

**CONSERVATION MEASURE 10-05 (2006)**  
**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 implementation of a Catch Documentation Scheme for *Dissostichus* spp. (CDS) will provide the Commission with essential information necessary to provide 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 was 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.,

Inviting non-Contracting Parties whose vessels fish for *Dissostichus* spp. to participate in 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 purposes 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 customs law or other domestic legislation:

- (i) 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.
  - (ii) Landing: The initial transfer of catch in its harvested or processed form from a vessel to dockside or to another vessel in a port or free trade zone where the catch is certified by an authority of the Port State as landed.
  - (iii) Export: Any movement of a catch in its harvested or processed 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.
  - (iv) Import: The physical entering or bringing of a catch into any part of the geographical territory under the control of a State, except where the catch is landed or transhipped within the definitions of 'landing' or 'transshipment' in this conservation measure.
  - (v) Re-export: Any movement of a catch in its harvested or processed 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.
  - (vi) Transshipment: The transfer of a catch in its harvested or processed form from a vessel to another vessel or means of transport, and, where such transfer takes place within the territory under the control of a Port State, for the purpose of effecting its removal from that State. For the avoidance of doubt, temporarily placing a catch on land or an artificial structure to facilitate such transfer shall not prevent the transfer from being a transshipment where the catch is not 'landed' within the definition of 'landing' in this conservation measure.
2. Each Contracting Party shall take steps to identify the origin of *Dissostichus* spp. imported into or exported from its territories and to determine whether *Dissostichus* spp. harvested in the Convention Area that is imported into or exported from its territories was caught in a manner consistent with CCAMLR conservation measures.
  3. Each Contracting Party shall require that each master or authorised representative of its flag vessels authorised to engage in harvesting of *Dissostichus eleginoides* and/or *Dissostichus mawsoni* complete a *Dissostichus* catch document (DCD) for the catch landed or transhipped on each occasion that it lands or tranships *Dissostichus* spp.
  4. Each Contracting Party shall require that each landing of *Dissostichus* spp. at its ports and each transshipment of *Dissostichus* spp. to its vessels be accompanied by a completed DCD. The landing of *Dissostichus* spp. without a catch document is prohibited.

5. Each Contracting Party shall, in accordance with their laws and regulations, require that their flag vessels which intend to harvest *Dissostichus* spp., including on the high seas outside the Convention Area, are provided with specific authorisation to do so. Each Contracting Party shall provide DCD forms to each of its flag vessels authorised to harvest *Dissostichus* spp. and only to those vessels.
6. A non-Contracting Party seeking to cooperate with CCAMLR by participating in this scheme may issue DCD forms, in accordance with the procedures specified in paragraphs 8 and 9, to any of its flag vessels that intend to harvest *Dissostichus* spp.
7. The procedure regarding cooperation with CCAMLR in the implementation of the CDS by non-Contracting Parties involved in the trade of *Dissostichus* spp. is set out in Annex 10-05/C.
8. The DCD shall 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, that is issued to the vessel;
  - (iv) the weight of each *Dissostichus* species landed or transhipped by product type, and
    - (a) by CCAMLR statistical subarea or division if caught in the Convention Area; and/or
    - (b) by FAO statistical area, subarea or division if caught outside the Convention Area;
  - (v) the dates within which the catch was taken;
  - (vi) the date and the port at which the catch was landed or the date and the vessel, its flag and national registry number, to which the catch was transhipped;
  - (vii) the name, address, telephone and fax numbers of the recipient(s) of the catch and the amount of each species and product type received.
9. Procedures for completing DCDs in respect of vessels are set forth in paragraphs A1 to A10 of Annex 10-05/A to this measure. The standard catch document is attached to the annex.
10. Each Contracting Party shall require that each shipment of *Dissostichus* spp. imported into or exported from its territory be accompanied by the export-validated DCD(s) and, where appropriate, validated re-export document(s) that account for all the *Dissostichus* spp. contained in the shipment. The import, export or re-export of *Dissostichus* spp. without a catch document is prohibited.

11. An export-validated DCD issued in respect of a vessel is one that:
  - (i) includes all relevant information and signatures provided in accordance with paragraphs A1 to A11 of Annex 10-05/A to this measure;
  - (ii) includes a signed and stamped certification by a responsible official of the exporting State of the accuracy of the information contained in the document.
12. Each Contracting Party shall ensure that its customs government authorities or other appropriate government officials request and examine the documentation of each shipment of *Dissostichus* spp. imported into or exported from its territory to verify that it includes the export-validated DCD(s) and, where appropriate, validated re-export document(s) that account for all the *Dissostichus* spp. contained in the shipment. These officials may also examine the content of any shipment to verify the information contained in the catch document or documents.
13. If, as a result of an examination referred to in paragraph 12 above, a question arises regarding the information contained in a DCD or a re-export document, 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.
14. Each Contracting Party shall promptly provide by the most rapid electronic means, copies to the CCAMLR Secretariat of all export-validated DCDs and, where relevant, validated re-export documents that it issued from and received into its territory and shall submit annually to the Secretariat a summary list of documents issued from or received into its territory in respect of transshipments, landings, exports, re-exports and imports. The list shall include: document identification numbers; date of landing, export, re-export, import; weights landed, exported, re-exported or imported.
15. Each Contracting Party, and any non-Contracting Party that issues DCDs in respect of its flag vessels in accordance with paragraph 6, shall inform the CCAMLR Secretariat of the government authority or authorities (including names, addresses, phone and fax numbers and email addresses) responsible for issuing and validating DCDs.
16. Notwithstanding the above, any Contracting Party, or any non-Contracting Party participating in the CDS, may require additional verification of catch documents by Flag States by using, *inter alia*, VMS, in respect of catches<sup>1</sup> taken on the high seas outside the Convention Area, when landed at, imported into or exported from its territory.
17. If, following an examination under paragraph 12, questions under paragraph 13 or requests for additional verification of documents under paragraph 16, it is determined, after consultation with the States concerned, that a catch document is invalid, the import, export or re-export of *Dissostichus* spp. being the subject of the document is prohibited.
18. If a Contracting Party participating in the CDS has cause to sell or dispose of seized or confiscated *Dissostichus* spp., it may issue a Specially Validated *Dissostichus* Catch Document (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, Parties shall ensure that no financial benefit arising from the sale of seized or confiscated catch accrue to the perpetrators of IUU fishing. If a Contracting Party issues a SVDCD, it shall immediately report all such validations to the Secretariat for conveying to all Parties and, as appropriate, recording in trade statistics.

19. A Contracting Party 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. A Contracting Party may, consistent with its domestic legislation, decline to provide a market for toothfish offered for sale with a SVDCD by another State. Provisions concerning the uses of the CDS Fund are found in Annex 10-05/B.

<sup>1</sup> 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.

#### ANNEX 10-05/A

- A1. Each Flag State shall ensure that each *Dissostichus* catch document form that it issues includes a specific identification number consisting of:

- (i) a four-digit number, consisting of the two-digit International Standards Organization (ISO) country code plus the last two digits of the year for which the form is issued;
- (ii) a three-digit sequence number (beginning with 001) to denote the order in which catch document forms are issued.

It shall also enter on each *Dissostichus* catch document form the number as appropriate of the licence or permit issued to the vessel.

- A2. The master of a vessel which has been issued a *Dissostichus* catch document form or forms shall adhere to the following procedures prior to each landing or transshipment of *Dissostichus* spp.:

- (i) the master shall ensure that the information specified in paragraph 7 of this conservation measure is accurately recorded on the *Dissostichus* catch document form;
- (ii) if a landing or transshipment includes catch of both *Dissostichus* spp., the master shall record on the *Dissostichus* catch document form the total amount of the catch landed or transhipped by weight of each species;
- (iii) if a landing or transshipment includes catch of *Dissostichus* spp. taken from different statistical subareas and/or divisions, the master shall record on the *Dissostichus* catch document form the amount of the catch by weight of each species taken from each statistical subarea and/or division and indicating whether the catch was caught in an EEZ or on the high seas, as appropriate;

- (iv) the master shall convey to the Flag State of the vessel by the most rapid electronic means available, the *Dissostichus* catch document number, the dates within which the catch was taken, the species, processing type or types, the estimated weight to be landed and the area or areas of the catch, the date of landing or transshipment and the port and country of landing or vessel of transshipment and shall request from the Flag State, a Flag State confirmation number.
- A3. If, for catches<sup>1</sup> taken in the Convention Area or on the high seas outside the Convention Area, the Flag State verifies, by the use of a VMS (as described in paragraph 1 of Conservation Measure 10-04), the area fished and that the catch to be landed or transhipped as reported by its vessel is accurately recorded and taken in a manner consistent with its authorisation to fish, it shall convey a unique Flag State confirmation number to the vessel's master by the most rapid electronic means available. The *Dissostichus* catch document will receive a confirmation number from the Flag State, only when it is convinced that the information submitted by the vessel fully satisfies the provisions of this conservation measure.
- A4. The master shall enter the Flag State confirmation number on the *Dissostichus* catch document form.
- A5. The master of a vessel that has been issued a *Dissostichus* catch document form or forms shall adhere to the following procedures immediately after each landing or transshipment of *Dissostichus* spp.:
- (i) in the case of a transshipment, the master shall confirm the transshipment obtaining the signature on the *Dissostichus* catch document of the master of the vessel to which the catch is being transferred;
  - (ii) in the case of a landing, the master or authorised representative shall confirm the landing by obtaining a signed and stamped certification on the *Dissostichus* catch document by a responsible official of the Port State of landing or free trade zone who is acting under the direction of either the customs or fisheries authority of the Port State and is competent with regard to the validation of *Dissostichus* catch documents;
  - (iii) in the case of a landing, the master or authorised representative shall also obtain the signature on the *Dissostichus* catch document of the individual that receives the catch at the port of landing or free trade zone;
  - (iv) in the event that the catch is divided upon landing, the master or authorised representative shall present a copy of the *Dissostichus* catch document to each individual that receives a part of the catch at the port of landing or free trade zone, record on that copy of the catch document the amount and origin of the catch received by that individual and obtain the signature of that individual.
- A6. In respect of each landing or transshipment, the master or authorised representative shall immediately sign and convey by the most rapid electronic means available a copy, or, if the catch landed was divided, copies, of the signed *Dissostichus* catch document to the Flag State of the vessel and shall provide a copy of the relevant document to each recipient of the catch.

- A7. The Flag State of the vessel shall immediately convey by the most rapid electronic means available a copy or, if the catch was divided, copies, of the signed *Dissostichus* catch document to the CCAMLR Secretariat to be made available by the next working day to all Contracting Parties.
- A8. The master or authorised representative shall retain the original copies of the signed *Dissostichus* catch document(s) and return them to the Flag State no later than one month after the end of the fishing season.
- A9. The master of a vessel to which catch has been transhipped (receiving vessel) shall adhere to the following procedures immediately after each landing of such catch in order to complete each *Dissostichus* catch document received from transhipping vessels:
- (i) the master of the receiving vessel shall confirm the landing by obtaining a signed and stamped certification on the *Dissostichus* catch document by a responsible official of the Port State of landing or free trade zone who is acting under the direction of either the customs or fisheries authority of the Port State and is competent with regard to the validation of *Dissostichus* catch documents;
  - (ii) the master of the receiving vessel shall also obtain the signature on the *Dissostichus* catch document of the individual that receives the catch at the port of landing or free trade;
  - (iii) in the event that the catch is divided upon landing, the master of the receiving vessel shall present a copy of the *Dissostichus* catch document to each individual that receives a part of the catch at the port of landing or free trade zone, record on that copy of the catch document the amount and origin of the catch received by that individual and obtain the signature of that individual.
- A10. In respect of each landing of transhipped catch, the master or authorised representative of the receiving vessel shall immediately sign and convey by the most rapid electronic means available a copy of all the *Dissostichus* catch documents, or if the catch was divided, copies, of all the *Dissostichus* catch documents, to the Flag State(s) that issued the *Dissostichus* catch document, and shall provide a copy of the relevant document to each recipient of the catch. The Flag State of the receiving vessel shall immediately convey by the most rapid electronic means available a copy of the document to the CCAMLR Secretariat to be made available by the next working day to all Contracting Parties.
- A11. For each shipment of *Dissostichus* spp. to be exported from the country of landing, the exporter shall adhere to the following procedures to obtain the necessary export validation of the *Dissostichus* catch document(s) that account for all the *Dissostichus* spp. contained in the shipment:
- (i) the exporter shall enter on each *Dissostichus* catch document the amount of each *Dissostichus* spp. reported on the document that is contained in the shipment;
  - (ii) the exporter shall enter on each *Dissostichus* catch document the name and address of the importer of the shipment and the point of import;

- (iii) the exporter shall enter on each *Dissostichus* catch document the exporter's name and address, and shall sign the document;
- (iv) the exporter shall obtain a signed and stamped validation of the *Dissostichus* catch document (including the attachments if provided) by a responsible official of the exporting State.
- (v) the exporter shall indicate the transport details as appropriate:
  - if by sea
    - container(s) number(s) if appropriate, or
    - vessel name, and
    - bill of lading number, date and place of issue;
  - if by air
    - flight number, airway bill number, place and date of issue;
  - if by other means (ground transportation)
    - truck registration number and nationality,
    - railway transport number, date and place of issue.

A12. In the case of re-export, the re-exporter shall adhere to the following procedures to obtain the necessary re-export validation of the *Dissostichus* catch document(s) that account for all the *Dissostichus* spp. contained in the shipment:

- (i) the re-exporter shall supply details of the net weight of product of all species to be re-exported, together with the *Dissostichus* catch document number to which each species and product relates;
- (ii) the re-exporter shall supply the name and address of the importer of the shipment, the point of import and the name and address of the exporter;
- (iii) the re-exporter shall obtain a signed and stamped validation of the above details by the responsible official of the exporting State on the accuracy of information contained in the document(s);
- (iv) the re-exporter shall indicate the transport details as appropriate:
  - if by sea
    - container(s) number(s) if appropriate, or
    - vessel name, and
    - bill of lading number, date and place of issue;
  - if by air
    - flight number, airway bill number, place and date of issue;



if by other means (ground transportation)

truck registration number and nationality,  
railway transport number, date and place of issue.

- (v) the responsible official of the re-exporting State shall immediately transmit by the most rapid electronic means a copy of the re-export document to the Secretariat to be made available next working day to all Contracting Parties.

The standard form for re-export is attached to this annex.

<sup>1</sup> 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.



**DISSOSTICHUS RE-EXPORT DOCUMENT**

**V1.2**

**RE-EXPORT SECTION**

**Re-exporting Country:**

**1. Description of Fish**

Species	Type of Product	Net Weight Exported (kg)	<i>Dissostichus</i> Catch Document Number Attached

Species: **TOP** *Dissostichus eleginoides*, **TOA** *Dissostichus mawsoni*  
 Type: **WHO** Whole; **HAG** Headed and gutted; **HAT** Headed and tailed; **FLT** Fillet;  
**HGT** Headed, gutted, tailed; **OTH** Other (specify)

**RE-EXPORT – TRANSPORT DETAILS**

<b>If by sea/air:</b>	Container number	
	(if more than one – attach list)	
If no container:	Vessel name; OR	
	Flight number; AND	
	Bill of lading/airway bill number; AND	
	Date and place of issue	
<b>If ground transport:</b>	Truck registration number and nationality; OR	
	Railway transport number; AND	
	Date and place of issue	

**2. Re-Exporter Certification:** I certify that the above information is complete, true and correct to the best of my knowledge and that the above product comes from product certified by the attached *Dissostichus* Catch Document(s).

Name	Address	Signature	Date	Export Licence (if issued)

**3. Re-Export Government Authority Validation:** I certify that the above information is complete, true, and correct to the best of my knowledge.

Name/Title	Signature	Date	Seal (Stamp)

**4. IMPORT SECTION**

<b>Name of Importer</b>	<b>Address</b>
<b>Point of Unlading:</b>	<b>City</b>
	<b>State/Province</b>
	<b>Country</b>

### THE USE OF THE CDS FUND

- B1. The purpose of the CDS Fund ('the Fund') is to enhance the capacity of the Commission in improving the effectiveness of the CDS and by this, and other means, to prevent, deter and eliminate IUU fishing in the Convention Area.
- 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 assisting the development and improving the effectiveness of the CDS. The Fund may also be used for special projects and other activities contributing to the prevention, deterrence and elimination of IUU fishing in the Convention Area, 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 may 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 made to the Commission in writing 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 made intersessionally and to make recommendations to the Commission on whether to fund special projects or special needs. The Review Panel will operate by email intersessionally and 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 and participate in the CDS, so long as this use is consistent with provisions (i) and (ii) above. Acceding States and non-Contracting Parties may submit proposals if the proposals are sponsored by, or in cooperation with, a Member.
  - (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 in sufficient time 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. Each year, the Executive Secretary shall contact all non-Contracting Parties which are known to be involved in the trade with *Dissostichus* spp. 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. In doing so, the Executive Secretary shall provide copies of this conservation measure and any related resolutions adopted by the Commission.
- C2. 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.
- C3. Any non-Contracting Party requesting the status of a non-Contracting Party cooperating with CCAMLR by participating in the CDS shall fulfil the following requirements in order to have this status considered by the Commission:
  - (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.
- C4. An applicant for the status of a non-Contracting Party cooperating with CCAMLR by participating in the CDS shall also:
  - (i) confirm its commitment to implement Conservation Measure 10-05; and
  - (ii) inform the Commission of the measures it takes to ensure compliance by its operators with Conservation Measure 10-05.
- C5. The Standing Committee for Implementation and Compliance (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.
- C6. 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 attaining such status established by this measure.