

**CONSERVATION MEASURE 10-02 (2011)<sup>1,2</sup>**  
**Licensing and inspection obligations of Contracting Parties with regard to their flag vessels operating in the Convention Area**

Species	all
Area	all
Season	all
Gear	all

1. Each Contracting Party shall prohibit fishing by its flag vessels in the Convention Area except pursuant to a licence<sup>3</sup> that the Contracting Party has issued setting forth the specific areas, species and time periods for which such fishing is authorised and all other specific conditions to which the fishing is subject to give effect to CCAMLR conservation measures and requirements under the Convention.
2. A Contracting Party may only issue such a licence to fish in the Convention Area to a vessel flying its flag, if the vessel has an IMO number<sup>4</sup> and if the Contracting Party is satisfied of the vessel's ability to exercise its responsibilities under the Convention and its conservation measures, by requiring from the vessel, *inter alia*, the following:
  - (i) timely notification by the vessel to its Flag State of exit from and entry into any port;
  - (ii) notification by the vessel to its Flag State of entry into the Convention Area and movement between areas, subareas/divisions;
  - (iii) reporting by the vessel of catch data in accordance with CCAMLR requirements;
  - (iv) reporting, where possible as set out in Annex 10-02/A by the vessel of sightings of fishing vessels<sup>5</sup> in the Convention Area;
  - (v) operation of a VMS system on board the vessel in accordance with Conservation Measure 10-04;
  - (vi) noting the International Management Code for the Safe Operation of Ships and for Pollution Prevention (International Safety Management Code), from 1 December 2009:
    - (a) adequate communication equipment (including MF/HF radio and carriage of at least one 406MHz EPIRB) and trained operators on board. Wherever possible, vessels should be fitted with Global Maritime Distress and Safety System (GMDSS) equipment;
    - (b) sufficient immersion survival suits for all on board;
    - (c) adequate arrangements to handle medical emergencies that may arise in the course of the voyage;
    - (d) reserves of food, fresh water, fuel and spare parts for critical equipment to provide for unforeseen delays and besetment;
    - (e) an approved<sup>6</sup> Shipboard Oil Pollution Emergency Plan (SOPEP) outlining marine pollution mitigation arrangements (including insurance) in the event of a fuel or waste spill.

3. Each Contracting Party shall provide to the Secretariat within seven days of the issuance of each licence the following information about licences issued:
  - (i) name of fishing vessel (any previous names if known)<sup>7</sup>, registration number<sup>8</sup>, IMO number (where relevant), external markings and port of registry;
  - (ii) the nature of the authorisation to fish granted by the Flag State, specifying time periods authorised for fishing (start and end dates), area(s), subareas or divisions of fishing, species targeted and gear used;
  - (iii) previous flag (if any)<sup>7</sup>;
  - (iv) international radio call sign;
  - (v) name and address of vessel's owner(s), and any beneficial owner(s) if known;
  - (vi) name and address of licence owner (if different from vessel owner(s));
  - (vii) type of vessel;
  - (viii) where and when built;
  - (ix) length (m);
  - (x) high-resolution colour photographs of the vessel of appropriate brightness and contrast<sup>9</sup> which shall consist of:
    - one photograph not smaller than 12 x 7 cm showing the starboard side of the vessel displaying its full overall length and complete structural features;
    - one photograph not smaller than 12 x 7 cm showing the port side of the vessel displaying its full overall length and complete structural features;
    - one photograph not smaller than 12 x 7 cm showing the stern taken directly from astern;
  - (xi) where applicable, in accordance with Conservation Measure 10-04, details of the implementation of the tamper-proof requirements of the satellite monitoring device installed on board.
4. Each Contracting Party shall, to the extent practicable, also provide to the Secretariat at the same time as submitting information in accordance with paragraph 3, the following additional information in respect to each fishing vessel licensed:
  - (i) name and address of operator, if different from vessel owners;
  - (ii) names and nationality of master and, where relevant, of fishing master;
  - (iii) type of fishing method or methods;
  - (iv) beam (m);

- (v) gross registered tonnage;
  - (vi) vessel communication types and numbers (INMARSAT A, B and C numbers);
  - (vii) normal crew complement;
  - (viii) power of main engine or engines (kW);
  - (ix) carrying capacity (tonnes), number of fish holds and their capacity (m<sup>3</sup>);
  - (x) any other information in respect of each licensed vessel they consider appropriate (e.g. ice classification) for the purposes of the implementation of the conservation measures adopted by the Commission.
5. Contracting Parties shall communicate without delay to the Secretariat any change to any of the information submitted in accordance with paragraphs 3 and 4.
  6. The Executive Secretary shall place a list of licensed vessels on the public section of the CCAMLR website.
  7. The licence or an authorised copy of the licence must be carried by the fishing vessel and must be available for inspection at any time by a designated CCAMLR inspector in the Convention Area.
  8. Each Contracting Party shall verify, through inspections of all of its fishing vessels at the Party's departure and arrival ports, and where appropriate, in its Exclusive Economic Zone, its compliance with the conditions of the licence as described in paragraph 1 and with the CCAMLR conservation measures. In the event that there is

evidence that the vessel has not fished in accordance with the conditions of its licence, the Contracting Party shall investigate the infringement and, if necessary, apply appropriate sanctions in accordance with its national legislation.

9. Each Contracting Party shall include in its annual report pursuant to paragraph 12 of the CCAMLR System of Inspection, steps it has taken to implement and apply this conservation measure; and may include additional measures it may have taken in relation to its flag vessels to promote the effectiveness of CCAMLR conservation measures.
10. Each Contracting Party shall conduct an investigation into every very serious marine casualty in the CAMLR Convention Area involving a fishing vessel flying its flag. For the purposes of this conservation measure, a 'very serious marine casualty' means a marine casualty involving the total loss of the fishing vessel, loss of life, severe damage to the marine environment<sup>10</sup>, serious injury to its own or another State's nationals, or serious damage<sup>11</sup> to its own or another State's vessels or installations. The Contracting Party shall forward its investigation report to the International Maritime Organization (IMO) and/or other relevant competent organisations, and also make available to CCAMLR Members a summary report of the findings and recommendations of relevance to CCAMLR. The Contracting Party shall notify CCAMLR of any findings made by the IMO and/or other organisations to which the investigation report was sent.

<sup>1</sup> Except for waters adjacent to the Kerguelen and Crozet Islands

<sup>2</sup> Except for waters adjacent to the Prince Edward Islands

<sup>3</sup> Includes permit and authorisation.

<sup>4</sup> The IMO number provision applies only to vessels targeting toothfish.

<sup>5</sup> Including support vessels such as reefer vessels.

<sup>6</sup> Shipboard Oil Pollution Emergency Plan to be approved by the Maritime Safety Authority of the Flag State.

<sup>7</sup> In respect of any vessel reflagged within the previous 12 months, any information on the details of the process of (reasons for) previous deregistration of the vessel from other registries, if known.

<sup>8</sup> National registry number

<sup>9</sup> All photographs shall be of sufficient quality to enable clear identification of the vessel.

<sup>10</sup> For the purposes of this conservation measure, 'severe damage to the marine environment' refers to discharges of oil, hazardous substances, marine pollutants or noxious liquid substances (regardless of quantity) which produce a major deleterious effect upon the environment.

<sup>11</sup> For the purposes of this conservation measure, 'serious damage' includes fire, explosion, collision, grounding, severe heavy weather or ice damage, hull cracking, severe structural damage, or breakdown necessitating towage or shore assistance.

ANNEX 10-02/A

## **REPORTING OF VESSEL SIGHTINGS**

1. In the event that the master of a licensed fishing vessel sights a fishing vessel<sup>5</sup> within the Convention Area, the master shall document as much information as possible on each such sighting, including:
  - (a) name and description of the vessel
  - (b) vessel call sign
  - (c) registration number and the Lloyds/IMO number<sup>4</sup> of the vessel

- (d) Flag State of the vessel
  - (e) photographs of the vessel to support the report
  - (f) any other relevant information regarding the observed activities of the sighted vessel.
2. The master shall forward a report containing the information referred to in paragraph 1 to their Flag State as soon as possible. The Flag State shall submit to the Secretariat any such reports that meet the criteria of paragraph 3 of Conservation Measure 10-06 or paragraph 8 of Conservation Measure 10-07.
  3. The Secretariat shall use such reports for compiling estimates of IUU activities.