

CONSERVATION MEASURE 10-05 (2016)
Catch Documentation Scheme for *Dissostichus* spp.

Species	toothfish
Area	all
Season	all
Gear	all

The Commission,

Concerned that illegal, unreported and unregulated (IUU) fishing for *Dissostichus* spp. in the Convention Area threatens serious depletion of populations of *Dissostichus* spp.,

Aware that IUU fishing involves significant by-catch of some Antarctic species, including endangered albatross,

Noting that IUU fishing is inconsistent with the objective of the Convention and undermines the effectiveness of CCAMLR conservation measures,

Underlining the responsibilities of Flag States to ensure that their vessels conduct their fishing activities in a responsible manner,

Mindful of the rights and obligations of Port States to promote the effectiveness of regional fishery conservation measures,

Aware that IUU fishing reflects the high value of, and resulting expansion in markets for and international trade in, *Dissostichus* spp.,

Recalling that Contracting Parties have agreed to introduce classification codes for *Dissostichus* spp. at a national level,

Recognising that the Catch Documentation Scheme for *Dissostichus* spp. (CDS) provides the Commission with important information to assist with achieving the precautionary management objectives of the Convention,

Committed to take steps, consistent with international law, to identify the origins of *Dissostichus* spp. entering the markets of Contracting Parties and to determine whether *Dissostichus* spp. harvested in the Convention Area that is imported into their territories were caught in a manner consistent with CCAMLR conservation measures,

Wishing to reinforce the conservation measures already adopted by the Commission with respect to *Dissostichus* spp.,

Further recognising the importance of enhancing cooperation with non-Contracting Parties to help prevent, deter and eliminate IUU fishing in the Convention Area,

Acknowledging that the Commission has adopted a policy to enhance cooperation between CCAMLR and non-Contracting Parties,

Inviting non-Contracting Parties whose vessels fish for *Dissostichus* spp. to participate in the CDS,

Further noting the importance of providing a mechanism for confiscated *Dissostichus* spp. to be sold or disposed of through the CDS,

hereby adopts the following conservation measure in accordance with Article IX of the Convention:

1. The following definitions are intended only for the purpose of the completion of CDS documents and shall be applied as stated regardless of whether such actions as landings, transshipments, imports, exports or re-exports constitute the same under any CDS participant's relevant domestic law:
 - (i) *Dissostichus* catch document (DCD) is a document, generated by the electronic CDS (e-CDS), containing information relating to the harvest, transshipment and landing of *Dissostichus* spp. as contained in Annex 10-05/A, Attachment 1.

Dissostichus Export Document (DED) is a document, generated by the e-CDS, containing information relating to the export of *Dissostichus* spp. as contained in Annex 10-05/A, Attachment 1.

Dissostichus Re-Export Document (DRED) is a document, generated by the e-CDS, containing information relating to the re-export of *Dissostichus* spp. as contained in Annex 10-05/A, Attachment 1.
 - (ii) CDS Contact Officer is a person appointed by a Contracting Party or non-Contracting Party cooperating with CCAMLR by participating in the CDS, whose details are provided to the CCAMLR Secretariat and who is responsible for:
 - issuing and validating DCDs, DEDs and DREDs;
 - requesting amendments to e-CDS data;
 - providing e-CDS user access to other persons as required.
 - (iii) e-CDS is the web-based application implemented by CCAMLR to support the CDS for the creation, validation and storage of DCDs, DEDs and DREDs.
 - (iv) e-CDS User Manual: The CCAMLR-developed document that describes, *inter alia*, the roles, responsibilities, processes and steps associated with the operation of the e-CDS for the creation, validation and storage of DCDs, DEDs and DREDs.
 - (v) Export: Any movement of *Dissostichus* spp. in any form from territory under the control of the State or free-trade zone of landing, or, where that State or free-trade zone forms part of a customs union, any other member State of that customs union.
 - (vi) Import: The physical entering or bringing of *Dissostichus* spp. in any form into any part of the geographical territory under the control of a State, except where the *Dissostichus* spp. are landed or transhipped within the definitions of 'landing' or 'transshipment' in this conservation measure. *Dissostichus* spp. that has been previously landed and that enters the territory of a State for the sole purpose of in-bond transit to another State, without undergoing any change in quantity or form, does not constitute an import for the purposes of this conservation measure.

- (vii) Landing: The initial unloading or transfer of *Dissostichus* spp. in any form from a vessel to dockside, even if subsequently transferred to another vessel, in a port or free-trade zone where the *Dissostichus* spp. are certified by an authority of the Port State as landed.
 - (viii) Port State: The State that has control over a particular port area or free-trade zone for the purposes of landing, transshipment, importing, exporting and re-exporting and whose authority serves as the authority for landing or transshipment certification.
 - (ix) Re-export: Any movement of *Dissostichus* spp. in any form from territory under the control of a State, free-trade zone, or member State of a customs union of import unless that State, free-trade zone, or any member State of that customs union of import is the first place of import, in which case the movement is an export within the definition of 'export' in this conservation measure.
 - (x) Specially Validated *Dissostichus* Catch Document (SVDCD): A DCD that has been specially issued by a State, or by the Secretariat on behalf of a State, to accompany seized or confiscated *Dissostichus* spp. offered for sale or otherwise disposed of by the State.
 - (xi) Transshipment: The transfer of *Dissostichus* spp. that have not previously been landed, from one vessel directly to another, either at sea or in port. The offload or transfer in port of *Dissostichus* spp. from a vessel to a container is a landing within the definition of 'landing' in this conservation measure.
2. Each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall take steps to identify the origin of *Dissostichus* spp. landed in, imported into, or exported or re-exported from its territories and determine whether *Dissostichus* spp. harvested in the Convention Area that is landed in, imported into, or exported or re-exported from its territories was caught in a manner consistent with CCAMLR conservation measures.
 3. Each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each landing of *Dissostichus* spp. at its ports and each transshipment of *Dissostichus* spp. from, or to, its vessels be accompanied by a completed DCD. The landing or transshipment of *Dissostichus* spp. without a DCD is prohibited. The use of the e-CDS to generate, validate and complete a DCD is mandatory.
 4. DCDs must be completed as described in Annex 10-05/A.
 5. A Flag State must be satisfied, through the use of VMS data (as described in paragraph 2 of Conservation Measure 10-04) that the FAO area(s) or CCAMLR subarea(s) or division(s) where the *Dissostichus* spp. were taken was accurately reported by the vessel on the DCD, and check the vessel's authorisation to fish before issuing a unique Flag State Confirmation Number on a DCD. The Flag State's CDS Contact Officer shall not issue a Flag State Confirmation Number on a DCD if there is reason to believe that the information submitted by the vessel is inaccurate or that the *Dissostichus* spp. were taken in a manner inconsistent with CCAMLR conservation measures if fishing occurred in the CAMLR Convention Area.

6. Each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of *Dissostichus* 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 *Dissostichus* spp. without a DED or DRED is prohibited.
7. DEDs and DREDs must be completed as described in Annex 10-05/A. The use of the e-CDS to generate, validate and complete a DED and/or a DRED is mandatory.
8. When DCDs, DEDs or DREDs need to be provided in hard-copy form, a printout of the document generated by the e-CDS shall be accepted.
9. Each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall ensure that its customs authorities or other appropriate government officials request and examine the documentation of each shipment of *Dissostichus* spp. imported into, or exported or re-exported from its territory. The examination will confirm that documentation for each shipment includes DED(s) and, where appropriate, DRED(s) that account for all the *Dissostichus* spp. contained in the shipment and verify that the information contained in the DEDs and/or DREDs is consistent with the information contained in the e-CDS. Where necessary, such officials shall also examine the content of any shipment to verify the information contained in the DED(s) and/or DRED(s).
10. If, as a result of an examination referred to in paragraph 9 above or any other inspection or investigation conducted in accordance with relevant domestic law, a question arises regarding the information contained in a DCD, DED or DRED, the exporting State whose government authority validated the document(s) and, as appropriate, the Flag State whose vessel completed the document are called on to cooperate with the importing State with a view to resolving such question.
11. Once created using the e-CDS, all DCDs, DEDs and DREDs will be available to the CCAMLR Secretariat and any Member who has had a role in the completion of the documents, as well as the importing State.
12. Any Contracting Party or non-Contracting Party cooperating with CCAMLR by participating in the CDS may require additional verification, from the relevant CDS Contact Officer, of information contained in DCDs, DEDs or DREDs by using, *inter alia*, VMS, in respect of *Dissostichus* spp.¹ taken outside the Convention Area, when landed at, imported into, or exported or re-exported from its territory.
13. If, following an examination under paragraph 9 or any other inspection or investigation conducted in accordance with relevant domestic law, questions under paragraph 10 or requests for additional verification of documents under paragraph 12 arise, and it is determined, after consultation with the States concerned, that any information contained within a DCD, DED or DRED is invalid or the *Dissostichus* spp. were not harvested in a manner consistent with CCAMLR conservation measures, the import, export or re-export of *Dissostichus* spp. that are the subject of the document(s) is prohibited.
14. If a Contracting Party or non-Contracting Party cooperating with CCAMLR by participating in the CDS has cause to sell or dispose of seized or confiscated

Dissostichus spp., it may issue an SVDCD specifying the reasons for that validation. The SVDCD shall include a statement describing the circumstances under which confiscated fish are moving in trade. To the extent practicable, Contracting Parties shall ensure that the sale of seized or confiscated *Dissostichus* spp. does not result in any financial benefit accruing to those responsible for, or benefiting from, the activities that led to the seizure or confiscation of the catch (i.e. including operators, effective beneficiaries, owners, logistics and service providers). If a Contracting Party or non-Contracting Party cooperating with CCAMLR by participating in the CDS issues an SVDCD, it shall immediately report all such validations to the Secretariat for conveying to all Parties and, as appropriate, recording in trade statistics.

15. Where a non-Contracting Party² has cause to sell or dispose of seized or confiscated *Dissostichus* spp., a Contracting Party may request the Secretariat to issue a SVDCD on behalf of that non-Contracting Party. The request shall be accompanied by a statement from the Contracting Party specifying the reasons for requesting the SVDCD. The statement shall include all of the necessary information to enable the Secretariat to complete an SVDCD on behalf of the non-Contracting Party and an explanation of:
- (i) the circumstances in which the *Dissostichus* spp. were seized or confiscated, including details of the vessel from which the *Dissostichus* spp. were seized; or, if *Dissostichus* spp. had been landed when it was seized, the details of the vessel from which the *Dissostichus* spp. were landed, as far as they are known;
 - (ii) the steps taken to ensure that the information to be contained in the SVDCD is accurate and to maintain the effectiveness of the CDS. Such steps shall include, at a minimum:
 - (a) action taken by the Contracting Party to support the non-Contracting Party in monitoring the unload, or in seizing or confiscating the *Dissostichus* spp. if it had already been unloaded, including steps taken to verify the species and catch weights;
 - (b) action taken by the Contracting Party to support efforts by the non-Contracting Party to ensure that the sale of the seized or confiscated *Dissostichus* spp. does not result in any financial benefit accruing to those responsible for, or benefiting from, the activities that led to the seizure or confiscation of the catch (i.e. including operators, effective beneficiaries, owners, logistics and service providers);
 - (c) action taken to seek information from other States that have links to the vessel to ensure that the sale of the seized or confiscated *Dissostichus* spp. does not result in any financial benefit accruing to those responsible for, or benefiting from, the activities that led to the seizure or confiscation of the catch (i.e. including operators, effective beneficiaries, owners, logistics and service providers);
 - (iii) the laws of the non-Contracting Party:
 - (a) under which the product was seized or confiscated, and which would apply to the sale or disposal of the product;

- (b) that may have been breached by the master, crew and any other persons associated with the operations of the vessel from which the *Dissostichus* spp., was seized, confiscated or landed.
 - (iv) the action taken, or being taken, by the non-Contracting Party under the laws identified in paragraph (iii):
 - (a) details of the responsible non-Contracting Party authority;
 - (b) whether the responsible non-Contracting Party authority obtained copies of the crew list of the vessel from which the *Dissostichus* spp., was seized, confiscated or landed and of the passports of the master and crew. Copies of these documents shall accompany the statement if they are available, subject to the Contracting Party's domestic law.
16. The Contracting Party shall provide additional information to the Secretariat as it becomes available.
 17. The Secretariat shall, as soon as practicable, circulate to all Contracting Parties the request and information provided under paragraph 15. Contracting Parties shall make any comments or requests for further information, where the information required by paragraph 15 has not been provided, within fourteen (14) days.
 18. The Contracting Party making the request under paragraph 15 shall provide the further information requested, if available, or the reasons why that information is not available, within fourteen (14) days from any Contracting Party making a request for further information in accordance with paragraph 17.
 19. If there are no comments on the request in accordance with paragraph 17, or if the Contracting Party making the request under paragraph 15 has responded in accordance with paragraph 18, the Secretariat shall issue an SVDCD if the request contains the information required by paragraph 15.
 20. Where the Secretariat has issued an SVDCD in accordance with paragraph 15, the Secretariat will, if requested to do so by the Contracting Party on behalf of the non-Contracting Party:
 - (i) generate a DED to accompany a shipment from the territory of the non-Contracting Party of all, or a portion of, the *Dissostichus* spp. subject to the SVDCD;
 - (ii) facilitate temporary access by the non-Contracting Party to the e-CDS to enable the non-Contracting Party to complete the DED.
 21. Once one SVDCD has been issued in respect of a particular non-Contracting Party under paragraph 15, SCIC shall determine at its next meeting whether a further SVDCD may be issued in respect of that non-Contracting Party without that non-Contracting Party submitting an application to become a non-Contracting Party cooperating with CCAMLR by participating in the CDS.

22. At its annual meeting SCIC shall review all circumstances under which an SVDCD was issued in the period since the last annual meeting, and shall recommend to the Commission any further action that it deems appropriate.
23. A Contracting Party, a non-Contracting Party cooperating with CCAMLR by participating in the CDS, or a non-Contracting Party on whose behalf an SVDCD has been issued by the Secretariat under paragraph 15, may transfer all, or part of, the proceeds from the sale of seized or confiscated *Dissostichus* spp. into the CDS Fund created by the Commission or into a national fund which promotes achievement of the objectives of the Convention. In addition, a Contracting Party, a non-Contracting Party cooperating with CCAMLR by participating in the CDS or a non-Contracting Party on whose behalf an SVDCD has been issued by the Secretariat under paragraph 15, may offer voluntary contributions to support the CDS Fund and its related activities. A Contracting Party or non-Contracting Party cooperating with CCAMLR by participating in the CDS may, consistent with its domestic law, decline to provide a market for toothfish offered for sale with an SVDCD by another State. Provisions concerning the uses of the CDS Fund are found in Annex 10-05/B.
24. Non-Contracting Parties which are involved in the trade of *Dissostichus* spp. are encouraged to cooperate with CCAMLR by participating in the CDS and to approach CCAMLR with requests for assistance in this regard. The procedure regarding cooperation with CCAMLR in the voluntary implementation of the CDS by non-Contracting Parties involved in the trade of *Dissostichus* spp. including, but not limited to, those that have had an SVDCD issued on their behalf, is set out in Annex 10-05/C.

¹ Excluding by-catches of *Dissostichus* spp. by trawlers fishing on the high seas outside the Convention Area. A by-catch shall be defined as no more than 5% of total catch of all species and no more than 50 tonnes for an entire fishing trip by a vessel.

² That is not a non-Contracting Party cooperating with CCAMLR by participating in the CDS.

- A1. Each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each landing of *Dissostichus* spp. at its ports and each transshipment of *Dissostichus* spp. from or to its vessels be accompanied by a completed DCD created using the e-CDS.
- A2. Each Contracting Party and non-Contracting Party cooperating with CCAMLR by participating in the CDS shall require that each shipment of *Dissostichus* spp. imported into, or exported or re-exported from its territory be accompanied by a DED or DRED created using the e-CDS.
- A3. The use of the e-CDS is described in the e-CDS User Manual that includes, *inter alia*, the roles, responsibilities, processes and steps associated with the operation of the e-CDS for the creation, validation and storage of DCDs, DEDs and DREDS.
- A4. Each DCD, created by the relevant Flag State using the e-CDS, includes a specific identification number (Document Number) consisting of:
- (i) a four-digit number, consisting of the two-digit International Organization for Standardization (ISO) country code plus the last two digits of the year for which the DCD is issued;
 - (ii) a four-digit sequence number (beginning with 0001) to denote the order in which DCDs are issued;
 - (iii) a single-digit number and / (e.g. /1) following the four-digit sequence number to denote when multiple recipients are recorded for a DCD.
- A5. A DCD must include the following information:
- (i) the name, address, telephone and fax numbers of the issuing authority;
 - (ii) the name, home port, national registry number and call sign of the vessel and, if issued, its IMO/Lloyd's registration number;
 - (iii) the reference number of the licence or permit, whichever is applicable, if issued;
 - (iv) the net weight of *Dissostichus* spp. landed or transhipped, by species, product type, and
 - (a) by CCAMLR statistical subarea or division if caught in the Convention Area; or
 - (b) by FAO statistical area, subarea or division if caught outside the Convention Area¹;
 - (v) the start date and end date of fishing, and the date of port departure and the date of port entry;

- (vi) in the case of a landing or transshipment, the name of the master of the fishing vessel, the landing/transshipment port and country/area (or, in the case of an at-sea transshipment, the at-sea coordinates), and the date of landing/transshipment. In the case of a landing, in addition to the above, the certification of landing;
 - (vii) in the case of a transshipment, the name of the master of the receiving vessel, and name, call sign and IMO/Lloyd's number of the receiving vessel (i.e. the vessel to which the catch has been transhipped). In the case of a transshipment within a port, in addition to the above, the name and signature of the port authority;
 - (viii) in the case of *Dissostichus* spp. sold upon landing, the name, address, telephone and fax numbers of the recipient(s) of the *Dissostichus* spp. to whom the fish was sold and the amount of each species and product type received.
- A6. Each DED and DRED issued by the Export State using the e-CDS shall include the specific identification number (Document Number) of the DCD to which the export relates.
- A7. Each DED and DRED shall include the following information:
- (i) the export code;
 - (ii) the name of the fishing vessel for a DED;
 - (iii) the original export code for a DRED;
 - (iv) the start date and end date of fishing;
 - (v) the net weight of *Dissostichus* spp. exported, by species and product type;
 - (vi) the name and address of the importer of the shipment and the port or place of arrival;
 - (vii) the exporter's name and address;
 - (viii) name/title, government of the Export State and date;
 - (ix) the transport details of the shipment:
 - (1) if by sea
 - (a) container number, AND
 - (b) vessel name, AND
 - (c) bill of lading number, if available²
- AND
- (d) date of issue and port of departure;

(2) if by air

- (a) flight number, and airway bill number, AND
- (b) date of issue and place of departure;

(3) if by other means (ground transportation)

- (a) truck registration number and nationality of trucking company, OR railway transport number, AND
- (b) bill of lading number or other shipment document to identify shipment;

AND

- (c) date of issue and place of departure.

¹ Report the FAO statistical area/subarea/division where the *Dissostichus* spp. was taken and indicate whether the *Dissostichus* spp. was taken on the high seas or within an EEZ.

² If the bill of lading number is not indicated on the export/re-export document at the time of issuance, it shall be provided to the Secretariat within five working days of receipt by the exporting/re-exporting State.

ANNEX 10-05/A, ATTACHMENT 1

DISSOSTICHUS CATCH DOCUMENT, *DISSOSTICHUS* EXPORT DOCUMENT,
DISSOSTICHUS RE-EXPORT DOCUMENT AND SPECIALLY VALIDATED
DISSOSTICHUS CATCH DOCUMENT
TO BE USED FROM 1 FEBRUARY 2017

THE USE OF THE CDS FUND

- B1. The overall objective of the Catch Documentation Scheme for *Dissostichus* spp. (CDS) Fund ('the Fund') is to provide a mechanism which enables the Commission to enhance its capacity to prevent, deter and eliminate IUU fishing in the Convention Area by, *inter alia*, improving the effectiveness of the CDS.
- B2. The Fund will be operated according to the following provisions:
- (i) The Fund shall be used for special projects, or special needs of the Secretariat if the Commission so decides, aimed at enhancing the Commission's capacity to contribute to the prevention, deterrence and elimination of IUU fishing in the Convention Area. The Fund may also be used for assisting the development and improving the effectiveness of the CDS and for other such purposes as the Commission may decide.
 - (ii) The Fund shall be used primarily for projects conducted by the Secretariat, although the participation of Members in these projects is not precluded. While individual Member projects shall be considered, this shall not replace the normal responsibilities of Members of the Commission. The Fund shall not be used for routine Secretariat activities.
 - (iii) Proposals for special projects may be made by Members, by the Commission or the Scientific Committee and their subsidiary bodies, or by the Secretariat. Proposals shall be submitted to the annual meeting of the Commission as working papers and be accompanied by an explanation of the proposal and an itemised statement of estimated expenditure.
 - (iv) The Commission will, at each annual meeting, designate six Members to serve on a Review Panel to review proposals and to make recommendations to the Commission on whether to fund special projects or special needs. The Review Panel will meet during the first week of the Commission's annual meeting.
 - (v) The Commission shall review all proposals and decide on appropriate projects and funding as a standing agenda item at its annual meeting.
 - (vi) The Fund may be used to assist Acceding States and non-Contracting Parties that wish to cooperate with CCAMLR by contributing to the prevention, deterrence and elimination of IUU fishing in the Convention Area, so long as this use is consistent with provisions (i) and (ii) above. Such assistance shall be provided within the scope of the CCAMLR Cooperation Enhancement Program contained in the Policy to Enhance Cooperation between CCAMLR and non-Contracting Parties. Acceding States and non-Contracting Parties may submit proposals for consideration by the Commission at its annual meeting, if the proposals are sponsored by, or in cooperation with, a Member or the Secretariat.
 - (vii) The Financial Regulations of the Commission shall apply to the Fund, except in so far as these provisions provide or the Commission decides otherwise.

- (viii) The Secretariat shall report to the annual meeting of the Commission on the activities of the Fund, including its income and expenditure. Annexed to the report shall be reports on the progress of each project being funded by the Fund, including details of the expenditure on each project. The report will be circulated to Members in advance of the annual meeting.
- (ix) Where an individual Member project is being funded according to provision (ii), that Member shall provide an annual report on the progress of the project, including details of the expenditure on the project. The report shall be submitted to the Secretariat as a working paper to be circulated to Members in advance of the annual meeting. When the project is completed, that Member shall provide a final statement of account certified by an auditor acceptable to the Commission.
- (x) The Commission shall review all ongoing projects at its annual meeting as a standing agenda item and reserves the right, after notice, to cancel a project at any time should it decide that it is necessary. Such a decision shall be exceptional, and shall take into account progress made to date and likely progress in the future, and shall in any case be preceded by an invitation from the Commission to the project coordinator to present a case for continuation of funding.
- (xi) The Commission may modify these provisions at any time.

ANNEX 10-05/C

**PROCEDURE REGARDING COOPERATION WITH CCAMLR IN THE
IMPLEMENTATION OF THE CDS BY NON-CONTRACTING PARTIES
INVOLVED IN THE TRADE OF *DISSOSTICHUS* SPP.**

- C1. Prior to the annual meeting of the Commission, the Executive Secretary shall contact all non-Contracting Parties which are known to be involved in the trade with *Dissostichus* spp. including, but not limited to, those that have had an SVDCD issued on their behalf, to urge them to become a Contracting Party to CCAMLR or to attain the status of a non-Contracting Party cooperating with CCAMLR by participating in the Catch Documentation Scheme for *Dissostichus* spp. (CDS) in accordance with the provisions of Conservation Measure 10-05. The Executive Secretary shall produce a summary paper for consideration by the Commission. The Executive Secretary shall provide copies of this conservation measure and any related resolutions adopted by the Commission.
- C2. The Executive Secretary shall also establish contact with any non-Contracting Party during the intersessional period, as soon as possible after it was known the non-Contracting Party was engaged in the trade with *Dissostichus* spp. The Executive Secretary shall immediately circulate any written responses to the Members of the Commission.
- C3. The Executive Secretary shall encourage non-Contracting Parties seeking to cooperate with CCAMLR by participating in the CDS to approach the CCAMLR Secretariat with

requests for assistance in that regard. Proposals must demonstrate how any specific assistance requested will help to combat IUU fishing in the Convention Area. Such requests will be considered by the Commission at its annual meeting.

- C4. Any non-Contracting Party interested in attaining the status of non-Contracting Party cooperating with CCAMLR by participating in the CDS may apply to the Executive Secretary requesting limited access to the CDS for the purpose of verifying export/re-export documents accompanying imports of *Dissostichus* spp. and issuing re-export documents. The Commission shall decide whether or not to grant such access.
- C5. The Standing Committee for Implementation and Compliance (SCIC) shall be responsible for reviewing the access to CDS granted to each non-Contracting Party interested in attaining the status of a non-Contracting Party cooperating with CCAMLR by participating in the CDS and for recommending to the Commission whether that non-Contracting Party shall retain access. The Commission shall review the access to CDS granted to each non-Contracting Party annually and may revoke this access if the non-Contracting Party has acted in a manner that undermines the effectiveness of the CDS.
- C6. Any non-Contracting Party that seeks to be accorded the status of non-Contracting Party cooperating with CCAMLR by participating in the CDS shall apply to the Executive Secretary requesting such status. Such requests must be received by the Executive Secretary no later than ninety (90) days in advance of an annual meeting of the CAMLR Commission in order to be considered at that meeting.
- C7. An applicant for the status of a non-Contracting Party cooperating with CCAMLR by participating in the CDS shall confirm in writing:
- (i) its commitment to implement Conservation Measure 10-05; and
 - (ii) the measures it has in place to ensure compliance with Conservation Measure 10-05.
- C8. Any non-Contracting Party cooperating with CCAMLR by participating in the CDS shall fulfil the following requirements:
- (i) Information requirements:
 - (a) communicate the data required under the CDS.
 - (ii) Compliance requirements:
 - (a) implement all the provisions of Conservation Measure 10-05;
 - (b) inform CCAMLR of all the measures taken to ensure compliance by its vessels used for the transshipments of *Dissostichus* spp. and its operators, including, *inter alia*, and as appropriate, inspection at sea and in port, CDS implementation;

- (c) respond to alleged violations of CCAMLR measures by its vessels transshipping *Dissostichus* spp. and its operators, as determined by the appropriate bodies, and communicate to CCAMLR the actions taken against operators.
- C9. SCIC shall be responsible for reviewing requests for the status of non-Contracting Party cooperating with CCAMLR by participating in the CDS and for recommending to the Commission whether the applicants should be granted such status.
- C10. Annually the Commission shall review the status granted to each non-Contracting Party and may revoke this status if the non-Contracting Party concerned has not complied with the criteria for retaining such status established by this measure.
- C11. Contracting Parties engaged in the trade of toothfish with non-Contracting Parties are encouraged to assist in capacity building and promote the voluntary implementation of the CDS.
- C12. Contracting Parties shall report to the Secretariat 45 days before the annual meeting on efforts undertaken pursuant to paragraph C11. The Secretariat shall include a summary of these efforts in an annual report to SCIC concerning the effectiveness of the non-Contracting Party Engagement Strategy.