached importance to some Members' concerns and would therefore continue to consult with the Hong Kong SAR with regard to the issue of CDS. China requested that the Secretariat provided it with more detailed information on imports of toothfish to the Hong Kong SAR.

8.17 Several Members stated that the CDS should be implemented wherever possible in order to close loopholes and welcomed the assurance of China.

8.18 On behalf of the co-sponsors, the UK reported on a training and capacity building workshop relating to IUU which had been conducted by Australia, South Africa, UK and the Secretariat for African States in Cape Town, South Africa, in August 2010 (CCAMLR-XXIX/9). The workshop had been funded by the CDS Fund following a proposal made by the conveners at CCAMLR-XXVIII. The UK advised the Commission that the budget for the workshop had not been exceeded and thanked the New Partnership for Africa's Development's (NEPAD) Partnership for African Fisheries (PAF), Stop Illegal Fishing (SIF) program for funding the participation of several delegates.

8.19 The UK advised that the workshop had examined IUU-related problems of particular relevance to African coastal States, including content on Flag State and Port State measures. The workshop included presentations by the conveners, as well as SIF, COLTO and TRAFFIC. Training included a practical exercise inspecting a fishing vessel unloading and time on board a patrol vessel. Participants had agreed to take specific actions following the workshop, including examination of Port State measures, regional training programs, joint patrols and sharing of information.

8.20 The UK reported that the participants had demonstrated a high level of engagement and had conveyed positive feedback. In light of this, the co-sponsors of the workshop were considering proposing a follow-up workshop for African States in 2012 and a similar workshop in regional Asia.

8.21 The Commission thanked all involved in planning and conducting the workshop, particularly South Africa for hosting it, and noted that this was a useful exercise to strengthen cooperation with other Parties and help achieve the objectives of the Convention. The Commission expressed its support for, and endorsed, the preparation of proposals for future workshops for consideration in 2011.

8.22 In addition, Argentina pointed out that activities like this one constitute a clear and effective way of engaging Third Party States in cooperative procedures with CCAMLR and are a step forward in the better achievement of the objectives of the Convention.