



CCAMLR

COMM CIRC 05/46
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Thursday, 30 June 2005

Annual Assessment of Compliance with Conservation Measures

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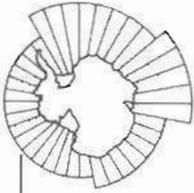
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**TO ALL MEMBERS OF THE COMMISSION
AND THE SCIENTIFIC COMMITTEE**

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At CCAMLR-XXIII, the Commission endorsed the objectives of the annual compliance assessments, as well as the steps identified by SCIC for their preparation (CCAMLR-XXIII, paragraph 6.7; CCAMLR-XXIII, Annex 5, paragraphs 3.27 to 3.30). The Commission tasked the Secretariat with identifying the types of monitoring data which are currently used in the assessment of compliance with conservation measures and the methods of their collection. The Commission also agreed that SCIC and the Scientific Committee should comment on these methods and provide recommendations on their modification or adoption by the Commission meeting in 2005 (CCAMLR-XXIII, paragraph 6.11; CCAMLR-XXIII, Annex 5, paragraph 3.30).

The Secretariat has prepared a table summarising information requested by the Commission (appended), and forwards it for consideration and comment to Members of the Commission, SCIC and the Scientific Committee. Comments received from Members by 1 September 2005 will be incorporated in the revised table to be submitted for further consideration at CCAMLR-XXIV.

During preparation of the above table, the Secretariat took into account that the proposed annual assessment of compliance with conservation measures and their performance contains provisions which might require additional clarification, in particular, relating to the criteria for evaluation and the division of responsibilities between SCIC and the Scientific Committee.

Dr D.G.M. Miller
Executive Secretary

Attch.

Categorisation, collection and availability of information applicable to compliance assessments

Sources of information as referred to in the table:

Source	Table abbreviation
Flag State reports	Flag State
Port Inspection reports (CM 10-02)	Port Inspection
System of Inspection reports	System of Inspection
IUU Member reports (CM 10-06 and CM 10-07)	IUU CMs
Member reports under Articles X and XXII	Articles X and XXII
VMS (C-VMS) Flag State reports	VMS
CDS Port State reports (CM 10-03)	CDS Port State
CDS Export/Import State reports	CDS Export/Import State
Scheme of International Scientific Observation (SISO) reports	SISO

Compliance subject	Reference	Compliance provisions	Source of information	Type of submitted information	Information availability
Vessel license	CM 10-02	<p>Details of each licence be forwarded to the Secretariat within 7 days of issue</p> <p>Licence present on board when in Convention Area; also according to CM 10-03 when unloading toothfish in ports</p>	<p>Flag State</p> <p>a) Flag State b) System of Inspection c) Port inspection and CDS Port State inspection</p>	<p>Licence details submitted to the Secretariat</p> <p>a) Licence issue confirmed b) Inspection to confirm licence is on board c) As above</p>	<p>Each licence issued</p> <p>Each vessel inspected</p>

Compliance subject	Reference	Compliance provisions	Source of information	Type of submitted information	Information availability
VMS	CM 10-04 paragraphs 3 to 7	Tamper-proof and fully operational VMS device is on board for finfish vessels operating inside the Convention Area	a) Flag State b) C-VMS c) System of Inspection	a) 'Implementation of tamper-proofing required' (10-02, para 4 (xi)) – needs clarification b) C-VMS data submitted to the Secretariat c) Results of check against VMS criteria identified	a) No reporting requirements b) Each vessel in exploratory fishery c) Each vessel inspected
	paragraphs 8 and 10	Failure for >12 hours to receive VMS position reports from a vessel be investigated, results reported	a) Flag State b) C-VMS	a) Results of investigation b) VMS data submitted to the Secretariat	Each fault investigated
	paragraph 11(i)	Provision of each VMS report in exploratory fisheries not later than 4 hours after receipt	a) C-VMS b) Flag State	VMS data submitted to the Secretariat	Each vessel in exploratory fishery
	paragraph 11(ii)	Provision of VMS for all other fisheries following departure from the Convention Area	Flag State	VMS data submitted to the Secretariat	No real-time reports
	paragraph 15	Notification as soon as possible on each entry to and exit from the Convention Area [and of movements across boundaries of areas/subareas/ divisions]	Flag State	VMS reports submitted to the Secretariat	Each vessel but not in real-time
CDS	CM 10-05 paragraphs 2 to 4	Each landing of toothfish be accompanied by a completed DCD; port access, landing or transshipment without DCD shall be denied in accordance with CM 10-03	a) Flag State b) Port inspection	a) DCD copy submitted to the Secretariat b) DCD validated by Port State submitted to the Secretariat	a) Each DCD received from both Flag and Port States b) Each vessel inspected with toothfish on board

Compliance subject	Reference	Compliance provisions	Source of information	Type of submitted information	Information availability
CDS (continued)	paragraph 8 paragraph 16	Each export or import be accompanied by a completed export-validated or, where appropriate, re-export-validated DCD Report on issue and validation of SVDCDs	CDS export/import State a) Port inspection b) CDS export/import State	Copy of export-validated or re-export-validated DCD submitted to the Secretariat a) Explanatory note from Port State, copy of SVDCD submitted to the Secretariat b) Copy of export-validated SVDCD	Each DCD received from Export/Import States Each report received from Flag or Port State
IUU fishing/Contracting Party vessels	CM 10-06 paragraphs 3 to 6 paragraphs 17 and 18 (i) to 18 (xii)	Submit details on each IUU vessel/fishing activity within 30 days of having become aware of it Flag States of vessels listed as IUU to take all necessary measures to address IUU fishing activities of these vessels	System of Inspection, IUU CMs, Articles X and XXII a) Flag State b) Port inspection c) System of Inspection	Details of inspections, sightings, apprehensions; undocumented and fraudulent toothfish landings and trade a) Annual reports on issues identified in CM b) Inf. on fishing in the Convention Area c) As above	Each inspection undertaken Reports on each vessel listed
IUU fishing/Non-Contracting Party vessels	CM 10-07 paragraphs 3 to 6 paragraphs 11(a) to 11 (i)	Port access, landing or transshipment for non-CP vessels sighted engaged in IUU fishing in the Convention Area shall be denied in accordance with CM 10-03 CPs to take all necessary measures to address activities of non-CP fishing vessels included in the IUU Vessel List	a) IUU CMs, Articles X and XXII b) Port inspection a) Flag State b) Port inspection c) IUU CMs, Articles X and XXII	a) Annual reports on issues identified in CM b) Inf. on fishing in the Convention Area a) Annual reports on issues identified in CM b) Inf. on fishing in the Convention Area c) Details of inspections, sightings, apprehensions; undocumented and fraudulent toothfish trade	Only when any of such activities is observed and recorded Only when any of such activities are observed and recorded

Compliance subject	Reference	Compliance provisions	Source of information	Type of submitted information	Information availability
Marking of fishing vessels and gear	CM 10-01	Vessel marked as required by FAO standards Floating gear marker buoys – marked with letters/number of the vessel	System of Inspection and port inspection	Details of inspections	Each vessel inspected
Mesh size	CMs 22-01, 22-02, 22-03	Use of pelagic and bottom trawls with mesh size less than specified in CMs is prohibited	a) System of Inspection b) SISO	a) Details of inspection b) Gear and mesh-size data recorded in observer logbooks	a) Each vessel inspected b) Each vessel if observation is mandatory
Catch limits/ Precautionary catch limits and fishery close procedures	CMs 23-01 to 23-06 All other CMs that regulate fisheries opened in the current season	Comply with fishery closure procedures for each of the fisheries opened in the current season, including fishing by SSRUs and management areas	a) Flag State b) VMS c) System of Inspection d) port inspection	a) Inf. whether criteria of CM 10-02 met b) VMS reports received by the Secretariat c) Details of inspection d) Details of inspection	a) Each vessel fished b) Each vessel in exploratory fishery c) and d) Each vessel inspected
Catch and effort data	CMs 23-01 to 23-06 All other CMs that regulate fisheries opened in the current season	Submission according to deadlines defined, for fisheries opened by the Commission in the current season	Flag State	Catch and effort data submitted to the Secretariat	Each vessel fished

Compliance subject	Reference	Compliance provisions	Source of information	Type of submitted information	Information availability
By-catch (other than seabirds and marine mammals)	CMs 33-01 to 33-03 All other CMs that contain by-catch limitation provisions for each of the fisheries opened	Comply with by-catch limitation requirements, including catch limitations for any one haul	a) Flag State b) Port inspection c) System of Inspection d) SISO	a) Catch and biological data b) Inf. whether criteria of CM 10-02 met; amount of by-catch species on board c) Amount of by-catch species on board d) By-catch logbook records	a) Each vessel fished and where by-catch provision applies b) and c) Each vessel inspected d) Each vessel if observation is mandatory
Seabird and marine mammal conservation	CM 24-02 (Longline fishing) CM 25-02 (Longline fishing) paragraph 2 paragraph 3 paragraph 4	In respect of fisheries listed and exemption from CM 25-02, paragraph 4, demonstrate ability to comply with one of three longline weighting protocols Comply with 'Autoline' line-weighting requirements Comply with Spanish longline weighting requirements Comply with night-setting requirement	a) SISO b) Flag State a) SISO b) Flag State a) SISO b) Flag State a) SISO b) Flag State c) Port inspection	a) Results of longline setting tests b) Inf. whether criteria of CM 10-02 met a) Weight/spacing measurements b) Inf. whether criteria of CM 10-02 met a) Weight/spacing measurements b) Inf. whether criteria of CM 10-02 met a) Line setting time records b) Inf. whether criteria of CM 10-02 met c) Inf. whether criteria of CM 10-02 met	Each vessel to which the measure applies Each vessel to which the measure applies Each vessel to which the measure applies a) and b) Each vessel to which the measure applies c) Each vessel inspected

Compliance subject	Reference	Compliance provisions	Source of information	Type of submitted information	Information availability
Seabird and marine mammal conservation (continued)	paragraphs 5 and 6	Comply with offal dumping requirements	a) SISO b) Flag State	a) Observer logbook records b) Inf. whether criteria of CM 10-02 met	Each vessel to which the measure applies
	paragraph 7	Comply with streamer-line deployment requirements	a) SISO	a) Details of streamer line deployed	Each vessel to which the measure applies
	CM 25-03 (Trawl fishing) paragraph 1	The use of net monitor cables is prohibited	a) SISO b) Flag State	a) Observer logbook records b) Inf. whether criteria of CM 10-02 met	Each vessel to which the measure applies
	paragraph 2	Comply with night illumination requirements	SISO	Observer logbook records	Each vessel to which the measure applies
	paragraph 3	Comply with offal discharge requirements	a) Flag State b) SISO	a) Inf. whether criteria of CM 10-02 met b) Observer logbook records	Each vessel to which the measure applies
	paragraphs 4 and 5	Comply with net handling and shooting requirements	SISO	Observer logbook records	Each vessel to which the measure applies
Use of plastic packaging bands	CM 25-01	Comply with regulations on the use, storage and disposal of plastic packaging bands	a) SISO b) Flag State c) Port inspection d) System of Inspection	a) Observer logbook records b) Inf. whether criteria of CM 10-02 met c) As above d) As above	a) and b) Each vessel to which the measure applies c) and d) Each vessel inspected

Compliance subject	Reference	Compliance provisions	Source of information	Type of submitted information	Information availability
New fisheries	CM 21-01 paragraphs 2, 5 and 6	No new fishery shall be initiated before Scientific Committee advice received and Commission decision taken	<ul style="list-style-type: none"> a) System of Inspection b) Port inspection c) Articles X and XXII d) SISO (vessel sightings) 	<ul style="list-style-type: none"> a) Inspection reports b) Catch and fishery logbook data c) Sighting reports d) Vessel sighting logbook records 	Only for vessels found in violation of the measure
Exploratory fisheries (general measure)	<p>CM 21-02 paragraphs 5 to 7 and 9</p> <p>paragraph 10</p>	<p>Vessels shall participate in exploratory fisheries subject to CM conditions, Scientific Committee advice and Commission decision</p> <p>Vessels on IUU Vessel Lists shall not be permitted to participate in exploratory fisheries</p>	<ul style="list-style-type: none"> a) Flag State b) System of Inspection c) Articles X and XXII d) Port inspection e) SISO (vessel sightings) a) System of Inspection b) IUU CMs c) Articles X and XXII d) Port inspection e) SISO (vessel sightings) 	<ul style="list-style-type: none"> a) Inf. whether criteria of CM 10-02 and CM 21-02, paragraph 9, met b) Inspection reports c) Sighting reports d) VMS, catch and fishery logbook data e) Vessel sighting logbook records a) Inspection reports b) Flag State/Contracting Party reports c) Sighting reports d) Catch and fishery logbook data e) Vessel sighting logbook records 	<p>Only for vessels found in violation of the measure</p> <p>Only for vessels found in violation of the measure</p>

Compliance subject	Reference	Compliance provisions	Source of information	Type of submitted information	Information availability
Prohibition of directed fishing	CMs 32-02 to 32-17	Comply with prohibition requirements	a) Flag State b) VMS c) Port inspection d) System of Inspection e) SISO (vessel sightings)	a) Inf. whether license issued b) VMS reports, where applicable c) VMS, catch and fishery logbook data d) VMS, catch and fishery logbook data e) Vessel sighting logbook records	Only for vessels found in violation of the measure
Exploratory fisheries for <i>Dissostichus</i> spp.	CM 41-01 (paragraphs 2 and 3) and all other CMs that regulate exploratory fisheries for toothfish paragraph 5 (also CM 33-03) paragraph 6 paragraph 7	Comply with requirements of SSRU closing procedure Report toothfish discards, including fish with 'jellymeat' condition Have on board at least one SISO observer Implement data collection and research plans, and tagging programs	a) Flag State b) System of Inspection Flag State and SISO a) Flag State and SISO b) System of Inspection a) Flag State b) SISO	a) VMS reports b) VMS, catch and fishery logbook data Discards and other related data collected by observers a) Information from observer Designating and Receiving States b) Inspection report a) Reports on implementation submitted to the Secretariat b) Observer logbook records	a) Only for vessels for which VMS data reported in real-time b) Each vessel inspected Each vessel for which observation is mandatory a) Each vessel for which observation is mandatory b) Each vessel inspected a) Vessel reports b) Each vessel for which observation is mandatory

Compliance subject	Reference	Compliance provisions	Source of information	Type of submitted information	Information availability
Exploratory fisheries for <i>Dissostichus</i> spp. (continued)	CMs 41-04 to 41-07 CMs 41-09 to 41-11	Comply with seabird by-catch limits and related requirement to cease fishing by the vessel which exceeded the limit, including, where appropriate, fishing during the extended fishing period and day-light sets	a) Flag State b) SISO	a) Catch and effort reports b) Observer logbook records	a) Vessel reports b) Each vessel for which observation is mandatory
	CMs 41-04, 41-05,41-09, 41-10 and 41-11	Comply with no-offal-discharge requirement and, where appropriate, with prohibition of other types of discharge	a) Flag State and SISO b) System of Inspection	a) Observer logbook records b) Inf. whether criteria of CM 10-02 met	a) Each vessel for which observation is mandatory b) Each vessel inspected
	CM 41-11 paragraph 6	Comply with fishing depth restriction	a) SISO b) System of Inspection c) VMS	a) Observer records b) VMS and fishery logbook data c) Vessel position reports	a) Each vessel for which observation is mandatory b) Each vessel inspected c) Only for vessels for which VMS data reported in real-time
Established fisheries for <i>Dissostichus</i> spp.	CMs 41-02, 41-03 and 41-08	Conduct fishing with permitted gear only	a) SISO b) System of Inspection	a) Observer records b) Inspection report	a) Each vessel for which observation is mandatory
		Have on board at least one SISO observer	a) Flag State and SISO b) System of Inspection	a) Information from observer Designating and Receiving States b) Inspection report	a) Each vessel for which observation is mandatory b) Each vessel inspected

Compliance subject	Reference	Compliance provisions	Source of information	Type of submitted information	Information availability
Established fisheries for <i>Dissostichus</i> spp. (continued)		Comply with seabird by-catch limits and related requirement to cease fishing by the vessel which exceeded the limit (not applied to CM 41-03), including, where appropriate, fishing during the extended fishing period (Subarea 48.3 and Division 58.5.2)	a) Flag State and SISO b) System of Inspection	a) Observer logbook records b) Inspection report	a) Each vessel for which observation is mandatory b) Each vessel inspected
Established fisheries for <i>Champscephalus gunnari</i>	CM 42-01 and 42-02	Conduct fishing with permitted gear only Comply with fishing area restrictions Have on board at least one SISO observer	a) SISO b) System of Inspection a) SISO b) System of Inspection c) VMS a) Flag State and SISO b) System of Inspection	a) Observer logbook records b) Inspection report a) Observer logbook records b) Inspection report c) Vessel position reports a) Information from observer Designating and Receiving States b) Inspection report	a) Each vessel for which observation is mandatory b) Each vessel inspected a) Each vessel for which observation is mandatory b) Each vessel inspected c) Only for vessels for which VMS data reported in real-time a) Each vessel for which observation is mandatory b) Each vessel inspected

Compliance subject	Reference	Compliance provisions	Source of information	Type of submitted information	Information availability
Established fisheries for <i>Champscephalus gunnari</i> (continued)		Comply with seabird by-catch limits and related requirement to cease fishing by the vessel which exceeded the limit (Subarea 48.3 only)	a) Flag State and SISO	a) Observer logbook records	a) Each vessel for which observation is mandatory
			b) System of Inspection	b) Inspection report	b) Each vessel inspected
		Conduct 20 research trawls if fishing during the period 1 March to 31 May (Subarea 48.3 only)	a) Flag State and SISO	a) Observer logbook records	a) Each vessel for which observation is mandatory
			b) System of Inspection	b) Inspection report	b) Each vessel inspected
Crab fishing in Subarea 48.3	CM 52-01	Notify intend at least 3 months in advance of starting fishing	Flag State	Notification received by the Secretariat	Notifications received
		Conduct fishing with permitted gear only	a) SISO b) System of Inspection	a) Observer records b) Inspection report	a) Vessel reports b) Each vessel for which observation is mandatory
		Have on board at least one SISO observer	a) Flag State and SISO b) System of Inspection	a) Information from observer Designating and Receiving States b) Inspection report	a) Each vessel for which observation is mandatory b) Each vessel inspected
		Conduct the required fishery-based research	a) Flag State and SISO	Observer logbook records	Each vessel for which observation is mandatory

Compliance subject	Reference	Compliance provisions	Source of information	Type of submitted information	Information availability
Crab fishing in Subarea 48.3 (continued)	CM 52-02	Conduct fishing in accordance with the required experimental harvest regime	a) Flag State b) SISO	a) Inf. whether criteria of CM 10-02 met b) Observer logbook records	a) Vessel reports b) Each vessel for which observation is mandatory
Exploratory squid fishing in Subarea 48.3	CM 61-01	Conduct fishing with permitted gear only Have on board at least one SISO observer Implement data collection plan	a) SISO b) System of Inspection a) Flag State and SISO b) System of Inspection Flag State and SISO	a) Observer logbook records b) Inspection report a) Information from observer Designating and Receiving States b) Inspection report Observer logbook records	a) Each vessel for which observation is mandatory a) Each vessel for which observation is mandatory b) Each vessel inspected Each vessel for which observation is mandatory
Scientific research	CM 24-01 paragraph 3	Conduct scientific research with catches above limits identified only after the required notification is received, the Scientific Committee review is completed and Commission advised	a) Flag State b) System of Inspection	a) Notification received by the Secretariat b) [Note: research vessels are also subject to the System of Inspection]	a) Notifications received b) Each vessels inspected