

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Seventeenth meeting of the Conference of the Parties
Johannesburg (South Africa), 24 September -5 October 2016

Strategic matters

Cooperation with organizations and multilateral environmental agreements

COMMISSION FOR THE CONSERVATION OF ANTARCTIC
MARINE LIVING RESOURCES LAST

1. This document has been submitted by the Secretariat and prepared by the Secretariat of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), pursuant to Resolution Conf. 12.4 on *Cooperation between CITES and the Commission for the Conservation of Antarctic Marine Living Resources regarding trade in toothfish*.

CITES Resolution Conf. 12.4

2. In November 2002, the CITES Conference of Parties (CoP12) adopted Resolution 12.4 on 'Cooperation between CITES and the Commission for the Conservation of Antarctic Marine Living Resources Regarding Trade in Toothfish' and Decisions 12.57 to 12.59 regarding the trade in toothfish.
3. Pursuant to Resolution Conf. 12.4 and Decisions 12.57 and 12.59, Parties to CITES involved in the harvest and/or trade of toothfish are requested to cooperate with CCAMLR's Catch Documentation Scheme (CDS) for *Dissostichus* spp. Parties were also requested to report on the implementation of the CDS to the CITES Secretariat and for the information to be communicated to CCAMLR (CCAMLR-XXII, 2003, paragraphs 14.1 and 14.2). This document is submitted in accordance with the abovementioned resolution and decisions.
4. To date, no information has been made available to CCAMLR by the CITES Secretariat pursuant to Resolution Conf. 12.4 with regard to the international trade in toothfish.

CCAMLR Catch Documentation Scheme (CDS) for *Dissostichus* spp.

5. CCAMLR is an intergovernmental organization responsible for the conservation of marine resources in Antarctic waters. CCAMLR is concerned with illegal, unregulated and unreported (IUU) fishing for toothfish (*Dissostichus* spp.) in the CCAMLR Convention Area. IUU fishing seriously depletes toothfish stocks and undermines CCAMLR's conservation objectives, including the science that supports the rational use of Antarctic marine living resources.
6. The CDS is one of a range of measures CCAMLR has implemented to combat IUU fishing. In its continuing efforts to eliminate IUU fishing, CCAMLR seeks non-Contracting Party (NCP) cooperation in the voluntary implementation of the CDS.

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

7. One of the objectives of the CDS is to promote cooperation between CCAMLR and non-Contracting Parties (NCPs) in respect of the voluntary implementation of the CDS. NCPs that harvest, transship, land and/or trade toothfish can cooperate with CCAMLR by:
 - monitoring toothfish trade through limited access to the electronic CDS (e-CDS) maintained by CCAMLR;
 - becoming an NCP cooperating with CCAMLR by participating in the CDS; and
 - becoming a Contracting Party.
8. The only NCP cooperating with CCAMLR by monitoring toothfish trade through limited access to e-CDS is Singapore. The only NCP cooperating with CCAMLR by participating in the CDS is Seychelles.

CCAMLR non-Contracting Parties

9. Over the last 10 years, NCPs identified through the CDS as receiving imports of toothfish from CCAMLR Contracting Parties include:
 - Antigua and Barbuda
 - Brunei Darussalam
 - Colombia
 - Costa Rica
 - Cuba
 - Dominican Republic
 - Ecuador
 - Jamaica
 - Kenya
 - Malaysia
 - Mexico
 - Morocco
 - Nigeria
 - Philippines
 - Singapore
 - St Kitts and Nevis
 - St Vincent and the Grenadines
 - Thailand
 - Trinidad and Tobago
 - United Arab Emirates
 - Viet Nam
10. Over the last 10 years, a number of NCPs have been reported to Flag CCAMLR IUU-listed vessels and are therefore possibly engaged in the harvest of toothfish. These NCPs include:
 - Cambodia
 - Equatorial Guinea
 - Honduras
 - Iran, Islamic Republic
 - Democratic People's Republic of Korea
 - Mauritania
 - Nigeria
 - Panama
 - Sierra Leone
 - Tanzania
 - Togo

11. Without the cooperation of these States, the effectiveness of the CDS is significantly undermined. CCAMLR notes that all these NCPs, with the exception of Tanzania and the Democratic People's Republic of Korea, are Parties to CITES.
12. To improve the cooperation between CCAMLR and NCPs in respect of the voluntary implementation of the CDS, in 2015 CCAMLR adopted an NCP Engagement Strategy that:
 - a) utilizes available toothfish trade data to confirm a priority list of NCPs involved in the harvest and/or trade of *Dissostichus* spp.;
 - b) identifies the appropriate NCP agency(ies) to engage with;
 - c) provides formal letters from the Chair of CCAMLR to the NCP inviting them to cooperate with CCAMLR in the full implementation of the CDS;
 - d) identifies CCAMLR Contracting Parties with direct relationships with priority NCPs or subregions;
 - e) requests identified Contracting Parties to engage and assist in capacity building with NCPs (including linkages to other instruments and initiatives);
 - f) proposes a framework for Contracting Parties to report back to the CAMLR Commission annually on efforts to engage NCPs in the CDS; and
 - g) directs the CCAMLR Secretariat to report annually to the Commission on the level of NCP engagement in the CDS as a measure of the effectiveness of this strategy.
13. For 2016/17, the priority list includes Colombia, Ecuador, Egypt, Malaysia, Mexico, Indonesia, Philippines, Thailand, United Arab Emirates and Viet Nam.
14. In analysing CDS data to determine the priority list of NCPs, some trends emerged. The most significant of these was that, while a single country's contribution to toothfish trade may be negligible by itself, it may be part of a region where the cumulative trade in toothfish is significant. This trend is seen in:
 - Central America, the Caribbean Islands and Mexico
 - northern part of the South American Continent
 - South East Asia
 - the Middle East.
15. Given the apparent regional divisions that include the priority list of NCPs, CCAMLR is taking a regional approach to engage relevant NCPs.

Recommendations

16. The Conference of the Parties to CITES is invited to consider requesting that Parties to CITES that are involved in the harvest and/or trade of toothfish and that are not cooperating with CCAMLR, report their position in respect of the implementation of Resolution Conf. 12.4 and to provide such reports to CCAMLR.
17. CCAMLR extends an invitation to the Parties of CITES that are involved in the harvest and/or trade of toothfish and not cooperating with CCAMLR to consider:
 - a) the appointment of an agency and appropriate affiliated officials to take lead responsibility for the regular exchange of information with CCAMLR relating to trade in toothfish;
 - b) the implementation of procedures to monitor toothfish trade, including through accepting the invitation of CCAMLR to take up an offer of limited access to CCAMLR's e-CDS;
 - c) becoming an NCP cooperating with CCAMLR by participating in the CDS through the implementation of [Conservation Measure 10-05](#); and
 - d) becoming a Contracting Party to the CCAMLR Convention.

18. For further information, Parties to CITES are encouraged to contact the CCAMLR Secretariat at ccamlr@ccamlr.org.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat notes this report from the Secretariat of the Commission for the Conservation of Antarctic Marine Living Resources, observing that Resolution Conf. 12.4 on *Cooperation between CITES and the Commission for the Conservation of Antarctic Marine Living Resources regarding trade in toothfish* encourages CCAMLR “to maintain a permanent flow of information to the Parties to CITES through the Conference of the Parties”.
- B. The Secretariat notes that as species of the genus *Dissostichus* are not included in the CITES Appendices, the Secretariat generally receives no information relating to these species, neither about legal nor illegal trade, nor fisheries management issues or other matters.
- C. The Secretariat would like to recall that Decisions 12.57 to 12.59, referred to in paragraph 3 of the present document, are no longer in effect. Also, by way of correction to paragraph 11, it should be noted that the United Republic of Tanzania is a long-standing Party to CITES, which ratified the Convention in 1979.
- D. The Secretariat supports the intention of the recommendation by the CCAMLR Secretariat in paragraph 16, and therefore recommends that the Conference of the Parties consider the adoption of the following draft decision:

Directed to the Secretariat

- 17.AA The Secretariat shall issue a Notification to the Parties requesting Parties that are involved in the harvest of or trade in toothfish, *Dissostichus* spp., and that are not cooperating with the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), to submit to the Secretariat a report on their implementation of Resolution Conf. 12.4. The Secretariat shall forward to the Secretariat of CCAMLR any information received in response to the Notification.
- E. The Secretariat wants to clarify that the Parties that are expected to respond to the Notification would be non-Contracting Parties of CCAMLR that were involved in trade in *Dissostichus* spp. over the past 10 years, (listed in paragraph 9 of the document), or that may have been engaged in the harvest of *Dissostichus* spp. (listed in paragraph 10 of the document).
- F. The Secretariat acknowledges the considerations in paragraph 17 of the document, and the invitation extended to CITES Parties to engage with CCAMLR. The suggested actions could provide further guidance on the collaboration between CCAMLR and CITES, and the Conference of the Parties may wish to consider whether some of these could be incorporated in Resolution 12.4. If this were the case, the Secretariat could be directed to collaborate with the Secretariat of CCAMLR to propose an appropriate amendment to the Resolution.
- G. In the second paragraph of the section *With regard to illicit trade in toothfish products* of Resolution Conf. 12.4, the Secretariat is requested “to transmit to the Secretariat of CCAMLR any information available on illicit trade in these species”. As mentioned above, as species of the genus *Dissostichus* are not included in the CITES Appendices, the Secretariat generally receives no information relating to these species, neither about legal nor illegal trade, nor fisheries management issues or other matters. Consequently, the CITES Secretariat has not been able to transmit any relevant information to the Secretariat of CCAMLR since the adoption of Resolution Conf. 12.4 in 2004.
- H. The Secretariat proposes to consult with the Secretariat of CCAMLR and with relevant organizations on the issues raised in paragraphs E and F above, and recommends that the Conference of the Parties consider adopting the following draft decision:

Directed to the Secretariat

- 17.BB The Secretariat shall consult with the Secretariat of CCAMLR and with relevant organizations regarding the provisions of Resolution Conf. 12.4, in particular those concerning the exchange of information between CITES and CCAMLR, and present its recommendations, including any proposals to amend the Resolution, to the Conference of the Parties at its 18th meeting.