

Resolution 32/XXIX
Prevention, deterrence and elimination of IUU fishing
in the Convention Area

Species	all
Area	all
Season	all
Gear	all

The Commission,

Convinced that illegal, unreported and unregulated (IUU) fishing undermines the objectives of the Convention,

Concerned about the increasing number of vessels repeatedly fishing in the Convention Area in an IUU manner,

Aware that a number of vessels registered to non-Contracting Parties are engaged in activities which diminish the effectiveness of CCAMLR conservation measures,

Noting that there have been sightings of IUU vessels fishing in the Convention Area using gillnetting,

Deeply concerned that deep-sea gillnetting in the Convention Area and the associated ghost-fishing by lost or discarded nets has serious detrimental effects on the marine environment and many species of marine living resources,

Recognising that IUU fishing is causing potentially irreversible damage to fish stocks and other marine species and preventing the Commission from achieving its objective of conservation of Antarctic marine living resources in the Convention Area,

Recalling that Contracting Parties should cooperate in taking appropriate action to deter any activities which are not consistent with the objective of the Convention,

Also aware that some Flag States do not comply with their obligations regarding jurisdiction and control according to international law in respect of fishing vessels entitled to fly their flag that carry out their activities in the Convention Area, and that as a result these vessels may not be under the effective control of such Flag States,

Deeply dismayed that vessels that carry out activities in the Convention Area which do not comply with CCAMLR conservation measures are benefitting from the support provided by persons subject to the jurisdiction of Contracting Parties, including through participation in transshipment, transport and trade of illegally harvested catches or engagement on board or in the management of these vessels,

Also conscious that, without prejudice to the primacy of the responsibility of the Flag State, taking action in accordance with existing domestic law against individuals who engage in, or support IUU fishing activities is one effective way to confront IUU fishing,

Also noting that Contracting Parties are required to undertake inspections of all fishing vessels carrying *Dissostichus* spp. which enter their ports, and where there is evidence that the vessel has fished in contravention of CCAMLR conservation measures not allow the catch to be landed or transhipped,

Further concerned that many of these vessels are flagged to non-Contracting Parties that have failed to respond to correspondence from the Commission and diplomatic and other representations by Commission Members seeking that they cooperate with the Commission,

Noting in addition that many non-Contracting Parties whose vessels are engaged in IUU fishing in the Convention Area are also Parties to the United Nations Convention on the Law of the Sea (UNCLOS) and other relevant international agreements,

Also recalling that Resolution 25/XXV on combating IUU fishing in the Convention Area by flag vessels of non-Contracting Parties referred to a range of action measures by which Contracting Parties should exert influence and seek the cooperation of non-Contracting Parties,

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

Reaffirming its commitment to eliminate IUU fishing in the Convention Area,

urges all Contracting Parties, individually and collectively, and to the extent possible in accordance with their applicable laws and regulations, to:

1. Strengthen their efforts to address the problem of IUU fishing in the Convention Area through implementation of all relevant CCAMLR conservation measures, including in particular:
 - Conservation Measure 10-03 regarding port inspections of vessels carrying toothfish
 - Conservation Measure 10-05 regarding the Catch Documentation Scheme for *Dissostichus* spp.
 - Conservation Measure 10-06 regarding a scheme to promote compliance by Contracting Party vessels with CCAMLR conservation measures
 - Conservation Measure 10-07 regarding a scheme to promote compliance by non-Contracting Party vessels with CCAMLR conservation measures
 - Conservation Measure 10-08 regarding a scheme to promote compliance by Contracting Party nationals with CCAMLR conservation measures
 - Conservation Measure 10-09 regarding a notification system for transshipments within the Convention Area.
2. Actively contribute, to the extent possible, to the CCAMLR System of Inspection in the Convention Area.

3. Pursue action in accordance with international law, with non-Contracting Party Flag States, seeking, as appropriate, that they:
 - (i) recognise that CCAMLR conservation measures constitute relevant standards needed to achieve conservation and rational use of Antarctic marine living resources;
 - (ii) investigate the activities of vessels fishing under their flag in the Convention Area, in accordance with Article 94 of UNCLOS, and report findings of such investigations to the Commission;
 - (iii) direct their flag vessels not to fish in the Convention Area and take legal action in accordance with their domestic legislation against those vessels that disobey this directive;
 - (iv) grant permission for boarding and inspection by CCAMLR-designated inspectors of their flag vessels suspected of, or found to be, carrying out IUU fishing activities in the Convention Area, in accordance with the CCAMLR System of Inspection and the procedures set out therein.
4. Seek the cooperation of non-Contracting Party Port States when IUU fishing vessels seek to use the ports of non-Contracting Parties, urging them to take the steps in accordance with Conservation Measure 10-07, and also to take similar port inspection steps as provided for Contracting Parties in Conservation Measure 10-03, including providing the CCAMLR Secretariat with reports of port inspections conducted.
5. Encourage the cooperation of non-Contracting Parties to take similar steps to implement CCAMLR's Catch Documentation Scheme for *Dissostichus* spp. at their ports in order to verify the origin of *Dissostichus* spp. imported and/or re-exported from its territory and that it was caught in a manner consistent with CCAMLR's conservation measures as provided for Contracting Parties in Conservation Measure 10-05.