

CONSERVATION MEASURE 118/XVII
Scheme to Promote Compliance by Non-Contracting Party
Vessels with CCAMLR Conservation Measures

The Commission hereby adopts the following Conservation Measure in accordance with Article IX.2(i) of the Convention:

1. A non-Contracting Party vessel which has been sighted engaging in fishing activities in the Convention Area is presumed to be undermining the effectiveness of CCAMLR Conservation Measures. In the case of any transshipment activities involving a sighted non-Contracting Party vessel inside or outside the Convention Area, the presumption of undermining the effectiveness of CCAMLR Conservation Measures applies to any other non-Contracting Party vessel which has engaged in such activities with that vessel.
2. Information regarding such sightings shall be transmitted immediately to the Commission in accordance with Article XXII of the Convention. The Secretariat shall transmit this information to all Contracting Parties within one business day of receiving this information, and to the Flag State of the sighted vessel as soon as possible.
3. The Contracting Party which sights the non-Contracting Party vessel shall attempt to inform the vessel that it has been sighted engaging in fishing activities in the Convention Area and is accordingly presumed to be undermining the objective of the Convention and that this information will be distributed to all Contracting Parties to the Convention and to the Flag State of the vessel.
4. When a non-Contracting Party vessel referred to in paragraph 1 enters a port of any Contracting Party, it shall be inspected by authorised Contracting Party officials knowledgeable of CCAMLR Conservation Measures and shall not be allowed to land or tranship any fish until this inspection has taken place. Such inspections shall include the vessel's documents, logbooks, fishing gear, catch on board and any other matter, which may include information from a VMS¹, relating to the vessel's activities in the Convention Area.
5. Landing and transshipments of all fish from a non-Contracting Party vessel, which has been inspected pursuant to paragraph 4, shall be prohibited in all Contracting Party ports if such inspection reveals that the vessel has on board species subject to CCAMLR Conservation Measures, unless the vessel establishes that the fish were caught outside the Convention Area or in compliance with all relevant CCAMLR Conservation Measures and requirements under the Convention.
6. Contracting Parties shall ensure that their vessels do not receive transshipments of fish from a non-Contracting Party vessel which has been sighted and reported as having engaged in fishing activities in the Convention Area and therefore presumed as having undermined the effectiveness of CCAMLR Conservation Measures.
7. Information on the results of all inspections of non-Contracting Party vessels conducted in the ports of Contracting Parties, and on any subsequent action, shall be transmitted immediately to the Commission. The Secretariat shall transmit this information immediately to all Contracting Parties and to the relevant Flag State(s).

¹ The term VMS shall be taken to mean a system which operates to the same standard as defined in Conservation Measure 148/XVII.