

## CONSERVATION MEASURES

9.1 Conservation Measures adopted at CCAMLR-XX are included in the *Schedule of Conservation Measures in Force 2001/02*.

9.2 The Commission agreed that, as in previous years, the full text of the conservation measures and resolutions adopted at its meeting, together with measures and resolutions remaining in force, would be published immediately after CCAMLR-XX in the *Schedule of Conservation Measures in Force in 2001/02*.

9.3 Given this usual practice, the Commission agreed that it would not be necessary to include the full text of the conservation measures and resolutions adopted at CCAMLR-XX in the final version of its report. However, during the interim period between the adoption of the report and its publication, the Commission agreed that the full text of the conservation measures and resolutions adopted at the meeting would be appended to the pre-publication version of its report.

9.4 New conservation measures dealing with fisheries, along with the revised measure for the krill fishery in Division 58.4.2, were drafted in the new format adopted by the Commission (see paragraphs 10.4 to 10.8). With the aim of further simplifying the presentation of the measures, the Commission requested that the Secretariat review in 2001/02 the numbering system used for conservation measures along with the sequence in which measures and resolutions were presented in the annual publication.

9.5 The UK drew attention to the inclusion in paragraphs 16 and 17 of Conservation Measure 236/XX of conditions drawn from the Protocol of Environmental Protection to the Antarctic Treaty 1991 and MARPOL, even though all Members to which the measure will apply were already bound by the two treaties. Even if in the future a new Member were not so bound, the Commission needs to consider carefully whether it is necessary or desirable to import such provisions into conservation measures. Instead, the Commission might consider encouraging those Members who are not yet Parties to the Environmental Protocol or MARPOL to become parties to both and, until they do, to require (perhaps by licence conditions) their flag vessels fishing in the Convention Area to conform to the relevant provisions of the two treaties. The UK suggested that CCAMLR-XXI might consider adopting a resolution to this effect.

### Review of Existing Conservation Measures

#### Lapsed Measures

9.6 Conservation Measures<sup>1</sup> 192/XIX, 193/XIX, 194/XIX, 195/XIX, 196/XIX, 197/XIX, 198/XIX, 199/XIX, 200/XIX, 201/XIX, 202/XIX, 203/XIX, 204/XIX, 205/XIX, 206/XIX, 207/XIX, 208/XIX, 209/XIX, 210/XIX, 211/XIX, 212/XIX, 213/XIX, 214/XIX and 215/XIX would lapse at the end of the period defined in each of these measures.

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<sup>1</sup> Reservations to these measures are given in the *Schedule of Conservation Measures in Force in 2000/01*.

### Measures remaining in Force

9.7 Conservation Measures<sup>1</sup> 2/III, 3/IV, 4/V, 5/V, 6/V, 7/V, 18/XIX, 19/IX, 29/XIX, 31/X, 32/XIX, 40/X, 51/XIX, 61/XII, 62/XIX, 63/XV, 64/XIX, 65/XII, 72/XVII, 73/XVII, 82/XIX, 95/XIV, 106/XIX, 121/XIX, 122/XIX, 129/XVI, 146/XVII, 147/XIX, 160/XVII, 171/XVIII, 173/XVIII and 180/XVIII remained in force.

9.8 In carrying forward Conservation Measure 29/XIX, the Commission noted its decisions designed to achieve improved compliance with this measure (paragraphs 6.18 and 6.19).

9.9 Resolutions 7/IX, 10/XII, 13/XIX, 14/XIX, 15/XIX and 16/XIX remained in force. The Commission agreed to review Resolution 7/IX (Driftnet Fishing in the Convention Area) at its 2002 meeting.

### Revised Measures

9.10 Conservation Measures<sup>1</sup> 45/XIV, 118/XVII, 119/XVII, 148/XVII and 170/XIX were revised by the Commission. The revisions are detailed in the following section.

### CDS and Other Enforcement-related Measures

9.11 The Commission endorsed the recommendation of SCOI concerning the revision of the CDS and the amendments to Conservation Measure 170/XIX (paragraph 5.43). Accordingly, the measure was revised and adopted as Conservation Measure 170/XX.

9.12 The Commission noted that Russia had agreed with the proposed revised text of paragraph 14 of Conservation Measure 170/XX subject to its later revision in the light of establishment of the web-based paperless catch documents issuing system which would necessitate a much greater role of the Secretariat in issuing documents and facilitating exchange of information between CDS parties which is required for the verification of catch documents.

9.13 The Commission endorsed the recommendation of SCOI to enhance cooperation between CCAMLR and non-Contracting Parties (Conservation Measure 118/XVII) (paragraph 5.30). Accordingly, this measure was revised and adopted as Conservation Measure 118/XX.

9.14 The Commission also endorsed the recommendations of SCOI regarding Conservation Measures 119/XVII and 148/XVII (paragraph 8.6). Accordingly, the revised measures were adopted as Conservation Measures 119/XX and 148/XX.

*Euphausia superba*

9.15 The Commission agreed to revise the fishing season for krill in Division 58.4.2 so as to bring it into line with that of other krill fisheries in the Convention Area. Consequently, the season in Conservation Measure 45/XIV was revised to 1 December to 30 November of the following year, and this measure was adopted as Conservation Measure 45/XX.

9.16 Australia noted that a number of issues regarding conservation measures for the krill fishery had been discussed during the meeting. It also noted that catch limits for small-scale management areas need to be in place in Area 48 by the time the trigger level of 620 000 tonnes is reached. Australia considered that this catch level signals when monitoring of the fishery will need to be fully established in order that routine assessments can be undertaken by the Scientific Committee. In that context, Australia requested that the Commission consider the implementation of conservation measures for krill fisheries regarding VMS, the presence of observers on krill fishing vessels and routine reporting of catch and effort data at its next meeting such that they be in place by the time the trigger levels are reached.

9.17 Japan made the following statement:

‘Consideration of the possible introduction of the measures noted by Australia must be based on the current status of the fishery and the necessity for such measures. It is apparent that there is still a vast margin between the actual catch (approximately 100 000 tonnes for 2000/01) and the precautionary catch level (4.0 million tonnes), or even the trigger level (620 000 tonnes). Japan does not deny the possibility that the catch level could reach the trigger level in the future, however this is unlikely to happen in the near future. In this situation, for the krill fishery, there is no incentive to make a false report.

For the data collection and analysis, Japan has been voluntarily providing finer-scale data (10 n miles x 10 n miles x 10 days) to the Commission for many years. Japan is also regularly providing the fishing positions accumulated by 10-day period to the WG-EMM meeting. Moreover, it is possible for the government to track the vessels using the vessels’ daily reports. For the placement of observers, Japan has been continuing the practice to carry international observers on a voluntary basis, and is willing to continue this practice in the future. Krill fishery is also well known as a ‘clean’ fishery in terms of by-catch. Therefore, Japan does not think it is appropriate to apply additional measures of data submissions and a VMS system to krill fisheries.

The data accumulated by the Commission to date should be analysed and evaluated before additional data are requested.

In conclusion, it would not be acceptable to Japan that the data collection is requested for the sake of collection of data, although Japan respects outcomes from scientific work.’

## New Conservation Measures

### Fishing Season

9.18 The Commission noted that, for the first time, all fishery conservation measures in the forthcoming season will be in force for the period 1 December 2001 to 30 November 2002. The Commission adopted Conservation Measure 217/XX defining this uniform fishing season.

### Assessed Fisheries

#### *Champscephalus gunnari*

9.19 Argentina noted that the Scientific Committee had endorsed the findings of WG-FSA in the context of Article II of the Convention that populations of *C. gunnari* are depleted throughout the Convention Area and that changes in the ecosystem may have occurred which cannot be reverted in 20 or 30 years (SC-CAMLR-XX, paragraphs 5.55 and 5.57). Argentina also recalled other elements of Article II: the need to provide for a stable recruitment and to restore depleted populations.

9.20 Consequently, Argentina proposed that the same degree of protection be afforded to *C. gunnari* as that granted by the Commission in 1985 (CCAMLR-IV) to *Notothenia rossii* when the fishery for that species was closed throughout the Convention Area.

9.21 The UK, supported by Russia, pointed out that neither WG-FSA nor the Scientific Committee had made any reference to the status of *C. gunnari* stocks, except to indicate their dynamic nature. There was no indication whatsoever that they were depleted throughout the Convention Area.

9.22 The ecosystem changes referred to by Argentina related to such general matters as sea-ice extent, mean air temperature and changes to seal and seabird populations at South Georgia. None of these changes had been generated by the icefish fishery.

9.23 The UK noted that WG-FSA and the Scientific Committee had paid particular attention to *C. gunnari* during 2001, especially in convening WAMI. The advice of the Scientific Committee and WG-FSA had been unanimous in respect of management of this species, and, as Australia had indicated, there was already a full program of work before the Scientific Committee on this species.

9.24 The Chair of the Scientific Committee confirmed that neither the Scientific Committee nor WG-FSA had made any reference to depletion of *C. gunnari* stocks.

9.25 Argentina pointed out that if a 'recovery' is expected as in paragraph 5.57 of the Scientific Committee report, it obviously means that the stock is below a desirable level. In the view of Argentina, current management methods for this species provide for its

rational use but not for the recovery of the stocks. As this question implies a definition of management objectives, a decision should be made by the Commission.

9.26 The Commission noted with concern that in trawl fishing for *C. gunnari* in Subarea 48.3 in 2000/01, 132 seabirds were entangled, with at least 92 fatally. This represented a total of three times the estimated total seabird by-catch mortality for all regulated longline fishing in that subarea in 2001 (SC-CAMLR-XX, Annex 5, paragraphs 8.5, 8.6 and 8.18).

9.27 The Commission endorsed the Scientific Committee's advice on the trawl fishery for *C. gunnari* in Subarea 48.3 in the 2001/02 season (SC-CAMLR-XX, paragraphs 5.76 to 5.81). This advice included setting the catch limit for *C. gunnari* at 5557 tonnes, allowing limited fishing during the spawning period (1 March to 31 May), setting a limit to the total number of seabirds that may be accidentally caught during fishing, and conducting fishery-based research during the spawning season. Accordingly, the conservation measure for the trawl fishery for *C. gunnari* in Subarea 48.3 in the 2001/02 season was adopted as Conservation Measure 219/XX.

9.28 The Commission agreed that mitigation measures, similar to those in use in New Zealand domestic trawl fisheries, be tested on vessels trawl fishing for *C. gunnari* in Subarea 48.3 in 2001/02 (SC-CAMLR-XX, paragraph 4.80(ii)).

9.29 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 2001/02 season (SC-CAMLR-XX, paragraphs 5.87 to 5.89). This advice included setting the catch limit for *C. gunnari* at 885 tonnes and allowing fishing from 1 December 2001 to 30 November 2002, 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 2001/02 season was adopted as Conservation Measure 220/XX.

#### *Dissostichus eleginoides*

9.30 The Commission endorsed the Scientific Committee's advice on the longline fishery for *D. eleginoides* in Subarea 48.3 in the 2001/02 season (SC-CAMLR-XX, paragraphs 5.35, 5.36 and 5.103). This advice included setting the catch limit for *D. eleginoides* at 5820 tonnes; allowing fishing from 1 May to 31 August 2002, or until the catch limit is reached, whichever is sooner; counting any catch of *D. eleginoides* taken in other fisheries in Subarea 48.3 against the catch limit for *D. eleginoides*; and limiting the by-catch of skates and rays and *Macrourus* spp.

9.31 The Commission also agreed that the measures for this fishery should continue 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.

9.32 Accordingly, the conservation measure for the longline fishery for *D. eleginoides* in Subarea 48.3 in the 2001/02 season was adopted as Conservation Measure 221/XX.

9.33 The Commission endorsed the Scientific Committee's advice on the trawl fishery for *D. eleginoides* in Division 58.5.2 in the 2001/02 season (SC-CAMLR-XX, paragraphs 5.41 to 5.45), including the catch limit of 2815 tonnes. Accordingly, the conservation measure for the trawl fishery for *D. eleginoides* in Division 58.5.2 in the 2001/02 season was adopted as Conservation Measure 222/XX.

9.34 Australia wished to advise the Commission that any fishing or fishery research activities in those parts of Divisions 58.4.3a,b 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 limits 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. Australia has legislation to provide for large 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. Any enquiries about fishing in the Australian EEZ should be made initially to the Australian Fisheries Management Authority.

#### *Electrona carlsbergi*

9.35 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 2001/02 season. The last assessment conducted for this fishery was in 1994, based on survey data collected in the late 1980s. Further, no fishing had been reported since 1992.

9.36 Since that time, acoustic technology had greatly improved and the comprehensive CCAMLR-2000 Survey had been undertaken. Consequently, the Commission requested that the Scientific Committee provide advice next year on the status of the assessment of this species in Subarea 48.3, the role of myctophids in the ecosystem in that area and future approaches to the management of this fishery.

9.37 Recognising that the current management of this fishery includes a catch limit for *E. carlsbergi* of 14 500 tonnes in a small-scale management unit in the region of Shag Rocks, and a fishery-based research component when the catch of *E. carlsbergi* reaches 20 000 tonnes, the Commission agreed to carry forward the elements of Conservation Measure 199/XIX for one more season. Conservation Measure 223/XX was adopted for the 2001/02 season.

9.38 The Commission agreed to review the management of this fishery at its 2002 meeting in the light of updated advice from the Scientific Committee.

#### By-catch Species

9.39 The Commission endorsed the Scientific Committee recommendation that interim precautionary measures should be adopted for the forthcoming year to place upper limits on the by-catch of *Macrourus* spp. and skates and rays, and reduce the potential for local depletion of these species groups.

9.40 With respect to *Macrourus* spp. and skates and rays, the Commission agreed that if any vessel catches more than 1 tonne of a by-catch species in a longline set or haul, it should be required to move its fishing position (defined as the midpoint of the set or haul) by at least 5 n miles. It should not return to the position of the high by-catch to fish within five days. For the purposes of this recommendation, 'by-catch' refers to *Macrourus* spp. and skates and rays. '*Macrourus* spp.' and 'skates and rays' should each be counted as a single species.

9.41 For the longline fishery in Subarea 48.3, an interim precautionary by-catch limit for *Macrourus* spp. and skates and rays should be set at 5% for each by-catch species group of the catch limit of the target species, or 50 tonnes, whichever is the greater.

9.42 The upper limit on by-catch of *Macrourus* spp. in exploratory fisheries is recommended to be 100 tonnes in small-scale research units (SSRUs) (as defined in Table 1 and Figure 1 of Annex 227/B to Conservation Measure 227/XX) in Subarea 48.6, Division 58.4.2 and Subarea 88.1 south of 65°S, and on BANZARE Bank (Division 58.4.3b), and 40 tonnes in all other SSRUs.

9.43 Existing by-catch measures for species other than *Macrourus* spp. and skates and rays should remain in force.

9.44 General measures dealing with the limitation of by-catch were adopted as Conservation Measures 224/XX (Division 58.5.2) and 228/XX (new and exploratory fisheries). An upper limit on the by-catch of *Macrourus* spp. and skates and rays was also specified in Conservation Measure 221/XX (longline fishery in Subarea 48.3).

#### General Measure for Exploratory Fisheries for *Dissostichus* spp.

9.45 The Commission endorsed the Scientific Committee's advice on exploratory fisheries for *Dissostichus* spp. (SC-CAMLR-XX, section 9).

9.46 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. This measure included changes to the research plan (SC-CAMLR-XX, paragraphs 9.15 to 9.18). By-catch catch limits in new and exploratory fisheries were removed from this general measure and placed in Conservation Measure 228/XX. Accordingly, Conservation Measure 227/XX was adopted.

9.47 The Commission recalled its advice 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 227/XX (CCAMLR-XIX, paragraphs 9.42 to 9.45).

9.48 The Commission endorsed the exemption for trawl fisheries in Division 58.4.2 from the general research provisions of Conservation Measure 227/XX. This exemption was for the 2001/02 season only.

#### Exploratory Fisheries for *Dissostichus* spp.

9.49 The Commission adopted eight conservation measures for exploratory fisheries for *Dissostichus* spp. in 2001/02 (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.



Table 2: Summary of adopted conservation measures for exploratory fisheries for *Dissostichus* spp. in 2001/02.

CM	Region	Fishing Gear	Member Countries	Fishing Season	Catch Limit (tonnes)	
229/XX	48.6	Longline	Japan New Zealand South Africa Uruguay	N of 60°S S of 60°S	1 Mar–31 Aug 02 15 Feb–15 Oct 02	455 455
230/XX	58.4.2	Trawl	Australia		1 Dec 01–30 Nov 02	500
231/XX	Elan Bank* (Division 58.4.3a)	Longline	France Japan		1 May–31 Aug 02	250
232/XX	BANZARE Bank* (Division 58.4.3b)	Longline	France Japan		1 May–31 Aug 02	300
233/XX	58.4.4*	Longline	France Japan South Africa Uruguay		1 May–31 Aug 02	103
234/XX	58.6*	Longline	Chile France Japan South Africa		1 May–31 Aug 02	450
235/XX	88.1	Longline	Japan New Zealand Russia South Africa	N of 65°S S of 65°S	1 Dec 01–31 Aug 02 1 Dec 01–31 Aug 02	171 2 337
236/XX	88.2	Longline	Japan New Zealand Russia South Africa	S of 65°S	1 Dec 01–31 Aug 02	250

\* Outside areas of national jurisdiction

9.50 The Commission agreed that vessels participating in the exploratory fisheries for *Dissostichus* spp. in Subareas 48.6, 88.1 and 88.2, south of 60°S, may be exempted from paragraph 3 of Conservation Measure 29/XIX (night setting), if prior to licensing, each vessel can demonstrate its capacity to comply with experimental line-weighting trials approved by the Scientific Committee. The experimental line-weighting trials were adopted as Conservation Measures 216/XX.

9.51 Vessels operating in Subareas 48.6, 88.1 and 88.2 which comply with Conservation Measure 216/XX and consistently demonstrate a minimum line sink rate of 0.3 m/s, may set longlines during daylight hours when fishing south of 60°S. However, the Commission agreed that any vessel catching a total of three (3) seabirds in these

subareas in the 2001/02 season shall immediately revert to night setting in accordance with Conservation Measure 29/XIX.

9.52 The exploratory trawl fishery for *Dissostichus* spp. in Division 58.4.2 was agreed by the Commission, and Conservation Measure 230/XX was adopted. This conservation measure also details the requirements for the new trawl fishery for *Macrourus* spp.

9.53 The exploratory longline fisheries notified by France and Japan on BANZARE and Elan Banks outside areas of national jurisdiction were adopted as Conservation Measures 232/XX and 231/XX respectively. The statistical areas to which these measures apply reflect the new subdivision of Division 58.4.3 (Annex 7).

9.54 The Commission recalled the potential for the precautionary catch limit of *Dissostichus* spp. in Division 58.4.4 being taken in a very short time and with the extreme likelihood of it being exceeded (paragraph 7.9). It was agreed that the exploratory fishery would be limited to a single vessel at any one time.

9.55 In addition, the Commission agreed that every longline haul in this exploratory fishery should meet the requirements of research hauls in Conservation Measures 227/XX (Annex B, paragraph 4). This provision would ensure that the maximum amount of information is collected under the fishery-based research.

9.56 The Commission agreed that one Japanese, four New Zealand, three Russian and two South African-flagged vessels would be allowed to operate in the exploratory longline fishery for *Dissostichus* spp. in Subarea 88.1.

9.57 The Commission noted that New Zealand's notification for this fishery included a proposal to prohibit longline fishing within a 10 n mile radius of significant breeding sites for seabirds and marine mammals (CCAMLR-XX/11, Appendix 1).

9.58 In 2000/01 vessels from New Zealand, South Africa and Uruguay did not fish in the Convention Area within 10 n miles of 23 seabird and marine mammal breeding sites in Subarea 88.1. For 2001/02, Japan, New Zealand, Russia and South Africa advised that they would on a voluntary basis ensure that their vessels fishing for *Dissostichus* spp. in Subarea 88.1 did not fish within 10 n miles of these sites as listed in Appendix 1 of CCAMLR-XX/11. Although these additional voluntary measures were not incorporated in the relevant conservation measure for Subarea 88.1, it was noted that this matter could be reviewed in future in light of further information provided to the Scientific Committee and its subsidiary bodies.

9.59 Accordingly, Conservation Measure 235/XX was adopted.

9.60 Australia welcomed the voluntary prohibition of fishing within 10 n miles of seabird and marine mammal colonies in Subarea 88.1. Australia stated it was disappointed that the manner in which proposals for the orderly development of exploratory fisheries are considered by the Commission was not given an opportunity to be discussed fully despite being raised at various times during the meeting. Australia wished to advise the Commission that in providing ideas for discussion it was not

endeavouring to introduce those ideas for immediate agreement without being given due consideration or discussion by the Commission. In withdrawing these discussion points, Australia requested that the Commission ask the Scientific Committee and subsidiary bodies to give due attention to notifications of new and exploratory fisheries in light of the intent and specification of the conservation measures for new and exploratory fisheries, taking account of the specified deadlines for submission prior to the Commission meeting.

9.61 The Commission agreed that one Japanese, three New Zealand, one Russian and two South African-flagged vessels would be allowed to operate in the exploratory longline fishery for *Dissostichus* spp. in Subarea 88.2. Accordingly, Conservation Measure 236/XX was adopted.

9.62 In accordance with Article IX of the Convention, the Commission adopted Conservation Measure 218/XX prohibiting directed fishing on *Dissostichus* spp. except in accordance with specific conservation measures in the 2001/02 season. This prohibition applied to Subareas 48.5, 88.2 north of 65°S and 88.3, and Divisions 58.4.1 and 58.5.1 outside the French EEZ.

#### 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 2001/02 season. Accordingly, Conservation Measure 237/XX was adopted.

##### *Macrourus* spp.

9.64 The Commission noted the Scientific Committee's advice on the new trawl fishery for *Macrourus* spp. in Division 58.4.2 in the 2001/02 season. Accordingly, the elements of this fishery were included in Conservation Measure 230/XX.

##### *Martialia hyadesi*

9.65 The Commission agreed that the existing management regime for the exploratory jig fishery for *M. hyadesi* in Subarea 48.3 be maintained for the 2001/02 fishing season (SC-CAMLR-XIX, paragraph 5.119). Accordingly, Conservation Measure 238/XX was adopted.

*Paralomis* spp.

9.66 The Commission agreed that the existing catch limits for this fishery be maintained for the 2001/02 fishing season (SC-CAMLR-XX, paragraphs 5.125 to 5.128). The Commission also endorsed the Scientific Committee's advice that the minimum legal size for male *Paralomis spinosissima* be revised to 94 mm (SC-CAMLR-XX, Annex 5, paragraph 4.273 and Table 44). Accordingly, the elements of Conservation Measures 214/XIX and 215/XIX were carried forward to the 2001/02 season and adopted in Conservation Measures 226/XX and 225/XX respectively.

9.67 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.

9.68 The Commission also noted that Japan and the USA planned to fish for crab species in Subarea 48.3 during the 2001/02 season. Conservation Measure 226/XX 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 Japanese vessel notified in this fishery would need to complete the experimental harvest regime.

New Resolution

9.69 The Commission adopted a new resolution 17/XX addressing misreporting and misuse of the CDS (paragraph 5.16).