

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

**REPORT OF THE FORTIETH MEETING
OF THE COMMISSION**

**VIRTUAL MEETING
18 – 29 OCTOBER 2021**

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Abstract

This document is the adopted record of the Fortieth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources held online, from 18 to 29 October 2021. Major topics discussed at this meeting included: implementation of the objective of the Convention and a Declaration on the Occasion of the Fortieth Meeting of the Commission; compliance with conservation measures in force and illegal, unreported and unregulated fishing in the Convention Area; the Report of the Fortieth meeting of CCAMLR's Scientific Committee; research proposals, the management of toothfish, icefish and krill fisheries and the impact fishing activities on non-target species; spatial management; climate change; budget and administrative matters; and cooperation with other international organisations, including within the Antarctic Treaty System.

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Report of the Fortieth Meeting of the Commission
(Annual meeting conducted virtually, 18 to 29 October 2021)

Opening of the meeting

1.1 The Fortieth Annual Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR-40) met online from 18 to 29 October 2021. It was chaired by Dr J. Granit (Sweden).

1.2 The following Members of the Commission were represented: Argentina, Australia, Belgium, Brazil, Chile, People's Republic of China (China), European Union (EU), France, Germany, India, Italy, Japan, Republic of Korea (Korea), the Kingdom of the Netherlands (Netherlands), New Zealand, Norway, Poland, Russian Federation (Russia), South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland (UK), United States of America (USA) and Uruguay. Namibia did not attend the meeting.

1.3 The following contracting Parties were represented as Observers: Canada, Cook Islands, Finland and Panama.

1.4 The following non-Contracting Parties (NCPs) were represented as Observers: Ecuador, Iran and Thailand.

1.5 The following Observers were represented: the Agreement on the Conservation of Albatrosses and Petrels (ACAP), the Association of Responsible Krill harvesting companies (ARK), the Antarctic and Southern Ocean Coalition (ASOC), the Antarctic Treaty Secretariat, the Committee for Environmental Protection (CEP), the Coalition of Legal Toothfish Operators (COLTO), the Council of Managers of National Antarctic Programs (COMNAP), INTERPOL, the International Union for Conservation of Nature (IUCN), Oceanites Inc., Scientific Committee on Antarctic Research (SCAR) and the Southern Indian Ocean Fisheries Agreement (SIOFA).

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

1.7 The Chair welcomed all participants to the meeting and introduced Her Excellency, the Honourable Barbara Baker AC, the Governor of Tasmania, who delivered the opening address (Annex 3).

1.8 On behalf of the meeting, Mr M. Gowland (Vice-Chair, Argentina) thanked the Governor for her welcome.

1.9 The Commission noted that Brazil was more than two years in arrears in respect of its budgetary contributions to the organisation. While Brazil was welcome to participate in discussions at CCAMLR-40, pursuant to Article XIX of the Convention the Commission agreed it would not be entitled to block a consensus decision of other Members. Brazil stated that it recognised this and that it is making its best efforts to rectify the situation.

Organisation of the meeting

Adoption of agenda

2.1 The Chair noted that, considering the modality of the annual meeting being online given the continuing pandemic, the Heads of Delegations on 17 October 2021 had concluded that ad hoc guidelines, as distributed in COMM CIRC 21/134, be added to the provisional agenda as a new item.

2.2 China and Russia noted their concern that the technical aspects of the annual meeting, including problems of connectivity, time zones and limited meeting time, would make it difficult to hold the complicated discussions necessary for some agenda items. They indicated their preference not to discuss these items substantively and requested that the meeting be referred to as a virtual meeting.

2.3 The agenda, as amended, was **adopted** by the meeting (Annex 4).

Ad hoc guidelines

2.4 The Chair introduced the additional item on the adopted agenda of the meeting as consideration of the ad hoc guidelines. China reiterated that the meeting was a virtual meeting and that the ad hoc guidelines should note under ‘report preparation’ that a range of views in the meeting should be reflected per the Rules of Procedure. Revised ad hoc guidelines were drafted in plenary.

2.5 The revised ad hoc guidelines were **adopted** by the meeting as ‘Ad hoc guidelines for the annual meetings, being conducted virtually, of CCAMLR-40’ (Annex 5). These ad hoc guidelines are complementary to the Rules of Procedure. The meeting website was updated to reflect that the annual meeting of CCAMLR-40 would be conducted virtually.

Status of the Convention

2.6 Australia, as the Depositary State, noted that there had been no changes to the status of the Convention since the last meeting of the Commission.

Chair’s report

2.7 The Chair provided a brief report on the activities of the Commission during the last 12 months (Annex 6).

Implementation of Convention objectives

Objectives of the Convention

3.1 The Commission considered CCAMLR-40/24, submitted by Chile, providing a summary of discussions held on the ‘Objective of the Convention’ e-group, with contributions from nine Members. The e-group developed recommendations to progress CCAMLR’s work on key issues such as climate change, marine protected areas (MPAs), illegal, unreported and unregulated (IUU) fishing, progress in the Scientific Committee, and rational use. The document also proposed a draft declaration to reinforce the objective of the Convention in recognition of the milestone of CCAMLR’s 40th anniversary.

3.2 The Commission thanked Chile for its proactive leadership and the efforts made by the e-group to recognise the achievements of CCAMLR on this 40th anniversary and to develop the declaration to demonstrate cooperation among Members to achieve the objective of the Convention.

3.3 Many Members supported the recommendations to establish a Scientific Committee climate change working group or to hold special workshops to progress these issues.

3.4 Many Members called for an ambitious declaration addressing the challenges facing CCAMLR going forward, such as climate change and biodiversity loss, while building on achievements to date, in particular in the area of spatial management.

3.5 China noted that the e-group discussion has not discussed the objective of the Convention but focused on the specific issues already discussed in current agenda items. Some Members considered that the objective and principles set out in Article II of the Convention as the foundation of work of the Commission, and the specific recommendations arising from the e-group discussion, require additional assessments on the scientific basis.

3.6 The Commission considered CCAMLR-40/25, submitted by China. China noted that the function of CCAMLR shall be to give effect to the objective and principles set out in Article II of the Convention, and recalled that the ATCM working group on marine living resources in 1977 made it clear that the wording ‘conservation includes rational use’ should be construed as ‘harvesting would not be prohibited’ (ATCM-IX, paragraph 10). The paper noted that in the past 40 years, CCAMLR has defined rational use for operational purposes and summarised the elements for conservation principles, adopted an ecosystem approach and precautionary approach to management in which data collection is a centrepiece, and developed systematic measures for the conservation of krill and finfish within its mandate. The paper noted that in the context of climate change, CCAMLR needs to adapt to the potential changes on the basis of its previous agreements and practices, and dealt with the emerging issues such as climate change, biodiversity conservation, MPAs and combating IUU fishing within the framework of the Convention focusing on the management of harvesting and related activities.

3.7 The Commission noted that in Article II of the Convention, the objective is conservation, and that conservation includes rational use, and that the work of the Commission should prioritise key issues and develop approaches using the best scientific evidence available.

3.8 Some Members noted that the approaches to achieving the objective of the Convention should be addressed by appropriate forums, and that some issues focused on the use of a particular tool rather than considering all approaches to address the issues.

3.9 Some Members noted that they did not see the need for a hierachal approach to the work of the Commission. They further noted that the analysis of the toothfish longline fishery in Division 58.4.1 presented in CCAMLR-40/25 did not include all relevant information on that fishery and was not methodologically sound, and reaffirmed that fishing in that division has been managed according to the best available science and CCAMLR's precautionary and ecosystem-based approaches.

3.10 The Commission **adopted** a Declaration on the occasion of its fortieth annual meeting to reaffirm its commitment to achieving the objective of the Convention (Annex 7).

Implementation and compliance

Advice from SCIC

4.1 The Chair of the Standing Committee on Implementation and Compliance (SCIC), Ms M. Engelke-Ros (USA), presented the SCIC-2021 report (Annex 8). The Commission noted that no nominations for a SCIC Vice-Chair have been received. Many Members acknowledged the work of the Chair in challenging circumstances and thanked her for her efforts.

Review of compliance and implementation-related measures and systems

4.2 The Commission noted the discussion of SCIC on compliance and implementation-related measures (SCIC-2021, paragraphs 4 to 36).

4.3 The Commission noted that SCIC did not reach agreement on the recommendations in the transhipment implementation report (CCAMLR-40/16). China recalled that divergent views were expressed during the SCIC meeting and highlighted that these views should be reflected in a balanced way in the Commission report. To this end, China referred to SCIC-2021, paragraph 19, which noted that, in China's view, the recommendations involved technical and legal issues requiring changes to Conservation Measure (CM) 10-09 and it would assist the work of SCIC if future recommendations included specific text changes to the conservation measure to ensure an efficient discussion.

4.4 The USA referred to the recommendation in CCAMLR-40/16 related to the non-Contracting Party (NCP) engagement strategy. The USA further noted that the current NCP engagement strategy covers the 2020–2022 period, and thus would need to be reviewed and updated next year. The USA suggested that, for that review, the Commission consider expanding the application of the strategy from the current focus on toothfish to include Antarctic krill.

4.5 Some Members noted that a more consistent approach to the application of conservation measures across all fisheries was important and that this expansion would be one area where CCAMLR should work to have consistent standards and approaches across all its fisheries.

4.6 The Commission noted that SCIC did not reach agreement on the recommendations in the vessel monitoring system (VMS) implementation report (CCAMLR-40/17). Some Members recalled SCIC-2021, paragraph 11, noting that one of the recommendations would imply the regulation of activities outside the Convention Area and this could not be supported. The USA recalled SCIC-2021, paragraph 12, noting that during the intersessional period the Secretariat will undertake a trial for the automation of VMS movement notifications with Members participating on a voluntary basis.

4.7 Many Members thanked the Secretariat for its proposals to SCIC and noted that they contained very useful recommendations to improve the effectiveness of conservation measures. Many Members expressed their disappointment at SCIC not being able to agree on the Secretariat's recommendations. Many Members encouraged all Members to work collectively with the Secretariat in the intersessional period to improve conservation measures, including through voluntary participation in the movement notification trial and VMS survey. They further encouraged the Secretariat to continue to identify areas for improvement for consideration by the Commission.

Proposals for new and revised conservation measures

4.8 The Commission noted SCIC's consideration of a number of proposals to amend conservation measures (SCIC-2021, paragraphs 37 to 39) and endorsed the proposed amendments to CM 10-05 (see also paragraph 9.5).

4.9 China and the USA thanked Russia for its comments on the management procedures for toothfish fisheries in Subareas 88.1 and 88.2 (CCAMLR-40/29) with China noting it was concerned with the persisting existence, and potential detrimental consequence, of late gear retrieval.

4.10 The USA expressed its support for the EU's recommendation to amend CM 26-01, noting that the proposal was in accordance with Article IX of the Convention and is complementary to measures taken by the International Maritime Organization (IMO) to address ship-sourced pollution. Russia recalled its view, noted in SCIC-2021, paragraph 26, of the role of CCAMLR and the IMO in relation to the MARPOL Convention.

CCAMLR Compliance Report

4.11 The Commission considered the compliance table as presented in SCIC-2021, Appendix I, noting that SCIC did not come to a conclusion on all matters in the Summary CCAMLR Compliance Report and was therefore unable to adopt a Provisional CCAMLR Compliance Report as per CM 10-10, paragraph 3.

4.12 The Commission noted that the thorough compliance assessment indicated an overall high level of compliance by Contracting Parties, with compliance rates greater than 92% in most assessments.

4.13 Many Members expressed their disappointment with the failure of SCIC to adopt the Provisional CCAMLR Compliance Report. Many Members recalled SCIC-2021, paragraph 93, emphasising that SCIC should always be focused on building a positive compliance process focused on follow-up actions where there is a need to resolve issues.

4.14 Many Members noted that the failure to adopt the Provisional CCAMLR Compliance Report was partly due to time restrictions and divergent views on working beyond agreed schedules.

4.15 Many Members noted that the e-group discussions on compliance issues held in advance of CCAMLR-40 proved a useful forum for resolving questions and providing further information. These Members considered that broader participation in the e-groups could make the compliance evaluation procedure (CCEP) discussion during SCIC more efficient.

4.16 Russia noted that several Contracting Parties did not provide a response to their respective draft compliance reports as per CM 10-10, paragraph 1(iii), and that this contributed to the failure to adopt a Provisional CCAMLR Compliance Report.

4.17 Many Members noted that the compliance evaluation procedure is an essential part of CCAMLR's work and that CCAMLR has devoted a substantial amount of time and effort to develop a robust CCEP. These Members noted that they view the compliance report as an important tool to improve overall compliance and adherence to CCAMLR conservation measures, for both the industry and fisheries authorities. They also noted that identifying improvements to conservation measures is a key component of the procedure.

4.18 China recalled its view, suggested during SCIC, that non-compliance events should be sorted into separate technical issues from substantive legal issues and noted that intersessional discussions on CM 10-10 could make some contribution in this regard. In respect of the e-group discussions on compliance that have taken place in 2020 and 2021, China indicated that this practice was a result of the virtual meeting format and that e-groups are informal.

4.19 The Commission noted with thanks that Korea has volunteered to chair an intersessional e-group discussion on improving the effectiveness of the CCEP process and development of proposals to improve CM 10-10.

4.20 China referred to CCAMLR-39, paragraph 3.42, which underscored the importance of following the procedures set out in CM 10-10 to adopt a 2021 compliance report this year. Given the essential role of the CCEP procedure for CCAMLR, China suggested that the Commission make a decision in which the Commission adopts a 2021 compliance report even without a Provisional Compliance Report or just leave the Summary Compliance Report as it was.

4.21 The Commission confirmed that it had noted SCIC-2021, Appendix I.

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

4.22 SCIC considered the 2021/22 Provisional NCP-IUU Vessel List. Noting the information distributed by Panama in COMM CIRCs 21/05 and 21/14, SCIC agreed to move the *Nika* from the CP-IUU Vessel List to the NCP-IUU Vessel List.

4.23 The Commission noted the request from Iran to SCIC to remove the *Koosha 4* from the NCP-IUU Vessel List. The Commission **agreed** to the recommendation of SCIC to permit an intersessional decision to be made on the potential removal of the *Koosha 4* subject to criteria in CM 10-07, paragraph 18, being met (SCIC-2021, paragraph 114). The Commission noted that the recommendation is conditional on additional information being provided by Iran 30 days from the end of the CCAMLR meeting, the information meeting the criteria for delisting under CM 10-07, paragraph 18, and consensus being reached, pursuant to Rule 7 of the Commission's Rules of Procedure.

4.24 The Commission **adopted** the 2021/22 NCP-IUU Vessel List (SCIC-2021, Appendix II) with the inclusion of the *Nika* and the changes to the registrations of the *Baroon* and the *Asian Warrior*.

4.25 The Commission considered the 2021/22 Provisional CP-IUU Vessel List and noted that the South African-flagged *El Shaddai* was included, based on information that the vessel fished in Subarea 58.7 outside the South African exclusive economic zone (EEZ) during 2015 and 2016 as outlined in COMM CIRC 21/92.

4.26 South Africa recalled its response in COMM CIRC 21/93 and noted that a formal investigation is currently underway, including a criminal investigation into the conduct of the master and the operator, but that the investigation has not been finalised.

4.27 The Commission **adopted** the 2021/22 CP-IUU Vessel List (SCIC-2021, Appendix III) with the inclusion of the *El Shaddai*.

4.28 The Commission **agreed** to the SCIC recommendation to permit an intersessional decision to be made on the removal of the *El Shaddai* from the CP-IUU Vessel List subject to criteria in CM 10-06, paragraph 14, being met (SCIC-2021, paragraph 121).

4.29 Argentina noted that the beneficiaries of some IUU fishing conveyed in the CP-IUU Vessel List and Summary Compliance Report appear to be nationals of Members. The Commission recalled that Contracting Parties should take action against their nationals benefitting from illegal activities as prescribed by CM 10-08.

CDS and Compliance Fund expenditures

4.30 The Commission noted that the CDS Fund Review Panel was convened to consider the three proposals for expenditure of funds from the CDS Fund by the Secretariat as provided in CCAMLR-40/14. The CDS Fund Review Panel consisted of Argentina, Australia, Korea, New Zealand, the UK and the USA.

4.31 The Commission **agreed** to the recommendation of SCIC in respect of these proposals (SCIC-2021, paragraph 130), noting that SCAF had approved only the first year of funding for the electronic web-based CDS (e-CDS) upgrade pending a review in 2022 (SCAF-2021, paragraph 41), and the proposal for a monitoring, control and surveillance (MCS) workshop (SCIC-2021, paragraph 133).

Administration and Finance

Advice from SCAF

5.1 The Chair of the Commission invited the Chair of the Standing Committee on Administration and Finance (SCAF), Ms S. Langerock (Belgium), to present the report of SCAF-2021 (Annex 9).

5.2 The Commission **endorsed** the advice of SCAF and accepted the Audited Financial Statements (SCAF-2021, paragraph 3).

5.3 The Commission **endorsed** the advice of SCAF in respect to the report of the Secretariat (SCAF-2021, paragraphs 4 to 18) and **adopted** the English and Spanish versions of its Rules of Procedure, and noted and approved the changes to the Scientific Committee Rules of Procedure, to make them gender inclusive.

5.4 The Commission **endorsed** the advice of SCAF regarding capacity building (SCAF-2021, paragraphs 19 to 27) and **adopted** the terms of reference for the General Science Capacity Fund (CCAMLR-40/02). The Commission noted Ms C. Mulville (Argentina) and Ms T. Molina (Spain) had been elected to join the GCBF Panel; the other members of the panel remain for another mandate.

Review of the 2021 budget, 2022 budget and forecast budget for 2023

5.5 The Commission **adopted** the revised 2021 budget, the 2022 budget as amended by SCAF and the forecast budget for 2023 (SCAF-2021, paragraphs 28 to 47).

5.6 One Member noted that there was no consensus in the SCAF meeting (SCAF-2021, paragraph 40) on the Scientific Committee's request for funding a proposed workshop to review CCAMLR's decision rules in toothfish fisheries (SC-CAMLR-40, paragraph 9.3). Many Members noted that the funds are available and the Commission thanked COLTO and ASOC for the offer of financial support for such a workshop, reflecting that any workshop would require funding for the invitation of external experts.

5.7 The Commission noted that the establishment of a workshop is a matter for the Scientific Committee to organise following its normal processes, and encouraged the Scientific Committee Chair to work intersessionally to facilitate the progression of a CCAMLR decision rules workshop.

Other business

5.8 The Chair of SCAF noted that SCAF does not have a Vice-Chair and is still looking for expressions of interest. She thanked the Secretariat for its support and thanked all Members for their cooperation.

5.9 The Commission thanked the Chair of SCAF for the efficient manner in which SCAF conducted its business and invited Members to express interest in the position of Vice-Chair.

Management of marine resources

6.1 In the 2020/21 season (up to 31 July 2021), 13 CCAMLR Members participated in fisheries and research targeting icefish, toothfish and krill. Members reported a total catch of 320 014 tonnes of krill, 9 265 tonnes of toothfish and 360 tonnes of icefish from the Convention Area (SC-CAMLR-40/BG/01).

6.2 The Commission noted the summary of fishery notifications for 2021/22 provided in CCAMLR-40/BG/03 Rev. 1, indicating that: (i) no notifications for new fisheries under CM 21-01 had been submitted, (ii) a total of 11 Members (27 vessels) had submitted exploratory fishery notifications for toothfish, (iii) a total of five Members (13 vessels) had submitted established fishery notifications for krill, and (iv) three Members had submitted research plans pursuant to CM 24-01.

6.3 The Commission noted CCAMLR-40/BG/14, submitted by Ecuador, which reported on a research fishery for Patagonian toothfish (*Dissostichus eleginoides*) in Ecuador, outside the Convention Area. It noted that the Secretariat will translate this document in the near future.

6.4 The Commission considered CCAMLR-40/28, submitted by Russia, proposing the Commission review the procedural and implementational aspects of Antarctic toothfish (*Dissostichus mawsoni*) fisheries classifications in the regulatory framework and establish the status of existing fisheries (to clarify fishery nomenclature). Russia believed the outcome of the first stage should be a CCAMLR regulatory framework approved by the Commission in its entirety, including the procedural and implementational aspects of fisheries classification. The outcome of stage two should be a status allocated to each existing fishery in the Convention Area as approved by the Commission.

6.5 The Commission encouraged Members to work collaboratively to clarify the regulatory framework intersessionally in the ‘Regulatory Framework and clarification on fisheries nomenclature’ e-group. It noted that some progress has been made on this subject since the Commission last considered it (CCAMLR-38, paragraph 5.34). The Commission further noted the need to avoid disruption to the collection of scientific data during the transition of a fishery from one type to another.

6.6 Most Members did not agree with Russia’s proposal to close all established fisheries in the Convention Area as well as exploratory fisheries in Subarea 48.6 and Divisions 58.4.1 and 58.4.2 until CCAMLR has reviewed definitions of fisheries and their criteria. They noted that those fisheries are currently managed using the best available science and following CCAMLR’s long-standing processes and procedures for stock assessment and review, as well as CCAMLR’s established decision rules and precautionary approach to management.

Advice from the Scientific Committee

6.7 The Chair of the Scientific Committee, Dr D. Welsford (Australia), presented the report of the Scientific Committee (SC-CAMLR-40). The Commission noted that a complete report

adoption was precluded by the short time allocated to the Scientific Committee's deliberations. The Commission congratulated Dr Welsford for his re-election and thanked him for his continuing leadership of the Scientific Committee.

6.8 One Member noted that the presence of unadopted paragraphs in the Scientific Committee report was indicative that the format of its meeting was not effective. Some Members noted that despite the time constraints and the presence of some unadopted paragraphs in the report, the Scientific Committee and its working groups had successfully generated advice, based on the best available science, to the Commission.

6.9 The Commission noted the discussions of the Scientific Committee on improvements to data collection forms, manuals and procedures, along with workshops for training and communication of best practices in CCAMLR fisheries (SC-CAMLR-40, paragraphs 3.29 to 3.37).

Krill resources

6.10 The Commission noted the work conducted by the Scientific Committee and the collaborations across the working groups on the revision of the krill management approach, resulting in an updated krill management approach work plan (SC-CAMLR-40, paragraphs 3.24 and 3.25).

6.11 The Commission noted that some Members considered that a revision of CM 51-01 will be required to fully implement the new krill management procedure in Subarea 48.1, and noted the advice of the Scientific Committee to rollover CM 51-07 for one year to provide time to consolidate the revision of the krill management approach in Subarea 48.1, with additional time needed to provide advice on other subareas (SC-CAMLR-40, paragraphs 3.27 and 3.28).

6.12 The Commission **agreed** to extend CM 51-07 to apply for one additional year.

6.13 The Commission noted with appreciation the ongoing work of the Scientific Committee on the spatial and temporal concentration of the krill fishery and on the mitigation of the incidental mortality associated with the fishery. Some Members underscored the importance of reviewing all conservation measures related to the krill fishery to bring a consistent level of management across CCAMLR fisheries.

6.14 The Commission noted the advice from the Scientific Committee on CM 51-07 (SC-CAMLR-40, paragraph 3.13; WG-EMM-2021, paragraph 2.66), and **endorsed** its work plan of providing advice on the revision of CM 51-07 next year and further refinement within one or two years. It further noted the need to set out work priorities for the Scientific Committee to ensure the provision of advice to the Commission next year.

6.15 One Member noted that the development of new krill management procedures in Subarea 48.1 clearly demonstrated the wide scope of scientific information needed. Considerably more data are available in Subarea 48.1 than in Subareas 48.2 to 48.4. That Member therefore noted that it is necessary to develop proposals for conducting appropriate krill resource studies in Subareas 48.2 to 48.4 based on standardised data collection and processing procedures (SC-CAMLR-40, paragraph 3.16). Russia has resumed its krill resource surveys in 2020 to provide data for use in the krill fishery management approach.

6.16 The Commission noted SC-CAMLR-40/BG/18, submitted by Russia, CCAMLR-40/BG/10 and BG/11, submitted by ASOC and SC-CAMLR-40/BG/16, submitted by ARK.

Fish resources

Icefish

6.17 The Commission **endorsed** the advice of the Scientific Committee on catch limits for mackerel icefish (*Champscephalus gunnari*) in Subarea 48.3 and Division 58.5.2 in 2021/22 and 2022/23 (SC-CAMLR-40, paragraphs 3.40 and 3.43).

Toothfish

6.18 The Commission noted the discussions of the Scientific Committee on the fishery for *D. eleginoides* in Subarea 48.3 (SC-CAMLR-40, paragraphs 3.45 to 3.66), including the contributions of SC-CAMLR-40/15 and SC-CAMLR-40/BG/08, and its recommendation of a workshop to evaluate CCAMLR's precautionary approach and decision rules as implemented across all toothfish stocks (SC-CAMLR-40, paragraph 3.63).

6.19 Most Members noted that the Scientific Committee's advice regarding this fishery (SC-CAMLR-40, paragraph 3.61) was based on the best available science and the resulting catch limits were consistent with both the CCAMLR decision rules and the established CCAMLR procedures. Many Members supported the Scientific Committee's recommendation of a workshop to evaluate CCAMLR's precautionary approach and decision rules implemented across all toothfish stocks (SC-CAMLR-40, paragraph 3.63).

6.20 Many Members voiced their concerns at the unprecedented situation where for the first time the catch limit for an established fishery was blocked, and the Commission was not adhering to its commitment to utilise the best scientific evidence available in its decision-making. They supported the Scientific Committee's proposal for an external peer review of SC-CAMLR-40/15 to identify any issues and review the methodologies used to reach the conclusions, consistent with the scientific peer-review process (SC-CAMLR-40, paragraph 3.64). Many Members also emphasised the negative impacts this outcome will have on CCAMLR and the integrity of the Antarctic Treaty System itself.

6.21 The Commission could not agree on a catch limit for the fishery for *D. eleginoides* in Subarea 48.3. Many Members voiced their concerns during plenary.

6.22 The UK made the following statement:

'Russia is blocking consensus for a catch limit for Patagonian toothfish fishery in Subarea 48.3, based on the same arguments put forward by the scientific members of its CCAMLR delegation since 2018. These arguments have been comprehensively rejected by all other scientists at the Statistics, Assessment and Modelling and Fish Stock Assessment working groups, and the CCAMLR Scientific Committee, both in 2019 and again this year (SC-CAMLR-38, paragraphs 3.66 to 3.71, SC-CAMLR-40, paragraphs 3.45 to 3.60).

Russia's papers on this fishery have been shown to be based on a collection of limited old data that was not collected in a consistent or standardised way, and which the Scientific Committee working groups have noted have not been analysed with statistical or scientific rigour. Russia has refused to have these papers peer reviewed and have blocked an intersessional workshop this year to consider the CCAMLR management approach more widely.

Russia eventually agreed to the catch limit in 2019, having used its position as leverage for its other objectives for that meeting, but this year it has sought only to pursue its agenda, as set out in its paper CCAMLR-40/28 to seek the closure of fisheries in which it is not participating.

There are parallels with Russia's blocking fisheries research activity in Division 58.4.1, which is also justified on the basis of an opinion of the Russian Delegation. Russia's block on consensus in these fisheries, contrary to the best scientific evidence available, is political and arguably inconsistent with their obligations under Article IX of the CAMLR Convention.

Russia's block on a scientifically determined catch limit for the toothfish fishery in Subarea 48.3, contrary to the management advice from the Scientific Committee (SC-CAMLR-40, paragraph 3.61), marks the first time in CCAMLR's 40-year history that an established fishery has been completely blocked, and it results in a failure of CM 31-01.

CCAMLR has had a long and proud track record of providing a clear framework for a consistent and highly precautionary scientific process to determine catch limits that ensure delivery of the Convention objective, whilst providing for rationale use. The toothfish fishery in Subarea 48.3 has been extensively reviewed both by CCAMLR and independent experts and has been characterised as one of the most sustainable fisheries in the world. Many Members have participated in this fishery over the past few decades and their collective commitment to sustainability has seen innovations by those operating in Subarea 48.3 that have subsequently been adopted across all CCAMLR toothfish fisheries.

CCAMLR is an intrinsic part of the Antarctic Treaty System, and CCAMLR Members are all bound by the principles and purposes of the Antarctic Treaty. This framework has at its heart science-based decision-making, international cooperation and consensus-building. Russia's actions bear no resemblance to this framework and shake the very foundations of the Treaty System. Russia's actions also have no regard for, and indeed seem to deliberately provoke, issues that are highly sensitive for a number of Members. Issues that a mutual and collective commitment to the principles of basing decisions on the best scientific evidence available had enabled CCAMLR to effectively function, despite underlying differences. Russia's actions wilfully unleash an uncertainty in this regard to which it must bear full responsibility. This year and into the future.

In light of this outcome, the UK will consider its next steps to protect its interests in Subarea 48.3, consistent with the CAMLR Convention and in accordance with its rights and responsibilities under the Convention and relevant international law. It is deeply

regrettable that we have reached this position. We each have a collective responsibility to make the Antarctic Treaty and CCAMLR work. I will ask all Members to consider how they might assist in resolving an impasse that harms all our interests.'

6.23 Argentina made the following statement:

'Argentina notes with grave concern the situation in which we find ourselves as a Commission in view of the discussion which took place regarding Subarea 48.3. We will carefully analyse the implications that may derive from this situation.

In relation to this issue Argentina wishes to recall its position which is well known in this Commission.

The Malvinas, South Georgias, and South Sandwich Islands and the surrounding maritime spaces are an integral part of the Argentine national territory and are illegally occupied by the United Kingdom of Great Britain and Northern Ireland, being the subject of a sovereignty dispute between both countries. This sovereignty dispute has been recognised *inter alia* by the United Nations and the Organization of American States, which through numerous resolutions and declarations have urged both countries to resume negotiations to find, as soon as possible, a peaceful and definitive solution to the dispute.

The Argentine Republic does not recognise the alleged illegitimate authorities of the Malvinas Islands, or of the South Georgias and South Sandwich Islands, and firmly rejects any initiative or attempt to make them appear internationally with a character they do not have.

Argentina recalls once again that in Statistical Subareas 48.2, 48.3 and 48.4 only the multilateral system of this Convention is legally applicable. Therefore, all unilateral actions or measures taken or to be taken by the aforementioned illegitimate authorities in those territories and maritime spaces are illegal and not valid.

The Argentine Republic reaffirms its sovereign rights over the Malvinas Islands, South Georgias, the South Sandwich Islands and the surrounding maritime areas.'

6.24 The United Kingdom made the following statement:

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

The UK also reiterates its views expressed on many previous occasions that we remain wholly committed to the principles and objectives of CCAMLR. We will continue to ensure that the highest standards of fisheries management are implemented in our jurisdictional waters, through the imposition of tough measures that are in line with, and back up, the provisions of CCAMLR.'

6.25 Argentina rejected the statement from the UK.

6.26 New Zealand made the following statement:

'In response to the United Kingdom's statement, New Zealand is also deeply concerned that we find ourselves in this unprecedented situation. We recall that the Scientific Committee's advice to the Commission regarding this fishery (SC-CAMLR-40, paragraph 3.61) is based on the best available science, and the resulting catch limits are consistent with both the CCAMLR decision rules and established CCAMLR procedures.

Many good options have been mooted to resolve and move forward on this issue including:

- an independent peer review of Russia's paper SC-CAMLR-40/15;
- recommendations to Russia to revise that paper to further take into account feedback from the Scientific Committee;
- a workshop for further discussion among scientists on decision rules to attend to some of the concerns that have been raised; and
- overnight, scientists have been running models increasing the level of precaution in the stock assessment models, and the results of those stock assessments do not substantially change the numbers.

For New Zealand, accepting anything other than the best available science, as we have before us for CM 41-02 (Subarea 48.3), would be to go against our modelling frameworks and our stock assessment framework which are internationally recognised as world leading and peer reviewed, in favour of the objection of one Member based on one paper that has not been supported by the Scientific Committee, that does not have a refutable hypothesis, and has been repeatedly rebutted in the last three meetings of the Scientific Committee, and without substantial amendment.

It would substantially undermine CCAMLR's science basis and integrity to reject the best available science.

At this meeting, one Member has also blocked the continuation of research in Division 58.4.1 on the basis of a science position that is not supported by the Scientific Committee, and this is also concerning. We also note that there were discussions and creative ideas on finding a way forward on this issue in the Scientific Committee meeting that were also not progressed.

We want to underline the importance of the Scientific Committee maintaining its world leading standards, and that all scientists in that Committee bring refutable hypotheses only, and undertake to continue their best efforts to reach agreement.

New Zealand strongly urges the membership to find a way forward on this issue. This is an issue for all Members; this is not a bilateral issue. Rather it goes to the heart of the Convention. It is critical that we work hard in the time we have available to reach a solution here that does not undermine the best available science, our precautionary approach, the Convention, the Antarctic Treaty System, and perhaps most importantly the spirit of cooperation on which our work is founded.'

6.27 Australia made the following statement:

‘Australia is disappointed that CCAMLR appears to have not been able to reach a science-based outcome on catch limits for the toothfish fishery in Subarea 48.3. Australia reiterates that the stock assessment presented to CCAMLR by the UK is based on the CCAMLR decision rules, consistent with the provisions of the Convention and its conservation principles. We want to further recall that this fishery underwent an independent review of the stock assessment in 2018 that was accepted by the Scientific Committee.

Australia considers that the UK has made all efforts to reach consensus, on the basis of best available science, and has sought to negotiate to take account of any compelling scientific basis or conservation concerns. We believe consensus could not be reached due to non-scientific arguments by one Member.

We again emphasise the importance of science-based decision making, and utilising the best available science to inform management decisions. We thank the UK and other Members who worked hard to reach consensus on this issue.

We urge all Members to recall, and reflect, on the importance of protecting the integrity of CCAMLR as an integral part of the Antarctic Treaty System as reflected in the declaration we have agreed at this meeting.’

6.28 The EU made the following statement:

‘The EU regrets that due to the opposition of one Member, it was not possible to agree on catch limits for Patagonian toothfish (*D. eleginoides*) in Subarea 48.3 for the 2021/22 season. The long-standing procedures to assess toothfish stock status are now being challenged by the particular view of one delegation in the Scientific Committee; a view that is inconsistent with well-established scientific methods.

The EU notes that the catch limits proposed for Subarea 48.3 (and other areas) are precautionary. They are based on best available science and consistent with CCAMLR decision rules and established CCAMLR procedures. In short, there is no scientific basis for closing the fishery.’

6.29 Korea made the following statement:

‘Korea shares the concern expressed by the UK, New Zealand, Australia and the EU regarding the failure to reach consensus on toothfish catch limits in Subarea 48.3 as well as Division 58.4.1 as recommended by the Scientific Committee based on the best scientific information available, and regarding adverse impact this practice may have on the integrity of CCAMLR’s science-based works.’

6.30 The USA made the following statement:

‘This is a concerning situation. It is not a bilateral issue. It has repercussions for the integrity of CCAMLR and for the Antarctic Treaty System in its entirety.

The USA does not believe there is a scientific basis to close the toothfish fishery in Subarea 48.3. We continue to support the adoption of CM 41-02 with catch limits for toothfish in Subarea 48.3 at the levels indicated in paragraph 3.61 of the Scientific Committee's report.

Underscoring what we said earlier this week: the foundation of Antarctic Treaty System relies on international and scientific cooperation. We have seen a lack of cooperation by one Member on this issue today.

Nevertheless, we remain hopeful that the cooperative spirit that has been the foundation of the Antarctic Treaty System and CCAMLR may yet prevail.'

- 6.31 Norway made the following statement:

'Norway aligns itself with the statements made by the UK, Australia, the EU, New Zealand and the USA with regard to the integrity of the Antarctic Treaty System.'

- 6.32 France made the following statement:

'France supports the previous interventions and shares the concerns that were expressed regarding the respect of CCAMLR's integrity as well as the importance of the role of the Scientific Committee and its advice.'

- 6.33 Russia made the following statement:

'The Russian Federation, acting in a spirit of cooperation, actively participates in the implementation of the basic objectives of CCAMLR, aimed, among other things, at the development of scientifically based measures for the management of Antarctic marine living resources. In this regard, confirming their commitment to the implementation of the CCAMLR Convention and the norms of the Antarctic Treaty we support and we consider it of principal importance that the management of Antarctic marine living resources be based on a balance between conservation and rational use (Article II of the Convention). Over the past five years, the Russian Federation has presented a number of documents at CCAMLR meetings reflecting its position on the management of toothfish resources in Subarea 48.3.'

The fishery for Patagonian toothfish (*Dissostichus eleginoides*) in Subarea 48.3 has been ongoing since 1985, including over 25 years under CCAMLR management. Using the best available data (CCAMLR papers, more than 100 articles by renowned scientists in peer-reviewed journals), the Russian Federation has repeatedly indicated that since 2002–2004, the longline fishery for toothfish in Subarea 48.3 is based on recruiting fish and the fishery is driving changes in the size structure of the Patagonian toothfish spawning population in Subarea 48.3 and the general rejuvenation of the population, which, with continued fishing, will lead to irreversible processes of reduction in the abundance and biomass of toothfish, which is observed in Subarea 48.3.

It is now that the population of Patagonian toothfish in Subarea 48.3 needs to be protected through the imposition of catch limits and changes to conservation measures as the precautionary approach to the use of stocks in the CCAMLR area does not ensure the rational use of resources, as demonstrated by the scientific and commercial evidence. The Russian Federation has repeatedly highlighted this specific management of the

toothfish fishery in Subarea 48.3 and urged CCAMLR to pay attention to the irrational use of the resource for Patagonian toothfish in the CCAMLR Convention Area.

The Russian Federation emphasises that the purpose of the Convention (Article II) is the conservation of Antarctic living marine resources through rational use. Therefore, the issue of the precautionary approach to toothfish resource management, which has been emphasised by several countries, should be addressed as part of a sustainable use. Separately, it should be noted that its CCAMLR Independent Stock Assessment did not consider the issues of management of the toothfish fishery in Subarea 48.3 raised by the Russian side (SC-CAMLR-XXXVII/02 Rev. 1). Moreover, no scientifically substantiated documents have been submitted to CCAMLR meetings that contradict the Russian position on the management of the toothfish fishery in Subarea 48.3.

Thus, specific proposals from the Russian Federation regarding the regulation of toothfish fishery in Subarea 48.3 (limiting the size of Patagonian toothfish in catches, fishing only at depths of 1 000 m, reducing the total allowable catch to 500 tonnes, according to the fishing grounds with depths from 1 000 to 2 250 m; conducting an international survey to assess toothfish stock) (SC-CAMLR-XXXVII/14 Rev. 2) were ignored.

Seriously concerned that the population of Patagonian toothfish in Subarea 48.3 is significantly decreasing as a result of longline fishing, and noting that there is a threat of further declines in the population of Patagonian toothfish in Subarea 48.3 of the CAMLR Convention Area, the Russian Federation, as a compulsory but necessary measure, proposed to close fisheries in Subarea 48.3 from 2022 and a review of the precautionary approach to the use of the Patagonian toothfish stock in the area in Subarea 48.3 as rational use is not being ensured.

The Russian Federation deeply regrets that, for various reasons, these proposals aimed at preserving toothfish stocks in the subarea were not supported by a number of our partners.

However, the Russian Federation, as a CCAMLR member, proceeds from the principles and objectives of the Convention and forms its position on the management of the toothfish fishery in Subarea 48.3 exclusively on objective scientific evidence detailed in the relevant documents submitted to CCAMLR (SC-CAMLR-XXXVII/14 Rev. 2; CCAMLR-38/31 Rev. 2; SC-CAMLR-40/15).’

6.34 The UK made the following statement:

‘The UK noted that Russia’s statement simply repeated arguments from their submitted papers, which have been comprehensively reviewed and rejected by the Scientific Committee. As the report of the Scientific Committee clearly shows, only Russia blocked scientific consensus to the setting of a catch limit for Subarea 48.3 and the UK recalled its previous statement.’

6.35 Many Members agreed with the statement by the UK and further noted that the fishery in Subarea 48.3 was precautionary and consistent with the decision rules and that Russia’s actions risk substantially undermining the Convention and the Antarctic Treaty System.

6.36 Russia noted that, in its opinion, documents with justified scientific data were not presented that would challenge the Russian position with regard to the toothfish fishery in this particular subarea.

6.37 The Commission noted the lack of consensus advice from the Scientific Committee on the fisheries for *D. eleginoides* in Subarea 48.3 (SC-CAMLR-40, paragraphs 3.61 and 3.62), *D. eleginoides* in Subarea 48.4 (SC-CAMLR-40, paragraph 3.69), *D. mawsoni* in Subarea 48.4 (SC-CAMLR-40, paragraph 3.72), *D. eleginoides* in Division 58.5.2 (SC-CAMLR-40, paragraph 3.78) and *D. mawsoni* in the Ross Sea region (SC-CAMLR-40, paragraph 3.88) and that all these stocks were assessed using the same management approach, procedures and decision rules.

6.38 The Commission **agreed** to set the catch limits as specified in the Scientific Committee report for *D. eleginoides* in Subarea 48.4 (SC-CAMLR-40, paragraph 3.69), *D. mawsoni* in Subarea 48.4 (SC-CAMLR-40, paragraph 3.72), *D. eleginoides* in Division 58.5.2 (SC-CAMLR-40, paragraph 3.79) and *D. mawsoni* in the Ross Sea region (SC-CAMLR-40, paragraph 3.88).

6.39 The Commission **endorsed** the advice that the prohibition of directed fishing for *D. eleginoides* in Divisions 58.5.1, 58.5.2 and Subareas 58.6 and 58.7 outside areas of national jurisdiction will remain in force (SC-CAMLR-40, paragraphs 3.76, 3.81 and 3.84).

6.40 The Commission **endorsed** the advice of the Scientific Committee for the exploratory fisheries in Subareas 48.6 and 88.2 and Division 58.4.2, and for the fishery research proposal in Subarea 88.3 (SC-CAMLR-40, paragraphs 3.95, 3.99, 3.104 and 3.107). The Commission agreed to use the catch limits for these areas contained in Tables 3 and 4 of SC-CAMLR-40 to assign catch limits for 2021/22 and noted the updated sampling rate requirement for by-catch species in Subarea 88.3 (SC-CAMLR-40, paragraph 3.107).

6.41 The Commission **endorsed** the advice of the Scientific Committee on the catch limit for the Ross Sea shelf survey in 2021/22 (SC-CAMLR-40, paragraph 3.91, using method 2 from SC-CAMLR-40, Table 2) and noted the work plan associated with Subarea 88.2, including a Subarea 88.2 e-group (SC-CAMLR-40, paragraph 3.94).

6.42 Regarding the catch allocation for the shelf survey, New Zealand noted that method 1 or 3 (in SC-CAMLR-40, Table 2) better follow the intent of the design for the special research zone (SRZ).

6.43 The Commission noted the lack of consensus advice from the Scientific Committee on the continuation of research in the exploratory fishery for *D. mawsoni* in Division 58.4.1 (SC-CAMLR-40, paragraphs 3.100 to 3.103).

6.44 Many Members noted that the multi-Member research plan for Division 58.4.1 had consistently received very good reviews. They noted that the interruption of scientific activities in this exploratory fishery were caused by one Member blocking consensus and that the same Member considers that this fishery should not proceed partly due to the lack of scientific information relevant to CM 21-01, paragraph 1. They also noted that classifying this fishery as a ‘new fishery’ would be inconsistent with CMs 21-01 and 21-02. That one Member responded, noting that the issue was a lack of agreement on the methodology and classification of structured scientific fishing for toothfish in Division 58.4.1.

Non-target species

Fish and invertebrates

6.45 The Commission noted the discussions of the Scientific Committee on fish and invertebrate by-catch (SC-CAMLR-40, paragraphs 3.108 to 3.112) and welcomed its planned future work on data collection, reporting and analysis.

Seabirds and marine mammals

6.46 The Commission noted the discussions of the Scientific Committee on incidental mortality of seabirds and marine mammals associated with fisheries (SC-CAMLR-40, paragraphs 3.113 to 3.136).

6.47 The Commission approved the reconvening of the Working Group on Incidental Mortality Associated with Fishing (WG-IMAF) (SC-CAMLR-40, paragraph 3.135) to address seabird strikes on warps (SC-CAMLR-40, paragraphs 3.124 and 3.125) and net monitoring cables (SC-CAMLR-40, paragraphs 3.128 to 3.130), as well as seal and humpback whale by-catch events (SC-CAMLR-40, paragraphs 3.114 to 3.120) that occurred in the krill fishery.

6.48 The Commission noted the discussion by the Scientific Committee regarding the utility of supplementary information provided in Scheme of International Scientific Observation (SISO) observer cruise reports, particularly with reference to the humpback whale by-catch events (SC-CAMLR-40, paragraph 3.117) and considered the request by the Scientific Committee to make such reports available to Scientific Committee Representatives, without the requirement to seek permission from designating and receiving Members (SC-CAMLR-40, paragraph 3.141).

6.49 The Commission considered whether sensitive information may be included in SISO observer cruise reports. Some Members proposed a review of the procedures for the release of these reports.

6.50 The Commission **endorsed** the advice of the Scientific Committee on extending the derogation for use of net-monitoring cables in CM 25-03 for one more year, with additional conditions outlined by the Scientific Committee (SC-CAMLR-40, paragraphs 3.143) where applicable.

6.51 Norway and China both undertook to participate in the discussions of WG-IMAF regarding the development and implementation of mitigation measures to reduce the risk of warp strikes on net monitoring cables and encouraged interested Members to attend and contribute to the work of WG-IMAF.

6.52 The Commission **endorsed** the advice of the Scientific Committee on changes to CMs 41-01 and 41-09 due to the cessation of the focused skate tagging program in the Ross Sea region (SC-CAMLR-40, paragraphs 3.142).

Bottom fishing and vulnerable marine ecosystems

6.53 The Commission noted that due to the limited time for deliberations this year, the Scientific Committee did not discuss issues relating to bottom fishing and vulnerable marine ecosystems.

Spatial management

General issues related to spatial management

7.1 The Commission considered CCAMLR-40/26, submitted by China, which advocated for the need to revisit the establishment of MPAs in the waters surrounding Antarctica, given there are some divergent views among Members on the development of MPAs and their implementation. China proposed to elaborate a definition of an MPA, integrate CCAMLR Ecosystem Monitoring Program (CEMP) results into consideration, devise a scientific approach to identify areas worthy of ‘further special consideration’, develop a checklist for MPA proposals, and design a framework for research and monitoring plans (RMPs), in order to facilitate and promote the established MPAs.

7.2 The Commission considered CCAMLR-40/30, submitted by Russia, which also suggested a unified process through which the Commission could establish and manage MPAs and their associated RMPs by following specific criteria. Russia suggested that this unified process can be approved as an annex to CM 91-04 and proposed to adopt a mandatory MPA checklist based on the document previously submitted by Japan (CCAMLR-XXXIV/19) to create a unified process and use unified criteria for the establishment of MPAs in the Convention Area. Russia noted that CM 91-04 is extremely brief and does not contain sufficient procedural and implementational measures to regulate a unified process by which the Commission can, on a scientific basis, establish and manage MPAs. Russia noted that the development of a unified process to establish and manage MPAs and their associated RMPs should precede the establishment of new MPAs and form the basis for the revision of existing MPAs. Russia recalled that there is currently no agreed international definition of an MPA as a key element for establishing the legal basis for the Commission’s activities with regard to the designation of such areas in the CCAMLR area.

7.3 Most Members recalled that CM 91-04 is the agreed framework for establishment of CCAMLR MPAs. CM 91-04 recalls the commitment to implement a representative system of MPAs in the Convention Area based on the best available scientific evidence and is effective. They considered that within this framework, MPAs have individual objectives and unique designs, and that standardised approaches to developing MPA proposals and RMPs were unlikely to be useful.

7.4 Some Members considered that the current framework for the establishment of CCAMLR MPAs (CM 91-04) did not provide sufficient guidance for the development of MPA proposals and thus unified approaches are required in this regard.

7.5 Many Members supported the adoption of the three proposed MPAs, noting that the establishment of additional MPAs is an important step towards the United Nations Sustainable Development Goal 14: Life below water to ‘Conserve and sustainably use the oceans, seas and marine resources for sustainable development’ and international biodiversity targets, and that

CCAMLR's designation of a representative system of MPAs, designed to meet the objective of the Convention, would align with global efforts to address sustainability and climate change issues.

Review of existing marine protected areas (MPAs)

7.6 The Commission noted the discussions of the Scientific Committee on the Ross Sea region MPA (RSRMPA) (SC-CAMLR-40, paragraphs 4.24 and 4.26 to 4.29).

7.7 The Commission noted that in accordance with the requirement in CM 91-05, Members shall submit a report on their activities conducted according to, or related to, the MPA RMP, including any preliminary results, to the Scientific Committee no later than six months before the 2022 Scientific Committee meeting.

7.8 China noted that the proposed RMP for the RSRMPA has not been updated, following the scientific advice of the Scientific Committee (SC-CAMLR-XXXVI, paragraph 5.45) and a series of concrete proposals from two Members and presented to the Commission for adoption in accordance with CMs 91-04 and 91-05. China considered that updating the RMP and presenting it to the Commission for consideration was a matter of urgency as it allowed a mechanism to consider whether, and to what extent, the RSRMPA was meeting its objectives.

7.9 Many Members noted that the RMP had been endorsed by the Scientific Committee (SC-CAMLR-XXXVI, paragraph 5.45), and that the RMP was a tool to facilitate research and monitoring of the RSRMPA. They noted that the responsibility for demonstrating the effectiveness of CCAMLR MPAs belonged to all Members, welcomed participation of all Members in the research and monitoring of MPAs, and expressed their desire for the Commission to adopt the RMP. Many Members agreed and noted the large amount of research currently underway in support of the RSRMPA objectives.

7.10 One Member noted that the research being carried out in the RSRMPA is not structured and is not linked to the main goals and objectives of the RMP, which remains not accepted by the Commission. Russia recalled its position that the RMP should be divided into reporting periods, both in respect of planned research and monitoring, as well as the scientific evidence to be obtained (CCAMLR-40/30).

7.11 In SC-CAMLR-40/BG/22, ASOC noted that the RSRMPA was considered highly protected from potentially destructive human activities and thus set a precedent for design, adoption and implementation of other MPAs in the high seas and waters surrounding Antarctica.

Review of proposals for new MPAs

East Antarctic

7.12 The Commission considered CCAMLR-40/18 Rev. 1, submitted by Australia, the EU and its Member States, India, New Zealand, Norway, Korea, Ukraine, UK, USA and Uruguay,

presenting a draft conservation measure for the designation of an East Antarctic MPA (EAMPA) that reflected feedback from Members and recalled improvements previously made.

7.13 Many Members noted that the EAMPA will conserve representative areas of biodiversity of the region, areas vulnerable to disturbance, and areas which host important ecological processes. They also noted that the proposal balances protection and rational use by allowing for multiple uses. Many Members noted that the proposal has been under consideration at CCAMLR since 2012 and that the proposal was based on the best available science (SC-CAMLR-XXX, paragraphs 5.63 to 5.66) and underpinned by decades of scientific research. They further noted that the proposal remains relevant and important to protect the important conservation values in this region and in the CCAMLR area more broadly, and that it is mature and ready for adoption.

7.14 Russia retained its position that the conservation measure for the EAMPA should not be a single one, rather there should be a separate measure for each of the three individual scientific reference zones designated as the EAMPA (CCAMLR-40/18 Rev. 1, Figure 1). Each separate conservation measure should be accompanied by the RMP, reporting periods, measurable criteria and indicators of the performance and efficiency of the MPA. Russia also noted that the implementation of the research specified in the management plan for the EAMPA (CCAMLR-40/18 Rev. 1, Annex 91-XX/B) does not require the establishment of this MPA. Moreover, there were no immediate threats to the marine environment, the marine ecosystems and biodiversity which required the urgent designation of the EAMPA.

7.15 Some Members thanked the EU and other Members for engagement prior to the Commission meeting, and noted that the proponents had not addressed their comments on the proposal and that no additional scientific data in support of the EAMPA has been submitted to the Scientific Committee for evaluation since 2014 and could hardly be regarded as being based on best scientific evidence available so far. They were also concerned about the lack of common understanding on the procedure for the establishment and implementation of MPAs and indicated their willingness to continue further dialogue on the EAMPA proposal.

7.16 Most Members noted that the proposed EAMPA was consistent with CM 91-04 and was a mature proposal that was ready for adoption, and called for its adoption at this meeting; noting in particular that the MPA would improve resilience to threats posed by climate change on representative Antarctic marine ecosystems.

7.17 The co-proponents noted the EAMPA proposal had already been agreed by the Scientific Committee as being based on the best available science (SC-CAMLR-XXX, paragraphs 5.63 to 5.66), hence the Scientific Committee did not need to consider it again. They further noted that CCAMLR adopts a precautionary approach in the conservation of Antarctic marine living resources, and thus a designation of an MPA did not require the identification of specific threats before taking action.

Weddell Sea

7.18 The Commission considered CCAMLR-40/20 Rev. 1, submitted by the EU and its Member States, Norway, Uruguay, Australia, UK, New Zealand, USA, Korea, India and

Ukraine, presenting a draft conservation measure for the establishment of a Weddell Sea MPA (WSMPA) phase 1, taking into account the latest suggestions and comments made by Members prior to and at CCAMLR-38 (2019).

7.19 The Commission noted the discussions of the Scientific Committee on the WSMPA (SC-CAMLR-40, paragraphs 4.15 to 4.17, 4.19 to 4.23).

7.20 Many Members expressed their support for the proposed WSMPA phase 1, noting that few human activities have been undertaken in the Weddell Sea region, making it an ideal study area for research into climate change impacts on Antarctic ecosystems.

7.21 China recalled the suggestions it had provided on the WSMPA proposal in SC-CAMLR-40/16, and considered that substantive issues regarding the availability of baseline data, justifying the proposed protection objectives and measures, the large proposed size of the MPA and the integration and management of fishing activities still needed to be addressed.

7.22 Russia recalled its comments made during the Scientific Committee meeting and noted the need for a proposal for an MPA in the Weddell Sea to be complemented by information on the commercial potential and future rational use for dominant fish species and krill. Further study could be required to ensure that the WSMPA design includes potential fishing and protected areas managed by different conservation measures. Russia recalled that clarity on hypotheses regarding the distribution and life cycle of *D. mawsoni* would be required for the WSMPA proposal, recalling the recommendations of the 2018 Workshop for the Development of a *Dissostichus mawsoni* Population Hypothesis for Area 48.

7.23 The Commission noted and welcomed the proposal from Norway, also detailed in SC-CAMLR-40/13, to conduct a workshop in 2022 to explore spatial planning solutions for the WSMPA phase 2. Norway encouraged CCAMLR Members and Observers to nominate experts on both the scientific and management level as appropriate. Norway clarified that the workshop will be held in Europe and virtual attendance will be facilitated.

7.24 The EU and its Member States submitted the following statement:

‘The 40th annual meeting of CCAMLR could have been a moment of true celebration. Instead, it was another missed opportunity for this Commission to make tangible progress in the creation of a representative system of marine protected areas (MPAs) in the Convention Area. In 2009, CCAMLR set itself the objective of having in place such a system by 2012. Ten years on, only two MPAs have been designated, one in the South Orkney Islands southern shelf and another in the Ross Sea region.

This lack of progress is not for want of proposals. Three proposals to designate new MPAs are currently under consideration by the Commission, notably for MPAs in East Antarctica (since 2012), in the Weddell Sea (since 2016) and in the Western Antarctic Peninsula (since 2018). These proposals have a sound scientific basis and are further integral parts of establishing a representative system of MPAs. Together, these three MPA proposals would protect about 1% of the world’s ocean.

As the proponents of the East Antarctic and Weddell Sea MPAs, we are disappointed that CCAMLR has once again been unable to find consensus to progress towards a representative system of MPAs. Establishing representative systems of MPAs across the

world's oceans as a matter of urgency, including through CCAMLR, is critical to protecting our oceans. Large-scale MPAs are an important tool to build ocean and ecosystem resilience to the impacts of climate change. The Special Report on the Ocean and Cryosphere in a Changing Climate of the Intergovernmental Panel on Climate Change makes recommendations in this regard. Large-scale MPAs and other area-based conservation measures are also an essential part of a sustainable and ecosystem-based fisheries management.

We remain fully committed to progressing our proposals. We are encouraged by the broad support they have received during CCAMLR meetings, and we note that the number of CCAMLR Members formally co-sponsoring MPA proposals has recently increased substantially. Twenty out of twenty-six CCAMLR Members now co-sponsor one or more MPA proposals. This sends a powerful signal of the critical importance of designating these MPAs.

We are also heartened by messages of support from outside the CCAMLR framework. On 13 June 2021, G7 leaders announced their full support for CCAMLR's commitment to develop a representative system of MPAs in the Convention Area. The G20 Environment Communiqué also supported achieving MPAs in the Southern Ocean. Moreover, the European Parliament resolution of 8 July 2021 on the establishment of Antarctic MPAs and the conservation of Southern Ocean biodiversity expresses full support for CCAMLR's efforts to establish new MPAs.

Within the context of the Antarctic Treaty system, the commitment shown by the Antarctic Treaty Consultative Parties in adopting the Paris Declaration at their 43rd meeting from 14 to 24 June 2021, to taking effective and timely action as well as the need to strengthen our joint efforts to conserve Antarctic marine living resources, is further impetus for all CCAMLR Members to find common ground to make progress on MPAs. Moreover, on the occasion of the 30th anniversary of the Protocol on Environmental Protection to the Antarctic Treaty ('Madrid Protocol') on 4 October 2021, thirty countries endorsed the Madrid Declaration recognising that MPAs can serve as a powerful tool for protecting sensitive ecosystems representative of the Convention Area.

While we are disappointed by the outcome of this meeting, we will continue our efforts to build consensus on our proposals with the view to their adoption in 2022. We encourage other CCAMLR Members to join these efforts. We cannot think of a better gift to present and future generations to mark the 40th anniversary of the entry into force of the CAMLR Convention in 2022.'

- 7.25 Many Members also supported this statement.
- 7.26 ASOC submitted the following statement. Some Members supported this statement.

'ASOC urges CCAMLR to finally take action to make its commitment to a representative system of MPAs a reality. We note that 1.5 million people around the world have called on CCAMLR to create the largest act of ocean protection in history, by designating the East Antarctic, Weddell Sea, and Domain 1 MPAs. ASOC wants to emphasise that CCAMLR has a unique and unprecedented opportunity with respect to MPAs.

Indeed, CCAMLR is facing a moment comparable to that of Antarctic Treaty Parties 30 years ago. Ultimately, the Parties did what many of them had previously said was impossible – they signed the Madrid Protocol and banned mineral resource activities indefinitely, demonstrating exceptional leadership and vision.

Now our planet is in crisis. The world is developing a Global Biodiversity Framework as we speak, and will convene in the coming weeks on the greatest challenge the planet has ever faced, and is relying on CCAMLR to show leadership now. It can and it must.

Over-refinement of the process for creating MPAs comes at a great cost. Let not the perfect process be the enemy of the good conservation outcome, any more. ASOC calls upon CCAMLR and each and all of its Members to approach MPA discussions with a view to achieve consensus and implement the objective of the Convention.

ASOC also supports a special meeting.'

Antarctic Peninsula – Domain 1 MPA (D1MPA)

7.27 The Commission considered CCAMLR-40/BG/20, submitted by Argentina and Chile, which provided an update on the latest considerations for the Domain 1 MPA (D1MPA) proposal during the 2020/21 intersessional period and outlined the inclusion of the current revision of the krill management approach. It welcomed the initial steps towards a comprehensive and collaborative RMP for the D1MPA proposal and the planning by Argentina and Chile of an international workshop during 2022. It noted the extensive number of national Antarctic programs, private initiatives and multilateral consortia that carry out scientific research related to the RMP priority elements (CCAMLR-40/BG/20, Annex A).

7.28 The Commission noted that the D1MPA co-proponents have constructively continued to engage with other Members and the industry to find common ground. Many Members expressed their support for the D1MPA joint proposal as drafted and conveyed their interest in taking part in the planned workshop.

Conclusion

7.29 The Commission encouraged Members to hold workshops on individual MPA proposals (paragraphs 7.23 and 7.27), and noted that a special session of the Commission could be valuable to promote a constructive discussion among Members to reach consensus on how to progress MPA design, designation, implementation and the establishment of RMPs on the condition that the situation of the pandemic allows an in-person meeting and the terms of reference for such a session have been agreed by the Commission.

7.30 The Commission **requested** that:

- (i) draft terms of reference be developed by the Secretariat for a special session of the Commission, which would be further developed by Members in an e-group and then presented to a Heads of Delegations meeting for discussion. The Chair undertook to assist the Secretariat with this task
- (ii) the special session should be developed as an in-person meeting.

Impacts of climate change on the conservation of Antarctic marine living resources

8.1 The Commission noted the discussions of the Scientific Committee on climate change, including deliberations on the designation of a newly exposed marine area (SC-CAMLR-40, paragraph 5.2), on the ‘Climate change impacts and CCAMLR’ e-group (SC-CAMLR-40, paragraphs 5.4 and 5.5), and on the CEP’s Specially Protected Species Action Plan (SC-CAMLR-40, paragraph 5.7).

8.2 The Commission noted the proposed updates to the terms of reference of the ‘Climate change impacts and CCAMLR’ e-group (SC-CAMLR-40/08) and the deliberations by the Scientific Committee on this topic (SC-CAMLR-40, paragraphs 5.4 and 5.5), noting that e-groups are an informal mechanism and are not supposed to communicate with external organisations directly.

8.3 The Commission considered CCAMLR-40/19 Rev. 1, submitted by the UK and the EU and its Member States, proposing to designate a newly exposed marine area adjacent to the Pine Island Glacier (Subarea 88.3) as a stage 2 Special Area for Scientific Study (SASS) in accordance with CM 24-04.

8.4 The Commission noted that the glacier calving in this area represented a unique opportunity to study a newly exposed ecosystem undergoing rapid change and encouraged Members to conduct such research in this important area.

8.5 While most Members supported the designation of the area as a stage 2 SASS and emphasised that this would be consistent with CM 24-04, some Members considered that the presentation of scientific results to the Scientific Committee should occur before progressing to a stage 2 designation. One Member noted that the SASS should remain in stage 1 until it expires and scientific research within the SASS may be undertaken in stage 1 as well as stage 2 under CM 24-04.

8.6 Many Members expressed their disappointment that the Commission had been unable to reach consensus on the designation of a stage 2 SASS in the marine area recently revealed by the ongoing retreat of the Pine Island Glacier. These Members noted that the science case for designation was compelling and that all of the conditions of CM 24-04 had been met, as they had been met, when this issue was considered by the Commission on previous occasions.

8.7 ASOC expressed disappointment that the Pine Island Glacier would not move to a stage 2 designation, noting that such a designation was clearly supported by science.

8.8 The Commission considered CCAMLR-40/23 Rev. 2, submitted by the EU and its Member States, the UK, Australia, Chile, New Zealand, Norway, the USA and Uruguay, highlighting the important findings of recent Intergovernmental Panel on Climate Change (IPCC) reports pertaining to CCAMLR, and recommending the adoption of an updated resolution on climate change, which was included as a draft in the paper.

8.9 Uruguay highlighted its intention to present research results at the upcoming 2021 United Nations Climate Change Conference (COP26). As a co-sponsor of the proposed resolution on climate change (CCAMLR-40/23 Rev. 2), Uruguay emphasised the importance of this resolution to increase awareness of the effects of climate change on Antarctic marine living resources. Uruguay further noted that while CCAMLR successfully manages fisheries based on scientific advice, additional research was needed towards understanding the complex effects of climate change on the ecology of marine ecosystems, those involving krill in particular.

8.10 The Commission noted the Resolution recently adopted by the Antarctic Treaty Consultative Meeting (ATCM) (Resolution 8 (2021) – ATCM XLIII – CEP XXIII, Paris) and the upcoming COP26. The Commission noted that climate change was a pressing issue of global importance that needed to be addressed within the framework of the Convention on the Conservation of Antarctic Marine Living Resources.

8.11 ASOC noted that several papers submitted to CCAMLR-40 by Members and by ASOC made concrete recommendations for action by CCAMLR on climate change. ASOC supported CCAMLR taking these actions with no delay, including adopting the proposed climate change resolution.

8.12 The Commission noted the following papers with appreciation: SC-CAMLR-40/BG/04, submitted by Oceanites and SC-CAMLR-40/BG/10, submitted by ASOC.

8.13 The Commission welcomed SC-CAMLR-40/BG/12, submitted by SCAR, and emphasised the importance of SCAR's work across the Commission's agenda. The Commission recalled its invitation to SCAR to present a summary of its decadal review of the Antarctic Climate Change and the Environment (ACCE) report (CCAMLR-38, paragraph 8.5) and noted that due to shortened time available during the last two meetings, this had not yet been accommodated. The Commission invited SCAR to present this summary during a plenary session of CCAMLR-41.

8.14 The Commission considered a revised resolution on climate change. Many Members expressed regret that the revised resolution was not agreed and adopted. The Commission recalled Resolution 30/XXVIII, recognising that global climate change is one of the greatest challenges facing the Convention Area, and agreed to reconsider the proposed revision of the resolution at CCAMLR-41.

8.15 The EU and its Member States, the UK, Australia, Chile, New Zealand, Norway, and the USA and Uruguay made the following statement:

‘On behalf of the co-sponsors of the proposed resolution on climate change, we would like to express our great disappointment that we have not been able to reach consensus on this important issue, one that is also of great concern to the whole of humanity. This failure comes after the strong support already expressed at this meeting of the

Commission for us to take action to address climate change and integrate it into our management decisions. The proponents would like to reiterate that the climate crisis is a global concern and as such it is essential that CCAMLR, like the ATCM, plays its role in addressing it. The proponents remain firmly convinced that there is an urgent need for the Commission to act with regard to climate change and that it is both very timely and relevant to update the CCAMLR Resolution on Climate Change. We had hoped to do so prior to the UNFCCC COP26. As this hasn't been possible, we will continue to work on this in the intersessional period, hoping all Members will engage constructively in order to agree on a resolution at the next Commission meeting.'

Conservation measures

9.1 The Commission's consideration of revised and new conservation measures and resolutions, and related matters, is reported in this section. Conservation measures and resolutions adopted at CCAMLR-40 will be published in the *Schedule of Conservation Measures in Force 2021/22*.

9.2 The Commission noted that the following conservation measures and resolutions will remain in force for 2021/22:

Measures on compliance

10-01 (2014), 10-02 (2016), 10-03 (2019), 10-04 (2018), 10-06 (2016), 10-07 (2016), 10-08 (2017), 10-09 (2019) and 10-10 (2019).

Measures on general fishery matters

21-01 (2019), 21-02 (2019), 21-03 (2019), 22-01 (1986), 22-02 (1984), 22-03 (1990), 22-04 (2010), 22-05 (2008), 22-06 (2019), 22-07 (2013), 22-08 (2009), 22-09 (2012), 23-01 (2016), 23-02 (2016), 23-03 (2016), 23-04 (2016), 23-05 (2000), 23-06 (2019), 23-07 (2016), 24-01 (2019), 24-02 (2014), 24-04 (2017), 25-02 (2018) and 26-01 (2019).

Measures on fishery regulation

31-01 (1986), 31-02 (2007), 32-01 (2001), 32-02 (2017), 32-18 (2006), 33-01 (1995), 51-01 (2010), 51-02 (2008), 51-03 (2008) and 51-06 (2019).

Measures on protected areas

91-01 (2004), 91-02 (2012), 91-03 (2009), 91-04 (2011) and 91-05 (2016).

Resolutions

7/IX, 10/XII, 14/XIX, 15/XXII, 16/XIX, 17/XX, 18/XXI, 19/XXI, 20/XXII, 22/XXV, 23/XXIII, 25/XXV, 27/XXVII, 28/XXVII, 29/XXVIII, 30/XXVIII, 31/XXVIII, 32/XXIX, 33/XXX, 34/XXXI and 35/XXXIV.

9.3 The Commission **adopted** the following revised conservation measures:

Measures on compliance
10-05 (2021).

Revised measures on general fishery matters
24-05 (2021) and 25-03 (2021).

Revised measures on fishery regulation
32-09 (2021), 33-02 (2021), 33-03 (2021), 41-01 (2021), 41-03 (2021), 41-04 (2021),
41-05 (2021), 41-06 (2021), 41-07 (2021), 41-08 (2021), 41-09 (2021), 41-10 (2021),
41-11 (2021), 42-01 (2021), 42-02 (2021) 51-04 (2021) and 51-07 (2021).

9.4 The Commission noted that the following conservation measures will lapse on 30 November 2021 and will not be in force for 2021/22 (paragraph 9.14):

Measures on fishery regulation
41-02 (2019).

Implementation and compliance

9.5 The Commission noted the number of compliance issues associated to CM 10-05 and **adopted** a revision to CM 10-05 to amend the date of issue of a *Dissostichus* Export Document (DED) and *Dissostichus* Re-Export Document (DRED) to an expected date of export (CM 10-05, Annex 10-05/A, paragraphs A7(ix)1(d), 2(b), 3(c); Attachment 1) and to clarify the date of issue (CM 10-05, Annex 10-05/A, Attachment 1).

General fishery matters

9.6 The Commission noted the discussion of research notifications under CM 24-01 (paragraphs 6.40 and 6.41) and **adopted** a revision to CM 24-05 (2021).

9.7 The Commission noted the recommendation from the Scientific Committee to extend the derogation for the use of net monitoring cables in CM 25-03 for one more year (SC-CAMLR-40, paragraph 3.143) and **adopted** a revision to CM 25-03.

9.8 The EU presented a proposal for amending CM 26-01 (CCAMLR-40/21 Rev. 1). Some Members expressed concerns about the proposed amendments and invited the EU to engage in discussions during the intersessional period to address these. The EU looked forward to further discussions to possibly move this proposal forward at CCAMLR-41.

9.9 The Commission noted that the EU would not pursue moving forward the proposal to amend CMs 21-01, 21-02 and 23-05, submitted by the EU (CCAMLR-40/22), and encouraged interested Members to hold intersessional discussions.

9.10 The Commission considered a proposal by Russia for amending CM 31-02 (CCAMLR-40/29), noting the recommendation of SCIC (SCIC-2021, paragraph 39). No consensus on the

proposal could be reached, and the Commission encouraged Russia to work with interested Members to progress amendments to this conservation measure during the intersessional period.

9.11 The Commission considered CCAMLR-40/27, submitted by Ukraine, proposing to establish limits on the use of continuous krill fishing systems in Area 48, where harvesting using such systems would be limited to 70% of the catch limit.

9.12 Some Members recalled the discussion by the Scientific Committee, which noted that while potential differences in ecosystem effects between traditional and continuous trawlers deserved further evaluation (SC-CAMLR-40, paragraph 3.22), there was no scientific rationale presented in the proposal to justify a subdivision of catch limits by gear type.

9.13 Ukraine made the following statement:

‘Ukraine expressed regret that the Commission did not support the introduction of a 70% limit on the catch of Antarctic krill taken using the continuous trawl system in Area 48. Ukraine based its proposal on the importance of ensuring the availability of Antarctic krill and the stability of the krill fishery for all Members, including those not employing the continuous trawl system. Attention was also drawn to evidence, noted by the Scientific Committee, of the negative impact the continuous trawl system has on Antarctic marine living resources, as well as the importance of taking a precautionary approach to the development of any type of fishery in the Convention Area. Ukraine noted that the lack of a response by the Commission to the emerging dominance of continuous trawling systems in the Antarctic krill fishery may lead, on the one hand, to the concentration of the fishery in the hands of only a few Members, and, on the other hand, to a deterioration in the food supply of Members that do not employ continuous trawl systems. In light of the above, Ukraine expressed its desire to continue the dialogue with stakeholders on this issue in order to achieve consensus at the next meeting of the Commission.’

Toothfish catch limits

9.14 There was no consensus on a catch limit for *D. eleginoides* in 2021/22 in Subarea 48.3. Accordingly, the Commission noted that CM 41-02 will no longer remain in force in 2021/22.

9.15 The Commission **endorsed** the advice of the Scientific Committee on catch limits in the fisheries for *D. eleginoides* in Subarea 48.4 and Division 58.5.2 and **adopted** CMs 41-03 and 41-08 (2021).

9.16 The Commission considered the arrangements for exploratory fisheries for *D. mawsoni* in Subareas 48.6, 88.1 and 88.2 and Divisions 58.4.1 and 58.4.2 and **endorsed** the Scientific Committee’s advice on catch limits (SC-CAMLR-40, Tables 3 and 4). The Commission **adopted** the following conservation measures for fisheries targeting *D. mawsoni* and/or *D. eleginoides*:

- CM 41-04 – exploratory fishery for *D. mawsoni* in Subarea 48.6
- CM 41-05 – exploratory fishery for *D. mawsoni* in Division 58.4.2
- CM 41-06 – exploratory fishery for *D. eleginoides* in Division 58.4.3a

- CM 41-07 – exploratory fishery for *D. mawsoni* in Division 58.4.3b
- CM 41-09 – exploratory fishery for *D. mawsoni* in Subarea 88.1
- CM 41-10 – exploratory fishery for *D. mawsoni* in Subarea 88.2
- CM 41-11 – exploratory fishery for *D. mawsoni* in Division 58.4.1.

9.17 The Commission **agreed** that directed fishing for *Dissostichus* spp. shall not take place in 2021/22 in Divisions 58.4.3a and 58.4.3b.

9.18 There was no consensus that directed fishing for *D. mawsoni* shall take place in 2021/22 in Division 58.4.1. Accordingly, the Commission **adopted** CM 41-11 which provides that directed fishing for *D. mawsoni* shall not take place in 2021/22 in Division 58.4.1.

Icefish catch limits

9.19 The Commission **endorsed** the Scientific Committee's advice on the limits for the fishery for *C. gunnari* in Subarea 48.3 and Division 58.5.2 and **adopted** CMs 42-01 and 42-02.

Other fishery matters

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

Cooperation with the Antarctic Treaty System and international organisations

Cooperation with the Antarctic Treaty System

10.1 The Commission noted CCAMLR-40/BG/12, submitted by the Executive Secretary, which highlighted items of relevance to CCAMLR from the summary report of the 43rd ATCM (ATCM XLIII).

Cooperation with international organisations

Reports of observers from international organisations

10.2 The Commission noted CCAMLR-40/BG/13, submitted by ASOC, which reported on the activities conducted by ASOC during the intersessional period to support Antarctic conservation. The Commission noted with appreciation the work of ASOC, whose statement is in Annex 10.

10.3 The Commission noted SC-CAMLR-40/BG/04, submitted by Oceanites, which reported on the organisation's activities on the Antarctic Site Inventory, penguin populations projects (including MAPPPD) and climate change considerations. The Commission noted with appreciation the work of Oceanites, whose statement is in Annex 10.

10.4 The Commission noted SC-CAMLR-40/BG/16, submitted by ARK, which reported on ARK's activities during the 2020/21 krill fishing season and highlighted its willingness to further strengthen the Science–Industry Forum. The Commission noted with appreciation the work of ARK, whose statement is in Annex 10.

10.5 The Commission noted SC-CAMLR-40/BG/15, submitted by SCAR, which highlighted the recent and future activities from its Annual Report (2020/21) that are of relevance to CCAMLR. The Commission noted with appreciation the work of SCAR, whose statement provided is in Annex 10.

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

10.6 The Commission noted the following reports of meetings of other organisations by the nominated CCAMLR Observers:

- CCAMLR-40/BG/02 – Report from the CCAMLR Observer (Argentina) to the Fifth Session of the United Nations Environment Assembly of the of the United Nations Environment Programme – virtual session, 22 and 23 February 2021, which was presented by Argentina
- CCAMLR-40/BG/05 – Report from the CCAMLR Observer (European Union) on the 8th Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement (SIOFA), Online, 5 to 9 July 2021
- CCAMLR-40/BG/16 – Report from the CCAMLR Observer (Australia) to the 24th and 25th Annual Meetings and the 4th Special Session of the Indian Ocean Tuna Commission (IOTC)
- CCAMLR-40/BG/18 – Report from the CCAMLR Observer (USA) on the 2020 ICCAT Correspondence Decision-Making Process

- CCAMLR-40/BG/19 – Report from the CCAMLR Observer (USA) on the Outcomes from the Seventeenth Regular Session of the Western and Central Pacific Fisheries Commission (WCPFC), Virtual meeting, 8 to 15 December 2020
- CCAMLR-40/BG/23 – Report by CCAMLR Observer (Norway) on the 39th Annual Meeting of the North-East Atlantic Fisheries Commission (NEAFC), Virtual meeting, 10 to 13 November 2020
- CCAMLR-40/BG/24 – Report from the CCAMLR Observer (European Union) on the 43rd Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO), Virtual meeting, 20 to 24 September 2021.

10.7 The Chair invited nominations for CCAMLR Observers to forthcoming meetings (Table 1).

Cooperation with regional fisheries management organisations (RFMOs)

10.8 The Commission considered CCAMLR-40/12, submitted by the Secretariat, which describes cooperation under the formal arrangements and memorandums of understanding (MoUs) that CCAMLR has signed with different regional organisations.

10.9 The Commission noted the deliberations of the Scientific Committee on this topic (SC-CAMLR-40, paragraphs 6.1 to 6.3) and endorsed the re-signing of the Arrangement with the South Pacific Regional Fisheries Management Organisation (SPRFMO) and the MoU with ACAP to extend both for an additional three years.

Other business

11.1 Argentina made the following statement:

‘With regard to the use of the term “Southern Ocean” in numerous meeting documents, we recall that the current edition of the International Hydrographic Organization (IHO) Publication of the Limits of Oceans and Seas (S-23), does not include that term. That is there is no consensus with respect to the use of that term nor with the respect to the area it would eventually encompass. For this reason, Argentina has requested in several instances during the current meeting, to avoid the use of said term since it does not constitute internationally agreed language.’

Administrative matters

Election of officers

12.1 The Commission thanked Argentina for its service as Vice-Chair of the Commission in 2020 and 2021, and reappointed Argentina as Vice-Chair for 2022 and 2023.

Invitation of observers

12.2 The Commission will invite the following to attend the Forty-first Meeting of the Commission as Observers:

- Non-Member Contracting Parties – Bulgaria, Canada, Cook Islands, Finland, Greece, Mauritius, Islamic Republic of Pakistan, Republic of Panama, Peru and Vanuatu.
- Other States in dialogue with CCAMLR – Cambodia, Indonesia, Luxembourg.
- NCPs cooperating with CCAMLR through participation in the CDS – Republic of Ecuador.
- NCPs trading in re-exported *Dissostichus* spp. that has not been previously landed in the port of a Contracting Party or NCPs cooperating with CCAMLR by participating in the CDS, who are cooperating with CCAMLR through limited access to the e-CDS – Mexico, Singapore.
- NCPs not participating in the CDS but possibly involved in harvesting, landing and/or trade of toothfish in accordance with the NCP Engagement Strategy – Brunei Darussalam, Colombia, Lebanon, Malaysia, Republic of the Maldives, Philippines, Thailand, Turkey, United Arab Emirates and Viet Nam.
- NCP Flag States of vessels listed on CCAMLR NCP-IUU Vessel List – Republic of Angola, Gambia, Islamic Republic of Iran, Nigeria, St. Vincent and the Grenadines, Tanzania and Togo.

12.3 The Executive Secretary advised the Commission that a list of NCPs to be invited to CCAMLR-41 will be circulated to Members for comment prior to meeting invitations being issued in July 2022.

12.4 The following intergovernmental organisations will be invited to attend CCAMLR-41 as Observers: ACAP, the Antarctic Treaty Secretariat, CCSBT, CEP, CITES, COMNAP, FAO, IATTC, ICCAT, IOC, INTERPOL, IUCN, IWC, RPOA-IUU, SCAR, SCOR, SEAFO, SIOFA, SOOS, SPRFMO, UNEP and WCPFC.

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

Next meeting

12.6 The Commission agreed that CCAMLR-41 will take place in person in Hobart from 24 October to 4 November 2022. Due to the ongoing pandemic and any related travel restrictions, the Commission will have an early intersessional decision to agree whether the meeting will take place in person or be conducted virtually according to the Convention and the Commission's Rules of Procedure.

Report of the 40th Meeting of the Commission

13.1 The report of the Fortieth Meeting of the Commission was adopted.

Close of the meeting

14.1 At the close of the meeting the Chair thanked the Chairs of SCIC, SCAF and the Scientific Committee, and all Members and Observers for their contributions to CCAMLR-40, and read a message sent by Her Excellency Ms Ann Linde, Minister of Foreign Affairs of Sweden. He also thanked the Executive Secretary and the Secretariat, interpreters, stenographers, Interprefey and all support staff for their hard work in the lead up to and during CCAMLR-40.

14.2 Argentina, on behalf of the Commission, thanked Dr Granit for his excellent guidance and leadership throughout the year and during this meeting.

14.3 China, on behalf of the Commission, noted that Mr Máximo Gowland had announced that he would be stepping down as head of the Argentine Delegation following this meeting, and thanked him for his contributions to the Commission's work over many years.

14.4 The Chair closed the meeting.

Table 1: List of 2021/22 meetings of organisations or arrangements with nominated observers for the Commission.

Entity	Dates (where available)	Venue (where available)	Observer
The Agreement for the Conservation of Albatrosses and Petrels (ACAP) MoP	9 to 13 May 2022	Hobart, Australia	Australia
The Antarctic Treaty Consultative Meeting (ATCM)	23 May to 2 June 2022	Berlin, Germany	Executive Secretary
The Food and Agriculture Organization of the United Nations (FAO) COFI	5 to 9 September 2022	Rome, Italy	Executive Secretary
The Commission for the Conservation of Southern Bluefin Tuna (CCSBT)	TBD	TBD	New Zealand
The Inter-American Tropical Tuna Commission (IATTC)	TBD	TBD	Republic of Korea
The International Commission for the Conservation of Atlantic Tunas (ICCAT)	15 to 25 November 2021	Online	USA
The Indian Ocean Tuna Commission (IOTC)	16 to 20 May 2022	TBD	Australia
The World Conservation Union (IUCN)	TBD	TBD	
The International Whaling Commission (IWC)	13 to 21 October 2022	Portoroz, Slovenia	Japan
The Northwest Atlantic Fisheries Organization (NAFO)	19 to 23 September 2022	Portugal	EU
The North East Atlantic Fisheries Commission (NEAFC)	9 to 12 November 2021	TBD	Norway
The South East Atlantic Fisheries Organisation (SEAFO)	24 and 25 November 2021	Online	Norway
The Southern Indian Ocean Fisheries Agreement (SIOFA)	4 to 8 July 2022	TBD	EU
The South Pacific Regional Fisheries Management Organisation (SPRFMO)	22 to 27 January 2022	St Petersburg, Russia	Chile
The United Nations Environment Programme (UNEP)	28 February to 2 March 2022	Nairobi, Kenya	Argentina
The Commission for the Conservation and Management of the Highly Migratory Fish Stocks of the Western and Central Pacific Ocean (WCPFC)	29 November to 7 December 2021	Online	USA

Annex 1

List of Registered Participants

List of Registered Participants

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Acting Chair, Standing Committee on Administration and Finance	Ms Stephanie Langerock FPS Health, DG Environment, Multilateral & Strategic Affairs stephanie.langerock@health.fgov.be
Argentina	Head of Delegation: Alternate Representatives: Advisers:
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Carmel Downes
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CCAMLR-40/BG/03 Rev. 1	Fishery notifications 2021/22 Secretariat
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SC-CAMLR-40/BG/15	The Scientific Committee on Antarctic Research (SCAR) Annual Report 2020/21 Submitted by SCAR
SC-CAMLR-40/BG/16	2021 Report to SC-CAMLR-40 and CCAMLR-40 by the Association of Responsible Krill harvesting companies (ARK) Submitted by ARK

- SC-CAMLR-40/BG/18 Comments and proposals on the development of management strategy for krill fishery: Risk Assessment framework to allocate catch in Subarea 48.1
Delegation of the Russian Federation
- SC-CAMLR-40/BG/22 The Ross Sea, Antarctica: A highly protected MPA in international waters
Submitted by ASOC

**Opening Address by the Governor of Tasmania, Her Excellency
the Honourable Barbara Baker AC**

Opening Address by the Governor of Tasmania, Her Excellency the Honourable Barbara Baker AC

‘Mr Chairman, Your Excellencies, Distinguished Delegates, Ladies and Gentlemen. Good morning and welcome to the 40th annual meeting of the Commission.

Dr Granit, I would like to extend a very warm welcome to you in what is the first year of your Chairmanship of the Commission.

I understand that under the continuing circumstances of the pandemic many of you have not been able to travel to Hobart for the meeting but are joining us online. I can assure you that the City of Hobart has missed you over the last two years just as much as you have missed coming to this wonderful island of Tasmania.

However, we are fortunate that CCAMLR is headquartered here in Hobart, and we have enjoyed visits from the Executive Secretary and Secretariat staff over these two years, helping to keep the relationship between Government House and CCAMLR strong.

This is a particularly special meeting in that it is the 40th meeting of the Commission. The first meeting of the Commission was held in May 1982 at Parliament House in Hobart, very soon after 7 April 1982 when the Convention came into force. Coincidentally both Parliament House and the current Headquarters building of the Commission on Macquarie Street are important historic Hobart buildings dating from the 1840s.

The 40th anniversary of any organisation is a significant milestone. CCAMLR can rightly look back with pride on 40 years of cooperation and successful delivery of the Conservation of Antarctic Marine Living Resources. CCAMLR has developed an enviable international reputation and is rightly looked on as a leader in the field of marine conservation and resource management for its very significant achievements over these years.

I know that you are all proud of this history but are also looking forward to continuing your work on the many pressing issues that are in front of us. Of course, in this year of the COP26 UN Climate Change Conference the issue of climate change is uppermost in our minds, but I know that you will also tackle many other important and diverse issues in your meeting. The international community, and all of us who care deeply about the future of our oceans and of Antarctica, owe you a debt of gratitude for continuing to work hard to develop innovative and effective solutions to the problems that confront us.

Distinguished Delegates, Ladies and Gentlemen, I will bring my brief address to a close by wishing you well in your endeavours over the next two weeks. Tasmania, and Hobart, is immensely proud of the fact that this highly respected international organisation, with its 40 years of achievement, is headquartered in Hobart. So, without further ado I will hand you back to your Chairman to start your deliberations.

Thank you for your attention.’

Annex 4

Agenda for the Fortieth Meeting of the Commission

**Agenda for the Fortieth Meeting
of the Commission for the Conservation
of Antarctic Marine Living Resources**

- 1 Opening of the meeting
- 2 Organisation of the meeting
 - 2.1 Consideration of the ad hoc guidelines
 - 2.2 Adoption of agenda
 - 2.3 Status of the Convention
- 3 Implementation of Convention objectives
 - 3.1 Objectives of the Convention
 - 3.2 Declaration of CCAMLR
- 4 Implementation and compliance
 - 4.1 Advice from SCIC
 - 4.2 CCAMLR Compliance Report
 - 4.3 IUU fishing in the Convention Area
- 5 Administration and Finance
 - 5.1 Advice from SCAF
 - 5.2 Review of the 2021 budget, 2022 budget and forecast budget for 2023
- 6 Management of marine resources
 - 6.1 Advice from the Scientific Committee
 - 6.2 Krill resources
 - 6.3 Fish resources
 - 6.4 Scientific research under Conservation Measure 24-01
 - 6.5 Non-target species
 - 6.5.1 Fish and invertebrates
 - 6.5.2 Seabirds and marine mammals
 - 6.5.3 Bottom fishing and vulnerable marine ecosystems
- 7 Spatial management
 - 7.1 General issues related to spatial management
 - 7.2 Review of existing marine protected areas (MPAs)
 - 7.3 Review of proposals for new MPAs

- 8 Impacts of climate change on the conservation of Antarctic marine living resources
- 9 Conservation measures
 - 9.1 Review of existing measures
 - 9.2 Consideration of new measures and other conservation requirements
- 10 Cooperation with the Antarctic Treaty System and international organisations
 - 10.1 Cooperation with the Antarctic Treaty System
 - 10.2 Cooperation with international organisations
 - 10.2.1 Reports of observers from international organisations
 - 10.2.2 Reports from CCAMLR representatives at meetings of international organisations in the previous intersessional period and nominations of representatives to forthcoming meetings of relevant international organisations
 - 10.2.3 Cooperation with regional fisheries management organisations (RFMOs)
- 11 Other business
- 12 Administrative matters
 - 12.1 Election of officers
 - 12.2 Invitation of observers
 - 12.3 Next meeting
- 13 Report of the 40th Meeting of the Commission
- 14 Close of the meeting.

**Ad hoc guidelines for the annual meetings,
being conducted virtually,
of CCAMLR-40**

Ad hoc guidelines for the annual meetings, being conducted virtually, of CCAMLR-40¹

Acronyms

ROPsCommission Rules of Procedure

HOD Head of Delegation

AR Alternate Representative

Context

1. These ad-hoc guidelines shall apply only for the Annual meeting of CCAMLR-40 (2021).
2. Annual meetings of CCAMLR-40 shall take place following the Commission's ROPs and the ad-hoc guidelines. The guidelines are complementary to the ROPs and do not replace or have precedence over the ROPs.
3. If unforeseen circumstances arise during the course of the Annual meeting, in which the ROPs cannot be applied directly and for which none of the following guidelines apply, the Commission shall decide how to apply the ROPs in the circumstances on the request of the Chair or one of the Members.

Engagement

4. Only registered delegates shall be admitted to meetings. Separate registration for SCIC, SCAF, Scientific Committee and Commission will be requested for secure meeting management.
5. Delegates shall provide alternative electronic contact information on registration, including telephone numbers which may be used by the Secretariat to contact Delegates in case of connectivity difficulties. The Secretariat will advise delegates of emergency contact information, including telephone, to allow them to contact relevant Secretariat staff in case of losing connectivity or interpretation.
6. For each meeting for which a Member has registered, the HOD shall identify one or more AR and authorise them to make relevant decisions should the HOD lose connectivity or interpretation services.
7. All delegates should join the meeting at least 10 minutes before the start. The meeting will be open for access 30 minutes before the start.

¹ As circulated in COMM CIRC 21/58 and modified to reflect an annual meeting and that the schedule is posted on the CCAMLR website.

8. Annual meetings of the Commission and its subsidiary Committees will have closed captions and interpretation into the 4 official languages of the Commission for the duration of the meeting.

9. The Chair shall conduct a roll call at the start of each session of the meeting to establish that the HOD or AR of each delegation is connected and receiving interpretation. If a HOD is absent, the Chair shall confirm, via alternative communication channels, whether they wish to be present at the session. Unless he/she expresses unwillingness to attend the meeting, the Chair shall suspend the meeting until he/she connects².

10. The Chair will periodically check with HODs that they can all still engage with proceedings.

11. Should a HOD or AR lose connectivity or interpretation, it is the responsibility of the delegation to notify the Secretariat or the Chair. The delegation may request the Chair to suspend the meeting until connectivity/interpretation to the HOD/AR is restored. This request may be made by alternative communication methods.

12. Should the HOD and all ARs from a delegation lose connectivity or interpretation, the Chair shall suspend the meeting until they reconnect or interpretation is resumed, unless otherwise advised by that delegation.

13. If members of the delegation that are not a HOD/AR lose connectivity, it is the responsibility of the delegation to contact the Secretariat and restore connectivity. The meeting will not be suspended in the case of loss of connectivity/interpretation of a delegate who is not a HOD/AR.

14. In a Annual meeting all interventions should be brief and to the point. Noting Rule 25 of the ROP, the Chair may limit the time available for discussion of a particular agenda item.

Decision-making

15. When decisions are made in plenary, the Chair will confirm with all HODs that they understand and approve the decision.

16. At the end of each plenary session, the Chair will report the decisions that in his record have been made by the Commission and note the issues that have been discussed but where no decision and/or agreement was reached.

17. All decisions will be confirmed at report adoption.

Reporting

18. The report of the session will be placed on the meeting server within 12 hours of the close of the session and be available for comment from that time as “draft report”. As is

² If the HOD does not respond to attempts to contact them by all available means, the meeting will proceed.

CCAMLR's normal practice, 24 hours after the close of the session the Secretariat will review all comments on the draft report and the Chair will propose a version as "ready for adoption" which will remain on the Meeting server available for review and further comment prior to adoption. The entire draft meeting report will be available prior to consideration and amendments under the agenda "Adoption of the Report" before final adoption. The consideration and amendments shall be conducted in a way that each proposed amendment to report text can be seen on the screen by all delegations. The report shall be adopted at the end of the meeting in accordance with Rule 38 of the ROPs. Amendments on technical and/or factual corrections could be accepted 24 hours after the close of the Commission.

19. To facilitate adoption, rapporteurs will focus the report on decisions with a brief contextual explanation of those decisions. Other discussions will be reported only briefly. Delegations wishing to submit statements are welcome to do so and all statements will be appended to the report of the meeting.

20. Where a range of views have been expressed in the meeting, these views should be reflected in the report as per the rules of procedure.

**Summary of activities of the Commission during the
2020/21 intersessional period – Report of the Chair**

Summary of activities of the Commission during the 2020/21 intersessional period

Report of the Chair

Intersessional meetings

1. The following intersessional meetings of the Scientific Committee were held as virtual meetings in 2021 due to travel restrictions arising from the COVID-19 pandemic:
 - Working Group on Acoustic Survey and Analysis Methods (WG-ASAM), 31 May to 04 June 2021
 - Working Group on Statistics, Assessments and Modelling (WG-SAM), 28 June to 02 July 2021
 - Working Group on Ecosystem Monitoring and Management (WG-EMM), 05 to 09 July 2021
 - Working Group on Fish Stock Assessment (WG-FSA), 13 to 20 September 2021.
2. The work of the Commission and Scientific Committee was supported by a number of e-groups which were active during the year.
3. On behalf of CCAMLR, I would like to express my gratitude to the conveners of these meetings.

CCAMLR-regulated fisheries

4. In the 2020/21 season to 1 August, 13 CCAMLR Members participated in fisheries and research targeting icefish, toothfish and krill (see SC-CAMLR-40/BG/01). Members reported a total catch of 320 014 tonnes of krill, 9 265 tonnes of toothfish and 360 tonnes of icefish from the Convention Area.
5. The Secretariat monitored CCAMLR fisheries using catch and effort reports and notifications of vessel movements. Where necessary, Members and vessels were advised of the closure of areas and fisheries.
6. During 2020/21, 45 deployed scientific observers were appointed in accordance with the Scheme of International Scientific Observation: 31 on longline vessels, three on multipurpose vessels fishing for icefish and toothfish and 11 on vessels fishing for krill.

CCAMLR's fishery monitoring and compliance

7. For the 2020 calendar year, 595 *Dissostichus* catch documents, 2 824 export documents and 711 re-export documents have been issued by 17 Contracting Parties and non-Contracting Parties (NCPs) cooperating with the Catch Documentation Scheme for *Dissostichus* spp.

(CDS). The countries with the largest imports of toothfish, as tracked through the CDS, are the USA, the People’s Republic of China, the Republic of Korea and Singapore.

8. No vessels included on the NCP-IUU (illegal, unreported and unregulated) Vessel List were reported as sighted by Members inside the Convention Area in 2020/21. The Secretariat has continued to cooperate with INTERPOL during 2021.

Science

9. 337 participants from 24 Members attended the mid-year scientific meetings of WG-ASAM, WG-SAM, WG-EMM and WG-FSA, contributing 143 scientific papers. The General Science Capacity Fund supported two new scholarship recipients.

Commission representation at meetings of other organisations

10. The Commission was represented at meetings of 14 international organisations and programs in 2020/21 and maintained relationships with six organisations it has formal Agreements with.

11. Fifty-two non-Member Contracting Parties, NCPs, intergovernmental organisations and non-governmental organisations were invited to attend CCAMLR-40 as Observers.

Secretariat

12. The Secretariat continued to provide fishery monitoring and compliance services to support the work of the Standing Committee on Implementation and Compliance (SCIC), science and data management services to support the work of the Scientific Committee, technical and logistic support to intersessional meetings of the Scientific Committee’s working groups, and support for CCAMLR communications, the website and e-groups.

13. The Secretariat continued to provide quarterly financial and investment reports to Members through the year.

14. The Executive Secretary’s Report to CCAMLR-40 includes a report on the third year of implementation for the 2019–2022 Strategic Plan.

**Declaration on the Occasion of the Fortieth Meeting of the
Commission for the Conservation of Antarctic Marine Living Resources**

Declaration on the Occasion of the Fortieth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources

The Members of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), meeting virtually in October 2021, on the occasion of the fortieth Meeting of the Commission;

Recalling that the Convention on the Conservation of Antarctic Marine Living Resources (CAMLR Convention) entered into force on 7 April 1982;

Further recalling that the first Meeting of CCAMLR was held in Hobart, Australia, from 25 May to 11 June 1982;

Conscious that the objective of the CAMLR Convention is the conservation of Antarctic marine living resources;

Aware that for the purposes of the Convention, the term conservation includes rational use;

Further aware that any harvesting and associated activities in the Convention Area shall be conducted in accordance with the provisions of the Convention and with the conservation principles set out in Article II.3;

Mindful that the CAMLR Convention is an integral part of the Antarctic Treaty System;

Also mindful that Contracting Parties to the CAMLR Convention which are not party to the Antarctic Treaty acknowledge the special obligations and responsibilities of the Antarctic Treaty Consultative Parties for the protection and preservation of the environment of the Antarctic Treaty area, including seas surrounding Antarctica;

Welcoming the Paris Declaration on the occasion of the Sixtieth anniversary of the entry into force of the Antarctic Treaty and on the Thirtieth anniversary of the signing of the 1991 Madrid Protocol on Environmental Protection to the Antarctic Treaty, adopted on 23 June 2021;

Reaffirming the importance of safeguarding the environment and protecting the integrity of the ecosystem of the seas surrounding Antarctica;

Noting the concentration of marine living resources found in Antarctic waters and the ongoing interest in the possibilities offered by the utilisation of these resources as a source of protein;

Acknowledging that illegal, unreported and unregulated (IUU) fishing in the Convention Area continues to be a threat to the conservation of Antarctic marine living resources while recognising CCAMLR's efforts and achievements in effectively combatting IUU fishing;

Recognising the success of the Commission in drastically reducing seabird mortality in the Convention Area;

Acknowledging the importance of an effective Scheme of International Scientific Observation to support the monitoring of operations of fishing activities on board vessels engaging in harvesting of Antarctic marine living resources and related scientific research activities;

Recognising the importance of the implementation of the CCAMLR System of Inspection as an essential tool to verify compliance with conservation measures;

Recalling that the conservation of Antarctic marine living resources calls for international cooperation with due regard for the provisions of the Antarctic Treaty and with the active involvement of all States engaged in scientific research and/or harvesting activities in the seas surrounding Antarctica;

Reaffirming the belief that it is in the interest of all humanity to preserve and conserve the seas surrounding Antarctica for peaceful purposes only and to prevent their becoming the scene or object of international discord;

Reaffirming that the function of the Commission is to give effect to the objective and principles set out in Article II of the Convention;

Noting with concern the effects of global environmental change, including climate change and ocean acidification, for the Antarctic marine living resources, their environment, and dependent and associated marine ecosystems and biodiversity;

Recalling that international cooperation in Antarctica and its surrounding seas is essential to effectively study the effects and impacts of global climate changes and that CCAMLR provides a framework to facilitate this cooperation;

Recalling that CAMLR Convention Article IX sets out the function of the Commission;

Acknowledging that the Scientific Committee provides a forum for consultation and cooperation concerning the collection, study and exchange of scientific information with respect to marine living resources, and has a crucial role in submitting scientific recommendations to the Commission regarding measures and research to achieve the objective of the Convention;

Reaffirming the Commission's commitment to developing an effective system of instruments, including a representative system of marine protected areas (MPAs), with the aim of conserving marine biodiversity within the Convention Area in accordance with the Convention;

Determined to further address the effects and impacts of climate change on Antarctic marine living resources, taking into account international research and reports, including the 2018 Food and Agriculture Organization State of World Fisheries and Aquaculture (SOFIA) report, the IPCC Special Report on the Oceans and Cryosphere in a Changing Climate, the Global Assessment Report on Biodiversity and Ecosystem Services of the Intergovernmental Science–Policy Platform on Biodiversity and Ecosystem Services;

Noting the necessity of adequately managing and protecting vulnerable marine ecosystems (VMEs), including seamounts, hydrothermal vents, cold-water corals and sponge fields;

Highlighting CCAMLR's achievements in protecting VMEs from adverse impacts and threats from bottom fishing through specific measures that have been introduced to protect benthic communities;

Recognising the importance of the CCAMLR Ecosystem Monitoring Program (CEMP) that seeks to serve as a basis for the conservation of Antarctic marine living resources; and distinguish between changes due to harvesting of commercial species and changes due to environmental variability, both physical and biological;

Acknowledging the value of performance reviews as well as dialogues such as the Valdivia and Santiago symposiums, held in 2005 and 2015 respectively, in evaluating the effectiveness of the Commission in achieving the Convention's objective and in supporting continuous improvement in that regard, including through the incorporation of best practices into the work of the Commission and in achieving the objective and implementing the conservation principles of the Convention;

Acknowledging the essential role of the CCAMLR Secretariat in supporting the functions of the Commission, the Scientific Committee and their subsidiary bodies;

Hereby:

1. Reaffirm their strong and unwavering cooperation and commitment to the objective of the CAMLR Convention;
2. Decide to further strengthen their efforts to ensure the conservation of marine living resources in the Convention Area while ensuring that harvesting and associated activities do not irreversibly impact the Antarctic marine ecosystem;
3. Also commit to ensure that the harvesting of marine living resources and associated activities in the Convention Area are managed in accordance with the objective of the Convention and conservation principles;
4. Confirm that the Antarctic Treaty and its Protocol on Environmental Protection ensure the effective and enduring international governance of Antarctica, providing for Antarctica's use only for peaceful purposes, free from measures of a military nature, guaranteeing freedom of scientific investigation and cooperation to that end, and designating Antarctica as a natural reserve devoted to peace and science;
5. Commit to ensure that CCAMLR remains at the forefront of efforts to develop an ecosystem-based management regime as a key component of the Antarctic Treaty system and continues to make decisions based on the precautionary approach;
6. Reaffirm their commitment to the conservation of Antarctic marine living resources, where conservation includes rational use, based on the best scientific evidence available in accordance with the Convention;
7. Reaffirm their commitment to protect VMEs, including seamounts, hydrothermal vents, cold-water corals and sponge fields, including from bottom fishing activities that can have significant adverse impacts on such ecosystems;

8. Also commit to ensure that challenges and impacts on Antarctic marine living resources arising from global environmental change, including climate change, are duly considered and addressed in Commission decisions;
9. Reaffirm their determination to establish a representative system of MPAs within the Convention Area, and to continue making best efforts to scientifically design, designate, implement, monitor and review effectiveness of MPAs in accordance with the Convention;
10. Commit to developing and integrating science-based dynamic management measures, in which information from ongoing ecosystem monitoring is used for updating management provisions at regular intervals, to improve the Commission's ability to achieve the objective and conservation principles of the Convention, in the context of a changing marine environment;
11. Reaffirm their strong commitment to monitoring and controlling Contracting Party compliance with the Convention and conservation measures in force, and eliminating IUU fishing from the Convention Area;
12. Commit to continuing engagement with relevant non-Contracting Parties to ensure they cooperate fully with CCAMLR and the effectiveness of CCAMLR conservation measures is not undermined;
13. Reaffirm their commitment to prevent market access to products of IUU fishing taken from the Convention Area;
14. Also reaffirm their continued commitment to ensure compliance with conservation measures and deter the involvement of their nationals in IUU fishing activities and where they do, take effective action;
15. Reiterate their will to enhance and reinforce the CCAMLR System of Inspection and the Scheme of International Scientific Observation, for respectively ensuring compliance with CCAMLR conservation measures and supporting scientific research activities through responsible and sustainable harvesting, that lead to improved conservation and better management;
16. Commit to ensure CCAMLR maintains a close collaboration with the Antarctic Treaty Consultative Meeting (ATCM) and other relevant bodies of the Antarctic Treaty System on matters falling within their competence, bearing in mind its particular importance in accordance with the CAMLR Convention, as well as other relevant bodies of the Antarctic Treaty System, including the Committee on Environmental Protection (CEP), as well as the Scientific Committee on Antarctic Research (SCAR) and others;
17. Further reaffirm their commitment to continue to collaborate, as appropriate, with the United Nations Food and Agriculture Organization, relevant regional fisheries management organisations and arrangements, particularly those that manage areas adjacent to the Convention Area, as well as appropriate intergovernmental and non-governmental organisations which can contribute to the work of the Commission;
18. Reaffirm their commitment to provide the Secretariat with the necessary means and support to carry out the work entrusted to it by the Commission;

19. Reaffirm the important role of the Scientific Committee including the collection, study and exchange of information with respect to the marine living resources and in formulating its scientific advice to the Commission in accordance with Article XV of the Convention;
20. Further reaffirm their determination to take decisions based on the best scientific evidence available;
21. Reaffirm their determination to work collectively and constructively in the spirit of the Antarctic Treaty System to continue to enhance the functioning of the Commission with a view to achieving the objective of the Convention;
22. Reaffirm their determination to ensure the ongoing conservation of Antarctic marine living resources which form part of the Antarctic marine ecosystem, including in response to the effects and impacts of global climate change.

Adopted on 29 October 2021

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

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

Opening of the meeting

1. The Meeting of the Standing Committee on Implementation and Compliance (SCIC) was conducted virtually from 18 to 22 October 2021. Delegates were unable to be present in person in Hobart and participated in the meeting virtually through Interprefy.
2. The Chair of SCIC, Ms M. Engelke-Ros (United States of America (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

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

Review of compliance and implementation-related measures and systems

4. SCIC considered the proposal by the Russian Federation (Russia) for a formalised reporting system for the retrieval of fishing gears after the closure of a fishery (CCAMLR-40/29).
5. SCIC thanked Russia for its paper, noting that the compilation of information relating to late gear retrieval notifications that had been reported in circulars was useful. The USA noted that it would be helpful if the Secretariat could compile similar information for SCIC to consider at its meetings going forward.
6. The People's Republic of China (China) expressed concerns over the delayed retrieval and consequential over-catch, recalled that this has been a persistent issue for several years, and looked forward to having this issue resolved.
7. Some Members expressed their regret that the Secretariat's recommendations on vessel monitoring system (VMS) and transhipment could not be agreed upon. Some Members found many of these recommendations very useful in improving these two important matters. Some Members appreciated the time and effort the Secretariat has put in the work to identify gaps and suggest improvements and hoped that the non-agreement this time would not discourage the Secretariat's ongoing effort to identify room for improvements. The Republic of Korea (Korea) encouraged Members to work with the Secretariat on a voluntary basis to support these efforts. Korea hoped that next year SCIC can have more time and fuller discussions on the Secretariat's working papers and recommendations to support the evolution of important monitoring, control and surveillance (MCS) measures of CCAMLR for the better.

Catch Documentation Scheme for *Dissostichus* spp. (CDS)

8. SCIC noted its appreciation for the Secretariat's report on the implementation of the Catch Documentation Scheme for *Dissostichus* spp. (CDS) and analysis (CCAMLR-40/BG/06). The paper was taken as read and no discussion was held by SCIC.

Vessel inspection

9. SCIC noted its appreciation for the Secretariat's report on the implementation of port inspections (Conservation Measure (CM) 10-03) and the System of Inspection (CCAMLR-40/BG/04). The paper was taken as read and no discussion was held by SCIC.

VMS and vessel movement activity within the Convention Area

10. SCIC considered the Secretariat's report on the implementation of the VMS (CCAMLR-40/17) which included four recommendations to improve the VMS and vessel movement activity management:

- (i) adoption of a buffer zone or other measure outside the Convention Area for the transmission of VMS data
- (ii) undertaking a trial of the automatic generation of vessel movement notifications from VMS data, with the results reported to CCAMLR-41
- (iii) adoption of an annex to CM 10-04 for Members to use when requesting VMS data for surveillance and/or inspection activities
- (iv) conducting a survey of the different VMS units and service providers in operation in the Convention Area and report back to SCIC in 2022.

11. SCIC noted that recommendation one, the adoption of a buffer zone or other measure, was not agreed. SCIC noted the concerns of some Members that the adoption of such a requirement would imply regulating outside the Convention Area which they cannot support.

12. Some Members supported recommendation two, an automated VMS movement notification trial. Several Members agreed to voluntarily participate in the pilot project; in their view, the trial does not replace any of the obligations of CM 10-04.

13. Recommendation three, the adoption of a new Annex A to CM 10-04, was not agreed. Some Members noted that a standardised form for VMS data requests for surveillance and/or inspection activities would improve efficiency for both the Secretariat and requesting Members. Some Members agreed that the template could be used on a voluntary basis by interested Members.

14. Recommendation four, a survey of Members' VMS units and service providers, was not agreed. Some Members noted that a survey would assist the Secretariat in identifying VMS-unit and provider-specific issues in data reporting and participation. Some Members expressed their willingness to implement the recommendation on a voluntary basis.

15. Many Members noted that VMS and vessel movement activity was an important management measure and improvements to these systems would benefit Members and the effectiveness of the Secretariat.

16. SCIC thanked the Secretariat for its paper. Many Members expressed their disappointment at SCIC not being able to agree on all the Secretariat's recommendations. Some Members further noted that they supported proposals that improve efficiencies and enable the Secretariat to undertake its functions more easily which will ultimately support the Commission in its endeavours. Those Members welcomed working with the Secretariat and all Members on this and similar proposals in the intersessional period to try to improve the effectiveness of CCAMLR conservation measures.

Promotion of compliance in CCAMLR

17. SCIC noted its appreciation for the submissions from the European Union (EU), suggesting improvements to fisheries management in CCAMLR (CCAMLR-40/BG/01) and New Zealand reporting on the aerial surveillance patrols undertaken in the Ross Sea during the 2020/21 season (CCAMLR-40/BG/22). The papers were taken as read and no discussion was held by SCIC.

Transhipment

18. SCIC thanked the Secretariat for the report on the implementation of the notification system of transhipment (CCAMLR-40/16) which included five recommendations. SCIC noted that consensus could not be reached on the five proposals. Many Members noted the large number of compliance issues relating to transhipment notifications contained in the Summary CCAMLR Compliance Report (CCAMLR-40/07 Rev. 1, Annex 1) and considered that the recommendations from the Secretariat could facilitate and improve compliance. Many Members expressed their willingness to continue to work with the Secretariat on this proposal intersessionally.

19. China indicated that these recommendations involved both technical issues and legal issues and discussion should have taken place in the context of CM 10-09. Therefore, China suggested that, should specific text changes to CM 10-09 reflecting these recommendations be proposed, they would be of help for efficient discussion.

20. The EU noted that vessels flagged to EU Member States Lithuania and Cyprus are identified in Table 1 of the report on the implementation of the notification system of transhipment (CCAMLR-40/16) as vessels flagged to 'non-Contracting Parties' (NCPs). The EU noted that it has exclusive competence for the conservation of marine biological resources, which covers fisheries-related transhipment activities within the Convention Area and requested that this be reflected appropriately in the report.

21. Australia and Argentina noted that several EU Member States are not Contracting Parties to the Convention and that this is a sensitive issue for CCAMLR.

22. ASOC thanked the Secretariat for its report and expressed support for its recommendations, recalling Recommendation 12 of the Second CCAMLR Performance Review (CCAMLR-XXXVI/01) that identified transhipment regulation as a significant gap in CCAMLR's compliance regime. ASOC also noted that the EU's suggested improvements to fisheries management in CCAMLR (CCAMLR-40/BG/01) provide useful suggestions for further actions that CCAMLR could take. ASOC noted that, in its view, CCAMLR continues to lag behind other organisations with respect to transhipment and that it hopes this can change in the future.

Proposals for new and revised compliance-related conservation measures

Conservation Measure 10-05

23. SCIC noted the 871 issues of non-compliance with CM 10-05, paragraph 6, identified in the CCAMLR Compliance Evaluation Procedure (CCEP) Summary Report and analysis (CCAMLR-40/07 Rev. 1, Annex 1). Some Members noted that the issues reflected some confusion caused by inconsistency in the use of language between CM 10-05 and the e-CDS. SCIC considered the proposal by the United States of America (USA) to revise CM 10-05 to address the inconsistency.

Conservation Measure 26-01

24. SCIC considered the proposal by the EU to amend CM 26-01 to prohibit the dumping and discharge of garbage, poultry, sewage and offal throughout the Convention Area (CCAMLR-40/21 Rev. 1), and to replace the concept of a 'vessel fishing' with the defined term 'fishing vessel' from CM 10-03.

25. The EU noted that the current conservation measure only prohibits dumping and discharge south of 60°S latitude, and that the proposal was consistent with the MARPOL 73/78 Convention and its annexes.

26. Russia considered that the proposed changes to the definition of a fishing vessel in CM 10-03 were more relevant to the competence of the International Maritime Organization (IMO), and noted that the definition would include transport vessels, many of which are flagged to NCPs.

27. China highlighted the fact that CM 26-01 was revised just two years ago with an EU proposal and expressed concerns over frequent changes in this conservation measure. China referred to Article IX of the Convention, and asked the EU whether it has conducted an analysis of the conservation need for this proposal. In addition, China indicated the current IMO polar code is not applicable to fishing vessels.

28. Some Members welcomed the proposal, noting that it would increase the protection of Antarctic marine living resources and their habitats and that seabirds, in particular, would benefit from the proposed expansion of the prohibition on the discharge of poultry throughout the Convention Area.

29. Japan and Argentina, whilst supporting the principle of preventing pollution in the Convention Area, considered that the issue of marine pollution is under the competence of the IMO and that some of the proposed provisions are beyond the scope of what is currently required under MARPOL and its annexes. Japan considered that if the EU's proposals were presented and endorsed by the IMO, it could support the amendments to the relevant CCAMLR conservation measures.

30. Some Members reaffirmed that it was within CCAMLR's mandate to enhance environmental protections in the Convention Area and that adoption of protections stronger than what is currently required under relevant IMO instruments is appropriate, provided that such measures do not conflict with the requirement of MARPOL and its annexes. These Members supported the proposal to amend CM 26-01 accordingly, noting that it strengthens current measures.

31. ASOC supported the EU proposal to amend CM 26-01 as ASOC considered it particularly important to reduce pollution from fishing vessels. ASOC also noted that fishing gear is the main at-sea-based source of marine debris globally, and that in the Convention Area over a thousand kilometres of longline are estimated to be lost per year. This presents a significant risk to the marine environment. ASOC therefore thanked members of the Coalition of Legal Toothfish Operators (COLTO) that have been making efforts to retrieve lost gear and urged CCAMLR to make additional revisions to CM 26-01 to address gear loss and reduce marine plastic pollution.

32. China highlighted that CCAMLR has addressed the concerns raised by ASOC in relation to plastic pollution by having revised CM 26-01 in 2019.

Data reporting and observer requirements

33. SCIC considered the proposal by the EU to amend CMs 21-01, 21-02 and 23-05 (CCAMLR-40/22). The proposed changes were to specify in CM 21-01 that the presence of a scientific observer on board is required for new fisheries, and to specify in CM 21-02 that the scientific observers should be appointed in accordance with the Scheme of International Scientific Observation (SISO). The changes to CM 23-05 were to clarify that its data collection requirements apply only to activities of vessels that do not have on board a scientific observer appointed in accordance with the SISO.

34. Many Members supported the proposals to amend CMs 21-01 and 21-02, noting the greater consistency that it would provide for observer presence and reporting requirements on vessels in all CCAMLR fisheries.

35. Some Members noted that CM 21-01 sets the requirements for a new fishery, that these require strict data collection plans, and that there have been no new CCAMLR fisheries

proposed for many years, therefore amendments to the conservation measure were not required. Some Members further considered that the addition of a SISO-appointed observer to CM 21-01 should only be considered after advice from the Scientific Committee.

36. Many Members noted that the proposal to amend CM 23-05 may undermine compliance. Furthermore, as observers are only required to collect a fraction of the information required within this conservation measure, the data collected by vessels can be important in the scientific process, as well as allow for cross-checking of reported information.

Recommendations of SCIC

37. SCIC thanked the EU for its proposal to amend CMs 21-01, 21-02 and 23-05 but was unable to reach consensus. SCIC invited interested Members to have intersessional discussions.

38. SCIC thanked the EU for its proposal to amend CM 26-01 but was unable to reach consensus on the proposal. Noting the need for further dialogue among Members, SCIC referred the matter to the Commission.

39. SCIC endorsed the proposal by the USA to amend CM 10-05, and the proposal by Russia to amend CM 31-02, and referred the proposals to the Commission for adoption.

CCAMLR Compliance Evaluation Procedure (CCEP)

Provisional CCAMLR Compliance Report

40. In accordance with CM 10-10, paragraph 3(i), SCIC considered the 77 potential compliance incidents in the CCEP Summary Report (CCAMLR-40/07 Rev. 1, Annex 1). The procedure for generating the CCEP was circulated via COMM CIRC 21/80 and included in CCAMLR-40/07 Rev. 1 as Annex 2. SCIC noted the overall high level of compliance with the conservation measures assessed, with compliance rates greater than 92% in most assessments.

41. China noted the reference to the SISO observer reports included in CCAMLR-40/07 Rev. 1, Annex 2, needed some changes. SCIC concurred that whilst the mandate of SISO observers is to collect scientific data rather than to serve a compliance function, information contained in observer reports may be used by the Secretariat to identify potential compliance issues. SCIC agreed to modify the report on the CCEP methodology accordingly.

42. SCIC did not come to a conclusion on all matters in the Summary CCAMLR Compliance Report or reach consensus to adopt the Provisional CCAMLR Compliance Report as required in accordance with paragraph 3 of CM 10-10. Therefore, paragraphs 43 to 90 and the table in Appendix I reflect only the discussions as they proceeded as it was not possible to complete the full discussion on all matters. It was acknowledged that consensus would still need to be achieved on the report as a whole and that, because it is necessary to treat compliance issues consistently, some adjustments might have been needed prior to adoption of a Provisional CCAMLR Compliance Report.

Conservation Measure (CM) 10-01

43. SCIC considered the implementation of CM 10-01 by Korea regarding the marking of fishing vessels and gear. SCIC agreed the preliminary compliance status of minor non-compliant (Level 1) and noted the action taken by Korea to prevent future incidents.

CM 10-03, paragraph 4

44. SCIC considered the implementation of CM 10-03, paragraph 4, by Korea and Russia regarding the requirement for vessels to provide the information in CM 10-03, Annex 10-03/A, at least 48 hours in advance of port entry.

45. Some Members noted that, in accordance with paragraph 4 of CM 10-03, the Contracting Parties shall require vessels seeking entry into ports to provide 48-hour advance notice of arrival. In this regard, those Members considered the obligation in CM 10-03, paragraph 4, refers to the Port State.

46. China expressed concern with the inclusion of these issues in the Summary CCAMLR Compliance Report as instances of potential Flag State non-compliance, indicating the inconsistencies between instances included in the Summary CCAMLR Compliance Report. China further highlighted that the Flag State's willingness to take responsibility, which is exception, does not exempt the concerned Port State from discharging its obligations and admitted the instance as a non-compliance case.

47. Many Members noted that whilst the obligation to implement a 48-hour advance notice of arrival requirement is a Port State obligation under CM 10-03, paragraph 4, implementation of the measures is only possible if the Flag State ensures that its vessels provide information to the Port State in a timely fashion. Those Members considered that intersessional work should be undertaken to review CM 10-03 and identify any required amendments to clarify the operation of the obligations in CM 10-03, particularly paragraph 4, on Flag States.

48. SCIC did not consider the compliance statuses for these particular issues involving CM 10-03 due to time constraints.

CM 10-03, paragraph 5

49. SCIC considered the implementation of CM 10-03, paragraph 5, by New Zealand, South Africa and Uruguay regarding the requirement for a port inspection to be conducted within 48 hours of port entry. SCIC agreed the preliminary compliance status proposed by all three Members.

50. The USA noted that the issue of late port inspections by South Africa has been an issue historically (SCIC-2019, paragraphs 73 and 74) and regarded the matter with concern. The USA requested that South Africa provide an update to SCIC in 2022 on any efforts to improve port inspection capacity.

51. SCIC agreed the preliminary compliance status of minor non-compliant (Level 1) for this issue.

CM 10-03, paragraph 8

52. SCIC considered the implementation of CM 10-03, paragraph 8, by France and Mauritius regarding the submission of a port inspection report within 30 days following the inspection.

53. SCIC agreed the preliminary compliance status proposed by France. SCIC noted that Mauritius had not provided a preliminary compliance status and assigned a status of minor non-compliant (Level 1).

CM 10-04

54. SCIC considered the implementation of CM 10-04, paragraph 13, by seven Members regarding the requirement of Flag States to notify the Secretariat within 24 hours of each entry to, exit from, and movement between, subareas and divisions of the Convention Area.

55. SCIC was unable to reach consensus on compliance status for two vessels from China but for the remaining incidents, SCIC agreed with the preliminary status assigned by Australia, China, France, Korea, New Zealand, South Africa and Ukraine.

56. Australia noted the proposal set out in CCAMLR-40/17 to trial automatic generation of movement notifications and noted that implementation of this proposal would address many of the issues raised and improve compliance with conservation measures moving forward.

CM 10-05, paragraph 3

57. SCIC considered the implementation of CM 10-05, paragraph 3, by Uruguay regarding the requirement that each landing of *Dissostichus* spp. at its ports be accompanied by a completed *Dissostichus* Catch Document (DCD). SCIC agreed the preliminary compliance status proposed by Uruguay.

CM 10-05, paragraph 6

58. SCIC considered the implementation of CM 10-05, paragraph 6, by 13 Contracting Parties regarding the prohibition on exporting toothfish without an accompanying *Dissostichus* Export Document (DED) or *Dissostichus* Re-Export Document (DRED).

59. Some Members noted that many of the compliance issues related to this obligation arose from confusion between the requirement for a date of issue specified in CM 10-05,

Annex 10-05/A, paragraph A7(ix) and the date of export specified on the e-CDS. SCIC welcomed the Secretariat's explanation of the issue and the proposal from the USA to amend CM 10-05 and the e-CDS to resolve any confusion.

60. SCIC noted Argentina's statement that it had inadvertently omitted to respond to its draft compliance report. Argentina further recalled its response which was provided in COMM CIRC 21/15. SCIC agreed the proposed compliance status of compliant noting the issue was due to a typographical error made in completing the DED.

61. Australia noted the USA suggestion as stated in CCAMLR-40/BG/26 of a compliance status of minor non-compliant (Level 1) for its incident under CM 10-05, paragraph 6, in its draft compliance report, and emphasised the importance of consistency in assigning compliance statuses. SCIC agreed the compliance status of minor non-compliant (Level 1).

62. SCIC noted that Belgium did not provide a response to its draft compliance report and recalled the response provided by the EU on behalf of Belgium in CCAMLR-40/BG/26, paragraph 8. The EU informed that this issue of non-compliance was a result of an export of toothfish leaving Belgium whilst the United Kingdom (UK) was a Member of the EU and arriving in the UK after the exit by the UK from the EU, therefore requiring a DRED for the toothfish to be imported into the UK. Some Members considered that a compliance status of no status assigned could be applied as the issue was due to an exceptional set of circumstances that were unlikely to be repeated. SCIC did not agree on an assigned compliance status for Belgium.

63. Some Members noted that SCIC should consider the circumstance relating to nil response regarding this particular case concerning Belgium.

64. Russia noted that Chile validated 377 DED/DREDs after the declared export date, which accounted for 23% of Chile's exports, and sought clarity on the administrative oversight that occurred. Chile confirmed that the majority of cases occurred in one region of the country and was due to administrative errors in the implementation of CM 10-05, including confusion over the date of issue and the export date in CM 10-05, paragraph A7(ix)(1)(d). Chile also expressed that remedial action had been taken to avoid future errors of administrative nature. SCIC did not agree on an assigned compliance status for Chile.

65. The EU considered that the preliminary assigned compliance status by China of compliant should be either minor non-compliant (Level 1) or need for interpretation by SCIC. SCIC did not agree on an assigned compliance status for China.

66. SCIC considered the compliance status assigned by France, noting that the issue was due to the interpretation of date of issue in CM 10-05, paragraph A7(ix)(1)(d). SCIC did not agree on an assigned compliance status for France.

67. SCIC noted that Mauritius had not assigned a preliminary compliance status and assigned a status of additional information required.

68. SCIC noted that the Netherlands did not provide a response to its draft compliance report and recalled the response provided by the EU on behalf of the Netherlands in CCAMLR-40/BG/26, paragraph 15. SCIC agreed to assign the Netherlands a status of additional information required.

69. Some Members noted that SCIC should consider the circumstance relating to nil response regarding this particular case concerning the Netherlands.

70. SCIC agreed the preliminary compliance status assigned by New Zealand, South Africa, UK, USA and Uruguay.

71. SCIC noted that Spain did not provide a response to its draft compliance report and recalled the response provided by the EU on behalf of Spain in CCAMLR-40/BG/26, paragraph 18. SCIC did not agree on an assigned compliance status for Spain.

72. Some Members noted that SCIC should consider the circumstance relating to nil response regarding this particular case concerning Spain.

CM 10-09, paragraph 2

73. SCIC considered four Members' implementation of CM 10-09, paragraph 2, which requires each Contracting Party as a Flag State to notify the Secretariat at least 72 hours in advance if any of its vessels intend to tranship within the Convention Area.

74. SCIC agreed the preliminary compliance status assigned by Chile and Norway.

75. SCIC noted that the Netherlands did not provide a response to its draft compliance report and recalled the response provided by the EU on behalf of the Netherlands in CCAMLR-40/BG/26, paragraph 15. SCIC assigned the Netherlands a status of minor non-compliant (Level 1).

76. Some Members noted that SCIC should consider the circumstance relating to nil response regarding this particular case concerning the Netherlands.

77. Some Members raised concerns with the preliminary status of 'compliance' provided by China. China noted that the issues were due to operational difficulties necessitating a change in the transhipment date and considered that updated information had been provided to the Secretariat. SCIC did not agree on an assigned compliance status for China.

78. SCIC did not consider the compliance of Panama, Russia, Ukraine and Vanuatu with CM 10-09, paragraph 2.

CM 10-09, paragraph 3

79. SCIC considered the implementation of CM 10-09, paragraph 3, by China, the Netherlands and Norway. This paragraph requires each Contracting Party to notify the Secretariat at least 2 hours in advance if any of its vessels intend to tranship items other than harvested marine living resources, bait or fuel within the Convention Area.

80. SCIC agreed to assign a status of no compliance status assigned for China's instances involving cases of emergency relating to the safety of a ship and those on board as consistent with the previous years' practice.

81. SCIC noted that the Netherlands had not assigned a preliminary compliance status and recalled the response provided by the EU on behalf of Netherlands in CCAMLR-40/BG/26, paragraph 15, and agreed to assign a status of minor non-compliant (Level 1). SCIC agreed the preliminary compliance status of non-compliant (Level 2) for Norway.

82. Some Members noted that SCIC should consider the circumstance relating to nil responses regarding this particular case concerning the Netherlands.

83. SCIC did not consider the compliance of Panama and Vanuatu with CM 10-09, paragraph 3.

CM 10-09, paragraph 4

84. SCIC did not consider the compliance of Russia with CM 10-09, paragraph 4.

CM 10-09, paragraph 5

85. SCIC considered the implementation of CM 10-09, paragraph 5, by five Members. This paragraph requires each Contracting Party to provide confirmation of transhipment to the Secretariat within three (3) working days of any of its vessels having transhipped within the Convention Area.

86. SCIC agreed the preliminary compliance status assigned by Chile, China and Norway. SCIC agreed a status of minor non-compliant (Level 1) for the Netherlands. SCIC agreed with Korea's revised compliance status as provided in CCAMLR-40/BG/26, Annex 1. Due to time constraints, SCIC did not consider the compliance of Panama, Russia and Vanuatu with CM 10-09, paragraph 5.

CM 10-09, paragraph 8

87. SCIC considered the implementation of CM 10-09, paragraph 8, by Norway, which states that no vessel may conduct transhipment within the Convention Area for which prior notification, pursuant to CM 10-09, paragraphs 2, 3 and 4, has not been given.

88. SCIC agreed the preliminary compliance status assigned by Norway.

89. SCIC did not consider the compliance of Panama, Russia and Vanuatu with CM 10-09, paragraph 8.

Compliance issues not considered

90. SCIC did not consider the compliance issues with the following conservations measures and Members:

- (i) CM 25-02: Ukraine, UK
- (ii) CM 25-03: Chile
- (iii) CM 26-01: China
- (iv) CM 31-02: Ukraine
- (v) CM 32-02: South Africa
- (vi) CM 41-01: New Zealand
- (vii) CM 91-05: Korea, Spain, Ukraine, UK
- (viii) System of Inspection: Norway.

Review of CM 10-10

91. SCIC noted that consensus decision-making is a fundamental element of CCAMLR's Rules of Procedure and agreed that there are broad interests in reviewing the mechanisms of compliance evaluation, and how a compliance status is determined, but due to the limited time of the meeting, discussions on improvements to CM 10-10 could not be undertaken. Some Members recommended intersessional work be undertaken by interested Members, and Korea volunteered to chair e-group discussions on the issue.

92. SCIC agreed that compliance with conservation measures is essential to achieve the objective of the Convention and noted that the key objectives of the CCEP are to assess the effectiveness of conservation measures, to further strengthen conservation measures and improve overall compliance. Many Members expressed disappointment that there was no consensus to continue these important discussions on compliance issues resulting in the failure to adopt a Provisional CCAMLR Compliance Report.

93. Many Members noted that SCIC should always be focused on building a positive compliance process focused on follow-up actions where there is a need to resolve issues. In this regard, Australia noted its paper from 2018 (CCAMLR-XXXVII/BG/39) outlining its views on the principles of the CCEP.

94. China expressed its disappointment with the failure to adopt a Provisional CCAMLR Compliance Report, recalling that in 2020 the Commission last underscored the importance of following procedures set out in CM 10-10 to adopt the Provisional CCAMLR Compliance Report this year (CCAMLR-39, paragraph 3.42). To improve the situation, China suggested separating technical issues from the legal and compliance issues in both drafting and reviewing the report. China considered that SCIC should allocate more time for the review of the Summary CCAMLR Compliance Report and take this item as its first priority. In addition, China encouraged Members to focus more attention on the implementation of the conservation measures, including CM 10-10.

95. SCIC reflected that overall compliance with CCAMLR conservation measures is very high (CCAMLR-40/07 Rev. 1, paragraph 6i) and noted that the process of consensus requires active engagement not just during the SCIC meeting. The UK encouraged all Members to participate intersessionally to improve the process of providing consensus decisions and advice.

96. Russia noted its support for consensus principles in adopting the summary compliance report and noted that supporting subsidiary bodies is a matter for the Commission to create and designate terms of reference for. Russia further noted that for any subsidiary group, there needs to be agreement on what is being discussed to ensure advice was clear and consistent with formal mechanisms.

97. Many Members expressed their disappointment with the failure to adopt the Provisional CCAMLR Compliance Report for consideration by the Commission and welcomed proposed intersessional work to revise and improve the effectiveness of the CCEP process and CM 10-10.

98. ASOC supported the statements made by many Members reiterating that the CCEP's successful functioning is absolutely essential to CCAMLR achieving its conservation objective. ASOC noted its concern about the outcome of this year's process and suggested that Members work intersessionally to improve this situation. ASOC stated that avoiding a repeat of this year must be a priority ahead of next year's SCIC meeting.

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

Current level of IUU fishing

99. The Secretariat introduced CCAMLR-40/06 on illegal, unreported and unregulated (IUU) fishing activity and trends in 2020/21 and IUU Vessel Lists. SCIC noted that no sightings of vessels included on the Contracting Parties and NCP-IUU Vessel Lists were reported during the 2020/21 season. SCIC also noted that there were 24 reports of unidentified fishing gear retrieved within the Convention Area for the period October 2020 to August 2021.

100. SCIC noted the interim report submitted by INTERPOL (CCAMLR-40/BG/07) in accordance with the funding agreement between CCAMLR and INTERPOL. Australia highlighted the considerable international effort with respect to the IUU fishing vessel *Cobija*. Australia further acknowledged the ongoing investigation by Spain and offered its continued support. India noted that this cooperation with INTERPOL is important in the efforts to combat IUU fishing activities. SCIC acknowledged the global effort undertaken by INTERPOL, Australia, Myanmar, Bolivia, Panama and Yemen in the boarding, investigation and apprehension of the vessel *Cobija*.

101. SCIC noted the New Zealand summary of information regarding the activities of the Russian-flagged fishing vessel *Palmer* in the Convention Area in January 2020 and November 2017 (CCAMLR-40/BG/21).

102. Russia noted that the required information had been provided in COMM CIRCs 20/76 and 20/135 and that it had reached out to New Zealand numerous times to request the original photographs of the *Palmer* which contain the raw metadata, but that had not been provided. Russia noted that, without these photographs, it has been significantly difficult to undertake further investigations. Russia noted it was willing to proceed further on the issue if the requested images could be provided.

103. New Zealand noted that CCAMLR-40/BG/21 summarised the information that has been tabled to date in support of Russia's investigations regarding activities in January 2020 that led to New Zealand's recommendation to include the *Palmer* on the CP-IUU Vessel List, and

further investigation of the 2017 pre-season fishing activities. New Zealand recalled that it has provided full and detailed information in support of these investigations (COMM CIRCs 20/47 and 20/149) and that the original photographs had been provided to Russia with copies to the Secretariat.

104. New Zealand and the USA noted the following outstanding information related to the activities of the *Palmer* including: verifiable VMS data, C2 catch data and observer reporting data for the month of January 2020, as well as confirmation that the *Palmer* continuously reported on VMS during the month of January 2020; and verifiable VMS data, C2 catch data, and observer reporting data, including photographs of the fishing gear on board from 18 to 30 November 2017.

105. Russia reiterated that the EXIF metadata of the photographs provided by New Zealand through the Secretariat was changed before being handed over to Russia and the submission of primary photographs with the original (raw) metadata is still necessary.

106. Many Members thanked New Zealand for the summary of information, noting that the C2 data, observer reports and verifiable VMS positions requested by SCIC have not been provided by Russia. SCIC welcomed the commitment of Russia and other interested parties to future engagement on the issue. Some Members noted that there was no reason to doubt the quality of information provided by New Zealand. The USA also noted that without resolution on the issue it may be necessary to quarantine the *Palmer*'s data from the stock assessment process.

107. SCIC noted the UK report to CCAMLR on possible IUU fishing in the Convention Area (CCAMLR-40/BG/17) identified through satellite surveillance activity in Subareas 48.1 and 48.3, which it has undertaken last season on behalf of CCAMLR. The suspected vessel(s) could not be identified through CCAMLR or engagement with the International Association of Antarctica Tour Operators (IAATO) and the Council of Managers of National Antarctic Programs (COMNAP). The UK therefore undertook two aerial patrols in Subareas 48.1 and 48.3 and confirmed no authorised CCAMLR vessels or potentially illegal vessels had been detected.

108. China appreciated the efforts of the UK in conducting the surveillance activity on behalf of CCAMLR, was of the view that the Secretariat should be informed before and after the surveillance activities, and suggested that relevant protocols for such the surveillance activities be developed.

109. SCIC expressed gratitude to all Members who carry out patrols, noting that they provide a service to all CCAMLR Members through the work that they do.

110. ASOC thanked New Zealand, the UK and INTERPOL for their respective reports and looked forward to the report on the *Palmer*.

IUU Vessel Lists

111. SCIC considered the 2021/22 Provisional NCP-IUU Vessel List and the 2021/22 Provisional CP-IUU Vessel List.

NCP-IUU Vessel List

112. SCIC noted the information distributed by Panama in COMM CIRCs 21/05 and 21/14 and agreed to move the *Nika* from the CP-IUU Vessel List to the NCP-IUU Vessel List. SCIC recalled COMM CIRC 21/78, noting that the *Baroon* was no longer registered by Tanzania and also noted the report by the Secretariat in CCAMLR-40/06 indicating that the *Asian Warrior* is not registered by Saint Vincent and the Grenadines. SCIC agreed to amend the NCP-IUU Vessel List accordingly.

113. The Islamic Republic of Iran (Iran) informed SCIC that it is a member of the Indian Ocean Tuna Commission (IOTC) and as such has always adhered to the rules and regulations for responsible fishing and is committed to cooperation in addressing IUU fishing. With regard to the *Koosha 4*, Iran noted that at the time of the incident which led to the IUU listing, the vessel was under the management of a Spanish company. Iran reported that this management was terminated by direction of the Iranian government on discovery of the IUU fishing activities. In 2012, the vessel was confiscated by a bank due to a bankruptcy claim and removed from the IOTC active vessel list in 2017. The vessel has since fallen into great disrepair and has gone to auction three times but has not been sold due to its poor condition. The vessel has been inactive for more than six years. As such, Iran has requested the *Koosha 4* be removed from the NCP-IUU Vessel List.

114. SCIC noted that the removal of the *Koosha 4* from the NCP-IUU Vessel List was discussed in 2017 (CCAMLR-XXXVI, paragraph 3.53). SCIC requested written documentation and evidence to support the request for delisting, however, Iran indicated it would be at least two weeks until the requested documentation could be translated and made available. SCIC noted the information provided by Iran and decided that due to lack of written documentation and supporting evidence, the *Koosha 4* should remain on the NCP-IUU Vessel List. SCIC agreed to recommend that the Commission consider making an intersessional decision on the removal of the *Koosha 4* from the NCP-IUU Vessel List if the documentation provided by Iran meets the criteria for delisting under CM 10-07, in particular paragraph 18, and consensus can be reached in the intersessional period pursuant to Rule 7 of the Commission's Rules of Procedure. SCIC decided that the deadline for Iran to submit written documents is 30 days from the end of the CCAMLR meeting. SCIC requested the Secretariat to inform Iran the outcome of any Rule 7 process.

115. The proposed 2021/22 NCP-IUU Vessel List with the inclusion of the *Nika* and the changes to the registrations of the *Baroon* and the *Asian Warrior*, as agreed by SCIC, is provided in Appendix II for adoption by the Commission.

CP-IUU Vessel List

116. SCIC considered the 2021/22 Provisional CP-IUU Vessel List and noted that the South African-flagged *El Shaddai* was included on that list, based on information that the vessel fished in Subarea 58.7 outside the South African exclusive economic zone (EEZ) during 2015 and 2016 as outlined in COMM CIRC 21/92.

117. South Africa recalled its response in COMM CIRC 21/93 and noted that a formal investigation is currently underway, including a criminal investigation into the conduct of the

master and the operator, but that the investigation has not been finalised. South Africa noted it is treating the allegations very seriously and that it will report the findings of the investigation once it is complete.

118. The EU cited its serious concern with the information provided in COMM CIRC 21/93, in particular that the vessel representatives were shocked and unaware of the activities as reported to CCAMLR. The EU recalled that it is the vessel's responsibility to know where it operates and noted that the same vessel was discovered to have fished in the Southern Indian Ocean Fisheries Agreement (SIOFA) area in 2019 for 67 days, catching 66 tonnes of toothfish without authorisation by SIOFA. The EU requested further information from South Africa about its investigation into the vessel's activities, including the review of VMS data and catch records, and the measures it had taken as a Flag State to avoid such situations recurring.

119. SCIC expressed concern regarding the seriousness of the conduct of the *El Shaddai* and welcomed the information from South Africa about the status of the pending investigation and its commitment to provide additional information as soon as the investigation is complete.

120. SCIC agreed to include the *El Shaddai* on the Proposed 2021/22 CP-IUU Vessel List. The proposed 2021/22 CP-IUU Vessel List, as adopted by SCIC, is provided in Appendix III for approval by the Commission.

121. SCIC agreed to recommend that the Commission consider making an intersessional decision on the removal of the *El Shaddai* from the CP-IUU Vessel List if the information provided by South Africa meets the criteria for delisting under CM 10-06, in particular paragraph 14, and consensus can be reached in the intersessional period pursuant to Rule 7 of the Commission's Rules of Procedure.

122. ASOC thanked South Africa for its flexibility in the discussion of the *El Shaddai* and supported the advice of SCIC for the vessel to be included on the CP-IUU Vessel List. ASOC noted that this is a serious issue and that, as a responsible Flag State, South Africa should not permit the *El Shaddai* to undertake future fishing activities until these issues have been resolved.

Fishery notifications

123. SCIC noted the Secretariat's report on fishery notifications for 2021/22 (CCAMLR-40/BG/03 Rev. 1). The paper was taken as read and no discussion was held by SCIC.

Advice from the Scientific Committee to SCIC

124. SCIC considered advice from the Chair of the Scientific Committee (Dr D. Welsford (Australia)) in respect of green-weight estimation by vessels operating in the krill fishery. The Chair of the Scientific Committee noted that the Secretariat had undertaken an analysis of estimated green-weight reported by vessels and conversions factors, and could not reconcile parameters with reported catch values for the vessels *Juvel* and *Betanzos* for the 2013/14 and 2014/15 seasons (WG-EMM-2021/16).

125. SCIC noted that the Scientific Committee had tasked the Secretariat to engage with Norway and Chile intersessionally to potentially resolve the catch reporting issues and requested the Chair of the Scientific Committee report to SCIC in 2022 on the issue if required (SC-CAMLR-40, paragraph 9.1).

126. SCIC thanked the Chair of the Scientific Committee for his time.

Other business

127. The Secretariat presented the CDS Fund expenditure proposal (CCAMLR-40/14) for consideration by the CDS Fund Review Panel and SCIC. The request included three proposals for a combined cost of A\$340 000 over two years (2022 and 2023).

128. SCIC noted the requirement of CM 10-05, Annex 10-05/B, for the designation of six Members to serve on a Review Panel to review the CDS Fund expenditure proposals (CCAMLR-40/14) and to make recommendations to the Commission on whether to fund special projects or special needs. The Chair received nominations from Argentina, Australia, Korea, New Zealand, UK and USA.

129. The CDS Fund Review Panel recommended the expenditure from the e-CDS fund totalling A\$340 000 over two years (2022 and 2023) in support of the following proposals:

- (i) A CDS workshop, with a value of A\$100 000, due to take place in South Africa but postponed due to the outbreak of the global pandemic. The Panel agreed that the workshop scope would continue to include port inspections for the purposes of CDS verification.
- (ii) Online CDS training workshops, with a value of A\$40 000 (three workshops across the Americas, Europe, Africa, Asia and Oceania). The Panel requested that training modules be available on the CCAMLR website for officials who are unable to attend these workshops.
- (iii) An e-CDS system upgrade, with a value of A\$200 000 over two years. The Secretariat confirmed that there would be extensive engagement with Members to ensure improvement of the user experience during the first year, as well as ongoing discussions around the authentication process. The Panel also confirmed that the user management regime with regard to the ‘sub-parties’ category should be considered on a case-by-case basis, with Member’s consensus.

130. SCIC thanked the CDS Fund Review Panel for its work and endorsed the three expenditure proposals. SCIC noted that additional financial details related to the e-CDS system upgrade proposal should be provided to, and considered by, the Standing Committee on Administration and Finance (SCAF).

131. China noted that the online e-CDS training was undertaken by its CDS users in June 2020 with participation of the Secretariat and thanked the Secretariat for its contribution.

132. The EU and Korea requested that updates to the e-CDS system are discussed with the CDS Technical Working Group to identify priority issues, to assess the impact of any changes

in the e-CDS system for users, and to avoid technical difficulties and disruption to the e-CDS system. They also requested that following the implementation of the e-CDS updates, workshops be conducted with CDS users and requested that any reference material for the online CDS workshops be made available on the CCAMLR website permanently.

133. The Secretariat presented an overview of compliance activity funding (CCAMLR-40/15) which included funding from the EU to support the development of the Secretariat's compliance analysis capability. The Secretariat also requested expenditure of A\$33 425 from the Compliance Fund to support Secretariat participation in an MCS workshop in 2022 or 2023 at the invitation of Chile. SCIC endorsed the requested expenditure and noted that the Secretariat should report back to SCIC with a summary report on the outcome of the MCS workshop.

Report adoption and close of the meeting

134. The Chair thanked all delegates as well as the interpreters and stenographer for their efforts during the meeting. The report of SCIC was adopted and the 2021 meeting of SCIC was closed.

Appendix I

CCAMLR Compliance Evaluation Report 2020/21

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Conservation Measure 10-01					
Korea, Republic of	<i>Greenstar</i>	<p>CM 10-01, paragraph 2(ii), requires the marks shall be placed that they are not obscured by the fishing gear whether it is stowed or in use.</p> <p>New Zealand carried out an aerial surveillance patrol of the Ross Sea (Subarea 88.1) on 15 January 2021. Photographs taken during the patrol and provided to Korea on 12 February 2021 identify the vessel's deck markings of the <i>Greenstar</i> have been obscured by stowed fishing gear.</p> <p>Korea responded on 2 April 2021 to the report on the aerial surveillance. Korea investigated the incident and concluded that it was an unintended and simple mistake coincidentally committed during the process of retrieving fishing gear and noted that the IRCS on the side of the vessel was still visible. Korea reported that the vessel's company was given a stern warning to prevent a recurrence of making even the slightest part of identifiers obscured.</p>	<p>The operator and the vessel crew are fully aware of the requirement of vessel marking, and do not have any intention whatsoever to obscure markings. The marking on deck having been obscured by fishing gear is an honest mistake, which happened during the vessel's busy and hurried operation to exit the area to comply with the closure notice. The markings on the vessel were all intact, and this was confirmed during the port inspection. The authority issued a warning to the company, and the operator took actions to prevent the same mistake from happening again. In addition to regular education and compliance instructions provided to the vessel master, officers and crew that the operator has always maintained, the company established a closed-circuit monitoring camera on deck. With this, Korea finds this incident 'Level 1 non-compliant with no further action required'. Attached here are the supporting documents:</p> <ol style="list-style-type: none"> 1. Sea-ice map on 14 January 2021 2. VMS tracks 3. Photo of the upper deck with the IRCS shown 4. Instruction from the company to the vessel to stow fishing gear properly 5. Educational material 6. Upper deck closed-circuit monitoring camera. <p>Further Action: As the company has already taken actions to prevent future incidents, no further action is required.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraph 43

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Conservation Measure 10-03					
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>Ile Bourbon</i> occurred on 21 February 2020 at Le Port, Reunion Island (French Territory) and the transmission of the port inspection report occurred on 20 July 2020.</p> <p>The port inspection report noted fishing activity occurred in Area 51, specifically in the SIOFA Convention Area on the Del Cano Rise. This is also reported in the corresponding validated DCDs (FR-20-0006-E and FR-20-0007-E).</p> <p>Therefore, footnote 1 is not applicable to this port inspection.</p> <p>Time difference: 150 days.</p>	<p>France notes that the compliance assessment period for this year is from 1 July 2020 to 30 June 2021. If the inspection report was indeed transmitted during this period, the inspection in question was carried out on 21 February 2020, and therefore relates to the previous compliance assessment period. The non-compliance referred to here thus took place before discussions at CCAMLR-39, which have resulted in the implementation of corrective measures.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraphs 52 and 53
Korea, Republic of					
Korea, Republic of	<i>Sae In Champion</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>Sae In Champion</i> for the inspection undertaken by the United Kingdom on 8 June 2021 noted that they did not receive Part A (Annex 10-03/A) from the vessel at least 48 hours before entry to port.</p>	<p>At the request of the carrier vessel, the <i>Sae In Champion</i> entered the waters of Berkely Sound to tranship. The master had thought that the transhipment would take place at-sea, so he submitted the notification to the Flag State and the CCAMLR Secretariat. He realised that was not the case later on, but the time was short to re-schedule the transhipment. Therefore, the vessel sent Annex 10-03/A on the day of port entry, not being able to submit the document 48 hours in advance. This stemmed from misunderstanding, and the vessel or the operator did not have any intention to breach the provision on purpose. All the relevant operation was conducted in accordance with relevant regulations, under the authorisations of the Flag State and Port State. With this, Korea finds this incident ‘Level 1 non-compliant with no further action required’.</p>		See paragraphs 44 to 48

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Korea, Republic of		<p>CM 10-03, paragraph 4, states that Contracting Parties shall require vessels seeking entry to their ports to provide the information contained in the template in Annex 10-03/A.</p> <p>The port inspection report for the Russian-flagged <i>Pamyat Ilicha</i>'s entry to Busan, Korea, did not provide an arrival time in Part A of the inspection report, nor did the inspectors provide any comments in Part A of the inspection report to confirm arrival time in port.</p> <p>Korea was contacted on 23 July 2020 and provided confirmation for the inspection time but not the arrival time. The response provided was:</p> <p style="padding-left: 20px;">‘I confirm the time and date of inspection is 10:46 AM (UTC+9), 13 July 2020 as indicated in the port inspection report (Annex B). Annex A (port entry report) contains estimated date of arrival but does not indicate specific time as it was submitted prior to the vessel's port entry.’</p>	<p>Attached here is the supporting document. It includes supporting information on the implementation of CM 10-03, and provides:</p> <ol style="list-style-type: none"> 1. Annex 10-03/A sent to the agency with email correspondence 2. 72 hours prior transhipment notice 3. Completed transhipment notice 4. Transhipment authorisation from the Flag State authority 5. Transhipment authorisation from the Port State authority. <p>Further Action: This case was due to honest mistake about the mode of transhipment, and the relevant information was provided immediately afterwards. Therefore, no further action is required.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	<p>The arrival time was 09:20 and it was checked by the inspector. However, the inspector did not enter the actual time by mistake. The data on the arrival time is maintained on the relevant system and can be verified. Korea will make sure that all the relevant information will be thoroughly entered in the format in the future. With this, Korea finds this incident ‘Level 1 non-compliant with no further action required’. Attached here are the revised documents:</p> <ol style="list-style-type: none"> 1. Annex 10-03/A 2. Annex 10-03/B. <p>Further Action: This was caused by an administrative mistake, and no further action is required.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	See paragraphs 44 to 48

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Mauritius		<p>Without the arrival time in port from either the vessel or the inspectors in Part A of the port inspection report, the Secretariat was unable to assess compliance with CM 10-03, paragraph 5.</p> <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 Spanish-flagged vessel <i>Ibsa Quinto</i> occurred on 11 May 2020 and the transmission of the port inspection report occurred on 1 October 2020.</p> <p>Time difference: 143 days.</p>	<p>The port inspection report of FV <i>Ibsa Quinto</i> was submitted after the query made by the European Commission (DG MARE) on behalf of the Flag State (Spain) was attended to satisfaction by Mauritius as a Port State.</p>	Minor non-compliant (Level 1)	See paragraphs 52 and 53
New Zealand		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Australian-flagged vessel <i>Antarctic Chieftain</i> entered the New Zealand port of Port Nelson on 9 December 2020 07:00 UTC and was inspected on 11 December 2020 21:15 UTC.</p> <p>The explanation given was:</p> <p>‘The <i>Antarctic Chieftain</i> docked in Nelson twice – the first time on 7 December 2020 at 04:12 hrs but was required by New Zealand biosecurity to leave port again. The vessel then docked on 9 December 2020 at 20:00 hrs (NZDT). There were no issues that made the inspection unsafe. I have confirmed with the inspecting officer that the delay in undertaking the inspection was due to the vessel being required to undertake a hull clean by New Zealand Biosecurity before it returned to port. It was advised that it would take 2.5 days to complete the cleaning of the hull but this was completed much earlier than expected, due to other operational requirements the fishery officers were unable to board the vessel to undertake the inspection within the 48 hour timeframe.’</p> <p>Time difference: 62 hours 15 minutes.</p>	<p>As per the explanation provided to the Secretariat, the delay in the inspection taking place was caused by the vessel having to leave port due to a biosecurity requirement (hull clean). The expected time to undertake the required hull clean was 2.5 days but the vessel returned to port earlier than expected. Due to the timing of the vessel’s return and other taskings of the inspectors, the CCAMLR inspection was not completed in the required 48 hour timeframe.</p> <p>New Zealand officials have improved administrative measures in place to ensure that other operational requirements do not prevent inspection within 48 hours of arrival at port as required.</p> <p>Further Action: No further action required.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraph 49

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Russian Federation	<i>Pamyat Ilicha</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>Pamyat Ilicha</i> for the inspection undertaken by Korea on 13 July 2020 did not include an estimated time of arrival in Part A (Annex 10-03/A) as required.</p>	<p>In accordance with CM 10-03, paragraph 4, information on the intention to enter the port of Busan was presented to the port authorities on 7 July 2021. The expected arrival time at the port is 11 July 2021. At the same time, the waiting time varied due to quarantine restrictions.</p> <p>Further Action: No further action required.</p> <p>Preliminary Status: Compliant.</p>		See paragraphs 44 to 48
South Africa		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Chinese-flagged vessel <i>Fu Rong Hai</i> entered the South African port of Cape Town on 29 September 2020 and was inspected on 8 October 2020.</p> <p>The Secretariat requested an explanation for the delay in accordance with CM 10-04, footnote 7 on 13 October 2020 and 19 October 2020. No explanation has been provided.</p> <p>Time difference: 9 days.</p>	<p>Human capacity remains a serious challenge in achieving our goal of port inspections within the required time. There has been a concerted effort in addressing the matter through advertising and filling vacant posts. The advent of the pandemic has added to the challenges in conducting inspections and monitoring of landings in the Cape Town port, which is a major hub for many sectors to offload.</p> <p>Further Action: Inadequate IT infrastructure also poses a challenge in performing duties efficiently. Procurement of replacement equipment has been initiated.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraphs 49 and 50
Uruguay		<p>CM 10-03, paragraph 5, requires that inspections shall be conducted within 48 hours of port entry.</p> <p>The Korean-flagged vessel <i>Meridian 8</i> entered the Uruguayan port of Montevideo on 30 April 2021 08:00 (LT) and was inspected on 3 May 2021 14:00 (LT).</p> <p>The following explanation was provided with the submission of the port inspection report:</p> <p>‘The documentary inspection and authorisation of entry of the BP to the port of Montevideo was carried out prior to its arrival.</p>	<p>The reasons for the delay were provided in the inspection report.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraph 49

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Conservation Measure 10-04					
Australia	<i>Antarctic Chieftain</i>	<p>Although the ship requested to enter the port on Friday 30 April 2021, the physical inspection carried out by the Fisheries Authority could only be carried out on 3 May 2021 since it was not accessible for the unloading and boarding of officials inspection (foreport).’</p> <p>Time difference: 78 hours.</p>	<p>The vessel notified Australia and France via email on 29 August 2020 at 1139 Canberra time (02:39 UTC). The CCAMLR email address was inadvertently not included in the ‘To’ list of the email and the Secretariat was not notified at that time of the exit and entry of the vessel.</p> <p>Australia implements its CCAMLR obligations (including CM 10-04) via legislative instruments and licence conditions. Australia has put in place further measures to monitor that this vessel sends movement notifications to CCAMLR within 24 hours to provide movement notification to the Secretariat.</p> <p>Further Action: No further action required.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraphs 54 and 55
Conservation Measure 10-04					
Australia	<i>Cape Arkona</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>According to VMS data held by the Secretariat, the <i>Cape Arkona</i> exited Division 58.5.2 and entered Division 58.5.1 on approximately 10 January 2021 00:24 (UTC).</p> <p>The Secretariat requested the movement notice from the Australian VMS Contact Officers on 11 January 2021.</p>	<p>The vessel notified Australia and France via email on 10 January 2021 at 0913 Canberra time (23:13 UTC 09 January 2021). The CCAMLR email address was inadvertently not included in the ‘To’ list of the email and the Secretariat was not notified at that time of the entry and exit of the vessel.</p> <p>Australia implements its vessel level obligations (including CM 10-04) via legislative instruments and licence conditions. Australia has put in place further measures to monitor that this vessel sends movement notifications to CCAMLR within 24 hours to ensure future compliance with the obligation.</p>	Minor non-compliant (Level 1)	See paragraphs 54 and 55

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>Movement notification was provided to the Secretariat on 11 January 2021 02:08 UTC and confirmed the movement time as 10 January 2021 00:30 UTC.</p> <p>Time difference: 25 hours 38 minutes.</p>	<p>Further Action: No further action required.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>		
China	<i>Fu Rong Hai</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>Movement notification for the movement of the <i>Fu Rong Hai</i> between Subareas 48.4 and 48.3 was provided to the Secretariat on 24 January 2021 06:53 UTC and confirmed the movement as 22 January 2021 23:30 UTC.</p> <p>Time difference: 31 hours 23 minutes.</p>	<p>The <i>Fu Rong Hai</i> exited from Subarea 48.4 and entered Subarea 48.3 on Saturday, she reported in time. This movement report was submitted to the Secretariat on this Sunday. These occurred at the weekend.</p> <p>Preliminary Status: Compliant.</p>		See paragraphs 54 and 55
China	<i>Long Fa</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>Movement notification for the entry of the <i>Long Fa</i> into Subarea 48.3 was provided to the Secretariat on 13 June 2021 02:29 UTC and confirmed the movement as 11 June 2021 21:35 UTC.</p> <p>Time difference: 28 hours 54 minutes.</p>	<p>The <i>Long Fa</i> entered Subarea 48.3 on Saturday, she reported in time. This movement report was submitted to the Secretariat on this Sunday. These occurred at the weekend.</p> <p>Preliminary Status: Compliant.</p>		See paragraphs 54 and 55
China	<i>Long Teng</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>The Secretariat received the submission of a CE form for the <i>Long Teng</i> without having been notified of its movement from Subarea 48.2 to Subarea 48.1. The Secretariat does not receive VMS data for this vessel whilst it operates in the Convention Area.</p>	<p>The <i>Long Teng</i> reported in time. The delay was caused by administrative and technical problems at the contacts.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraphs 54 and 55

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>The Secretariat requested the movement notice from the Chinese VMS Contact Officers on 29 March 2021.</p> <p>Movement notification was provided to the Secretariat on 29 March 2021 04:55 UTC and confirmed the movement as 21 March 2021 15:00 UTC.</p> <p>Time difference: 7 days 11 hours 55 minutes.</p>	<p>The vessel did notify its entry to the French FMC on 21 January at 5:20 pm. The transmission error comes from the absence of a subject title in the notification email, which did not allow its further transmission by the FMC to the Secretariat.</p> <p>Further Action: Corrective measures and procedures to be implemented internally.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraphs 54 and 55
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>According to VMS data held by the Secretariat, the <i>Albius</i> moved between Division 58.5.1 and Subarea 58.6 on approximately 21 January 2021 09:58 UTC.</p> <p>The Secretariat requested the movement notice from the French VMS Contact Officers on 25 January 2021.</p> <p>Movement notification was provided to the Secretariat on 25 January 2021 10:46 UTC and confirmed the movement as 21 January 2021 09:45 UTC.</p> <p>Time difference: 4 days 1 hour 1 minute.</p>	<p>On 30 March 2021 and 27 May 2021, errors on the part of the French FMC led to the entry-exit notifications not being sent. These errors were immediately corrected by sending the notifications to the CCAMLR Secretariat on the day the FMC received the request, namely 13 April and 1 June 2021.</p> <p>Further Action: Corrective measures and procedures to be implemented internally.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraphs 54 and 55
France	<i>Ile Bourbon</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>Two issues of non-compliance have been identified.</p> <p>According to VMS data held by the Secretariat, the <i>Ile Bourbon</i> exited the Convention Area at Division 58.5.1 on approximately 30 March 2021 07:05 UTC.</p>			

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>The Secretariat requested the movement notice from the French VMS Contact Officers on 13 April 2021.</p> <p>Movement notification was provided to the Secretariat on 13 April 2021 08:14 UTC and confirmed the movement as 30 March 2021 06:28 UTC.</p> <p>Time difference: 14 days 1 hour 46 minutes.</p> <p>According to VMS data held by the Secretariat, the <i>Ile Bourbon</i> entered Division 58.5.1 on approximately 27 May 2021 20:02 UTC.</p> <p>Movement notification was provided by France on 1 June 2021 06:02 UTC and confirmed the movement time as 27 May 2021 19:40 UTC.</p> <p>Time difference: 4 days 10 hours 22 minutes.</p>			
France	<i>Ile de la Reunion II</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>Two issues of non-compliance have been identified.</p> <p>According to VMS data held by the Secretariat, the <i>Ile de la Reunion II</i> entered the Convention Area at Division 58.5.1 on approximately 3 April 2021 00:25 UTC.</p> <p>The Secretariat requested the movement notice from the French VMS Contact Officers on 13 April 2021.</p> <p>Movement notification was provided to the Secretariat on 13 April 2021 08:14 UTC and confirmed the movement as 03 April 2021 00:10 UTC.</p> <p>Time difference: 10 days 8 hours 16 minutes.</p>	<p>On 3 May, a notification was sent by the vessel to the FMC but a firewall prevented the reception of the message by the FMC, which induced the delay in transmitting the notification to the Secretariat.</p> <p>The errors were corrected by the FMC as soon as it was requested by the CCAMLR Secretariat.</p> <p>Further Action: Corrective measures and procedures to be implemented internally.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraphs 54 and 55

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>According to VMS data held by the Secretariat, the <i>Ile de la Reunion II</i> moved between Division 58.5.1 and Subarea 58.6 on approximately 16 May 2021 17:25 UTC.</p> <p>The Secretariat requested the movement notice from the French VMS Contact Officers on 19 May 2021.</p> <p>Movement notification was provided to the Secretariat on 19 May 2021 06:25 UTC and confirmed the movement as 16 May 2021 16:40 UTC.</p> <p>Time difference: 2 days 13 hours 45 minutes.</p>			
France	<i>Mascareignes III</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>According to VMS data held by the Secretariat, the <i>Mascareignes III</i> moved between Division 58.5.1 and Subarea 58.6 on approximately 20 April 2021 15:35 UTC.</p> <p>The Secretariat requested the movement notice from the French VMS Contact Officers on 27 April 2021.</p> <p>Movement notification was provided to the Secretariat on 27 April 2021 05:57 UTC and confirmed the movement as 20 April 2021 15:14 UTC.</p> <p>Time difference: 6 days 14 hours 43 minutes.</p>	<p>On 20 April 2021, an error on the part of the French FMC led to the notification not being sent. This error was corrected on 27 April 2021, following a request from the CCAMLR Secretariat.</p> <p>Further Action: Corrective measures and procedures to be implemented internally.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraphs 54 and 55
Korea, Republic of	<i>Sae In Champion</i>	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.	The vessel sent via email its prior entry report ahead of its entry into Subarea 48.1 on 3 April, but mistakenly made a typo in the recipient's email address (vms@ccamlr.org). On 13 April, the Secretariat contacted the Ministry of Oceans and Fisheries of Korea to advise the non-reception of the	Compliant	See paragraphs 54 and 55

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>According to VMS data held by the Secretariat, the <i>Sae In Champion</i> entered the Convention Area at Subarea 48.1 on approximately 3 April 2021 12:29 UTC.</p> <p>The Secretariat requested the movement notice from the Korean VMS contact officers on 13 April 2021.</p> <p>Movement notification was provided to the Secretariat on 13 April 2021 04:49 UTC and confirmed the movement as 3 April 2021 12:25 UTC.</p> <p>An explanation was provided for the lateness of the transmission highlighting that an error occurred in writing the Secretariat's email address.</p> <p>Time difference: 9 days 16 hours 24 minutes.</p>	<p>entry report, and that was when the mistake was identified. The vessel resent the report to the right address, forwarding its previous email that had been sent to the wrong address. The operator will make sure that the same mistake will not happen in the future, and instructed the vessel to take due care. With this explanation, Korea finds this incident is technically 'Compliant'. Attached here is the supporting document. It includes supporting evidence that covers the compliance issue on CM 10-04, and provides:</p> <ol style="list-style-type: none"> 1. Original email messages sending the prior entry report to the wrong email address 2. Original email messages sending the entry report to the wrong email address 3. Email correspondence involving the CCAMLR Secretariat and the Korean Fisheries Monitoring Center 4. Email message resending the report to the correct address. <p>Further Action: No further action is required</p> <p>Preliminary Status: Compliant.</p>		
New Zealand	<i>San Aspiring</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>Movement notification for the <i>San Aspiring</i> entering the Convention Area at Subarea 48.3 was provided by New Zealand on 4 July 2020 22:34 UTC and confirmed the movement time as 6 July 2020 00:45 UTC.</p> <p>Time difference: 26 hours 11 minutes.</p>	<p>New Zealand's Ministry for Primary Industries investigated this issue as soon as it was notified that an error in reporting had occurred.</p> <p>The vessel owner advised that the error occurred due to a miscalculation when converting ships time to UTC when sending the report. The error was unintentional, and the notification was sent in good faith.</p> <p>The vessel owner advised that they have strengthened processes around notification requirements and passed these on to the relevant vessel crew.</p> <p>Further Action: No further action required.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraphs 54 and 55

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
South Africa	<i>El Shaddai</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>Four issues of non-compliance have been identified.</p> <p>Movement notification for the <i>El Shaddai</i> entering Subarea 58.7 was provided to the Secretariat on 31 January 2021 18:59 UTC and confirmed the movement as 30 January 2021 16:46 UTC.</p> <p>Time difference: 26 hours 13 minutes.</p> <p>Movement notification for the <i>El Shaddai</i> entering Subarea 58.7 was provided by South Africa on 15 February 2021 07:01 UTC and confirmed the movement time as 13 February 2021 21:28 UTC.</p> <p>Time difference: 33 hours 33 minutes.</p> <p>According to VMS data held by the Secretariat, the <i>El Shaddai</i> entered the Convention Area at Subarea 58.7 on approximately 15 February 2021 14:28 UTC.</p> <p>The Secretariat requested the movement notice from the South African VMS Contact Officers on 23 March 2021.</p> <p>Movement notification was provided to the Secretariat on 25 March 2021 08:36 UTC and confirmed the movement as 15 February 2021 11:46 UTC.</p> <p>Time difference: 37 days 20 hours 50 minutes.</p> <p>According to VMS data held by the Secretariat, the <i>El Shaddai</i> entered the Convention Area at Subarea 58.7 on approximately 31 May 2021 23:14 UTC.</p>	<p>The response will be submitted as an additional document.</p> <p>Preliminary Status: Compliant.</p>	Minor non-compliant (Level 1)	See paragraphs 54 and 55

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
South Africa	<i>Koryo Maru No. 11</i>	<p>The Secretariat requested the movement notice from the South African VMS Contact Officers on 7 June 2021.</p> <p>Movement notification was provided by South Africa on 7 June 2021 08:14 UTC and confirmed the movement time as 31 May 2021 23:14 UTC.</p> <p>Time difference: 6 days 9 hours.</p> <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>Seven issues of non-compliance have been identified.</p> <p>According to VMS data held by the Secretariat, the <i>Koryo Maru No. 11</i> entered the Convention Area at Subarea 58.7 on approximately 10 October 2020 10:40 UTC.</p> <p>The Secretariat requested the movement notice from the South African VMS Contact Officers on 16 October 2020.</p> <p>Movement notification was provided to the Secretariat on 16 October 2020 06:01 UTC and confirmed the movement time as 10 October 2020 09:54 UTC.</p> <p>Time difference: 5 days 20 hours 7 minutes.</p> <p>Movement notification for the <i>Koryo Maru No. 11</i> entering the Convention Area at Subarea 58.7 was provided to the Secretariat on 7 November 2020 10:14 UTC and confirmed the movement as 5 November 2020 14:52 UTC.</p> <p>Time difference: 43 hours 22 minutes.</p> <p>According to VMS data held by the Secretariat, the <i>Koryo Maru No. 11</i> exited the Convention Area at Subarea 58.7 on approximately 28 November 2020 16:02 UTC.</p>	<p>Document with response uploaded.</p> <p>Preliminary Status: Compliant.</p>	<p>Minor non-compliant (Level 1)</p>	See paragraphs 54 and 55

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>The Secretariat requested the movement notice from the South African VMS Contact Officers on 30 November 2020.</p> <p>Movement notification was provided by South Africa on 30 November 2020 07:06 UTC and confirmed the movement time as 28 November 2020 15:16 UTC.</p> <p>Time difference: 39 hours 50 minutes.</p> <p>Movement notification for the <i>Koryo Maru No. 11</i> entering the Convention Area at Subarea 58.7 was provided to the Secretariat on 21 February 2021 16:46 UTC and confirmed the movement as 20 February 2021 14:18 UTC.</p> <p>Time difference: 26 hours 28 minutes.</p> <p>According to VMS data held by the Secretariat, the <i>Koryo Maru No. 11</i> entered the Convention Area at Subarea 58.7 on approximately 17 March 2021 14:46 UTC.</p> <p>The Secretariat requested the movement notice from the South African VMS Contact Officers on 19 March 2021.</p> <p>Movement notification was provided to the Secretariat on 19 March 2021 08:16 UTC and confirmed the movement as 17 March 2021 15:02 UTC.</p> <p>Time difference: 41 hours 14 minutes.</p> <p>According to VMS data held by the Secretariat, the <i>Koryo Maru No. 11</i> exited the Convention Area at Subarea 58.7 on approximately 17 March 2021 00:40 UTC.</p> <p>The Secretariat requested the movement notice from the South African VMS Contact Officers on 19 March 2021.</p>			

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>Movement notification was provided to the Secretariat on 19 March 2021 08:16 UTC and confirmed the movement as 17 March 2021 00:54 UTC.</p> <p>Time difference: 2 days 7 hours 22 minutes.</p> <p>Movement notification for the <i>Koryo Maru No. 11</i> entering the Convention Area at Subarea 58.7 was provided to the Secretariat on 25 March 2021 08:36 UTC and confirmed the movement as 22 March 2021 04:56 UTC.</p> <p>Time difference: 3 days 3 hours 40 minutes.</p>			
<hr/>					
Ukraine	<i>Simeiz</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>According to VMS data held by the Secretariat, the <i>Simeiz</i> moved between Subareas 88.3 and 88.2 on approximately 17 November 2020 06:38 UTC.</p> <p>The Secretariat requested the movement notice from the Ukrainian VMS Contact Officer on 18 November 2020, 19 November 2020, 23 November 2020 and 25 November 2020. No movement notification has been provided.</p>	<p>Notification according to CM 10-04, paragraph 13, was sent from the <i>Simeiz</i> on 17 November 2020 at 05:44 UTC prior the entering Subarea 88.2 to the list of emails, including data@ccamlr.org.</p> <p>This notification consisted of all fields listed in Annex 10/04-A.</p> <p>Preliminary Status: Compliant.</p>	Compliant	See paragraphs 54 and 55
<hr/>					
Conservation Measure 10-05					
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>Analysis of the e-CDS data has identified Argentina validated 1 DED/DRED after the declared export date.</p>	Nil response	Compliant	See paragraph 60

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>The identified DEDs/DREDs account for <1 % of Argentina's exports.</p> <p>The time difference between the export and validation for the identified document are:</p> <ul style="list-style-type: none"> • 1 DED/DRED was issued between 300 and 400 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>			
Australia		<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>Analysis of the e-CDS data has identified Australia validated 1 DED/DRED after the declared export date.</p> <p>The identified DED/DRED accounts for 1% of Australia's exports.</p> <p>The time difference between the export and validation for the identified document are:</p> <ul style="list-style-type: none"> • 1 DED/DRED was issued between 1 and 2 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>This re-export involved <i>Dissostichus</i> spp. that were caught by an Australian vessel. The catch was landed in Mauritius (and the DCD was verified) and then exported to Australia, accompanied by a DED.</p> <p>The shipment of <i>Dissostichus</i> was scheduled to be re-exported from Australia on 19 February 2021 however, the shipment date was 14 February 2021 (which was a Sunday). A request for a DRED was received on 15 February 2021 and the DRED was issued for the re-export on Tuesday 16 February 2021.</p> <p>Australian authorities investigated the incident and determined that there was a miscommunication in relation to the shipment date. Australian authorities have reminded the fishing company of its obligations and the fishing company has amended its procedures to ensure that any future DED/DRED is applied for and approved prior to the container moving to the wharf, so that any changes in shipping dates do not result in non-compliance.</p> <p>Further Action: No further action required.</p> <p>Preliminary Status: Non-compliant (Level 2).</p>	Minor non-compliant (Level 1)	See paragraph 61

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Belgium		<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>Analysis of the e-CDS data has identified Belgium validated 1 DED/DRED after the declared export date.</p> <p>The identified DRED accounts for 100% of Belgium's exports.</p> <p>The time difference between the export and validation for the identified document are:</p> <ul style="list-style-type: none"> • 1 DED/DRED was issued between 21 and 50 days after declared export date. <p>The Secretariat notes that it provided assistance to Belgium in completing this DRED and that the circumstances which led to this scenario were a result of the exit by the United Kingdom from the European Union.</p> <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	Nil response		See paragraphs 62 and 63
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>The gap between the export dates and the validation dates in the DEDs reported was due to delays between the delivery, by the requesting agent, of the Bill of Landing (BL) that had to be validated by the Customs Authority and their control by the officers in charge of the e-CDS at the time of the DEDs validation. This document (BL) certifies the number of the container where the exported products are shipped, which is part of the background information required for inclusion in the DED.</p>		See paragraph 64

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>Analysis of the e-CDS data has identified Chile validated 377 DED/DREDs after the declared export date.</p> <p>The identified DEDs/DREDs account for 23% of Chile's exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 27 DEDs/DREDs were issued between 1 and 2 days after declared export date. • 52 DEDs/DREDs were issued between 3 and 5 days after declared export date. • 149 DEDs/DREDs were issued between 6 and 10 days after declared export date. • 106 DEDs/DREDs were issued between 11 and 20 days after declared export date. • 43 DEDs/DREDs were issued between 21 and 50 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>Chile, through the authority in charge of managing the e-CDS, has investigated the relevant cases and identified the national administrative bodies where most of those gaps were detected. In an effort to avoid and correct these non-compliance events relating to the failure to fulfil their obligations in a timely manner, measures have been taken to improve the administrative procedures. As such, the protocols followed by the units in charge of the relevant tasks shall be reinforced and subject to further monitoring.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>		
China		<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>Analysis of the e-CDS data has identified China validated 2 DED/DREDs after the declared export date.</p> <p>The identified DEDs/DREDs account for 50% of China's exports.</p> <p>The time difference between the export and validation for the identified documents are:</p>	<p>In these two DREDs, the 'Date of Issue' in Part 2 was the issue time of the bill of lading, not the real 'Export date'. The 'Date' in Part 5 was the issue time of the DREDs.</p> <p>Preliminary Status: Compliant.</p>		See paragraph 65

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
France		<ul style="list-style-type: none"> • 1 DED/DRED was issued between 3 and 5 days after declared export date. • 1 DED/DRED was issued between 6 and 10 days after declared export date. <p>A list of individual DED/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>Analysis of the e-CDS data has identified France validated 118 DED/DREDS after the declared export date.</p> <p>The identified DEDs/DREDS account for 37% of France's exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 25 DEDs/DREDS were issued between 1 and 2 days after declared export date. • 80 DEDs/DREDS were issued between 3 and 5 days after declared export date. • 8 DEDs/DREDS were issued between 6 and 10 days after declared export date. • 3 DEDs/DREDS were issued between 11 and 20 days after declared export date. • 2 DEDs/DREDS were issued between 21 and 50 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>Paragraph A7 of CM 10-05, Annex 10-05A, requires DEDs to include the 'date of issue' (paragraph A7(ix)(1)(d)).</p> <p>There seems to be a difficulty on how this measure is interpreted. Indeed, shipping companies indicate in this section the date when toothfish packages are stuffed in the containers. The validation date of the DED by the French administration is therefore subsequent to the stuffing date, as the traceability system as it exists within our administration aims to confirm that the goods circulating in a given container are legal and clearly identified.</p> <p>In any case, the DEDs are issued before the toothfish leaves French territory, in compliance with CM 10-05.</p> <p>France therefore has a different interpretation of the 'date of issue' field, since the CCAMLR Secretariat seems to interpret this date as the date of departure of the container from the port of export.</p> <p>France requests that the CCAMLR Secretariat provide clarifications on this matter, so that instructions for filling out DEDs can be shared with the industry and the administration.</p> <p>Further Action: The CCAMLR Secretariat to clarify the interpretation of the measure.</p> <p>Preliminary Status: Additional information required.</p>		See paragraph 66

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Mauritius		<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>Analysis of the e-CDS data has identified Mauritius validated 4 DEDs/DREDs after the declared export date.</p> <p>The identified DEDs/DREDs account for 3% of Mauritius' exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 4 DEDs/DREDs were issued between 1 and 2 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>Exports from DCD_Document_Number: AU-20-0013-E.</p> <p>Originally this shipment had 3 containers and was lodged under the original DED number 4212-DBD2-7DE4, validated on 25 September.</p> <p>Due to a reefer issue, container TRIU 892 974-6 had to be separated, and was ultimately exported on 7 November, validated on 3 November on DED E5D8-F10B-96B5.</p> <p>This meant that the remaining 2 containers from the original DED were already on the vessel, so a new DED needed to be issued – F2F6-0E49-B241 – but this occurred over the weekend which is why the validation date was after the export date. It should be noted that the export container in question did have everything validated in the correct time frames before the container issue occurred. Exports from DCD_Document_Number: FR-20-0006-E, FR-20-0002-E, FR-20-0003-E. A scrutiny of historical records from documents submitted by operator is under process and explanation will be provided shortly.</p>	Additional information required	See paragraph 67
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>Analysis of the e-CDS data has identified the Netherlands validated 4 DEDs/DREDs after the declared export date.</p> <p>The identified DEDs/DREDs account for 22% of the Netherland's exports.</p>	Nil response	Additional information required	See paragraphs 68 and 69

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
New Zealand		<p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 1 DED/DRED was issued between 3 and 5 days after declared export date. • 3 DEDs/DREDs were issued between 6 and 10 days after declared export date. <p>A list of individual DED/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>Analysis of the e-CDS data has identified New Zealand validated 3 DEDs/DREDs after the declared export date.</p> <p>The identified DEDs/DREDs account for 2% of New Zealand's exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 3 DEDs/DREDs were issued between 21 and 50 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>The issues raised in relation to CM 10-05, paragraph 6, relate to two separate shipments exported from New Zealand, addressed in turn below.</p> <p>First two DRED issues:</p> <p>The New Zealand CDS officer was contacted by the Secretariat on 10 September 2020 advising that two DREDs that were part of one shipment sent to the importing state had not been completed correctly. On checking the documents, it was found that an administrative error had occurred, and the Contracting Party had not validated the DREDs before sending them to the exporter.</p> <p>After discussing the issue with the CCAMLR Secretariat, the New Zealand CDS Officer validated the documents retrospectively and submitted the corrected DREDs to the receiving state. The audit logs show that both documents were generated and details completed prior to the shipment leaving New Zealand.</p> <p>Third DED issue:</p> <p>New Zealand officials were contacted by the exporter and informed that an additional amount of product had not been scanned when it was loaded into the container. This was confirmed by video footage taken at the time of loading.</p>	Minor non-compliant (Level 1)	See paragraph 70

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
			<p>New Zealand officials contacted the CDS contact from the importing state and advised them of the issue. After discussion, the contracting states agreed to complete the additional paperwork to allow the shipment to proceed. To allow full transparency a separate DED for the additional amount of toothfish product was generated.</p> <p>The exporter advised that in response to the error additional protocols have been put in place to mitigate against a repeat of the issue.</p> <p>Further Action: No further action required.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>		
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>Analysis of the e-CDS data has identified South Africa validated 1 DED/DRED after the declared export date.</p> <p>The identified DEDs/DREDs account for 3% of South Africa's exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 1 DED/DRED was issued between 3 and 5 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>Our client requested a DED on Friday 9 April 2021 from the Department. The DED was subsequently processed by the Department on Monday 12 April 2021. The Department captured the DED which erroneously showed the export date as 9 April 2021, whereas the export date as per received Bill of Lading provided by the client (which is available on request) reflects the fish loaded and thus export date as 15 April 2021. The DED was subsequently corrected and reflects the correct export date of 15 April 2021.</p> <p>Further Action: No further action required.</p> <p>Preliminary Status: Compliant.</p>	Compliant	See paragraph 70

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
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>Analysis of the e-CDS data has identified Spain validated 25 DEDs/DREDs after the declared export date.</p> <p>The identified DEDs/DREDs account for 17% of Spain's exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 11 DEDs/DREDs were issued between 3 and 5 days after declared export date. • 14 DEDs/DREDs were issued between 6 and 10 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	Nil response		See paragraph 71
United Kingdom		<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>Analysis of the e-CDS data has identified the United Kingdom validated 15 DEDs/DREDs after the declared export date.</p>	<p>The UK investigated this potential infringement.</p> <p>The issues identified relate to one landing by the FV <i>Argos Froyanes</i> on 9 September 2020. The relevant DCDs (GB-20-0020-E and GB-20-0017-E) were generated and the catch loaded onto the MV <i>Scout</i> for export on 10 September.</p> <p>The 15 DEDs issued for the export under the above DCDs were raised on the CCAMLR e-CDS system but due to staff shortages these were not validated by the UK until after the weekend on Monday 14 September, whilst the catch was in transit (and before entering its destination port).</p>	Minor non-compliant (Level 1)	See paragraph 70

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>The identified DEDs/DREDs account for 14% of the United Kingdom's exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 15 DEDs/DREDs were issued between 3 and 5 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>The UK noted there was a discrepancy between the export date and date of the DEDs validation, contacted the CCAMLR Secretariat to inform them of this issue and sought an exemption from the USA for the import of the produce.</p> <p>The UK apologises for this oversight and minor non-compliance with CM 10-05. The current procedures for CDS verification have been reviewed and modified to ensure ongoing compliance.</p> <p>Further Action: None.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>		
United States of America		<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>Analysis of the e-CDS data has identified the USA validated 1 DED/DRED after the declared export date.</p> <p>The identified DRED accounts for 1% of the USA's exports.</p> <p>The time difference between the export and validation for the identified document are:</p> <ul style="list-style-type: none"> • 1 DED/DRED was issued between 3 and 5 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>	<p>A US-permitted dealer submitted an application for re-export of 30 kgs of frozen toothfish previously imported from France under FR-19-0022-E. This re-export application was submitted on Thursday 17 December. However, due to technical problems with the submission, the DRED was not issued until Monday 21 December with the date of export listed as 17 December, resulting in the 4-day discrepancy. A query of internal trade monitoring databases was used to verify that the export date was 17 December.</p> <p>Further Action: This matter has been referred to the NOAA Fisheries Office of Law Enforcement for possible further action. In addition, the USA is considering amendments to its regulations implementing CM 10-05 to emphasise the requirement that the DRED must accompany the shipment and therefore shipment should only occur after the issuance of the DRED. CDS Officers have taken responsibility on this matter and are increasing their vigilance in toothfish re-export processing to prevent this situation from occurring again.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraph 70

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Uruguay		<p>CM 10-05, paragraph 3, requires that each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each landing of <i>Dissostichus</i> spp. at its ports be accompanied by a completed DCD.</p> <p>A request under CM 10-05, paragraph 12, was received by the Secretariat for additional verification for a DCD for the Ukrainian-flagged <i>Polus I</i> which landed catch in Montevideo, Uruguay, on 2 March 2020.</p> <p>The review of the DCD has identified that the catch quantity as of 22 July 2021 has not been verified and entered into the e-CDS, thus a DCD has not been completed as required by CM 10-05, paragraph 3.</p>	<p>A DCD was issued, but was not completely entered in the e-CDS, and the DEDs and DREDs were issued late.</p> <p>Further Action: Investigations are being conducted to determine the reasons behind this non-compliance event.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraph 57
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>Analysis of the e-CDS data has identified Uruguay validated 82 DEDs/DREDs after the declared export date.</p> <p>The identified DEDs/DREDs account for 63% of Uruguay's exports.</p> <p>The time difference between the export and validation for the identified documents are:</p> <ul style="list-style-type: none"> • 4 DEDs/DREDs were issued between 3 and 5 days after declared export date. • 24 DEDs/DREDs were issued between 6 and 10 days after declared export date. 	<p>The DEDs and DREDs were issued late.</p> <p>Further Action: Pertaining investigations are under way to determine the proceedings that led to this non-compliance event.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraph 70

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<ul style="list-style-type: none"> • 12 DEDs/DREDs were issued between 11 and 20 days after declared export date. • 32 DEDs/DREDs were issued between 21 and 50 days after declared export date. • 5 DEDs/DREDs were issued between 51 and 100 days after declared export date. • 4 DEDs/DREDs were issued between 201 and 300 days after declared export date. • 1 DED/DRED was issued between 300 and 400 days after declared export date. <p>A list of individual DED/DRED document numbers is available as an attachment to this record on the website.</p>			
Conservation Measure 10-09	Chile	<p>CM 10-09, paragraph 2, 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.</p> <p>Analysis of the transhipment data identified non-compliance with 3 notifications.</p> <p>The identified transhipments account for 33% of Chile's transhipments.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 72–68 hours before notified transhipment time. • 1 notification was sent 29–20 hours before notified transhipment time. • 1 notification was sent 0–24 hours after notified transhipment time. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>The non-compliance event regarding the deadlines for the notification of the transhipments in question was caused by issues in the internal administrative coordination between the public officers in charge of notifying transhipment activities.</p> <p>With the aim of avoiding new instances of non-compliance regarding notification deadlines, administrative measures will be put in place, including acting according to the CM with regard to the delegation/authorisation for vessels to send those notifications directly to the Secretariat, which shall in turn be duly monitored by the competent national authority.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	<p>Minor non-compliant (Level 1)</p> <p>See paragraph 74</p>	

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Chile		<p>CM 10-09, paragraph 5, requires each Contracting Party to provide confirmation of transhipment to the Secretariat within three (3) working days of any of its vessels having transhipped within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with two confirmations.</p> <p>The identified transhipments account for 22% of Chile's transhipments.</p> <p>The time differences between the date and time of when the confirmations were sent (according to the metadata in the notification) and the confirmed transhipment completion are:</p> <ul style="list-style-type: none"> • 2 confirmations were sent between 3 and 4 working days after the confirmed date and time of transhipment completion. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>As in the previous cases, Chile states that the non-compliance instances regarding the timely confirmation of the referred transhipments stemmed from internal coordination issues between the officers in charge of those communications.</p> <p>With the aim of avoiding new instances of non-compliance regarding notification deadlines, the necessary administrative measures will be put in place, including acting according to the conservation measure with regards to the delegation/authorisation for vessels to send those confirmations directly to the Secretariat, which shall in turn be duly monitored by the competent national authority.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraph 86
China		<p>CM 10-09, paragraph 2, 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.</p> <p>Analysis of the transhipment data identified non-compliance with five notifications.</p> <p>The identified transhipments account for 5% of China's transhipments.</p> <p>Three of these notifications acknowledge the lateness of the notifications in their submissions to the Secretariat.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p>	<p>THP_ID110338, THP_ID113952: The <i>Long Teng</i> reported the transhipment notification in time. The delay was caused by administrative and technical problems at the contacts.</p> <p>THP_ID114354: This was caused by multiple submission of updated information after the original submission of transhipment notification. The submitted notification on 14 June '<i>Long Fa</i> will refuel from <i>Hai Feng 688</i> on 16 June' is not a new one, it is the second change of the original one submitted on 10 June 2021.</p> <p>THP_ID 113750, 113752: The <i>Long Fa</i> reported the transhipment notification in time. The delay was caused by administrative and technical problems at the contacts.</p> <p>Preliminary Status: Compliant.</p>		See paragraph 77

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<ul style="list-style-type: none"> • 2 notifications were sent 59–50 hours before notified transhipment time. • 1 notification was sent 9–0 hours before notified transhipment time. • 1 notification was sent 25–48 hours after notified transhipment time. • 1 notification was sent 49–72 hours after notified transhipment time. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>			
China		<p>CM 10-09, paragraph 3, requires that each Contracting Party as a Flag State shall notify the Secretariat at least 2 hours in advance if any of its vessels intend to tranship items other than harvested marine living resources, bait or fuel within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with three notifications.</p> <p>The identified transhipment account for 3% of China's transhipments.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 1 hour–30 minutes before notified transhipment time. • 1 notification was sent 30 minutes–0 minutes before notified transhipment time. • 1 notification was sent 7–12 hours after notified transhipment time. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>THP_ID 110375: All communications about this transhipment occurred during off-hours. So was the submission of transhipment notification.</p> <p>THP_ID 114424: This is a case of emergency relating to the safety of crew members on board. The <i>Long Fa</i> had to transfer a crew member to cargo vessel for the sake of his health condition.</p> <p>THP_ID 110007: This is an emergent case. The <i>Long Teng</i> had to replenish spare parts from the <i>Long Fa</i> for the sake of her safety.</p> <p>Preliminary Status: Compliant.</p>	<p>No compliance status assigned</p> <p>See paragraph 80</p>	

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
China		<p>CM 10-09, paragraph 5, requires each Contracting Party to provide confirmation of transhipment to the Secretariat within three (3) working days of any of its vessels having transhipped within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with one confirmation.</p> <p>Acknowledgment of the lateness of the confirmation was included in its submission.</p> <p>The identified transhipment accounts for 1% of China's transhipments.</p> <p>The time differences between the date and time of when the confirmations were sent (according to the metadata in the notification) and the confirmed transhipment completion are:</p> <ul style="list-style-type: none"> • 1 confirmation was sent between 11 and 15 working days after the confirmed date and time of transhipment completion. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>The <i>Fu Yuan Yu 9818</i> reported transhipment confirmation in time. The delay was caused by administrative and technical problems at the contacts.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>	Minor non-compliant (Level 1)	See paragraph 86
Korea, Republic of		<p>CM 10-09, paragraph 5, requires each Contracting Party to provide confirmation of transhipment to the Secretariat within three (3) working days of any of its vessels having transhipped within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with one confirmation.</p> <p>The identified transhipment accounts for 1% of Korea's transhipments.</p> <p>The time differences between the date and time of when the confirmations were sent (according to the metadata in the notification) and the confirmed transhipment completion are:</p>	<p>The identified case involves the Korean-flagged trawler <i>Sejong</i> and the Russian-flagged carrier vessel <i>Pamyat Ilicha</i>. The Ministry of Oceans and Fisheries checked with the operator regarding the discrepancy, and found that the fishing vessel did submit its transhipment notification and the completion report within the 72 hours of completion of transhipment. With this explanation, Korea finds this incident 'Compliant.' Attached here are the supporting documents:</p> <ol style="list-style-type: none"> 1. Email message with transhipment completion report. 2. Spreadsheet on the completion of transhipment report. 	Minor non-compliant (Level 1)	See paragraph 86

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<ul style="list-style-type: none"> • 1 confirmation was not provided for a transhipment which was notified. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Further Action: As we consider this case complaint, no further action is required.</p> <p>Preliminary Status: Compliant.</p>		
Netherlands		<p>CM 10-09, paragraph 2, 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.</p> <p>Analysis of the transhipment data identified non-compliance with five notifications.</p> <p>The identified transhipments account for 38% of the Netherlands' transhipments.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 3 notifications were sent 72–68 hours before notified transhipment time. • 1 notification was sent 63–60 hours before notified transhipment time. • 1 notification was sent 49–40 hours before notified transhipment time. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Nil response</p>	<p>Minor non-compliant (Level 1)</p>	See paragraphs 75 and 76
Netherlands		<p>CM 10-09, paragraph 3, requires that each Contracting Party as a Flag State shall notify the Secretariat at least 2 hours in advance if any of its vessels intend to tranship items other than harvested marine living resources, bait or fuel within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with one notification.</p> <p>The identified transhipment accounts for 8% of the Netherlands' transhipments.</p>	<p>Nil response</p>	<p>Minor non-compliant (Level 1)</p>	See paragraphs 81 and 82

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Netherlands		<p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 0–1 hours after notified transhipment time. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	Nil response	Minor non-compliant (Level 1)	See paragraph 86
Norway		<p>CM 10-09, paragraph 5, requires each Contracting Party to provide confirmation of transhipment to the Secretariat within three (3) working days of any of its vessels having transhipped within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with one confirmation.</p> <p>The identified transhipment accounts for 8% of the Netherlands' transhipments.</p> <p>The time differences between the date and time of when the confirmations were sent (according to the metadata in the notification) and the confirmed transhipment completion are:</p> <ul style="list-style-type: none"> • 1 confirmation was not provided for a transhipment which was notified. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Our investigations confirm that there have been several incidents of non-compliance with the requirement to notify the Secretariat at least 72 hours in advance of intended transhipment operations.</p> <p>There has been a close dialogue between Norwegian authorities and the vessels/vessel owner regarding the importance of complying with CM 10-09. Although some improvement can be seen during the current fishing season, we recognise that there is still a need for increasing the level of compliance with several paragraphs of CM 10-09.</p>	Non-compliant (Level 2)	See paragraph 74

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 6 notifications were sent 72–68 hours before notified transhipment time. • 2 notifications were sent 67–64 hours before notified transhipment time. • 3 notifications were sent 63–60 hours before notified transhipment time. • 2 notifications were sent 59–50 hours before notified transhipment time. • 1 notification was sent 0–24 hours after notified transhipment time. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Based on the information provided by the Secretariat, as well as our investigations, the Directorate of Fisheries has issued a formal warning to the vessels/vessel owner for non-compliance with CM 10-09.</p> <p>In order to further enhance the understanding of CM 10-09 as well as other relevant CCAMLR conservation measures, Norwegian authorities will arrange a meeting with the industry before the start of the next fishing season. The relevant requirements will also be emphasised when issuing licenses to the vessels for the coming season.</p> <p>Based on feedback from the masters of the vessels, we believe that there might be a need for clarifying some elements of CM 10-09, and we support the Secretariat's initiative in CCAMLR-40/16. A recurring issue seems to be that the CCAMLR Secretariat notes time of reception of notification/confirmation, which differs from time the signal is sent from vessel.</p> <p>Regarding the compliance status we consider most of the identified cases of non-compliance with CM 10-09 as minor infringements (Level 1), if assessed individually. However, as there are several incidents identified, we suggest the status non-compliant Level 2.</p> <p>Preliminary Status: Non-compliant (Level 2).</p>		
Norway		<p>CM 10-09, paragraph 3, requires that each Contracting Party as a Flag State shall notify the Secretariat at least 2 hours in advance if any of its vessels intend to tranship items other than harvested marine living resources, bait or fuel within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with six notifications.</p>	<p>Our investigations confirm that there have been several incidents of non-compliance with the requirement to notify the Secretariat at least 2 hours in advance of intended transhipment of items other than harvested marine living resources, bait or fuel.</p> <p>There has been a close dialogue between Norwegian authorities and the vessels/vessel owner regarding the importance of complying with CM 10-09. Although some improvement can be seen during the current fishing season, we recognise that there is still a need for increasing the level of compliance with several paragraphs of CM 10-09.</p>	<p>Non-compliant (Level 2)</p>	See paragraph 81

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>The identified transhipments account for 4% of Norway's transhipments.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 2 hours–1 hour 30 minutes before notified transhipment time. • 3 notifications were sent 30 minutes–0 minutes before notified transhipment time. • 1 notification was sent 0 minutes–1 hour after notified transhipment time. • 1 notification was sent 2–6 hours after notified transhipment time. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Based on the information provided by the Secretariat, as well as our investigations, the Directorate of Fisheries has issued a formal warning to the vessels/vessel owner for non-compliance with CM 10-09.</p> <p>In order to further enhance the understanding of CM 10-09 as well as other relevant CCAMLR conservation measures, Norwegian authorities will arrange a meeting with the industry before the start of the next fishing season. The relevant requirements will also be emphasised when issuing licenses to the vessels for the coming season.</p> <p>Based on feedback from the masters of the vessels, we believe that there might be a need for clarifying some elements of CM 10-09, and we support the Secretariat's initiative in CCAMLR-40/16. A recurring issue seems to be that the CCAMLR Secretariat notes time of reception of notification/confirmation, which differs from time the signal is sent from vessel.</p> <p>Regarding the compliance status we consider most of the identified cases of non-compliance with CM 10-09 as minor infringements (Level 1), if assessed individually. However, as there are several incidents identified, we suggest the status non-compliant Level 2.</p> <p>Preliminary Status: Non-compliant (Level 2).</p>		
Norway		<p>CM 10-09, paragraph 5, requires each Contracting Party to provide confirmation of transhipment to the Secretariat within three (3) working days of any of its vessels having transhipped within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with five confirmations.</p> <p>The identified transhipments account for 4% of Norway's transhipments.</p>	<p>Our investigations confirm that there have been some incidents of non-compliance with the requirement to notify the Secretariat at least 72 hours in advance of intended transhipment operations.</p> <p>However, according to the investigations, two of the notified transhipments were not conducted, and there seems to have been some confusion whether or not it was required to submit confirmations in these cases.</p>	<p>Non-compliant (Level 2)</p>	See paragraph 86

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>The time differences between the date and time of when the confirmations were sent (according to the metadata in the notification) and the confirmed transhipment completion are:</p> <ul style="list-style-type: none"> • 1 confirmation was sent between 16 and 20 working days after the confirmed date and time of transhipment completion. • 4 confirmations were not provided for a transhipment which was notified. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>There has been a close dialogue between Norwegian authorities and the vessels/vessel owner regarding the importance of complying with CM 10-09. Although some improvement can be seen during the current fishing season, we recognise that there is still a need for increasing the level of compliance with several paragraphs of CM 10-09.</p> <p>Based on the information provided by the Secretariat, as well as our investigations, the Directorate of Fisheries has issued a formal warning to the vessels/vessel owner for non-compliance with CM 10-09.</p> <p>In order to further enhance the understanding of CM 10-09 as well as other relevant CCAMLR conservation measures, Norwegian authorities will arrange a meeting with the industry before the start of the next fishing season. The relevant requirements will also be emphasised when issuing licenses to the vessels for the coming season.</p> <p>Based on feedback from the masters of the vessels, we believe that there might be a need for clarifying some elements of CM 10-09, and we support the Secretariat's initiative in CCAMLR-40/16.</p> <p>Regarding the compliance status we consider most of the identified cases of non-compliance with CM 10-09 as minor infringements (Level 1), if assessed individually. However, as there are several incidents identified, we suggest the status non-compliant Level 2.</p> <p>Preliminary Status: Non-compliant (Level 2).</p>		
Norway		<p>CM 10-09, paragraph 8, states that no vessel may tranship within the Convention Area for which prior notification, pursuant to paragraphs 2, 3 and 4, has not been given.</p> <p>Analysis of the transhipment data identified non-compliance with two transhipments.</p>	<p>Our investigations confirm that there have been two incidents of non-compliance with the CM 10-09, paragraph 8, in relation to transhipment of supplies and provisions.</p> <p>There has been a close dialogue between Norwegian authorities and the vessels/vessel owner regarding the</p>	<p>Non-compliant (Level 2)</p>	See paragraph 88

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>The identified transhipments account for 2% of Norway's transhipments.</p> <ul style="list-style-type: none"> • 1 transhipment was confirmed but no notification was given by the Flag State or the vessel. • 1 transhipment was notified and confirmed by the other participating Flag State but no notification was given by Norway as the Flag State or the vessel. <p>These transhipments were not included in the list of transhipments identified for non-compliance with CM 10-09, paragraph 2.</p> <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>importance of complying with CM 10-09. Although some improvement can be seen during the current fishing season, we recognise that there is still a need for increasing the level of compliance with several paragraphs of CM 10-09.</p> <p>Based on the information provided by the Secretariat, as well as our investigations, the Directorate of Fisheries has issued a formal warning to the vessels/vessel owner for non-compliance with CM 10-09.</p> <p>In order to further enhance the understanding of CM 10-09 as well as other relevant CCAMLR conservation measures, Norwegian authorities will arrange a meeting with the industry before the start of the next fishing season. The relevant requirements will also be emphasised when issuing licenses to the vessels for the coming season.</p> <p>Based on feedback from the masters of the vessels, we believe that there might be a need for clarifying some elements of CM 10-09, and we support the Secretariat's initiative in CCAMLR-40/16.</p> <p>Regarding the compliance status we consider most of the identified cases of non-compliance with CM 10-09 as minor infringements (Level 1), if assessed individually. However, as there are several incidents identified, we suggest the status non-compliant Level 2.</p> <p>Preliminary Status: Non-compliant (Level 2)</p>		
Panama		<p>CM 10-09, paragraph 2, 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.</p> <p>Analysis of the transhipment data identified non-compliance with four notifications.</p>	Nil response		See paragraph 78

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>The identified transhipments account for 5% of Panama's transhipments.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 72–68 hours before notified transhipment time. • 2 notifications were sent 25–48 hours after notified transhipment time. • 1 notification was sent 0–24 hours after notified transhipment time. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>			
Panama		<p>CM 10-09, paragraph 3, requires that each Contracting Party as a Flag State shall notify the Secretariat at least 2 hours in advance if any of its vessels intend to tranship items other than harvested marine living resources, bait or fuel within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with one notification.</p> <p>The identified transhipment accounts for 1% of Panama's transhipments.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 30 minutes–0 minutes before notified transhipment time. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	Nil response	See paragraph 83	

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Panama		<p>CM 10-09, paragraph 5, requires each Contracting Party to provide confirmation of transhipment to the Secretariat within three (3) working days of any of its vessels having transhipped within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with seven confirmations.</p> <p>The identified transhipments account for 9% of Panama's transhipments.</p> <p>The time differences between the date and time of when the confirmations were sent (according to the metadata in the notification) and the confirmed transhipment completion are:</p> <ul style="list-style-type: none"> • 1 confirmation was sent between 3 and 4 working days after the confirmed date and time of transhipment completion. • 6 confirmations were not provided for a transhipment which was notified and/or confirmed by the other participating Flag State. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	Nil response		See paragraph 86
Panama		<p>CM 10-09 paragraph 8, states that no vessel may tranship within the Convention Area for which prior notification, pursuant to paragraphs 2, 3 and 4, has not been given.</p> <p>Analysis of the transhipment data identified non-compliance with five transhipments.</p> <p>The identified transhipments account for 7% of Panama's transhipments.</p> <p>Five transhipments were confirmed but no notification was given by the Flag State or the vessel.</p> <p>These transhipments were not included in the list of transhipments identified for non-compliance with CM 10-09, paragraph 2.</p> <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	Nil response		See paragraph 89

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Russian Federation		<p>CM 10-09, paragraph 8, states that no vessel may tranship within the Convention Area for which prior notification, pursuant to paragraphs 2, 3 and 4, has not been given.</p> <p>Analysis of the transhipment data identified non-compliance with three transhipments.</p> <p>The identified transhipments account for 4% of Russia's transhipments.</p> <p>Two transhipments were confirmed but no notification was given by the Flag State or the vessel.</p> <p>1 transhipment was notified and confirmed by the other participating Flag State but no notification was given by Russia as the Flag State or the vessel.</p> <p>These transhipments were not included in the list of transhipments identified for non-compliance with CM 10-09, paragraph 2.</p> <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Russia has thoroughly investigated the relevant incidents. The two cases identified by the Secretariat in the table as applying to Russia were probably included by mistake (between the Vanuatu and Norwegian-flagged vessels, and also between two transport vessels). In accordance with paragraphs 2 and 3 of CM 10-09, the competent authority directs vessels to send notifications directly to the Secretariat. During the investigation of these incidents it was established that, at the time specified, the transport vessels flying the flag of the Russian Federation were leased by the company Baltmed Reefer Service Ltd. (Greece), which essentially controlled the vessel's activities. Taking into account the fact that the Greek company was the vessel operator, a misunderstanding arose in respect of the procedure for notification of transhipments in the Convention Area. The conservation measure does not allow for the possibility of vessel operators notifying of transhipments. Nonetheless, the actual management of vessels' commercial activity, including transhipments, is done by the operator. Vessel owners are essentially limited in their ability to get involved in the commercial side of vessel's activities during the term of a lease. In cases when CM 10-09 does not account for the specifics of vessel operators' commercial activity, this needs to be corrected in terms of including the possibility of directing vessel operators to provide to the Secretariat notifications of transhipments in the Convention Area</p> <p>Further Action: If necessary, update CM 10-09 or draft clarifications in terms of the obligations of vessel operators.</p> <p>Preliminary Status: Need of interpretation by SCIC.</p>		See paragraph 89

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Russian Federation		<p>CM 10-09, paragraph 2, 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.</p> <p>Analysis of the transhipment data identified non-compliance with 12 notifications.</p> <p>The identified transhipments account for 18% of Russia's transhipments.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 5 notifications were sent 72–68 hours before notified transhipment time. • 3 notifications were sent 67–64 hours before notified transhipment time. • 1 notification was sent 25–48 hours after notified transhipment time. • 1 notification was sent 97–120 hours after notified transhipment time. • 1 notification was sent 121–144 hours after notified transhipment time. • 1 notification was sent 145–168 hours after notified transhipment time. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Russia has thoroughly investigated the relevant incidents. The two cases identified by the Secretariat in the table as applying to Russia were probably included by mistake (between the Vanuatu and Norwegian-flagged vessels, and also between two transport vessels). In accordance with paragraphs 2 and 3 of CM 10-09, the competent authority directs vessels to send notifications directly to the Secretariat. During the investigation of these incidents it was established that, at the time specified, the transport vessels flying the flag of the Russian Federation were leased by the company Baltmed Reefer Service Ltd. (Greece), which essentially controlled the vessel's activities. Taking into account the fact that the Greek company was the vessel operator, a misunderstanding arose in respect of the procedure for notification of transhipments in the Convention Area. The conservation measure does not allow for the possibility of vessel operators notifying of transhipments. Nonetheless, the actual management of vessels' commercial activity, including transhipments, is done by the operator. Vessel owners are essentially limited in their ability to get involved in the commercial side of vessel's activities during the term of a lease. In cases when CM 10-09 does not account for the specifics of vessel operators' commercial activity, this needs to be corrected in terms of including the possibility of directing vessel operators to provide to the Secretariat notifications of transhipments in the Convention Area.</p> <p>Further Action: If necessary, update CM 10-09 or draft clarifications in terms of the allowing the operators of transport vessels to submit data on transhipments to the Secretariat.</p> <p>Preliminary Status: Need of interpretation by SCIC.</p>		See paragraph 78

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Russian Federation		<p>CM 10-09, paragraph 4, designates the information required to be transmitted in a notification required under paragraphs 2 or 3.</p> <p>One notification was identified where the proposed time of transhipment was not provided.</p> <p>The identified transhipment accounts for 1% of Russia's transhipments.</p> <p>By not providing all the information required under CM 10-09, paragraph 4, the Secretariat is unable to undertake further assessment on the compliance of the transhipment activity in regard to CM 10-09, paragraphs 2 and 3.</p> <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Russia has thoroughly investigated the relevant incidents. The two cases identified by the Secretariat in the table as applying to Russia were probably included by mistake (between the Vanuatu and Norwegian-flagged vessels, and also between two transport vessels). In accordance with paragraphs 2 and 3 of CM 10-09, the competent authority directs vessels to send notifications directly to the Secretariat. During the investigation of these incidents it was established that, at the time specified, the transport vessels flying the flag of the Russian Federation were leased by the company Baltmed Reefer Service Ltd. (Greece), which essentially controlled the vessel's activities. Taking into account the fact that the Greek company was the vessel operator, a misunderstanding arose in respect of the procedure for notification of transhipments in the Convention Area. The conservation measure does not allow for the possibility of vessel operators notifying of transhipments. Nonetheless, the actual management of vessels' commercial activity, including transhipments, is done by the operator. Vessel owners are essentially limited in their ability to get involved in the commercial side of vessel's activities during the term of a lease. In cases when CM 10-09 does not account for the specifics of vessel operators' commercial activity, this needs to be corrected in terms of including the possibility of directing vessel operators to provide to the Secretariat notifications of transhipments in the Convention Area.</p> <p>Further Action: Clarification is required in terms of the application of CM 10-09 in relation to vessel operators.</p> <p>Preliminary Status: Need of interpretation by SCIC.</p>	See paragraph 84	

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Russian Federation		<p>CM 10-09, paragraph 5, requires each Contracting Party to provide confirmation of transhipment to the Secretariat within three (3) working days of any of its vessels having transhipped within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with 11 confirmations.</p> <p>The identified transhipments account for 16% of Russia's transhipments.</p> <p>The time differences between the date and time of when the confirmations were sent (according to the metadata in the notification) and the confirmed transhipment completion are:</p> <ul style="list-style-type: none"> • 3 confirmations was sent between 3 and 4 working days after the confirmed date and time of transhipment completion. • 1 confirmation was sent between 4 and 10 working days after the confirmed date and time of transhipment completion. • 7 confirmations were not provided for a transhipment which was notified and/or confirmed by the other participating Flag State. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Russia has thoroughly investigated the relevant incidents. The two cases identified by the Secretariat in the table as applying to Russia were probably included by mistake (between the Vanuatu and Norwegian-flagged vessels, and also between two transport vessels). In accordance with paragraphs 2 and 3 of CM 10-09, the competent authority directs vessels to send notifications directly to the Secretariat. During the investigation of these incidents it was established that, at the time specified, the transport vessels flying the flag of the Russian Federation were leased by the company Baltmed Reefer Service Ltd. (Greece), which essentially controlled the vessel's activities. Taking into account the fact that the Greek company was the vessel operator, a misunderstanding arose in respect of the procedure for notification of transhipments in the Convention Area. The conservation measure does not allow for the possibility of vessel operators notifying of transhipments. Nonetheless, the actual management of vessels' commercial activity, including transhipments, is done by the operator. Vessel owners are essentially limited in their ability to get involved in the commercial side of vessel's activities during the term of a lease. In cases when CM 10-09 does not account for the specifics of vessel operators' commercial activity, this needs to be corrected in terms of including the possibility of directing vessel operators to provide to the Secretariat notifications of transhipments in the Convention Area.</p> <p>Further Action: Clarification is required in terms of the application of CM 10-09 in relation to vessel operators.</p> <p>Preliminary Status: Need of interpretation by SCIC.</p>		See paragraph 86

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Ukraine		<p>CM 10-09, paragraph 2, 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.</p> <p>Analysis of the transhipment data identified non-compliance with one notification.</p> <p>The identified transhipment accounts for 8% of Ukraine's transhipments.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 9–0 hours before notified transhipment time. <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	<p>Transhipment between the vessels <i>Simeiz</i> and <i>Calipso</i> took place on 5 February 2021 including only fish offal and cardboard packing materials. These types of materials require only 2 hours ahead notification according to CM 10-09, paragraph 3.</p> <p>Preliminary Status: Compliant.</p>		See paragraph 78
Vanuatu		<p>CM 10-09, paragraph 2, 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.</p> <p>Analysis of the transhipment data identified non-compliance with 15 notifications.</p> <p>The identified transhipments account for 18% of Vanuatu's transhipments.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 7 notifications were sent 72–68 hours before notified transhipment time • 3 notifications were sent 67–64 hours before notified transhipment time 	Nil response		See paragraph 78

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<ul style="list-style-type: none"> • 3 notifications were sent 63– 60 hours before notified transhipment time • 2 notifications were sent 59–50 hours before notified transhipment time <p>A list of individual transhipments is available as an attachment to this record on the website.</p>			
Vanuatu		<p>CM 10-09, paragraph 3, requires that each Contracting Party as a Flag State shall notify the Secretariat at least 2 hours in advance if any of its vessels intend to tranship items other than harvested marine living resources, bait or fuel within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with four notifications.</p> <p>The identified transhipments account for 5% of Vanuatu's transhipments.</p> <p>The time differences between the date and time of when the notification was sent (according to the metadata in the notification) and the notified time are:</p> <ul style="list-style-type: none"> • 1 notification was sent 2 hours–1 hour 30 minutes before notified transhipment time. • 2 notifications were sent 1 hour 30 minutes–1 hour before notified transhipment time. • 1 notification was sent 30–0 minutes before notified transhipment time. <p>A list of individual transhipments is available as an attachment to this record on the website</p>	Nil response	See paragraph 83	
Vanuatu		<p>CM 10-09, paragraph 5, requires each Contracting Party to provide confirmation of transhipment to the Secretariat within three (3) working days of any of its vessels having transhipped within the Convention Area.</p> <p>Analysis of the transhipment data identified non-compliance with five confirmations.</p>	Nil response		See paragraph 86

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Vanuatu		<p>The identified transhipments account for 6% of Vanuatu's transhipments.</p> <p>Five confirmations were not provided for a transhipment which was notified and/or confirmed by the other participating Flag State.</p> <p>A list of individual transhipments is available as an attachment to this record on the website.</p>	Nil response		See paragraph 89
Conservation Measure 25-02					
Ukraine	<i>Simeiz</i>	<p>CM 25-02, Annex 25-02/A, paragraph 4, states the streamer length shall be a minimum of one metre at the seaward end.</p> <p>Comments in observer report #2035 for the trip on the Ukrainian-flagged <i>Simeiz</i> (28 October 2020 to 26 February 2021) reported the following:</p> <p>‘The longest streamer measured 7.11 m and the shortest 0.54 m...’</p>	<p>The streamer lines used on vessels <i>Simeiz</i> were built under Annex 25-02/A consisting of 13 streamers from 7 meters length to 1 metre length + 0.5 metre streamer number 14 on the seaward end. This streamer usually works only in stormy weather conditions, increasing the protection area of the line from birds.</p> <p>Preliminary Status: Compliant.</p>		See paragraph 90

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
United Kingdom	<i>Argos Georgia</i>	<p>CM 25-02, Annex 25-02/A, paragraph 4, states the branched streamer shall comprise two strands of a minimum 3 mm diameter brightly coloured plastic tubing or cord.</p> <p>Comments in observer report #2045 for the trip on the United Kingdom-flagged <i>Argos Georgia</i> (25 February to 20 March 2021) report the following:</p> <p>‘The tori line consisted of 12 mm diameter, 50/50 polypropylene/polyester with 12 sets of 2.3–4.3 mm luminous orange and green tubing.’</p>	<p>The UK investigated this potential infringement. A domestic pre-season vessel inspection, undertaken on 25 February 2021, reported compliance with all CM 25-02 requirements, as did port inspections on 24 February and 20 March 2021, carried out in accordance with CM 10-03.</p> <p>An assessment of fishing gear was undertaken on 19 August 2021, by the CCAMLR designated observer on board the FV <i>Argos Georgia</i>. Using a calibrator, the SISO observer reported all streamer diameters measured between 4.2 mm and 4.3 mm, consistent with requirements under CM 25-02.</p> <p>The observer report #2045 clearly states that the vessels streamer lines did meet the minimum CCAMLR specifications (Section 6.1 Mitigation Devices – Streamer Line Details). We therefore conclude that there was an error in the reporting of the detailed measurements of the streamer.</p> <p>Further Action: None.</p> <p>Preliminary Status: Compliant.</p>		See paragraph 90
<hr/> Conservation Measure 25-03					
Chile	<i>Antarctic Endeavour</i>	<p>CM 25-03, paragraph 3, states the discharge of offal and discards shall be prohibited during the shooting and hauling of trawl gear.</p> <p>Comments in observer report #475 for the trip on the Chilean-flagged <i>Antarctic Endeavour</i> (26 June to 22 September 2020) reported the following regarding the prohibition of discharging:</p> <p>‘The only exception to this was during the setting of trawl 156. A quantity of partly processed krill (Figure 6) was discharged for approximately 3 minutes from a port side pipe outlet. The observer was informed this discharge was caused by an emergency regulator in the factory releasing excess pressure from the system.’</p>	<p>Regarding the discharge/discard event mentioned in the report, it was established that it happened in the course of an automatic pressure release procedure ('over board'), triggered by a specific episode of solidification of krill. This happens when the cooking temperature jumps suddenly from 90°C to 102°C, which causes the product to solidify, thus resulting in the obstruction of the normal flow of the product (since it goes from a liquid into a solid state) and consequently causes the pressure in the system to spike. When this happens, the system releases the pressure automatically by discarding the processed produce.</p>		See paragraph 90

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
Conservation Measure 26-01					
China	<i>Fu Rong Hai</i>	<p>CM 26-01, paragraph 9, prohibits the dumping of discards south of 60°S.</p> <p>From 21 March to 29 May 2021, the <i>Fu Rong Hai</i> reported in their C1 data discarding south of 60°S 14 134 individuals across 17 identifiable species with a total weight of 26.59 kg.</p>	<p>All of the above confirms that it was a one-off event, resulting from a mechanical emergency procedure that is in place to prevent a catastrophic failure in the factory on board.</p> <p>The shipowner has provided an image, attached.</p> <p>Preliminary Status: Need of interpretation by SCIC.</p>		
Conservation Measure 31-02					
Ukraine	<i>Marigolds</i>	<p>In COMM CIRC 20/179 Japan reported on the sighting of the <i>Marigolds</i> on 10 December 2020 19:55 UTC in the area of Subarea 88.1 and SSRUs 882A–B (area north of 70°S) after the closure at 23:59 UTC on 9 December 2020 (COMM CIRC 20/166–SC CIRC 20/126). The vessel was operating at estimated 7 knots and then came to a stop. Nearby the <i>Shinsei Maru No. 8</i> located 3 buoys marked as <i>Marigolds</i>. Photos are provided in COMM CIRC 20/179.</p> <p>In COMM CIRC 20/168–SC CIRC 20/128 Ukraine notified of the delayed fishing gear retrieval, as per CM 31-02, paragraph 5.</p> <p>In COMM CIRC 20/169–SC CIRC 20/129 Ukraine reported on the investigation into the delayed fishing gear retrieval as per CM 31-02, paragraph 6. The report noted that adverse weather conditions led to the breakage of the line and a search was undertaken for the missing gear which did not yield a positive result.</p>	<p>The <i>Fu Rong Hai</i> did not discard any by-catch during this reporting period. The reported discards in C1 data were caused by misfiling. There is an example number ‘3.45’ in row ‘Discarded Green weight (kg)’, column B in C1 data form. Therefore, the data were misleadingly filled into ‘Discarded’ rows.</p> <p>Preliminary Status: Compliant.</p>		See paragraph 90
					See paragraph 90

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>Comments in observer report #2062_2063 from the designated observer on the <i>Shinsei Maru No. 8</i> reported the following:</p> <p>‘No IUU vessels or gear were observed, although a case might be made that the Ukrainian-flagged <i>Marigolds</i> were fishing in the closed SSRU 881B on 10 December 2020. The vessel was found to be drifting close to its marked gear, in perfect weather, and it made no attempt to haul this while the <i>Shinsei Maru No.8</i> was present. Photographs were taken of the vessel and marked gear and are available on request.’</p> <p>This event involved a potential breach of CM 31-02.</p> <p>CM 31-02, paragraph 1, requires that following notification by the Secretariat of the closure of a fishery all vessels in the area subject to the closure notice shall remove all their fishing gear from the water by the notified closure date and time.</p>			
Conservation Measure 32-02					
South Africa	<i>El Shaddai</i>	<p>CM 32-02 prohibits directed fishing for toothfish in Subarea 58.7 (except for waters adjacent to the Prince Edward Island).</p> <p>In July 2020, the Secretariat was requested to provide details related to a CCAMLR toothfish tag recaptured in the Southern Indian Ocean Fisheries Agreement (SIOFA) area in 2020. In the process of examining the tag release information, the C2 data submitted by the <i>El Shaddai</i> over the last five years was reviewed and there were 28 sets in Subarea 58.7 outside the South African exclusive economic zone (EEZ) in 2015 and 33 sets in Subarea 58.7 outside the South African EEZ in 2016.</p> <p>These fishing locations in 2015 and 2016 were outside the South African EEZ and within Subarea 58.7 which was closed to fishing.</p>	<p>Criminal charges are being instituted and a case has been registered. Further internal engagements are underway to determine harsher sanctions.</p> <p>Preliminary Status: Compliant.</p>	See paragraph 90	

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>In August 2020, this information and relevant vessel monitoring system (VMS) data was provided to South Africa.</p> <p>In September 2020 all relevant C2 data for the <i>El Shaddai</i> was provided to South Africa.</p> <p>In COMM CIRC 21/93 South Africa reported on the investigation into the <i>El Shaddai</i>'s activities and noted that the vessel Captain and Operator were unaware that they were fishing outside the South African EEZ and systems have been developed to avoid this again in the future.</p> <p>This event is considered further on the Draft IUU Vessel List (COMM CIRC 21/92).</p>			
Conservation Measure 41-01					
New Zealand	<i>San Aotea II</i>	<p>CM 41-01, Annex 41-01/C, paragraph 2(ii). states the tagging program shall target toothfish of all sizes in order to meet the tagging requirements.</p> <p>Observer report #2017 <i>San Aotea II</i> V2 for the period of 22 November 2020 to 10 February 2021 noted the following:</p> <p>‘During hauling of line 48 on 3 January 2021, the captain ordered the hauling room crew to release a juvenile <i>D. mawsoni</i> (estimated to have been >40 cm in length) alive and untagged from the hauling room. His instruction was complied with.’</p> <p>The port inspection report provided by New Zealand for the Inspection of the <i>San Aotea II</i> on 11 February 2021 in Timaru, New Zealand, noted the following:</p> <p>‘Inspector’s findings:</p> <p>During the hauling of line 48 on 4 January 2021 (UTC) a small juvenile toothfish was released by a crew member without being tagged. This was self-reported by the vessel to the onboard observer(s) (A).</p>	<p>New Zealand officials were advised by the owner of the vessel that the release of one toothfish, that had not been tagged, had occurred during the 2020/21 Ross Sea season. The release was captured on the vessel’s daily report, in the C2 data, and confirmed by the observers deployed on the vessel. The skipper of the vessel was interviewed by the inspecting officer and confirmed that the release was a one-off occurrence due to the small size of the fish.</p> <p>New Zealand officials investigated the issue and reviewed video footage collected by the vessel during the voyage. It was confirmed that the release of an untagged toothfish occurred on only the reported occasion.</p> <p>Following the investigation, the owner of the vessel was sent an official warning letter by New Zealand’s Ministry for Primary Industries. This warning letter will remain on the company’s compliance record held by the Ministry.</p> <p>Further Action: No further action required.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>		See paragraph 90

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>Master's statement:</p> <p>Regarding the above: I made a compulsive decision to release this very much alive, very small toothfish (less than 30 cm) because I thought it was too small to survive the tagging process, and far too small to kill and process.</p> <p>(A) This is a breach of paragraph 34 of the AMLR permit and CM 41/01'.</p> <p>The CCAMLR Tagging Protocol does not permit the release of toothfish due to any minimum or maximum size.</p> <p>In acknowledging receipt of the port inspection report, a request was made by the Secretariat for further information regarding the identified breach of CM 41-01 reported in the report. No response was received.</p>			
Conservation Measure 91-05					
Korea, Republic of	<i>Hong Jin No. 701</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>Four issues of non-compliance were identified.</p> <p>A movement notification was provided on 9 December 2020 11:27 UTC which notified entry of the Korean-flagged <i>Hong Jin No. 701</i> into the RSRMPA SRZ at 9 December 2020 10:58 UTC.</p> <p>The submission of the notification was made by a representative from the vessel on its behalf. The submission noted the vessel was having problems with its satellite communications equipment.</p> <p>Time difference: 39 minutes after entry.</p> <p>A movement notification was provided on 28 December 2020 23:07 UTC which notified entry of the Korean-flagged <i>Hong Jin No. 701</i> into the RSRMPA SRZ at 28 December 2020 17:10 UTC.</p>	<p>A.</p> <p>Considering the importance of timeliness of reporting and the real-time nature, and given that an entry can happen anytime during the day, the Ministry of Oceans and Fisheries and the operator arranged so that the vessel could directly report its movements to the Secretariat on their behalf. In order to ensure that communication between the vessel and the relevant authorities, including the CCAMLR Secretariat, the <i>Hong Jin No. 701</i> is fitted with two units of Inmarsat devices (870-773-110-199, 870-773-111-063) and one unit of Iridium sat phone (8816-2245-3756) at the end of October 2020, prior to its departure from the port. However, from the end of November 2020, when the vessel was moving to Subarea 88.1, the data transmission and reception from the two units became unstable. As an alternative, the operator and the vessel used the sat phone and the texting function of the e-reporting system for the Korean FMC to make necessary reports (e.g. CE report, movement report, etc.) and communications with the CCAMLR</p>	See paragraph 90	

The submission of the notification was made by a representative from the vessel on its behalf.

Time difference: 5 hours 07 minutes after entry.

A movement notification was provided on 16 January 2021 02:22 UTC which notified entry of the Korean-flagged *Hong Jin No. 701* into the RSRMPA GPZ(i) at 16 January 2021 01:57 UTC.

The submission of the notification was made by a representative from the vessel on its behalf.

Time difference: 25 minutes after entry.

A movement notification was provided on 16 January 2021 21:15 UTC which notified entry of the Korean-flagged *Hong Jin No. 701* into the RSRMPA GPZ(i) at 16 January 2021 17:37 UTC.

The submission of the notification was made by a representative from the vessel on its behalf.

Time difference: 3 hours 38 minutes after entry.

Secretariat. Although the operator set up multiple communication devices as insurance to ensure seamless communication between the vessel and the land, the malfunction of the VMS units was beyond the Flag State or the operator's control. Having said so, considering the unique environmental challenges in the area, the Ministry of Oceans and Fisheries advised that the fleet of the operator be fitted with advanced GX communication systems, which allow for real-time messaging and minimise communication malfunction in grey areas, in addition to the two VMS units and sat phone on the vessel. Following this instruction, the operation is upgrading the system, which will be used for the 2021/22 fishing season. Therefore, Korea finds this case technically 'Compliant'.

At 10:46 UTC, 9 December 2020, the vessel sent an SRZ prior entry notification to the agency (vessel representative), using the texting function of the e-reporting system on the vessel as the data transmission was not smooth on the VMS units and sat phone.

At 10:58 UTC, 9 December 2020, the *Hong Jin No. 701* entered the SRZ.

At 11:10 UTC, 9 December 2020, the *Hong Jin No. 701* sent an email to the CCAMLR Secretariat notifying the entry. The master of the vessel explained that the vessel had been experiencing satellite data transmission disturbances, so the vessel initially sent the prior entry report to the representative via texting, so that the representative could forward it to the Secretariat. It took about 12 minutes for the master to call the representative and put together a report.

At 11:27 UTC, 9 December 2020, the entry report was submitted to the Secretariat.

At 22:21 UTC, 9 December 2020, the vessel exited the SRZ and left for SSRU 881K. The vessel stayed in the SRZ for 10 hours and 54 minutes, during

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
			<p>which no fishing took place. There were a number of challenges for the vessel to move to its final point due to changing patterns of floating ice that caused the vessel to change its navigating paths frequently. Adding insult to injury, the data transmission was not smooth because of the weak signal in the area, preventing close communication from the vessel to the CCAMLR Secretariat, hence the 12-minute delay of submission from the vessel to the Secretariat. Had it not been for the data transmission problem, the vessel could have been able to submit its prior entry report 15 minutes before the entry. This was simply due to the error beyond the Flag State, operator and the vessel's control. Therefore, Korea finds this case technically ‘Compliant’.</p> <p>B.</p> <p>The <i>Hong Jin No. 701</i> submitted relevant movement reports to the CCAMLR Secretariat within the 24-hour requirements and other relevant rules from 12 December 2020 when it commenced its operation in the SRZ to its arrival in SSRUs 881K and 881I on 3 January 2021. During this period, the vessel operated only in the SRZ and no fishing took place in other areas.</p> <p>From 27 to 29 December (04:00 UTC), heavy sea-ice floated into the SRZ. On 28 December (13:02 UTC), the vessel left the SRZ and moved to SSRU881K for safety. The vessel re-entered the SRZ at 17:10 UTC the same day, after having taken refuge in SSRU 881K for 4 hours and 8 minutes. The movement happened due to the harsh ice condition that threatened the safety of the vessel and the crew, and there was no fishing operation during these movements. As this is an action taken by the vessel to ensure safety, paragraph 13 of CM 10-04 should apply that requires a movement report be submitted within 24 hours. Therefore, Korea finds this case ‘Compliant’.</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
			<p>C and D.</p> <p>The vessel submitted its prior entry report at 20:57 UTC, 15 January 2021, before entering the RSRMPA GPZ(i).</p> <p>The vessel entered the RSRMPA GPZ(i) at 01:57 UTC, 16 January 2021.</p> <p>The vessel exited the RSRMPA GPZ(i) at 14:34 UTC, 16 January 2021, and entered SSRU 882A.</p> <p>The vessel exited SSRU 882A at 17:37 UTC, 16 January 2021, and re-entered the RSRMPA GPZ(i).</p> <p>The vessel exited the RSRMPA GPZ(i) at 22:14 UTC, 16 January 2021, after having stayed in the area for 4 hours and 37 minutes, and re-entered SSRU 882A.</p> <p>As the movement of the vessel indicated in the supporting document demonstrates, the movement between the RSRMPA GPZ and SSRU 882A since its report at 20:57 UTC, 15 January 2021, happened due to changes in navigating paths while passing through the GPZ to the vessel's intended destination avoiding floating sea-ice for safety reasons. Therefore, paragraph 13 of CM 10-04 should apply that requires a movement report be submitted within 24 hours. Therefore, Korea finds this case 'Compliant'.</p> <p>For more information, please refer to the following timeline for the <i>Hong Jin No. 701</i> in the 2020/21 season:</p> <p>9 December 2020: The vessel submitted a prior entry report for the SRZ in Subarea 88.1</p> <p>12 December 2020: The vessel made its first set (it operated only in one area in the SRZ from 12 December 2020 to 3 January 2021).</p>		

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
			<p>3 January 2021: The vessel exited the SRZ and moved to 70 degrees south.</p> <p>13 January 2021: The SRZ closed at 08:00 UTC.</p> <p>14 January 2021: The area 70 degrees south in Subarea 88.1 closed.</p> <p>15 January 2021: The vessel submitted its prior entry report for the RSRMPA GPZ(i) at 20:57 UTC.</p> <p>16 January 2021: The vessel entered the RSRMPA GPZ(i) at 01:57 UTC.</p> <p>16 January 2021: The vessel exited the RSRMPA GPZ(i) at 22:14 UTC.</p> <p>The vessel headed straight for the port of Montevideo for a port call without any fishing operation in Subarea 88.2.</p> <p>Attached are supporting documents:</p> <ol style="list-style-type: none"> 1. The movement report from SSRU 881K to SSRU 881K SRZ. 2. The movement report for GPZ. <p>Further Action: No further action required.</p> <p>Preliminary Status: Compliant.</p>		
Spain	<i>Tronio</i>	<p>CM 91-05, paragraph 8(iii), states toothfish shall be tagged at a rate of at least three fish per tonne green weight caught in the Special Research Zone.</p> <p>The <i>Tronio</i> achieved a tagging rate of 2.0 fish per tonne of green weight caught in the Special Research Zone. The vessel caught 3 tonnes of toothfish and tagged 6 <i>Dissostichus mawsoni</i>.</p>	Nil response		See paragraph 90
Ukraine	<i>Calipso</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>Two issues of non-compliance were identified.</p>	Regarding the first issue. The vessel <i>Calipso</i> emailed notification on the intention to enter the MPA to the Secretariat prior to entering the MPA on 14 December 2020 at 07:52 UTC to ccamlr@ccamlr.org and vms@ccamlr.org .		See paragraph 90

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>A movement notification was provided on 15 December 2020 11:16 UTC which notified entry of the Ukrainian-flagged <i>Calipso</i> into the RSRMPA GPZ(iii) at 15 December 2020 07:31 UTC.</p> <p>Time difference: 3 hours 44 minutes after entry.</p> <p>A movement notification was provided on 25 December 2020 16:38 UTC which notified entry of the Ukrainian-flagged <i>Calipso</i> into RSRMPA SRZ at 25 December 2020 12:51 UTC.</p> <p>Time difference: 3 hours 47 minutes after entry.</p>	<p>Regarding the second issue, taking into account that the SRZ within the MPA was open for fishing in the 2020/21 season, the vessel operated within the framework of CM 10-04, paragraph 13, and was notified within 24 hours after crossing the SRZ border. However, taking into account CM 91-05, paragraph 24, the vessel had to notify the Secretariat before entering the SRZ.</p> <p>Specific instructions to the crew and the national observer were introduced.</p> <p>Preliminary Status: Minor non-compliant (Level 1).</p>		
United Kingdom	<i>Nordic Prince</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 was provided on 26 December 2020 06:05 UTC which notified entry of the United Kingdom-flagged <i>Nordic Prince</i> into the RSRMPA SRZ at 26 December 2020 04:38 UTC.</p> <p>Time difference: 1 hour 27 minutes after entry.</p>	<p>The UK investigated this potential infringement.</p> <p>The FV <i>Nordic Prince</i> notified its intention to enter the RSRMPA SRZ on 26 December 2020 at 01:01 UTC via an email transmission to the CCAMLR Secretariat, in accordance with CM 91-05, paragraph 24. The vessel entered the RSRMPA SRZ at 04:38 UTC. Although not required under CM 91-05, the vessel then confirmed entry into the RSRMPA SRZ via email transmission to the CCAMLR Secretariat at 06:05 UTC the same day. The confirmation of entry transmission was slightly delayed as the vessel changed over from Inmarsat (coverage ends 75 degrees south) to Iridium, which is a slower connection.</p> <p>Further Action: None.</p> <p>Preliminary Status: Compliant.</p>		See paragraph 90
CCAMLR System of Inspection					
Norway	<i>Antarctic Endurance</i>	<p>System of Inspection, paragraph V, requires a vessel to stop as soon as practicable and permit the inspector to board the vessel.</p> <p>A report on the attempted inspection of the Norwegian-flagged <i>Antarctic Endurance</i> by a Chilean authorised inspector noted the following:</p>	<p>In order to ensure safe operations and to protect the health of all people on board, the Norwegian krill fishing vessels have carried out very substantial efforts to prevent COVID-19 from spreading onboard. For instance, the crew is in isolation for 10 days at the port of departure, and every crew member must pass three COVID-19 detection tests before boarding the vessel. So far they have managed</p>		See paragraph 90

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>Once the questions had been asked, we asked the captain of the vessel if, meteorological conditions allowing, he would authorise the boarding, visit and inspection of the vessel on 23 May in the same location (Bransfield Strait). The answer was NEGATIVE, and he added the following:</p> <p>‘In these times of COVID-19, we cannot accept that anyone come on board the vessel in order to ensure the safety of the crew on board.’</p> <p>This report was circulated to Members in COMM CIRC 21/98.</p>	<p>to avoid any outbreaks onboard fishing vessels, but having a COVID-19 outbreak onboard would pose a very dangerous situation for the health and safety of the crew. And in this particular case, it would have taken the vessel six days to reach a safe port, assuming they would have been accepted to port with an outbreak on board. Thus, the master of the vessel was worried that the safety of the crew was at risk if inspectors were allowed on board.</p> <p>However, according to the CCAMLR System of Inspection, paragraph 5, a vessel shall, when given the appropriate signal, permit inspectors to board the vessel. There are no derogations from this provision, and consequently it applies also in the case of a pandemic.</p> <p>All relevant CCAMLR requirements are made legally binding for Norwegian vessels through national laws and regulations and annual licenses for each vessel participating in CCAMLR fisheries. Norway takes the inspection report very seriously, and based on the information in the report, the Directorate of Fisheries has issued a formal warning to the vessel. In addition, the duties under the CCAMLR System of Inspection will also be emphasised when issuing license to the vessel for the coming season, making it clear that the risk of infectious disease is not a valid exemption from the obligation to allow inspectors onboard.</p> <p>Preliminary Status: Non-compliant (Level 2).</p>		
Norway	<i>Antarctic Sea</i>	<p>System of Inspection, paragraph V, requires a vessel to stop as soon as practicable and permit the inspector to board the vessel.</p> <p>A report on the attempted inspection of the Norwegian-flagged <i>Antarctic Sea</i> by a Chilean authorised inspector noted the following:</p> <p>Once the questions had been asked, we asked the captain of the vessel if, meteorological conditions allowing, he would authorise the boarding, visit and inspection of the vessel on 23 May in the same</p>	<p>In order to ensure safe operations and to protect the health of all people on board, the Norwegian krill fishing vessels have carried out very substantial efforts to prevent COVID-19 from spreading onboard. For instance, the crew is in isolation for 10 days at the port of departure, and every crew member must pass three COVID-19 detection tests before boarding the vessel. So far they have managed to avoid any outbreaks onboard fishing vessels, but having a COVID-19 outbreak onboard would pose a</p>		See paragraph 90

Party	Vessel	Implementation summary – Secretariat	Response – Contracting Party	Status	SCIC response
		<p>location (Bransfield Strait). The answer was NEGATIVE, and he added the following:</p> <p>‘We find ourselves in the same situation as the <i>Antarctic Endurance</i>, and we apply the same restrictions as that vessel.’</p> <p>The <i>Antarctic Endurance</i> responded to the request for cooperation in an inspection with:</p> <p>‘In these times of COVID-19, we cannot accept that anyone come on board the vessel in order to ensure the safety of the crew on board.’</p> <p>This report was circulated to Members in COMM CIRC 21/98.</p>	<p>very dangerous situation for the health and safety of the crew. And in this particular case, it would have taken the vessel six days to reach a safe port, assuming they would have been accepted to port with an outbreak on board. Thus, the master of the vessel was worried that the safety of the crew was at risk if inspectors were allowed on board.</p> <p>The master of the <i>Antarctic Sea</i> communicated to inspectors via radio that he would have to check with company headquarters before allowing any inspections, to which the inspector answered that it was not necessary.</p> <p>However, according to the CCAMLR System of Inspection, paragraph 5, a vessel shall, when given the appropriate signal, permit inspectors to board the vessel. There are no derogations from this provision, and consequently it applies also in the case of a pandemic.</p> <p>All relevant CCAMLR requirements are made legally binding for Norwegian vessels through national laws and regulations and annual licenses for each vessel participating in CCAMLR fisheries. Norway takes the inspection report very seriously, and based on the information in the report, the Directorate of Fisheries has issued a formal warning to the vessel. In addition, the duties under the CCAMLR System of Inspection will also be emphasised when issuing license to the vessel for the coming season, making it clear that the risk of infectious disease is not a valid exemption from the obligation to allow inspectors onboard.</p>		Preliminary Status: Non-compliant (Level 2).

Appendix II

Non-Contracting Party IUU Vessel List 2021/22

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Amorinn</i>		7036345	5VAN9	<ul style="list-style-type: none"> • Sighted 58.5.1 (11 Oct 2003) • Sighted 58.4.2 (23 Jan 2004) 	2003	<ul style="list-style-type: none"> • Infitco Ltd (Ocean Star Maritime Co.) • Seric Business S.A.
<i>Antony</i>		7236634	PQMG	<ul style="list-style-type: none"> • Supporting IUU-listed vessels 	2016	<ul style="list-style-type: none"> • Atlanti Pez • Urgora S de RL • World Oceans Fishing SL
<i>Asian Warrior</i>		7322897		<ul style="list-style-type: none"> • Sighted 58.5.2 (31 Jan 2004) • Sighted 58.5.1 (10 May 2006) • Sighted 58.4.1 (21 Jan 2010) • Sighted 58.4.1 (13 Feb 2011) • Towing <i>Baiyangdian 57</i> (01 Apr 2012) • Sighted 58.6 (01 Jul 2012) • Sighted 58.4.2 (28 Jan 2013) • Sighted 57 (10 Mar 2013) • Fishing 58.5.1 (13 May 2013) • Sighted 57 (07 Sep 2013) • Sighted 58.4.1 (30 Mar 2014) • Sighted 57 (14 Apr 2014) • Sighted 57 (14 Dec 2014) • Hauling 5841H (07 Jan 2015) • Sighted 58.4.1 (11 Jan 2015) • Sighting 57 (26 Feb 2015) 	2003	<ul style="list-style-type: none"> • Navalmar S.A. • Meteora Development Inc • Vidal Armadores S.A. • Rajan Corporation • Rep Line Ventures S.A. • Stanley Management Inc • High Mountain Overseas S.A.

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Atlantic Wind</i>		9042001	5IM813	<ul style="list-style-type: none"> • Undocumented landing Malaysia (01 Aug 2004) • Fishing 58.4.3a (22 Feb 2005) • Fishing 58.4.3a (28 Apr 2005) • Fishing 58.4.3b (16 Dec 2005) • Fishing 58.4.3b (01 Jul 2009) • Fishing 58.4.2 (27 Jan 2010) • Fishing 58.4.3b (04 Apr 2010) • Fishing 58.4.1 (13 Feb 2011) • Sighted 57 (16 May 2012) • Sighted 57 (20 Oct 2012) • Sighted 57 (28 May 2013) • Sighted 57 (01 Jul 2013) • Sighted 57 (13 May 2014) • Sighted 57 (14 Dec 2014) • Fishing 5841H (12 Jan 2015) 	2004	<ul style="list-style-type: none"> • Viarsa Fishing Company/Navalmar S.A. • Global Intercontinental Services • Rajan Corporation • Redlines Ventures S.A. • High Mountain Overseas S.A.
<i>Baroon</i>		9037537		<ul style="list-style-type: none"> • Fishing 58.4.1 (19 Mar 2007) • Sighted 88.1 (15 Jan 2008) • Sighted 57 (19 Dec 2010) • Sighted 57 (05 Oct 2012) • Sighted 57 (24 Mar 2013) • Sighted 57 (03 Sep 2013) • Sighted 57 (19 Nov 2013) • Sighted 57 (14 Feb 2014) 	2007	<ul style="list-style-type: none"> • Punta Brava Fishing S.A. • Vero Shipping Corporation
<i>Challenge</i>		6622642	HO5381	<ul style="list-style-type: none"> • Sighted 58.4.3b (14 Feb 2006) • Sighted 58.4.3b (22 May 2006) • Sighted 58.4.3b (10 Dec 2006) • Sighted 58.4.3b (08 Feb 2008) 	2006	<ul style="list-style-type: none"> • Prion Ltd • Vidal Armadores S.A. • Mar de Neptuno S.A. • Advantage Company S.A. • Argibay Perez J.A.
<i>Good Hope</i>	Nigeria	7020126	5NMU	<ul style="list-style-type: none"> • Resupplying IUU vessels 51 (09 Feb 2007) 	2007	<ul style="list-style-type: none"> • Sharks Investments AVV • Port Plus Ltd

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Heavy Sea</i>		7322926	3ENF8	<ul style="list-style-type: none"> • Sighted 58.5.1 (03 Feb 2004) • Fishing 57 (29 Jul 2005) 	2004	<ul style="list-style-type: none"> • C & S Fisheries S.A. • Muner S.A. • Meteroros Shipping • Meteora Shipping Inc. • Barroso Fish S.A.
<i>Jinzhang</i>		6607666	PQBT	<ul style="list-style-type: none"> • Fishing 58.4.3b (23 May 2006) • Fishing 58.4.2 (18 Feb 2007) • Fishing 58.4.3b (24 Mar 2007) • Fishing 58.4.3b (12 Jan 2008) • Fishing 58.4.3b (09 Jan 2009) • Fishing 58.4.3b (20 Jan 2009) 	2006	<ul style="list-style-type: none"> • Arniston Fish Processors Pty Ltd • Nalanza S.A. • Vidal Armadores S.A. • Argibay Perez J.A. • Belfast Global S.A. • Etterna Ship Management
<i>Koosha 4</i>	Iran, Islamic Republic of	7905443	9BQK	<ul style="list-style-type: none"> • Sighted 58.4.1 (20 Jan 2011) • Sighted 58.4.1 (15 Feb 2011) 	2011	<ul style="list-style-type: none"> • Pars Paya Seyd Industrial Fish
<i>Limpopo</i>		7388267		<ul style="list-style-type: none"> • Fishing 58.5.2 (21 Sep 2003) • Sighted 58.5.1 (03 Dec 2003) • Fishing 58.4.3b (23 Feb 2005) • Fishing 58.4.3b (14 Dec 2005) • Sighted 58.4.3b (25 Jan 2007) 	2003	<ul style="list-style-type: none"> • Grupo Oya Perez (Kang Brothers) • Lena Enterprises Ltd • Alos Company Ghana Ltd
<i>Nika</i>		8808654		<ul style="list-style-type: none"> • Fishing without authorisation (08 Jun 2019) 	2020	<ul style="list-style-type: none"> • Jiho Shipping Ltd
<i>Northern Warrior</i>	Angola	8808903	PJSA	<ul style="list-style-type: none"> • Supporting IUU-listed vessels 	2016	<ul style="list-style-type: none"> • SIP • Areapesca SA • Snoek Wholesalers • Southern Trading Group • South Atlantic Fishing NV • World Ocean Fishing SL • Orkiz Agro-Pecuaria, Pescas, Transportes E Comercio Geral, Ltda

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Perlon</i>		5062479	5NTV21	<ul style="list-style-type: none"> • Sighted 58.5.1 (03 Dec 2002) • Sighted 58.5.1 (04 Jun 2003) • Sighted 58.4.2 (22 Jan 2004) • Sighted 58.4.3b (11 Dec 2005) • Fishing 58.4.1 (26 Jan 2006) • Sighted 58.4.3b (07 Dec 2006) • Sighted 58.4.1 (30 Dec 2006) • Sighted 58.4.1 (16 Dec 2008) • Gear sighted (10 Feb 2009) • Fishing 58.5.1 (08 Jun 2010) • Sighted 51 (10 Feb 2012) • Sighted 57 (20 Jul 2014) • Sighted, boarded 57 (22 Apr 2015) 	2003	<ul style="list-style-type: none"> • Vakin S.A. • Jose Lorenzo SL • Americagalaica S.A.
<i>Pescacisne 1,</i> <i>Pescacisne 2</i>		9319856	9LU2119	<ul style="list-style-type: none"> • Supporting activities of IUU vessels 51 (16 May 2008) • Sighted 58.4.3b (22 Apr 2009) • Sighted 57 (07 Dec 2009) • Fishing 58.4.1 (07 Apr 2010) • Sighted 58.4.1 (29 Jan 2012) • Sighted 58.4.1 (30 Jan 2012) • Sighted 58.4.1 (31 Jan 2012) • Sighted 57 (24 Apr 2012) • Fishing 58.6 (03 Jul 2012) • Sighted 57 (28 May 2013) • Sighted 57 (04 Jul 2013) • Sighted 58.4.1 (20 Jan 2014) • Sighted 57 (13 May 2014) • Sighting 57 (08 Dec 2014) • Hauling 5841H (06 Jan 2015) • Fishing 58.4.4b (10 Nov 2006) 	2008	<ul style="list-style-type: none"> • Mabenal S.A. • Vidal Armadores S.A. • Omunkete Fishing Pty Ltd • Gongola Fishing JV (Pty) Ltd • Eastern Holdings
<i>Sea Urchin</i>	The Gambia/ Stateless	7424891			2007	<ul style="list-style-type: none"> • Cecibell Securities • Farway Shipping

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
STS-50	Togo	8514772	5VDR2	<ul style="list-style-type: none"> • Landing IUU catch (25 May 2016) • Sighted 57 (06 Apr 2017) 	2016	<ul style="list-style-type: none"> • Maruha Corporation • Taiyo Namibia • Taiyo Susan • Sun Tai International Fishing Corp • STD Fisheries Co. Ltd • Red Star Co. Ltd • Poseidon Co. Ltd • Marine Fisheries Corp. Co. Ltd

Appendix III

Contracting Party IUU Vessel List 2021/22

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(s)	Year Listed	Ownership history
<i>El Shaddai</i>	South Africa	8025082	ZR6358	Fishing inside a closed area (Subarea 58.7) (26 May to 8 August 2015 and 6 May to 22 June 2016)	2021	Braxton Security Services CC

Previous Names:
• *Banzare*

**Report of the Standing Committee on
Administration and Finance (SCAF)**

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Report of the Meeting of the Standing Committee on Administration and Finance (SCAF)

Opening of the meeting

1. Ms S. Langerock (Belgium), Chair of the Standing Committee on Administration and Finance (SCAF), opened the meeting.
2. SCAF considered its agenda as adopted by the Commission.

Annual Financial Statements

Examination of the Audited Financial Statements for 2020

3. Consistent with Financial Regulation 11.1, a full audit of the 2020 Financial Statements was completed in early 2021 (see COMM CIRC 21/43). The audit had identified no incidents of non-compliance with Financial Regulations or International Accounting Standards. SCAF accepted the Financial Statements as presented in CCAMLR-40/03 Rev. 1 and recommended these be accepted by the Commission.

Report of the Secretariat

Executive Secretary's Report

4. The Executive Secretary introduced CCAMLR-40/05, noting that his report included the third-year implementation report for the Secretariat's Strategic Plan (2019–2022) and associated Staffing and Salary Strategy, and was a basis for the assessment of the Executive Secretary's performance. The paper contained recommendations on staffing for 2022 and pre-employment screening for new staff members.
5. SCAF thanked the Executive Secretary and the Secretariat on the excellent progress made on the Strategic Plan during the year. SCAF thanked all staff, including those that had left this year, and welcomed newly appointed staff. SCAF congratulated the Secretariat on achieving international registration of the CCAMLR logo with the World Intellectual Property Organisation.
6. In 2019, SCAF requested that the Secretariat obtain further advice relating to the national police check and medical clearance contained in the Staff Regulations (SCAF-2019, paragraph 7ii). This advice was received and has resulted in changes in processes and procedures as noted in CCAMLR-40/05. SCAF endorsed the recommendation that the national police check and medical clearance remain in the Staff Regulations.

Gender-inclusive language

7. The Executive Secretary introduced CCAMLR-40/08 and noted that two years ago the Secretariat was tasked with investigating gender-inclusive language. He thanked the work of the translators in helping to understand what the consequences of gender-inclusive language would be and reported the recommendation in the paper to accept the changes made to the English and Spanish versions of the Rules of Procedure of the Commission. No changes were recommended for the French and Russian versions.

8. SCAF thanked the Executive Secretary and the Secretariat, noting that the Scientific Committee had endorsed similar changes for the Scientific Committee Rules of Procedure (SC-CAMLR-40, paragraph 7.1). SCAF recommended that the Commission adopt the revisions to the English and Spanish versions of the Commission's Rules of Procedure.

Options for publishing and printing meeting reports

9. The Executive Secretary introduced CCAMLR-40/09, which recommended that the Secretariat will no longer print bound copies of the meeting reports and only issue coil-bound copies upon request. SCAF endorsed this recommendation.

Current rules of access to CCAMLR meeting documents

10. The Executive Secretary introduced CCAMLR-40/10. The paper made three recommendations:

- authors of all papers submitted to CCAMLR meetings should be allowed to indicate if they agree for the Secretariat to release a document upon request
- Observer party administrator accounts should stay active all year
- historic documents should be released according to a set of rules.

11. SCAF could not reach a consensus on these recommendations. Noting the discussion of the Scientific Committee on this issue (SC-CAMLR-40, paragraphs 7.5 to 7.9), SCAF agreed to further discuss these issues via a joint e-group in the intersessional period.

Enabling Observers to circulate correspondence to the Commission and the Scientific Committee

12. The Executive Secretary introduced CCAMLR-40/11. The paper recommended that Observers be able to request the Secretariat to circulate information to Members.

13. It was noted that the Scientific Committee had agreed to a two-year trial of the creation of a new type of scientific circular to make it easy for Members to prioritise them (SC-CAMLR-40, paragraphs 7.10 and 7.11).

14. Many Members noted the importance of facilitating the participation of Observers in the work of CCAMLR to the fullest extent possible and supported that all Observers should be permitted to circulate information to the Commission. Any review by the Secretariat of such material prior to circulation should be limited to ensuring respect of CCAMLR confidentiality requirements.

15. While concurring with this in principle, other views were expressed that Members should still retain the prerogative to question contents and/or object to the distribution of any particular document put forward by Observers.

16. SCAF did not reach consensus on the recommendations in CCAMLR-40/11 and recommended that the Commission monitor the trial being undertaken in the Scientific Committee and return to this matter when the outcomes of that trial are reported.

Website update

17. The Secretariat introduced CCAMLR-40/13. The paper highlighted the proposed new web design and the ongoing development of the website in 2022 and 2023.

18. SCAF thanked the Secretariat for the ongoing work and endorsed the plans for the continuous development of the website in 2022 and 2023. SCAF also endorsed and recommended the Commission approve the website design.

Capacity building

Activities of the General Capacity Building Fund (GCBF)

19. The Secretariat introduced CCAMLR-40/12 Rev. 1. The paper presented the activities of the Fund during 2021, noting the provision of funds to successful grants.

20. SCAF noted the resignation of Ms Langerock from the Chair of the General Capacity Building Fund (GCBF) Panel and thanked her for her contributions.

21. SCAF thanked Dr M. Santos (Argentina) and Ms F. Harford (European Union (EU)) for their contributions to the GCBF Panel and noted their resignations.

22. SCAF recommended that the Commission accept the nomination of Ms C. Mulville from Argentina to the GCBF Panel.

23. SCAF recommended that the Commission appoint all other current members of the GCBF Panel for a further term of two years.

24. The Chair of SCAF called for additional nominations to fill positions on the GCBF Panel.

25. SCAF noted the report and accepted its recommendations.

General Science Capacity Fund (GSCF) terms of reference

26. SCAF recommended to the Commission the adoption of the General Science Capacity Fund (GSCF) terms of reference (CCAMLR-40/02), noting that the Scientific Committee had endorsed them during its meeting (SC-CAMLR-40, paragraph 7.22).

27. SCAF noted that a review of the terms of reference could be undertaken once feedback on their application was received from the Scientific Committee.

Review of 2021 Budget, 2022 Draft Budget and 2023 Forecast Budget

28. SCAF was advised that a further review of the layout of the budget paper had been undertaken with Special Funds included in one table with a view to making assimilation of the information easier to understand. Feedback on the presentation of the General Fund budget was welcomed from Members.

Review of 2021 Budget

29. SCAF was advised that a reduction in income has been projected which is primarily due to a reduction in income from interest earned and fewer notification fees than originally budgeted and noted that a deficit of A\$138 350 was forecast for 2021.

30. Expenditure in travel was also forecast to be lower in 2021, primarily as a result of the COVID-19 impact on international travel.

31. SCAF was advised that A\$10 000 had been included for initial expenditure relating to planning activities for the 40th anniversary celebrations of the Convention in April 2022. The remaining funding for these celebrations is included in the 2022 budget.

32. SCAF expressed concern regarding Members not maintaining compliance with financial obligations and encouraged Members to commit to taking the necessary measures to address the situation. Argentina, China, France, India and the Netherlands noted that contribution payments would soon be resolved. Brazil noted that administrative efforts are being made to resolve this issue.

33. SCAF approved the revised 2021 budget and recommended its adoption by the Commission.

Draft Budget for 2022

34. The draft budget for 2022 (Appendix I) is based upon the continued application of the Commission's policy of zero real growth for the calculation of the equal share of Members' contributions (Appendix II) (CCAMLR-XXXV, Annex 7, paragraph 30).

35. For 2022, this resulted in an increase to the equal share of Members' contributions of 3.6% in line with the Hobart consumer price index (CPI) in June 2021.

36. SCAF was advised that it was anticipated that interest rates would remain low.

37. SCAF noted the proposal of the Scientific Committee to extend the scholarships awarded in 2018, 2019 and 2020 (SC-CAMLR-40, paragraph 9.2) and thanked China for the transfer of A\$100 000 from the China Contribution Fund to the GSCF to cover this extension.

38. SCAF noted the Scientific Committee decision to transfer A\$50 000 from the CEMP Fund to the GCBF (SC-CAMLR-40, paragraph 7.26).

39. SCAF noted the Scientific Committee's approval of additional grants from the CEMP Fund (SC-CAMLR-40, paragraphs 7.24 to 7.27).

40. SCAF considered the Scientific Committee's request to provide funding from the General Fund of approximately US\$30 000 for a proposed workshop to review CCAMLR's decision rules (SC-CAMLR-40, paragraph 9.3). Most Members agreed that General Funds are available and should be used for this purpose. One Member did not agree, therefore SCAF referred this issue to the Commission.

41. SCAF noted the recommendation of the CDS Fund Review Panel (SCIC-2021, paragraphs 128 to 130) and approved A\$180 000 to be expended from the CDS Fund in 2022 for projects proposed in CCAMLR-40/14, covering an in-person CDS workshop, online CDS workshops and the first year of an e-CDS upgrade. SCAF also approved funding from the CDS Fund for CDS workshops in 2023 (items 1 and 2 in CCAMLR-40/14). SCAF noted that the continued funding of the e-CDS upgrade beyond 2022 required a review of activities undertaken with the funding during 2022.

42. SCAF approved the expenditure from the Compliance Fund of A\$33 425 to support a monitoring control and surveillance workshop in Chile (CCAMLR-40/15).

43. SCAF noted and thanked the EU for the anticipated additional grant of €200 000 for 2022 and 2023 which will primarily be used to support development of compliance analytical capability in the Secretariat and to support INTERPOL tracking information on activity related to toothfish illegal, unreported and unregulated (IUU) fishing activities (CCAMLR-40/15, paragraph 1).

44. Some Members noted their policy of zero nominal growth.

45. SCAF noted and approved additional funding of A\$70 000 for the 40th anniversary celebrations in April 2022.

46. SCAF approved the draft 2022 budget and recommended its adoption by the Commission.

Forecast Budget for 2023

47. SCAF noted the revised forecast budget for 2023, also based on an increase in CPI of 3.6% in line with Hobart CPI as presented in Appendix I. The 2023 budget is indicative only.

Other business

48. The Chair noted that SCAF does not have a Vice-Chair and called for expressions of interest.

49. SCAF and the Secretariat thanked Ms Langerock for her excellent chairing of the meeting.

Report adoption

50. SCAF adopted the report.

Close of the meeting

51. The Chair thanked all Members for their cooperation in conducting the meeting efficiently and effectively.

Appendix I

2021 Budget, 2022 Draft Budget and 2023 Forecast Budget

	2021		2022		2023		Notes	
	Original budget	Revised budget	Forecast	Forecast	Forecast	Forecast		
General Fund								
Income								
Core Members' Contribution	3 571 096	3 571 096	3 699 656	3 832 844			2021: As requested by the Commission in 2005 (CCAMLR–XXIV, paragraph 3.24) the current Members' contributions, including unpaid, are shown in Appendix II. 2021: Member contributions are calculated on the basis of a 1.5% increase. 2022 is calculated on the basis of a 4.8% increase to basic contributions and 2023 on the basis of a 4.8% increase.	
Members' Special Contributions								
Interest	150 000	80 000	90 000	90 000			Interest rates remain low and predicted to remain so during 2021, 2022 and 2023. Interest is dependent on actual rates, timing of receipts of Members' contributions, number of fishery notifications received. There is considerable uncertainty associated with each of these items.	
Staff Assessment Levy (SAL)	550 000	500 000	550 000	550 000			The SAL represents income deducted from staff salaries in respect of tax. The actual SAL will not be known until the completion of the tax year and the staff members' tax returns have been assessed by the Australian Taxation Office.	
Fund transfers – Forfeited Fishery Deposits							In line with the Strategic Plan 2019–2022, the deposit system has ceased with last forfeited deposits being transferred to the General Fund in 2020.	
Fund transfers – other								
Sales (Tagging)	35 000	35 000	35 000	35 000				
Miscellaneous income – Fisheries Notifications	700 000	650 000	686 672	711 392				
Miscellaneous income – Rent Contributions	435 800	435 800	448 874	462 340			Contributions from the Australian and Tasmanian governments are matched against the rent expenditure and are budgeted to increase 3% each year through to 2023.	
Miscellaneous income – Grants			320 000	320 000			EU Grant for CDS related expenditure and INTERPOL program.	
Miscellaneous income – Other	40 000	60 000	60 000	60 000				
Total income	5 481 896	5 331 896	5 890 202	6 061 577				

	2021	2022	2023		Notes
	Original budget	Revised budget	Forecast	Forecast	
General Fund (continued)					
Expenditure					
Salaries	3 870 836	3 870 836	3 958 918	4 192 462	The final Salaries and Allowances expenditure will depend on the amount of overtime payable, particularly during annual meeting time, and payments required to the Staff Termination Fund. 2022 and 2023: Are budgeted based on the Strategic Plan 2019–2022 and include incremental and CPI increases.
Equipment (including depreciation)	248 610	248 610	253 582	258 654	
Insurance and Maintenance	252 000	252 000	258 300	264 758	The provisions across the forward estimates takes account of anticipated CPI increases.
Training	60 000	60 000	60 000	60 000	The training budget is projected to increase in line with the recommendation of the Strategic Plan 2019–2022 as an important tool to ensure staff remain up to date with the increasing complexity of Secretariat activities.
Meeting Facilities	375 000	375 000	375 000	378 000	The annual cycle of meetings in 2021 will be held online. This has substantial costs in overtime and external IT support and therefore remains at its usual budgeted amount. This budget item is forecast to have small increases annually. Final amounts of overtime associated with interpretation during the annual meeting will impact the final totals.
Travel	170 000	50 000	100 000	150 000	Due to COVID-19 restrictions, the travel budgets for 2021 and 2022 have been decreased.
Printing	18 000	18 000	18 000	18 000	
Communications	30 000	30 000	30 000	30 600	The budget for 2021, 2022 and 2023 has been decreased to reflect the actual, ongoing expense in this area.
Sundry (incl. audit)	95 000	95 000	425 000	430 325	Increased in 2022 and 2023 to recognise recruitment expenses and EU Grant expenditure (nets again Grant Income).
Rent/COGS	460 800	460 800	483 874	497 340	Rent expenditure is predicted to increase by 2% annually.
40th Anniversary		10 000	70 000		
Transfer to WCF	–76 001	–76 001	–113 106	–61 867	In 2019 the WCF was established with a transfer from the General Fund. In subsequent years, the transfers ensure that the WCF remains at a balance equivalent to 3 months' budgeted expenditure.
Transfer to General Capacity Building Fund (GCBF)	–150 000	–150 000			
Transfer to General Science Capacity Fund					
Total expenditure	5 580 246	5 470 246	6 032 674	6 280 138	
Surplus/(Deficit)	–98 350	–138 350	–142 472	–218 562	
General Fund balance at 01 Jan	2 046 276	2 046 276	1 681 925	1 426 348	
General Fund balance at 31 Dec	1 721 925	1 681 925	1 426 348	1 145 919	As forecast in the Strategic Plan 2019–2022, the General Fund balance slowly declines towards the approved year end balance of approximately A\$100 000.
Outstanding contributions at 31 Dec		757 645			

	2021	2022	2023	Notes	
	Original budget	Revised budget	Forecast		
Equity Funds					
Asset Replacement Fund					
Income	25 000	30 000	30 000	30 000 Part of the budgeted income from hiring Secretariat meeting facilities are paid into this reserve.	
Expenditure	-40 000	-40 000	-40 000	-60 000 The expenditure items are transfers to the Staff Replacement Fund to cover the cost of the relocation expenses of newly appointed international officers.	
Balance at 31 Dec	167 065	172 065	162 065	132 065	
Working Capital Fund (WCF)					
Income	76 001	76 001	113 106	61 867 The WCF was established in 2019 with a transfer from the General Fund and is maintained at 3 months of budgeted expenditure through further transfers from the General Fund.	
Expenditure					
Balance at 31 Dec	1 395 061	1 395 061	1 508 167	1 570 034	
Staff Replacement Fund					
Income	40 000	40 000	40 000	60 000 See Asset Replacement Reserve notes above.	
Expenditure	-90 000	-37 000	-107 000	-67 000 Budgeted expenditure for relocation of new international officers.	
Balance at 31 Dec	169 433	222 433	155 433	148 433	
Korea Contribution Fund					
Income	185 700		185 700	185 700 The voluntary contribution from Korea to the Korea Contribution Fund has been suspended for 2020 and 2021.	
Expenditure	-325 000	-100 000	-100 000	-125 000 Primarily expended on the ETL redevelopment, database redevelopment project and website rebuild.	
Balance at 31 Dec	99 214	138 514	224 214	284 914	
China Contribution Fund					
Income					
Expenditure	-30 000		-150 000	-50 000 This Fund will cover travel to facilitate the engagement of Members and the Secretariat in training opportunities. A\$100 000 transferred to General Science Capacity Fund for scholarships.	
Balance at 31 Dec	293 224	323 224	173 224	123 224	
Fishery Notification Fund (information only – included above)					
Income				The Fishery Notification Fund was retired in 2019 and the balance of the Fund transferred to the General Fund.	
Expenditure					
Balance at 31 Dec					
Special Funds					
General Capacity Building Fund (GCBF)					
Income	278 573	3 182	53 321	2 246 The GCBF began in 2019. A\$50 000 transferred from CEMP Fund to support Uruguay Grant by decision of the Scientific Committee.	
Expenditure	-150 000	-100 000	-125 000	-50 000 Terms of reference for the Fund have been established. From 2022, it is budgeted that A\$50 000 per annum will be used to half fund the increasing administrative and financial support required to manage the Special Funds.	
Balance at 31 Dec	446 797	221 406	149 727	101 973	

	2021	2022	2023		Notes
	Original budget	Revised budget	Forecast	Forecast	
Special Funds (continued)					
Contingency Fund					
Income					The Contingency Fund was retired in 2019.
Expenditure					
Balance at 31 Dec					
Observer Fund					
Income	2 149	1 000	1 000	1 000	
Expenditure					
Balance at 31 Dec	145 442	144 293	145 293	146 293	
VMS Fund					
Income					As approved in 2019, this Fund was retired.
Expenditure					
Balance at 31 Dec					
CDS Fund					
Income	23 407	10 000	13 705	11 842	
Expenditure	-200 000	-20 000	-180 000	-60 000	Projected expenditure as approved by SCIC with only first year e-CDS upgrade and review in 2022.
Balance at 31 Dec	1 383 861	1 550 454	1 384 159	1 336 001	
Compliance Fund					
Income	501				
Expenditure			-33 425		
Balance at 31 Dec	33 926	33 425			Expenditure on approved Compliance Fund project will exhaust this fund in 2022.
MPA Fund					
Income	2 511	800	1 682	1 699	
Expenditure					
Balance at 31 Dec	169 928	168 217	169 899	171 598	As approved in 2019, this Fund will be allocated to INTERPOL to assist with funding for the IUU workshop. This remains COVID-19 affected.
Enforcement Fund					
Income	299				
Expenditure		-15 475			
Balance at 31 Dec	15 475	Nil			
General Science Capacity Fund (GSCF)					
Income	5 392	2 500	103 420	3 144	A\$100 000 transferred from China Contribution Fund to GSCF. As approved in 2019, A\$200 000 was transferred to the GSCF from the General Fund.
Expenditure	-120 000	-20 000	-134 000	-115 000	2022 and 2023 is budgeted with A\$40 000 expenditure for funding convenors and the balance on scholarships.
Balance at 31 Dec	244 850	341 958	311 378	199 491	
CEMP Fund					
Income	10 694	5 000	6 679	7 569	
Expenditure	-40 000	-50 000	-170 000	-50 000	Expenditure on approved CEMP projects.
Balance at 31 Dec	683 617	667 923	504 602	462 171	

Members' Contributions 2021, 2022, 2023
 General Fund Contributions – Payable by 31 May
 (all amounts in Australian dollars)

Member	Contributions 2021	Balance Outstanding 13 August 2021	Draft Contributions 2022	Forecast Contributions 2023
Argentina	128 901	136 044	133 490	137 318
Australia	146 273		151 590	156 082
Belgium	128 901		133 490	137 318
Brazil	128 901	384 021	133 490	137 318
Chile	135 844	135 829	140 724	148 303
China	149 150	149 150	154 589	160 836
European Union	128 901		133 490	137 318
France	158 029	158 155	163 841	168 446
Germany	128 901		133 490	137 318
India	128 901	128 901	133 490	137 318
Italy	128 901		133 490	137 318
Japan	130 273		134 920	138 574
Korea, Republic of	150 630		156 130	161 550
Namibia	128 901		133 490	137 318
Netherlands	128 901	128 901	133 490	137 318
New Zealand	133 780		138 575	142 374
Norway	224 420		233 043	256 163
Poland	128 901		133 490	137 318
Russia	130 888		135 561	139 374
South Africa	130 338	130 464	134 988	139 018
Spain	130 745		135 411	139 442
Sweden	128 901		133 490	137 318
Ukraine	136 692	136 692	141 608	148 851
UK	136 395		141 299	146 400
USA	128 901		133 490	137 318
Uruguay	130 827	101 513	135 497	139 615
Total	3 571 096	1 589 670	3 699 656	3 832 844

**Cooperation with international organisations –
Statements by Observers**

Cooperation with international organisations – Statements by Observers

1. The Antarctic and Southern Ocean Coalition (ASOC) made the following statement:

‘ASOC submitted four background papers to CCAMLR-40, highlighting ongoing challenges to krill fishery management, marine protected areas and climate change.

Throughout the intersessional period, ASOC and its member groups conducted a variety of activities supporting Antarctic conservation, including participation in the Antarctic Treaty Consultative Meeting, online conferences, workshops, symposia and webinars. These included sponsoring a number of online events, including a seminar with the Greens/EFA party in the European Parliament and Renew Europe, a regional youth symposium for Korea, China and Japan, a virtual workshop with the SCAR Krill Action Group, and a workshop on Antarctic climate change for scientific experts in conjunction with the Woodrow Wilson Center. ASOC and its member organisations also supported a number of scientific research projects on krill biology, Antarctic species and marine protected areas. ASOC is also a part of the Antarctic Wildlife Research Fund, which supports research that is a priority for CCAMLR. ASOC values the ability to participate actively in CCAMLR, including the opportunity to work constructively with CCAMLR Members and stakeholders such as the Association of Responsible Krill harvesting companies (ARK), the Coalition of Legal Toothfish Operators (COLTO), the International Association of Antarctica Tour Operators (IAATO) and the Scientific Committee on Antarctic Research (SCAR) to advance the objectives of the Convention.’

2. Oceanites made the following statement:

‘All of us understand that the precautionary principle embodied in the CAMLR Convention requires that conservation measures need to be based on the best available scientific data and information, whether dealing with impacts caused by climate change, human activities, or still unknown synergies.

To this critical end, Oceanites reports that the Antarctic Site Inventory collected new data for a 27th consecutive field season, over which time frame the project has amassed more than 2 100 census visits at more than 258 sites.

Antarctic Site Inventory data plus data from other sources then flow into the Antarctic continent-wide MAPPPD database that Oceanites maintains, which now contains 4 510 records from 748 sites, and 121 data sources of on-the-ground colony counts and satellite photo analyses. In the past year, the number of records in MAPPPD has increased by 20% and the number of data sources by 2%. Oceanites greatly appreciates the growing use of our open-sourced, publicly available data repository by the entire Antarctic community and again, we encourage those who have not yet contributed to, or utilised MAPPPD, to do so.

Importantly, Oceanites is completing a full-scale revision and update to MAPPPD that will enable much more extensive and expeditious searching of the MAPPPD database; in particular, this involves the creation of a package that can be accessed in the

R programming language that will allow users access to the latest version of the MAPPPD database, with some straightforward tools allowing the filtering and exploring of data in an interactive map, or with some standard functions.

MAPPPD's goals are to: assist and ensure that conservation management decisions in CCAMLR and the Antarctic Treaty System and provide a database that is easy to access and use, and freely open to scientists, governments, managers, Antarctic stakeholders (fishing, tourism, environmental) and the general public.

Oceanites extends sincere thanks to everyone in the CCAMLR system for their ongoing support, cooperation, and assistance, all of which helps to keep Oceanites' work going.'

3. The Association of Responsible Krill harvesting companies (ARK) made the following statement:

'ARK members thank the Commission of CAMLR for the opportunity to attend this annual meeting.

We have seen the important progress made by the different working groups in developing the new management strategy for the krill fishery, and we want to reiterate ARK's support for this process. We strongly believe that CCAMLR must prioritise the development of an operative management regime that can ensure the continuation of a sustainable krill fishery. We acknowledge that CCAMLR needs more time on the new management strategy and we are pleased to note the support that the Commission has given to the Scientific Committee's advice to roll over CM 51-07 for one year.

This season was complicated by the global pandemic, resulting in delays in the arrival into fishing areas by part of the fleet. We hope conditions improve next season, so fishing and CCAMLR meetings can return to the "new normal."

Despite these challenges, ARK has conducted several data collection activities in Subareas 48.1, 48.2 and 48.3 this season. In addition to this continuing effort, we will resume and strengthen the Science–Industry Forum, to foster an open and friendly environment for dialogue and collaboration between scientists and fishery operators. We hope through this initiative to capitalise on many of the recommendations revolving around the new krill management strategy.

Likewise, we will work with the Secretariat and interested delegations to improve the reporting from our affiliated vessels, and focus on enhancing the implementation of mitigation measures to minimise seabird and marine mammal interactions in line with CCAMLR recommendations.'

4. The Scientific Committee on Antarctic Research (SCAR) made the following statement:

'SCAR highlighted recent initiatives and research outputs of relevance to CCAMLR summarised in SC-CAMLR-40/BG/12, BG/13, BG/14 and BG/15. This includes SCAR's new suite of scientific research programs launched in 2020 which aim further to mobilise the international science community to address the impact of climate change on Antarctic, Southern Ocean and global biodiversity. Through these groups, and our large network of polar scientists and experts, SCAR stands ready to assist CCAMLR.

SCAR drew Members' attention to critical findings from the recent Intergovernmental Panel on Climate Change (IPCC) Reports which have direct relevance to the Southern Ocean. SCAR will next year provide a comprehensive update to its Antarctic Climate Change and the Environment Report, to the Antarctic Treaty Parties and subsequently to CCAMLR. And following the invitations from Members, SCAR is very pleased to provide a SCAR lecture on this topic next year.

SCAR encourages Members to consider the scientific research outcomes provided by SCAR and by the IPCC, and specifically recommends that Members: (i) further consider the scientific research outcomes provided by SCAR which can inform policy responses and actions; (ii) prioritise scientific investigations of climate change and responses to it in the region; (iii) emphasise to their nations the significance of the Southern Ocean and Antarctica with respect to global climate regulation, and the need for continued protection of the Southern Ocean environment, to ensure a sustainable future for humanity and for the biodiversity on which we depend; (iv) convey to their nations the importance of the Paris Climate Agreement, and expected strengthening of greenhouse gas emissions reductions targets, for maintaining Southern Ocean and Antarctic environments and their biodiversity, and for mitigating the impacts and risks of climate change; and (v) consider the Reports of the IPCC, especially the Summary for Policymakers of each report.'