

CONSERVATION MEASURES

9.1 All Conservation Measures adopted at CCAMLR-XIX are contained in Annex 6.

Timing of the Season for Longline Fishing

9.2 The Commission reviewed the timing of the seasons for longline fishing in light of information provided by ad hoc WG-IMALF in 2000 and endorsed by the Scientific Committee (SC-CAMLR-XIX, Annex 5, paragraphs 7.61 to 7.63). The Commission agreed that the timing of fishing seasons decided at CCAMLR-XVIII remained appropriate (CCAMLR-XVIII, paragraphs 9.3 and 9.4). Consequently, the fishing seasons for longlining in 2000/01 would be as follows:

- 1 December to 31 August in Subarea 88.1;
- 15 December to 31 August in Subarea 88.2;
- 1 April to 30 September in Division 58.4.2; and
- 1 May to 31 August in Divisions 58.4.1, 58.4.3, 58.4.4, 58.5.1, 58.5.2 and Subarea 58.6.

Review of Existing Conservation Measures

Lapsed Measures

9.3 Conservation Measures 150/XVIII, 172/XVIII¹, 174/XVIII, 175/XVIII, 176/XVIII, 177/XVIII, 178/XVIII, 179/XVIII, 181/XVIII, 182/XVIII^{1,2,3}, 183/XVIII, 184/XVIII, 185/XVIII, 186/XVIII, 187/XVIII, 188/XVIII³, 189/XVIII^{2,3}, 190/XVIII and 191/XVIII would lapse at the end of the period defined in each of these measures.

Measures remaining in Force

9.4 Conservation Measures 2/III⁴, 3/IV, 4/V, 5/V⁵, 6/V⁵, 7/V, 19/IX^{1,2}, 31/X^{1,2,3}, 40/X, 45/XIV, 61/XII, 63/XV, 65/XII^{1,2,3}, 72/XVII, 73/XVII, 95/XIV, 118/XVII, 119/XVII^{1,2,3}, 129/XVI, 146/XVII^{1,2}, 148/XVII, 160/XVII³, 171/XVIII, 173/XVIII^{1,2} and 180/XVIII remained in force.

¹ Except for waters adjacent to the Kerguelen Islands

² Except for waters adjacent to the Crozet Islands

³ Except for waters adjacent to the Prince Edward Islands

⁴ As amended by Conservation Measure 19/IX which came into force on 1 November 1991 except for waters adjacent to Kerguelen and Crozet Islands.

⁵ Conservation Measures 5/V and 6/V, which prohibit directed fishing for *Notothenia rossii* in Subareas 48.1 and 48.2 respectively, remain in force but are currently encompassed within the provisions in Conservation Measures 72/XVII and 73/XVII.

9.5 Resolutions 7/IX and 10/XII remained in force.

Revised Measures

9.6 Conservation Measures 18/XIII, 29/XVI^{1,2,3}, 32/X, 51/XII, 62/XI, 64/XII^{1,2,3}, 82/XIII, 106/XV, 121/XVI^{1,2,3}, 122/XVI^{1,2,3}, 147/XVIII^{1,2} and 170/XVIII were revised by the Commission. The revisions are detailed in paragraphs 9.7 to 9.19.

Catch Documentation Scheme for *Dissostichus* spp.

9.7 The Commission endorsed the recommendation of SCOI concerning the CDS, the amendments to Conservation Measure 170/XVIII and the Explanatory Memorandum (paragraph 5.20). Accordingly, the measure was revised and adopted as Conservation Measure 170/XIX.

Compliance with Conservation Measures

9.8 The Commission agreed to a revision of Conservation Measure 147/XVIII so that vessels known to be engaged in IUU fishing be denied port access, other than for emergency purposes. Accordingly, this measure was revised and adopted as Conservation Measure 147/XIX.

9.9 Argentina referred to the statement it made at least year's meeting (CCAMLR-XVIII, paragraph 5.37), and drew the Commission's attention to its statement in paragraph 5.22.

CEMP Sites

9.10 The Commission approved the minor technical revision of the management plans for both Cape Shirreff and Seal Islands, and the reorganisation of the CEMP conservation measures (paragraphs 4.12 and 4.13). Accordingly, Conservation Measures 18/XIII, 62/XI and 82/XIII were revised and adopted as Conservation Measures 18/XIX, 62/XIX and 82/XIX respectively.

Research Exemption

9.11 The Commission reviewed the research exemption defined in Conservation Measure 64/XII (paragraphs 4.24 to 4.27). It was agreed to add a catch limit to the taking of *Dissostichus* spp. by any type of fishing gear. Accordingly, this measure was revised and adopted as Conservation Measure 64/XIX.

Minimisation of Incidental Mortality of Seabirds

9.12 The Commission reviewed the elements of Conservation Measure 29/XVI which aimed to minimise the incidental mortality of seabirds in the course of longline fishing or longline fishing research (SC-CAMLR-XIX, paragraphs 4.41 and 4.42). It was agreed the line-weighting regime for the Spanish longline methods be revised also to include 8.5 kg/40 m. The Commission also agreed that vessels unable to process or retain offal on board, or discharge offal on the opposite side of the vessel, shall not be authorised to fish in the Convention Area. Accordingly, Conservation Measure 29/XVI was revised and adopted as Conservation Measure 29/XIX.

Data Reporting

9.13 The Commission noted the advice of the Scientific Committee regarding the overrun of the catch limit in the fishery for *C. gunnari* in Subarea 48.3 (SC-CAMLR-XIX, paragraph 2.12). The Commission accepted the seriousness of this situation and agreed that, in the future, vessels which failed to comply with the five-day catch and effort reporting system would be required to cease fishing. Accordingly, Conservation Measure 51/XII was revised and adopted as Conservation Measure 51/XIX.

9.14 The Commission amended conservation measures detailing the requirements for fine-scale catch and effort data and biological data so as to include fisheries using pots. Accordingly, Conservation Measures 121/XVI and 122/XVI were revised and adopted as Conservation Measures 121/XIX and 122/XIX respectively.

Euphausia superba

9.15 The Commission endorsed the new estimate of krill biomass in Area 48, the revised precautionary limit for Area 48, and the subdivision of this catch limit in Subareas 48.1, 48.2, 48.3 and 48.4 (paragraphs 4.16 and 4.17).

9.16 The Commission noted that the Scientific Committee had advised that an alternative to the existing trigger level (620 000 tonnes), the value above which the precautionary catch limit in Area 48 should be divided into smaller management units, was 1.0 million tonnes (paragraphs 10.9 to 10.12). However, there was no conclusion on the relationship between the value of the trigger level and the need to divide Area 48 into smaller management units. The Commission therefore agreed to retain the existing trigger level pending further review and advice from the Scientific Committee.

9.17 Accordingly, the Scientific Committee was requested to provide advice on appropriate trigger levels, on the determination of appropriate smaller management units for the krill fishery and on the level of information required from the krill fishery, including the submission of fine-scale data.

9.18 Accordingly, Conservation Measure 32/X was revised and adopted as Conservation Measure 32/XIX.

9.19 The Commission also endorsed the new estimate of krill biomass in Division 58.4.1 and the revised precautionary limit for that division (paragraph 4.18) and the subdivision of this catch limit (paragraph 10.13). Accordingly, Conservation Measure 106/XV was revised and adopted as Conservation Measure 106/XIX.

New Conservation Measures

Assessed Fisheries

Champscephalus gunnari

9.20 The Commission endorsed the Scientific Committee's advice on the trawl fishery for *C. gunnari* in Subarea 48.3 in the 2000/01 season (SC-CAMLR-XIX, paragraphs 5.78 to 5.80). This advice included setting the catch limit for *C. gunnari* at 6 760 tonnes, and closing the fishery in the whole of Subarea 48.3 from 1 March to 31 May 2001. Accordingly, the conservation measure for the trawl fishery for *C. gunnari* in Subarea 48.3 in the 2000/01 season was adopted as Conservation Measure 194/XIX.

9.21 The Commission endorsed the Scientific Committee's advice on the trawl fishery for *C. gunnari* on the Heard Island Plateau part of Division 58.5.2 in the 2000/01 season (SC-CAMLR-XIX, paragraphs 5.88 to 5.90). This advice included setting the catch limit for *C. gunnari* at 1 150 tonnes and allowing fishing from 1 December 2000 to 30 November 2001, or until the catch limit is reached, whichever is sooner. Accordingly, the conservation measure for the trawl fishery for *C. gunnari* on the Heard Island Plateau part of Division 58.5.2 in the 2000/01 season was adopted as Conservation Measure 195/XIX.

Dissostichus eleginoides

9.22 The Commission endorsed the Scientific Committee's advice on the longline fishery for *D. eleginoides* in Subarea 48.3 in the 2000/01 season (SC-CAMLR-XIX, paragraphs 5.48 to 5.50). This advice included setting the catch limit for *D. eleginoides* at 4 500 tonnes; allowing fishing from 1 May 31 August 2001, or until the catch limit is reached, whichever is sooner; and counting any catch of *D. eleginoides* taken in other fisheries in Subarea 48.3 against the catch limit for *D. eleginoides*.

9.23 The Commission also agreed that the measures for this fishery should be extended to include pot fishing for *D. eleginoides*. Fishing using pots could take place year-round, or until the catch limit is reached, whichever is sooner. It was also agreed that any crabs taken in the pot fishery for *D. eleginoides* should be counted against the catch limit for crabs in that subarea.

9.24 Accordingly, the conservation measure for the longline fishery for *D. eleginoides* in Subarea

48.3 in the 2000/01 season was adopted as Conservation Measure 196/XIX.

9.25 The Commission endorsed the Scientific Committee's advice on the trawl fishery for *D. eleginoides* in Division 58.5.2 in the 2000/01 season (SC-CAMLR-XIX, paragraph 5.63), including the catch limit of 2 995 tonnes. Accordingly, the conservation measure for the trawl fishery for *D. eleginoides* in Division 58.5.2 in the 2000/01 season was adopted as Conservation Measure 197/XIX.

Electrona carlsbergi

9.26 The Commission noted that no new advice was available from the Scientific Committee on the trawl fishery for *E. carlsbergi* in Subarea 48.3 in the 2000/01 season (SC-CAMLR-XIX, paragraph 5.101). Accordingly, the elements of Conservation Measure 174/XVIII were carried forward to the 2000/01 season, and Conservation Measure 199/XIX was adopted.

By-catch Species

9.27 The Commission noted the general advice of the Scientific Committee, including the urgent need to quantify catches of by-catch taken in the Convention Area (SC-CAMLR-XIX, paragraphs 5.107 and 5.108). Most by-catch elements of conservation measures in force in 1999/2000 were carried forward to the 2000/01 season.

9.28 In addition, limitations on the taking of by-catch in Division 58.5.2 were maintained for the 2000/01 season. Accordingly, the elements of Conservation Measure 178/XVIII were carried forward to the 2000/01 season and Conservation Measure 198/XIX was adopted.

9.29 The Commission also revised the by-catch catch limits in the exploratory fisheries for *Dissostichus* spp. (see below), and a new measure was introduced to limit the taking of by-catch in Divisions 58.4.1, 58.4.2 and 58.4.3. This new measure was adopted as Conservation Measure 201/XIX.

9.30 For by-catch catch limits with respect to developed longline fisheries for toothfish, it was noted that:

- (i) SC-CAMLR-XVII produced management advice on general provisions for by-catch in paragraphs 5.110 to 5.123. This arose from discussions on by-catch in exploratory fisheries, consideration of past assessments in Division 58.5.2 and discussion on how to manage by-catch of species for which no assessments had been made. In essence this advice was that:
 - (a) the mixed strategy for protecting by-catch species, the setting of overall catch limits as well as ensuring that localised depletion is unlikely to occur, should be retained as a general policy;
 - (b) the measures for by-catch species already specified in conservation measures

for Subarea 48.3 be continued;

- (c) by-catch catch limits for *Channichthys rhinoceratus* and *Lepidonotothen squamifrons* in Division 58.5.2 be set at the assessed levels; and
 - (d) for any by-catch species for which there is no explicit catch limit, that a scheme, as set out in SC-CAMLR-XVII, paragraph 5.115, be applied.
- (ii) Since then, no advice from the Scientific Committee has addressed the issue of by-catch in the developed fishery for *Dissostichus* spp. in Subarea 48.3, other than as already provided for under Conservation Measure 95/XIV.
- (iii) The particular by-catch catch limits which may be appropriate for new and exploratory fisheries, characterised by single-vessel operation, low catch limits and short duration of fishing, may be inappropriate for developed fisheries which are characterised by multi-vessel operations, high catch limits and consequential long duration fishing operations. By-catch limits have been applied in such a trawl fishery in Division 58.5.2 for several years.
- (iv) This year's report of WG-FSA, endorsed by the Scientific Committee, specifically addresses the topic of by-catch of skates and rays in Subarea 48.3, on the basis of extensive research by the UK (SC-CAMLR-XIX, Annex 5, paragraphs 3.99 to 3.187 and 4.261 to 4.263). WG-FSA established an intersessional group to collate relevant data to address the urgent need for calculation and presentation of by-catch rates in longline (and trawl) fisheries (SC-CAMLR-XIX, Annex 5, paragraph 4.269).

9.31 Australia noted that the Commission and Scientific Committee have considered general by-catch provisions since 1997 (SC-CAMLR-XVI, paragraphs 5.144 to 5.149; SC-CAMLR-XVII, paragraphs 5.119 to 5.123). Australia is concerned at the high mortality rates of skates and rays in longline fisheries and that management of these species requires urgent attention. Australia welcomed initiatives to obtain data for assessments of by-catch species, particularly for *Macrourus* spp. and elasmobranchs. In 1998 the Commission endorsed the by-catch principles for new and exploratory fisheries (SC-CAMLR-XVII, paragraph 4.23). It also applied the advice on general by-catch provisions to the developed trawl fishery in Division 58.5.2. This resulted in a reduction of the by-catch catch limit for skates and rays from 120 tonnes to 50 tonnes, given the uncertainty in the assessment for skates and rays. Australia endorsed the precautionary approach of the Commission in applying the advice of the Scientific Committee for by-catch species to assessed and new and exploratory fisheries.

9.32 Australia requested the Commission to remind technical coordinators of scientific observers to take particular notice of the obligation to report by-catches, especially of skates and rays.

9.33 The Commission agreed that the by-catch of skates and rays in longline fisheries needs urgent assessment and requested advice on this for its next meeting in order to provide the foundation for conservation measures on these species.

9.34 In the meantime, in order to be able to address potential by-catch problems in all parts of the

Convention Area, it was agreed that some interim limitation on by-catch of fish species, additional to those currently specified in Conservation Measure 95/XIV, should relate to Subarea 48.3.

9.35 As an interim measure and until the Scientific Committee can provide detailed advice, most Members agreed that in Subarea 48.3 the by-catch of macrourids, and the category of skates and rays should be limited to 200 tonnes for each category, for each *Dissostichus* spp. fishery operating in the subarea.

9.36 Some Members were unable to accept the insertion of a specific by-catch catch limit for macrourids, skates and rays of 200 tonnes for each category into Conservation Measure 95/XIV this year without any scientific evidence and advice from the Scientific Committee. However, they fully understood the importance of a precautionary approach under the ecosystem management and are ready to discuss this further at next year's meeting of WG-FSA. Consequently, the Commission agreed that Conservation Measure 95/XIV remained in force.

9.37 The Commission noted its agreement to apply by-catch catch limits for finfish species based on the recommendations of the Scientific Committee for general by-catch provisions (CCAMLR-XVII, paragraph 10.14). This year the Commission noted that provisions for research in exploratory fisheries for *Dissostichus* spp. could result in this by-catch catch limit being reached before commercial exploration can be undertaken. This is because of the potential for large numbers of vessels entering a statistical area being required to fish in unknown areas that could have high by-catch rates, particularly of macrourids, skates and rays.

9.38 In recognition of this, the Commission agreed that the approach for this year in exploratory fisheries that involve research requirements on *Dissostichus* spp., as well as conservation of by-catch species, would be to adopt a by-catch catch limit for species in each SSRU. The Commission recognised that the SSRUs vary greatly in size across statistical areas and that larger SSRUs are more likely to sustain higher levels of by-catch. As an interim measure the Commission agreed that smaller SSRUs should be assigned a by-catch of 20 tonnes per species and the larger SSRUs in Subareas 48.6 and 88.1 should be assigned a by-catch of 50 tonnes.

9.39 The Commission agreed that this is only an interim measure pending evaluation of catch statistics and other information, as available, by the Scientific Committee next year. This alteration of the general by-catch rules aims to protect against localised depletion. Measures to ensure the long-term status of by-catch species is an issue for urgent attention by the Scientific Committee. The Commission requests the Scientific Committee to provide advice on this issue as well as to the following questions:

- (i) How might the general by-catch provisions (CCAMLR-XVII, paragraph 10.14) be best modified to take account of different sized SSRUs and statistical areas in order that the principles concerning avoidance of localised depletion and the maintenance of long-term status of the by-catch species be achieved?
- (ii) In this regard, how might a balance be achieved between research requirements and commercial activities?

Exploratory Fisheries for *Dissostichus* spp.

General Measure

9.40 The Commission endorsed the Scientific Committee's advice on exploratory fisheries for *Dissostichus* spp. (section 7 and SC-CAMLR-XIX, section 10).

9.41 The Commission updated the general measure for exploratory fisheries for *Dissostichus* spp. in light of the advice of the Scientific Committee, and further discussions during the Commission meeting. Accordingly, Conservation Measure 200/XIX was adopted. This measure included changes to the research plan (SC-CAMLR-XIX, paragraph 9.12) and by-catch catch limits, detailed in the paragraphs above.

9.42 The Commission agreed that proposals for new or exploratory fisheries with specific research plans endorsed by the Scientific Committee can be exempted from the general research requirements under Conservation Measure 200/XIX. The rationale for this exemption is detailed below.

9.43 Noting the Commission has previously adopted research plans in Conservation Measures 185/XVIII and 186/XVIII for trawl fisheries in Divisions 58.4.1, 58.4.2 and 58.4.3, and noting the endorsement by the Scientific Committee of plans for these areas for the coming season (SC-CAMLR-XIX, paragraphs 9.11 and 9.15), the Commission endorsed the exemption for these fisheries from the general research provisions of Conservation Measure 200/XIX. The Commission noted that the exemptions to Conservation Measure 200/XIX are in force for the 2000/01 season only.

9.44 The Commission noted that for new or exploratory fisheries to be exempted from general research requirements adopted by the Commission, alternative research plans need to be submitted with the notification under Conservation Measures 31/X and 65/XII, and then reviewed and adopted by the Scientific Committee.

9.45 The Commission requested that the Scientific Committee and WG-FSA provide advice on the ability of the proposed research plan, relative to Conservation Measure 200/XIX and other previously approved conservation measures with research plans, to provide information on abundance and productivity of target species, and, where relevant, important by-catch species, and other information that could assist in the management of a continuing fishery.

Exploratory Fisheries

9.46 The Commission adopted 10 conservation measures for exploratory fisheries for *Dissostichus* spp. in 2000/01 (Table 2). The timing of the fishing seasons, and catch limits for target species and by-catch species were based on the Commission's deliberations detailed in preceding paragraphs. With the exception of developments in the exploratory fishery in Subarea 88.1, and specific research plans endorsed by the Scientific Committee for Divisions 58.4.1, 58.4.2 and 58.4.3, the adopted conservation measures followed the general format of similar measures in force in the 1999/2000 season.

Table 2: Adopted conservation measures for exploratory fisheries for *Dissostichus* spp. in 2000/01.

CM	Region	Fishing Gear	Member Countries	Fishing Season		Catch Limit (tonnes)
202/XIX	48.6	Longline	Argentina Brazil South Africa	N of 60°S S of 60°S	1 Mar to 31 Aug 2001 15 Feb to 15 Oct 2001	455 455
203/XIX	BANZARE Bank	Trawl	Australia		1 Dec 2000 to 30 Nov 2001	150
204/XIX	BANZARE Bank*	Longline	Argentina France		1 May to 31 Aug 2001	300
205/XIX	Elan Bank	Trawl	Australia		1 Dec 2000 to 30 Nov 2001	145
206/XIX	Elan Bank*	Longline	Argentina France		1 May to 31 Aug 2001	250
**	58.4.2	Longline	Argentina**	S of 64°S	1 April to 30 Sep 2001	500
207/XIX	58.4.2	Trawl	Australia	S of 64°S	1 Dec 2000 to 30 Nov 2001	500
208/XIX	58.4.4	Longline	Argentina Brazil France South Africa Ukraine Uruguay	N of 60°S	1 May to 31 Aug 2001	370
209/XIX	58.6*	Longline	Argentina France South Africa		1 May to 31 Aug 2001	450
210/XIX	88.1	Longline	Argentina** New Zealand South Africa Uruguay	N of 65°S S of 65°S	1 Dec 2000 to 31 Aug 2001 1 Dec 2000 to 31 Aug 2001	175 1 889
211/XIX	88.2	Longline	Argentina** South Africa Uruguay	S of 65°S	15 Dec 2000 to 31 Aug 2001	250

* Outside areas of national jurisdiction

** See paragraph 7.13

9.47 The Commission noted that BANZARE Bank is defined as waters within the latitudes 55°S and 64°S and longitudes 73°30'E and 89°E. This bank straddles Divisions 58.4.1 and 58.4.3. Elan Bank is defined as waters within the latitudes 55°S and 62°S and longitudes 60°E and 73°30'E in Division 58.4.3. The Commission requested that the Scientific Committee review the definition of the divisions in this region.

9.48 The Commission endorsed the Scientific Committee's advice on the longline fishery for *D. mawsoni* in Subarea 88.1 (SC-CAMLR-XIX, paragraphs 9.19 to 9.24). Earlier in the meeting, the Commission had agreed to a discount factor of 0.5, leading to a catch limit of 1 889 tonnes of *D. mawsoni* in Subarea 88.1 south of 65°S.

9.49 The Commission noted the concern of New Zealand in respect of Subarea 88.1 expressed during the meeting (paragraphs 2.5, 7.15 and 7.16). It was agreed that three New Zealand, two South African and one Uruguayan-flagged vessels would be allowed to operate in this fishery. Further, New Zealand, South Africa and Uruguay agreed to conduct the experimental line-weighting trials which had been approved by the Scientific Committee (SC-CAMLR-XIX, paragraph 4.41). All three Members were encouraged to collaborate in these trials and, if possible, obtain comparative data from autolines and Spanish-type longlines.

9.50 The Commission agreed that vessels seeking an exemption to night setting, as defined in paragraph 3 of Conservation Measure 29/XIX, would need to demonstrate a consistent minimum line sink rate of 0.3 m/s when setting longlines south of 65°S. Further, any vessel catching a total of three seabirds shall immediately revert to night setting.

9.51 The Commission also recommended that Members intending to participate in the longline fishery for *D. mawsoni* in Subarea 88.1 coordinate their fishing plans in order to obtain the maximum amount of data of the target species, as well as the by-catch species. This activity would accord with the aims of the Commission and the Scientific Committee.

9.52 Accordingly, the measure for the longline fishery for *D. mawsoni* in Subarea 88.1 in the 2000/01 season was adopted as Conservation Measure 210/XIX.

9.53 The Commission noted the advice of the Scientific Committee (SC-CAMLR-XIX, paragraph 9.17) relating to the practical problems arising when there are multiple exploratory fisheries operating in a subarea or division, and that Conservation Measure 200/XIX requires that fishing in any fine-scale rectangle shall cease when the reported catch reaches 100 tonnes, and that only one vessel at a time may fish in any fine-scale rectangle.

9.54 The Commission noted that in principle, the presence of VMS on each vessel allows accurate monitoring of vessel position and urged Members to cooperate together to make arrangements between themselves to coordinate this information in order to prevent either overshooting of target catches or non-compliance with Conservation Measure 200/XIX.

9.55 The Commission noted the study under way in Subarea 88.1 directed not only at *D. mawsoni*, the target species, but also at skates, a significant component of the by-catch, and encouraged other participants in the fishery in Subarea 88.1 to undertake similar tagging studies.

9.56 In the interests of clarity, South Africa wished to indicate that it will issue permits to a total of only four vessels for all the areas subject to its notification for exploratory fishery in 2000/01 (including the two vessels in Subarea 88.1). As a consequence, there will be no increased effort above that involving South African vessels over the past three years.

9.57 New Zealand noted in the interests of clarity that prior notification of vessels was required in accordance with Conservation Measure 65/XII, paragraph 2(vii).

9.58 With reference to the application of Conservation Measure 65/XII South Africa (as has been its practice throughout its commitment to CCAMLR) sees itself bound by the provisions of this measure. However, in South Africa's view, conditions for notification for exploratory fisheries under

Conservation Measure 65/XII, paragraph 2(vii), may require further reflection. In this respect, the requirement to nominate specific vessel details subject to Conservation Measure 65/XII, paragraph 2(vii), in advance of a decision by the Commission, may prove problematic when the commencement of the fishing season follows closely to the end of a Commission meeting. Therefore, South Africa requests a review of Conservation Measure 65/XII at the Commission's next meeting and recognises that such a review will constitute an essential element on the ongoing debate concerning a unified regulatory framework.

9.59 New Zealand noted that until any review was completed concerning the application of Conservation Measure 65/XII, the requirement in paragraph 2(vii) to register vessel details with the CCAMLR Secretariat at least three months in advance of starting fishing each season was a clear legal obligation on all Members participating in an exploratory fishery.

9.60 The Commission endorsed the recommendation of the Scientific Committee regarding the closure of various areas to directed fishing on *Dissostichus* spp. (SC-CAMLR-XIX, paragraph 9.40). Accordingly, Conservation Measure 192/XIX was adopted to prohibit directed fishing on *Dissostichus* spp. in Subarea 48.5, Divisions 58.4.1 (except BANZARE Bank), 58.4.2 north of 64°S (except BANZARE Bank) and 58.5.1 and longline fishing areas in Division 58.5.2.

9.61 The Commission agreed to adopt a complementary measure, Conservation Measure 193/XIX, to prohibit directed fishing on *Dissostichus* spp. except in accordance with specific conservation measures in the 2000/01 season.

9.62 With respect to the exploratory fishery in Division 58.4.4 (Conservation Measure 208/XIX), the Commission noted that, according to Conservation Measure 200/XIX, data relating to that fishery must be submitted to the Secretariat by 30 September 2001, before the 2001 meeting of WG-FSA. This would allow the Working Group to carry out an assessment. The Commission further considered that, in accordance with Conservation Measure 65/XII, paragraph 2(v), failure by a vessel participating in the exploratory fishery in Division 58.4.4 to report data by the deadlines specified in Conservation Measure 200/XIX will mean that further notification for exploratory fishing involving that vessel would not be considered until the relevant data have been submitted to CCAMLR, and the Scientific Committee has been allowed an opportunity to review the data, with the exception of documented *force majeure* circumstances as notified by the Flag State concerned.

Other Fisheries

Chaenodraco wilsoni and Other Species

9.63 The Commission noted the Scientific Committee's advice on the trawl fishery for *C. wilsoni*, *Lepidonotothen kempfi*, *Trematomus eulepidotus* and *Pleuragramma antarcticum* in Division 58.4.2 in the 2000/01 season (SC-CAMLR-XIX, paragraph 9.45). The Commission agreed that this fishery should now be considered as an exploratory fishery, and that the elements of Conservation Measure 186/XVIII should be carried forward to the 2000/01 season. Accordingly, Conservation Measure 212/XIX was adopted.

Martialia hyadesi

9.64 The Commission agreed that the existing management regime for the exploratory jig fishery for *M. hyadesi* in Subarea 48.3 be maintained for the 2000/01 fishing season (SC-CAMLR-XIX, paragraph 5.119). Accordingly, Conservation Measure 213/XIX was adopted.

Paralomis spp.

9.65 The Commission endorsed the utility of the experimental harvest regime for the pot fishery for crab in Subarea 48.3, as set out in Conservation Measure 150/XVIII for the 1999/2000 season. The Commission agreed that the existing catch limits for this fishery, as set out in Conservation Measure 181/XVIII, be maintained for the 2000/01 fishing season (SC-CAMLR-XIX, paragraphs 5.113 to 5.116). Accordingly, the elements of Conservation Measures 150/XVIII and 181/XVIII were carried forward to the 2000/01 season and adopted in Conservation Measures 214/XIX and 215/XIX respectively.

9.66 The Commission noted that experimental harvest for crabs in Subarea 48.3 may result in significant levels of by-catch of *D. eleginoides*. It was agreed that these catches should be counted against the catch limit for *D. eleginoides* in Subarea 48.3 (SC-CAMLR-XIX, paragraph 8.6).

9.67 The Commission also noted that the UK, Uruguay and the USA planned to fish for crab species in Subarea 48.3 during the 2000/01 season. Conservation Measure 214/XIX requires that all vessels carry out the experimental harvest regime. The Commission noted that the US-flagged vessel notified for this fishery had already fulfilled the requirement set out in this conservation measure. However, the other vessels notified in this fishery would need to complete the experimental harvest regime.

Other Measures and Related Matters

9.68 The Commission discussed options for the sale or disposal of a catch or shipment of *Dissostichus* spp. This matter is reported in paragraphs 5.25 to 5.31.

9.69 The Commission adopted four resolutions (paragraphs 5.20(iii), 5.32 and 5.41):

- 13/XIX – Flagging and Licensing of Non-Contracting Party Vessels;
- 14/XIX – Implementation by Acceding States and Non- Contracting Parties;
- 15/XIX – Use of Ports not Implementing the Catch Documentation Scheme for *Dissostichus* spp.; and
- 16/XIX – Application of VMS in the Catch Documentation Scheme.

9.70 The Commission's discussions pertaining to these resolutions are reported in section 5.

General

9.71 Australia wished to advise the Commission that, for conservation measures, allowing any fishing or fishery research activities in those parts of Divisions 58.4.3 and 58.5.2 which constitute the Australian EEZ around the Australian territory of Heard Island and the McDonald Islands must have the prior approval of Australian authorities. The Australian EEZ extends up to 200 n miles from the territory. Australia regards unauthorised fishing in its waters as a serious matter that undermines efforts to ensure that fishing occurs only on an ecologically sustainable basis. Australia seeks the assistance of other CCAMLR Members in ensuring their nationals are aware of the boundaries of the Australian EEZ and the need for prior permission to fish there. Australia has implemented strict controls to ensure that fishing in its EEZ occurs only on a sustainable basis. These controls include a limit on the number of fishing concessions issued. Presently, fishing concessions are fully subscribed. Any enquiries about fishing in the Australian EEZ should be made initially to the Australian Fisheries Management Authority. As Australia advised the Commission in 1999, Australia has amended its legislation to provide increased penalties for fishing illegally in Australia's EEZ, including the immediate forfeiture of foreign vessels found engaged in such activities, and operates regular fishery enforcement patrols in the region.

9.72 The Commission recognised that the suite of conservation measures that it regularly reviews and adopts has become large and extremely complex in recent years. The Commission agreed that there was considerable merit in reviewing the structure of the conservation measures and their presentation and remitted the task to an intersessional group including the Secretariat.