

IMPLEMENTATION AND COMPLIANCE

8.1 The SCIC Chair, Ms K. Dawson-Guynn (USA), reported to the Commission on the work of SCIC in relation to compliance with conservation measures, the development of a compliance evaluation procedure (DOCEP), the CDS, IUU fishing in the Convention Area and consideration of progress made in respect of recommendations contained in the Performance Review.

Compliance with conservation measures in force

System of Inspection

8.2 The Commission noted advice from SCIC that no cases of non-compliance with conservation measures had been reported as a result of any at-sea inspections undertaken under the System of Inspection. The Commission also noted that Members were encouraged to actively participate in the System of Inspection where possible and report the results back to the Commission.

Tagging program (CM 41-01, Annex C)

8.3 The Commission noted the advice of SCIC that all vessels, except the Korean-flagged *Hong Jin No. 707*, participating in exploratory fisheries in Subarea 88.2 during 2010/11 had achieved the required minimum tagging rate, and all vessels achieved the required tag overlap statistic.

Environmental and mitigation measures

8.4 The Commission noted advice from SCIC that eight vessels were reported not to have complied with all the requirements of CMs 25-02 and 26-01 in 2010/11. SCIC considered responses by the Flag States concerned, noting that in almost all cases the reports had been investigated and no violations had been found to have occurred. In two cases, Members were required to provide additional information and resubmit reports to the Commission.

8.5 The Commission also noted advice from SCIC that no reports of non-compliance with CM 25-02 had been recorded during 2010/11 for those vessels operating in Subarea 48.3. Therefore, all vessels that operated in this area in 2010/11 could be potentially eligible to be granted a licence extension in 2011/12.

8.6 The Commission noted advice from the Scientific Committee that SCIC consider amending conservation measures to prohibit vessels from using gear types other than those specified in a notification.

Compliance evaluation procedure

8.7 The Commission noted the advice of SCIC that significant progress had been made in refining DOCEP and that CCAMLR was in a position to develop a compliance evaluation procedure to be put forward as a draft conservation measure for possible adoption at CCAMLR-XXXI. One Member noted that a compliance evaluation procedure would have been of significant value to the Commission in 2011 in considering the case of the *Insung No. 7* and urged that work on DOCEP be advanced with some urgency.

8.8 Some Members expressed disappointment that the Commission was not able to adopt a compliance evaluation procedure at this stage and urged Members to engage with Australia in the 2011 /12 intersessional period.

8.9 The Commission thanked Australia for its work to progress the development of a compliance evaluation procedure and echoed SCIC's advice that Members actively engage with Australia to contribute to intersessional work toward drafting a conservation measure for consideration by CCAMLR in 2012.

Catch Documentation Scheme

8.10 The Commission noted the advice of SCIC that Singapore had been non-responsive to communications from the Secretariat and Members, and that Singapore had not taken appropriate action to fully implement the CDS. The Commission noted with concern that ports in Malaysia and Singapore continue to be used by IUU-listed vessels and Singapore had again been silent on this issue. The Commission noted the importance CM 10-05, Annex C, and endorsed the advice of SCIC that the list of NCPs not cooperating with CCAMLR's CDS should be made public on the CCAMLR website.

8.11 The EU pointed to the fact that the procedure outlined in Annex C of CM 10-05 needs to be followed closely in order to encourage cooperation with CCAMLR in the implementation of the CDS by NCPs involved in toothfish trade. In this respect, the Secretariat should ensure that it communicates with NCPs involved in toothfish trade in due time to enable sufficient response time before the annual meeting of the Commission. At the annual meeting, in accordance with Annex 10-05/C, paragraph C8, the Commission should review the status granted to each NCP, following the advice from SCIC. The list of NCPs cooperating and non-cooperating with CCAMLR's CDS should be made public on the CCAMLR website. The EU reiterated that the lack of cooperation of NCPs with CCAMLR's CDS represents a significant loophole in the system and these shortcomings need to be addressed in order to more effectively combat IUU.

8.12 The Commission endorsed SCIC's recommendation that Singapore's status as an NCP cooperating with CCAMLR by participating in the CDS be revoked. The Commission requested that the Chair write to Singapore in relation to this matter.

8.13 Although the Commission currently has no formal relationship with Malaysia, it was noted that Malaysia had recently acceded to the Antarctic Treaty. The Commission requested the Chair to write to the Antarctic Treaty Secretariat to outline CCAMLR's efforts in engaging with Malaysia to combat IUU fishing and prevent fishing vessels that undermine

CCAMLR's conservation measures from using Malaysian ports, and encourage active collaboration with CCAMLR by Malaysia. The letter will request that the matter be formally raised with Malaysia at the next opportunity.

8.14 The Commission noted the advice of SCIC that Hong Kong Special Administrative Region (SAR) was reviewing internal policies and procedures in preparation for the possible implementation of the CDS which China estimated would take about two years to complete, and that Hong Kong SAR was considering the application of the CAMLR Convention. The Commission noted this progress and encouraged China to continue its work on the implementation of the CDS in Hong Kong SAR.