

CONSERVATION MEASURES

10.1 Conservations measures adopted at CCAMLR-XXII will be published in the *Schedule of Conservation Measures in Force 2003/04*.

Review of Existing Conservation Measures and Resolutions

10.2 The Commission noted that the following conservation measures² will lapse on 30 November 2003: 32-09 (2002), 33-02 (2002), 33-03 (2002), 41-01 (2002), 41-02 (2002), 41-04 (2002), 41-05 (2002), 41-06 (2002), 41-07 (2002), 41-08 (2002), 41-09 (2002), 41-10 (2002), 42-01 (2002), 42-02 (2002), 43-01 (2002), 52-01 (2002), 52-02 (2002) and 61-01 (2002). These conservation measures dealt with general fishery matters for the 2002/03 season.

10.3 The Commission agreed that the following conservation measures² will remain in force in 2003/04:

compliance:

10-01 (1998), 10-02 (2001), 10-03 (2002), 10-04 (2002) and 10-06 (2002);

general fishery matters:

21-01 (2002), 21-02 (2002), 22-01 (1986), 22-02 (1984), 22-03 (1990), 23-02 (1993), 23-03 (1991), 23-04 (2000), 23-05 (2000), 23-06 (2002), 25-01 (1996), 31-01 (1986), 32-01 (2001), 32-02 (1998), 32-03 (1998), 32-04 (1986), 32-05 (1986), 32-06 (1985), 32-07 (1999), 32-08 (1997), 32-10 (2002), 32-11 (2002), 32-12 (1998), 33-01 (1995), 41-03 (1999), 51-01 (2002), 51-02 (2002) and 51-03 (2002);

protected areas:

91-01 (2000), 91-02 (2000) and 91-03 (2000).

10.4 In carrying forward Conservation Measures 21-01 (Notification that Members are Considering Initiating a New Fishery) and 21-02 (Exploratory Fisheries), the Commission agreed that, in future, a scheme for recovery of costs would be applied to notifications for new and exploratory fisheries (paragraphs 3.16 to 3.23).

10.5 The Commission agreed that the following resolutions will remain in force in 2003/04: Resolutions 7/IX, 10/XII, 14/XIX, 16/XIX, 17/XX, 18/XXI and 19/XXI.

10.6 The Commission had considered the implementation of a C-VMS. Although significant progress had been made, the Commission did not reach consensus at the current meeting. As a result, Conservation Measure 10-04 and Resolution 16/XIX remain in force.

² Reservations to these measures are given in the *Schedule of Conservation Measures in Force in 2002/03*.

Revised Conservation Measures

10.7 The Commission revised the following conservation measures²:

compliance:

10-05 (2002) and 10-07 (2002);

general fishery matters:

23-01 (2000), 24-01 (2002), 24-02 (2002), 25-02 (2002) and 25-03 (1999).

Compliance

10.8 The Commission revised Annex A of the Catch Documentation Scheme (Conservation Measure 10-05) in accordance with the advice of SCIC (paragraph 7.12; Annex 5, paragraph 4.25). Accordingly, the revised measure was adopted as Conservation Measure 10-05 (2003).

10.9 Japan stated that it understood that the amendment to paragraphs A.5(ii) and A.9(i) would not affect the current practice of Japan regarding the China Fisheries Association as a competent authority of the CDS. In this respect, Russia shared Japan's view (paragraph 7.4).

10.10 The USA and several other Members indicated that they would not accept DCDs authorised by the China Fisheries Association.

10.11 The Commission noted that last year's revision of Conservation Measure 10-07 had resulted in that measure being incorrect. Accordingly, these references were corrected, and the revised measure was adopted as Conservation Measure 10-07 (2003).

Centralised Vessel Monitoring System

10.12 The Commission failed to adopt a proposal for a C-VMS at this meeting despite overwhelming support by almost all Members.

10.13 Because of this general support by the majority, the Commission agreed to support a trial C-VMS that would be established at the Secretariat and open to all who wish to participate. The guidelines for the trial can be distributed by the Secretariat to interested parties based on the last draft of proposed Conservation Measure 10-04 (Annex 9).

10.14 The USA noted that such a system is essential to proper enforcement and also encouraged Parties to participate in the E-CDS. In this regard, it expressed the intention not to accept catch documents accompanying imports of toothfish which are not created and processed through the E-CDS.

10.15 Chile expressed its appreciation of the US proposal, and agreed to participate in the C-VMS trial project. Chile would welcome the opportunity to examine the project protocols, particularly with respect to the confidentiality of data. Chile also requested that in relation to

the implementation of Conservation Measure 10-04 in force, the Secretariat request Member States of the Commission to submit technical specifications of the VMS currently used by them.

10.16 Argentina, Australia, New Zealand, South Africa, Ukraine, USA and Uruguay volunteered to participate in the C-VMS trial, and others, including the European Community, were considering participation.

10.17 The Executive Secretary clarified that the development of the C-VMS has already incorporated the required security and confidentiality provisions. In addition, the Secretariat staff responsible for compliance data are subject to the confidentiality covenant of the CCAMLR Staff Regulations and will act in full accordance with provisions of Conservation Measure 10-04 and Rules for Access and Use of CCAMLR Data.

10.18 The Executive Secretary also noted that the Secretariat would be able to establish and implement C-VMS only if sufficient funds were to be provided by the Commission. The required funds could come from the US VMS Special Fund, the US Compliance Fund and the balance of the CDS Fund, which is subject to approval by the CDS Fund Review Panel (paragraph 3.34).

10.19 Australia made the following statement:

‘The work of this Commission over recent days and, indeed, over recent years, has given heavy emphasis to the urgent and substantial problem of IUU fishing. We have all agreed that this is a significant challenge. Failure to solve the problem of IUU fishing will represent failure by the Commission to conserve Southern Ocean ecosystems, and opens the question of the credibility of this Commission in meeting the objectives of the Convention, that is, the conservation, including rational use, of Antarctic marine living resources.

We have been grappling with this problem for seven years and we have yet to effectively deter illegal fishing in the CCAMLR area or diminish its impact on toothfish stocks.

It therefore will come as no surprise that my delegation is extremely disappointed by the Commission’s inability to achieve consensus on a centralised vessel monitoring system. This is all the more disappointing given that not one delegation in this meeting has argued that C-VMS would not be an effective tool to deal with IUU fishing. We know the technology exists, we know that all Members are able to implement a scheme (indeed that many Members are already implementing similar systems elsewhere in the world), and we know that the resources are available to us.

Over the past week it has become clear that the C-VMS proposal has received strong support from the vast majority of Commission Members. Australia and other Members have worked hard to find common ground and we made considerable compromises in order to find agreement on this critical issue. And yet consensus eludes us. Our differences appear to come down to a matter of how the data *might* (and I emphasise “might”) be used – there is a perception that the data might be used for reasons other than for effectively combating IUU fishing. Australia believes there

is no reason to consider that this is the case. Australia does not believe that it is in the interests of the conservation objectives of this Commission to bring issues external to the work of the Commission into this debate.

Australia remains committed to finding effective solutions to eliminate IUU fishing and remains convinced that C-VMS is a strong and cost-effective tool. While disappointed that the initiative will not be adopted at this meeting, we will continue to work cooperatively with all Members intersessionally to resolve any differences among Parties in order to achieve this goal at next year's meeting. We urge all Members in good faith to seek consensus on this important initiative.'

10.20 Argentina thanked the Commission for its proposal having itself also offered to participate in the E-CDS. Argentina thanked the USA for its proposal that the Commission start a trial C-VMS, which will surely contribute, together with E-CDS (another US initiative in which Argentina had wished to participate) to reduce IUU fishing. It noted that implementation of the US proposal should be developed taking into account conflicting views and expressed its desire to take part in the process.

10.21 In the context of the proposal for a C-VMS, Argentina stated that the all-embracing resolution of this question requires compromise from all Parties involved and, to this effect, settlement of the dispute between Argentina and the UK on the application and the interpretation of the Convention, and the Statement by the Chairman of 19 May 1980, actually within the context of Article XXV of the Convention, as well as the definitive settlement of the sovereignty dispute between both countries regarding the Malvinas Islands, South Georgia and the South Sandwich Islands and surrounding maritime areas, will certainly facilitate the attainment of the objectives of the Convention.

10.22 In response to the statement made by Argentina in the context of the proposed C-VMS, regarding the sovereignty dispute between Argentina and the UK, the UK believes that Article IV of the Convention and the Chairman's Statement of 19 May 1980 adequately protect the respective positions of Argentina and the UK. The UK further believes that the sovereignty dispute does not in any way constitute an obstacle to the attainment of the objectives of the Convention, as implied by Argentina, nor an obstacle to the adoption of a C-VMS by the Commission.

10.23 While recalling its well-known legal position, Argentina pointed out that it does not share the views expressed by the UK and reiterated its statement.

General Fishery Matters

Data Reporting

10.24 The Commission considered two options for minimising delays in reporting catches from SSRUs in exploratory fisheries for *Dissostichus* spp., and thereby improving monitoring and forecast closures. The first option, a daily catch and effort reporting system, had been proposed by New Zealand for the fishery in Subarea 88.1 (CCAMLR-XXII/55) and had been considered by SCIC (Annex 5, paragraph 3.55). The second option was to revise the interval of the submission period in the five-day catch and effort system (Conservation Measure 23-01).

10.25 The Commission agreed to the second option, and the submission period was reduced from five days to two working days after the end of the reporting period in relation to exploratory fisheries. The measure was revised and adopted as Conservation Measure 23-01 (2003).

Research and Experiments

10.26 The Commission recalled the advice of the Scientific Committee (paragraphs 4.72 and 4.73) and agreed to add *C. gunnari* to Annex B of Conservation Measure 24-01 (The Application of Conservation Measures to Scientific Research). The threshold for this species was set to 50 tonnes. The measure was revised and adopted as Conservation Measure 24-01 (2003).

10.27 The Commission recalled the advice of the Scientific Committee in respect of requests to set longlines during daytime in Divisions 58.4.1, 58.4.3a and 58.4.3b (SC-CAMLR-XXI, paragraph 5.38). The Commission agreed to include these divisions in Conservation Measure 24-02 (Experimental Line-weighting Trials). In considering this revision, the Commission also agreed to include Division 58.5.2 since longlining had been recently permitted in that area. The measure was revised and adopted as Conservation Measure 24-02 (2003).

Minimisation of Incidental Mortality

10.28 The Commission agreed to revise Conservation Measures 25-02 (Minimisation of the Incidental Mortality of Seabirds in the Course of Longline Fishing or Longline Fishing Research in the Convention Area) and 25-03 (Minimisation of the Incidental Mortality of Seabirds and Marine Mammals in the Course of Trawl Fishing in the Convention Area) in line with the advice from the Scientific Committee (paragraphs 5.9 and 5.25).

10.29 The measures were revised and adopted as Conservation Measures 25-02 (2003) and 25-03 (2003).

Fishing Seasons, Closed Areas and Prohibition of Fishing

10.30 In accordance with Article IX of the Convention, the Commission adopted Conservation Measure 32-09 (2003) prohibiting directed fishing on *Dissostichus* spp. except in accordance with specific conservation measures in the 2003/04 season. This prohibition applies to Subarea 48.5.

10.31 Other subareas and divisions for which directed fishing on *Dissostichus* spp. had been prohibited in the 2002/03 season, and in previous seasons, are now covered under new measures in force (see New Conservation Measures).

10.32 In view of this approach to prohibit directed fishing, except in accordance with specific conservation measures, and in view of the requirements concerning the notification of

new and exploratory fisheries prior to their prosecution, Australia suggested that the Commission consider how this approach may generally be applied to specified fisheries at its next meeting.

Revised Resolutions

10.33 The Commission endorsed the advice of SCIC (Annex 5, paragraph 3.54) and revised Resolution 15/XIX on the use of ports not implementing the CDS. Accordingly, the revised resolution was adopted as Resolution 15/XXII.

10.34 Australia would like the Commission to note that its licensed fishing vessels fishing for *Dissostichus* spp. currently unload in Port Louis, Mauritius. These unloadings are overseen and validated for both quota and CDS by Australian Government fisheries officers.

10.35 Australia advised the Commission that, in the intersessional period, it would work with Mauritius as a matter of priority, towards having Mauritius fully implement the CDS in the near future. Australia further advised that they would report back to the Commission next year on progress.

New Conservation Measures

General Fishery Matters

Research and Experiments

10.36 The Commission recalled the advice from the Scientific Committee regarding experimental integrated line-weighting trials in Subareas 88.1 and 88.2 in the 2003/04 season (paragraph 5.10). Accordingly, the Commission adopted Conservation Measure 24-03 (2003).

Fishing Seasons, Closed Areas and Prohibition of Fishing

10.37 The Commission recalled that the Scientific Committee had provided advice regarding the closure of Division 58.5.1, outside the French EEZ, to directed fishing for *D. eleginoides* (SC-CAMLR-XXII, paragraph 4.83). The Scientific Committee had also advised that Subarea 88.3 should remain closed to fishing until further experience had been gained in managing exploratory fisheries (SC-CAMLR-XX, paragraph 5.100).

10.38 In addition, the Commission agreed that, in order to undertake exploratory fisheries in subareas or divisions currently closed by conservation measures, Members should in future follow the procedures outlined in Conservation Measure 24-01 (paragraph 9.12).

10.39 Accordingly, the Commission adopted four new measures prohibiting directed fishing for *Dissostichus* spp. in:

- Division 58.5.1 outside areas of national jurisdiction – Conservation Measure 32-13 (2003);
- Division 58.5.2 east of 79°20'E and outside the EEZ to the west of 79°20'E – Conservation Measure 32-14 (2003);
- Subarea 88.2 north of 65°S – Conservation Measure 32-15 (2003);
- Subarea 88.3 – Conservation Measure 32-16 (2003).

10.40 In each of these areas, the prohibition shall apply until at least such time that a survey of the *Dissostichus* spp. stock is carried out, its results reported to and analysed by WG-FSA and a decision that the fishery be reopened is made by the Commission based on the advice of the Scientific Committee.

10.41 In accordance with advice from the Scientific Committee, the Commission agreed that the fishery for *E. carlsbergi* in Subarea 48.3 had lapsed. In adopting Conservation Measure 32-17 (2003), the Commission agreed to prohibit directed fishing on this species in Subarea 48.3 until further research has been conducted and a decision that the fishery be reopened is made by the Commission based on the advice of the Scientific Committee.

By-catch Limits

10.42 The by-catch catch limit for *Macrourus* spp. in Division 58.5.2 was revised to 360 tonnes in the 2003/04 season (SC-CAMLR-XXII, paragraph 4.150). Accordingly, the Commission adopted Conservation Measure 33-02 (2003).

10.43 The by-catch catch limits and provisions for new and exploratory fisheries were also revised. The Commission agreed to retain the current rules for catch limits for by-catch species as set out in Annex A of Conservation Measure 33-03. However, the Commission reviewed the application of these rules to SSRUs. It was agreed that the rules should apply to the setting of catch limits across the whole area of operation of each fishery. These catch limits are defined in Annex 33-03/A. In addition, the Commission agreed that within these catch limits, the total catch of by-catch species in any SSRU shall not exceed the following limits:

- skates and rays – 5% of the catch limit of *Dissostichus* spp. or 50 tonnes, whichever is greater;
- *Macrourus* spp. – 16% of the catch limit of *Dissostichus* spp. or 20 tonnes, whichever is greater;
- ALL other species combined – 20 tonnes.

Accordingly, the Commission adopted Conservation Measure 33-03 (2003).

Toothfish

10.44 The Commission noted the advice of the Scientific Committee concerning the general measures for exploratory fisheries for *Dissostichus* spp. in 2003/04, and the development in assessment methods (section 9). The Commission agreed that the following revisions should be made to the current general measures:

- removal of catch limits in fine-scale rectangles;
- introduction of reporting at the level of SSRUs;
- removal of soak time constraints for longlines;
- revision of the boundaries of SSRUs, including the introduction of new SSRUs;
- setting a catch limit for *Dissostichus* spp. of 100 tonnes in SSRUs for which a limit was not specifically defined, except in Subarea 88.2;
- introduction of a tagging program.

10.45 In introducing the tagging program for the 2003/04 season, the Commission noted that some Members may experience difficulties in procuring tags in time for the start of that season. The Commission thanked the New Zealand Delegation for their offer to provide tags and assistance to Members fishing in Subareas 88.1 and 88.2 this season.

10.46 The Commission adopted Conservation Measure 41-01 (2003).

10.47 The Commission noted the problems encountered by the Scientific Committee and WG-FSA in assessing a catch limit for *D. eleginoides* in Subarea 48.3 in the 2003/04 season (paragraphs 4.44 to 4.50). Nevertheless, the Commission endorsed the Scientific Committee's advice for a catch limit for *D. eleginoides* of 4 420 tonnes. The Commission agreed that any catch of *D. eleginoides* taken in other fisheries in Subarea 48.3 would be counted against this catch limit. In addition, the Commission agreed to reapply the interim limits set for the by-catch of skates and rays and *Macrourus* spp. (CCAMLR-XX, paragraph 9.41). Accordingly, Conservation Measure 41-02 (2003) was adopted.

10.48 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Subarea 48.6 in 2003/04 would be limited to Argentine, Japanese, Namibian, New Zealand, Spanish and South African flagged vessels using longlines only, and that no more than one vessel per country shall fish at any one time. The Commission also agreed that daylight setting of longlines would be allowed throughout Subarea 48.6, subject to compliance with Conservation Measures 24-02 and 25-02 and an incidental catch limit of three (3) seabirds per vessel. Accordingly, Conservation Measure 41-04 (2003) was adopted.

10.49 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Division 58.4.2 in 2003/04 would be limited to Argentine, Australian, Russian, Ukrainian, and US flagged vessels using longlines only. The Commission also agreed that daylight setting of longlines would be allowed in this division, subject to compliance with Conservation Measures 24-02 and 25-02 and an incidental catch limit of three (3) seabirds per vessel. The Commission noted the discussion by the Scientific Committee on the manner in which catches might be distributed in the exploratory fishery for *Dissostichus* spp. in

Division 58.4.2 in the coming year (SC-CAMLR-XXII, paragraphs 4.204 and 4.205). It also noted the balance of opinion surrounding these paragraphs provided by the Chair of the Scientific Committee that more Members of the Scientific Committee expressed agreement for paragraph 4.204 than for 4.205. The Commission requested that these views be reviewed by the Scientific Committee at its meeting in 2004. Accordingly, Conservation Measure 41-05 (2003) was adopted.

10.50 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Division 58.4.3a in 2003/04 would be limited to Argentine, Australian, Russian, Ukrainian and US flagged vessels using longlines only, and one Australian-flagged vessel using trawl only. The fishery was also limited to no more than one vessel per country at any one time. The Commission also agreed that daylight setting of longlines would be allowed in this division, subject to compliance with Conservation Measures 24-02 and 25-02 and an incidental catch limit of three (3) seabirds per vessel. Accordingly, Conservation Measure 41-06 (2003) was adopted.

10.51 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Division 58.4.3b in 2003/04 would be limited to Argentine, Australian, Russian, Ukrainian and US flagged vessels using longlines only, and one Australian flagged vessel using trawl only. The fishery was also limited to no more than one vessel per country at any one time. The Commission also agreed that daylight setting of longlines would be allowed in this division, subject to compliance with Conservation Measures 24-02 and 25-02 and an incidental catch limit of three (3) seabirds per vessel. Accordingly, Conservation Measure 41-07 (2003) was adopted.

10.52 The Commission endorsed the Scientific Committee's advice on the trawl and longline fishery for *D. eleginoides* in Division 58.5.2 in the 2003/04 season (paragraph 4.53; SC-CAMLR-XXII, paragraph 4.89). The advice included the catch limit of 2873 tonnes which was applicable west of 79°20'E. In addition, the fishing season for the trawl fishery was defined as the period from 1 December 2003 to 30 November 2004, or until the catch limit is reached, whichever is sooner, while the season for longlining was defined as the period from 1 May to 31 August 2004, or until the catch limit is reached, whichever is sooner. The season for longline fishing operations may be extended to 14 September 2004 for any vessel which had demonstrated full compliance with Conservation Measure 25-02 in the 2002/03 season (see SC-CAMLR-XXII, Annex 5, Table 6.7). Accordingly, Conservation Measure 41-08 (2003) was adopted.

10.53 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Subarea 88.1 in 2003/04 would be limited to two Argentine, one Japanese, two Korean, six New Zealand, one Norwegian, two Russian, two South African, two Spanish, three Ukrainian, one UK, two US and two Uruguayan flagged vessels using longlines only.

10.54 The Commission noted the advice of the Scientific Committee regarding the setting of a catch limit for the fishery and catch limits for SSRUs in Subarea 88.1 (SC-CAMLR-XXII, paragraphs 4.182 to 4.186 and Table 6). It was agreed that the catch limit for *Dissostichus* spp. for the exploratory fishery in Subarea 88.1 would be 3250 tonnes. This limit was determined by applying a discount to the limit set in 2002/03. The catch limit in SSRUs was pro-rated based on seabed area and historical effort in the fishery. SSRUs in which the catch limit was less than 50 tonnes were closed to fishing and the balance of the catch limit was redistributed across the other SSRUs.

10.55 In addition, the Commission agreed that daylight setting of longlines would be allowed in Subarea 88.1, subject to compliance with Conservation Measures 24-02 and 25-02 and an incidental catch limit of three (3) seabirds per vessel. Accordingly, Conservation Measure 41-09 (2003) was adopted.

10.56 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Subarea 88.2 in 2003/04 would be limited to two Argentine, two Korean, six New Zealand, one Norwegian, two Russian, two South African and three Ukrainian flagged vessels using longlines only.

10.57 The Commission noted the advice of the Scientific Committee regarding the setting of a catch limit for the fishery and catch limits for SSRUs (SC-CAMLR-XXII, paragraphs 4.187 to 4.189). It was agreed that the catch limit for *Dissostichus* spp. in Subarea 88.2 would remain at 375 tonnes south of 65°S. It was also agreed to exempt Subarea 88.2 from the default catch limit of 100 tonnes per SSRU (Conservation Measure 41-01) because the setting of the catch limit in that subarea pre-dated the default arrangement. The Commission also agreed to close the area north of 65°S (see Conservation Measure 32-15).

10.58 In addition, the Commission agreed that daylight setting of longlines would be allowed in Subarea 88.2, subject to compliance with Conservation Measures 24-02 and 25-02 and an incidental catch limit of three (3) seabirds per vessel. Accordingly, Conservation Measure 41-10 (2003) was adopted.

10.59 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Division 58.4.1 in 2003/04 would be limited to Argentine, Australian and US flagged vessels using longlines only. The Commission also agreed that daylight setting of longlines would be allowed in this division, subject to compliance with Conservation Measures 24-02 and 25-02 and an incidental catch limit of three (3) seabirds per vessel. With respect to Division 58.4.1, the Commission noted that at CCAMLR-XIX it had endorsed the recommendation of the Scientific Committee that ‘until it had gained more information on areas currently fished for *Dissostichus* spp. under new and exploratory fishery regimes and more experience with the operations of SSRUs, it would be inappropriate to open previously unfished areas to fishing for *Dissostichus* spp., or to reopen areas that have not been fished for *Dissostichus* spp. in recent years’ (CCAMLR-XIX, paragraph 9.60). To that end, the Commission agreed to ensure that if fisheries are to occur in these areas then they should be conducted in a way that takes account of the need for orderly development, that the provisions of Conservation Measure 21-02 can be met, and that the data acquired will lead to an assessment. The Commission noted the need to use the previous accumulated advice from the Scientific Committee endorsed by the Commission for high-latitude fisheries, the development of approaches in Subarea 88.1 and the operational difficulties for the Secretariat in managing small catch limits. To that end, it agreed to the conservation measure for one year with a review of the data arising from these activities by the Scientific Committee in 2004. Accordingly, Conservation Measure 41-11 (2003) was adopted.

10.60 In adopting the measures for exploratory fisheries in 2003/04, the Commission recalled that some Members had reported difficulties with some of the licensing requirements in respect to possible exemptions from night-time setting requirements. To qualify for exemption, it was agreed that a vessel would need to demonstrate its capacity to comply with

the experimental line-weighting trials in Conservation Measure 24-02 prior to its licence entering in force and prior to the vessel entering the Convention Area. Wording to that effect was introduced in all relevant measures.

10.61 In regard to the licensing and inspection of vessels' compliance with conservation measures, the Commission agreed that there was a need to review Conservation Measure 24-02 to ensure its consistency with Conservation Measure 10-02 in relation to the implementation of new and exploratory fisheries.

10.62 In adopting Conservation Measures 41-05 and 41-11 regarding exploratory fisheries for *Dissostichus* spp. in Divisions 58.4.1 and 58.4.2, the Commission agreed that these measures would be for one year and that data arising from the fishery activities would be reviewed by the Scientific Committee in 2004.

10.63 The Commission expressed concern at the large number of fishing vessels which would be allowed to operate in exploratory fisheries in the 2003/04 season. In many fisheries, this number exceeds the number which might have been expected for the fisheries' orderly development. The Commission sought urgent advice from the Scientific Committee on ways of developing exploratory fisheries at a rate which would ensure the sustainability of the stocks of *Dissostichus* spp. and the collection of data for the development of long-term assessments.

Icefish

10.64 The Commission noted the Scientific Committee's advice on the trawl fishery for *C. gunnari* in Subarea 48.3 in the 2003/04 season (paragraphs 4.56 to 4.59). The Scientific Committee had provided two catch limits resulting from two assessments of the precautionary catch limit for this species. The Commission was unable to choose between these two values and agreed to use a mean value of 2 887 tonnes. It was agreed to retain the other elements of this measure which allowed limited fishing during the spawning period (1 March to 31 May), set a limit to the total number of seabirds that may be accidentally caught during fishing, and defined requirements for fishery-based research during the spawning season. The catch limit during the spawning period remained 25% of the annual limit. Accordingly, Conservation Measure 42-01 (2003) was adopted.

10.65 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 2003/04 season (paragraph 4.61). This advice included setting the catch limit for *C. gunnari* at 292 tonnes. Accordingly, Conservation Measure 42-02 (2003) was adopted.

Other Finfish

10.66 The Commission agreed that the exploratory fishery for *Macrourus* spp. in Division 58.4.3a in 2003/04 would be limited to one Australian-flagged trawler. The Commission also endorsed the Scientific Committee's advice that the catch limit for that

species would be 26 tonnes and that any catch of *Macrourus* spp. taken in other fisheries in Division 58.4.3a would be counted against the catch limit for *Macrourus* spp. Accordingly, Conservation Measure 43-02 (2003) was adopted.

10.67 The Commission agreed that the exploratory fishery for *Macrourus* spp. in Division 58.4.3b in 2003/04 would be limited to one Australian-flagged trawler. The Commission also endorsed the Scientific Committee's advice that the catch limit for that species would be 129 tonnes and that any catch of *Macrourus* spp. taken in other fisheries in Division 58.4.3b would be counted against the catch limit for *Macrourus* spp. Accordingly, Conservation Measure 43-03 (2003) was adopted.

10.68 The Commission noted the previous advice from the Scientific Committee (see Conservation Measure 237/XX) on the trawl fishery for *C. wilsoni*, *L. kempi*, *T. eulepidotus* and *P. antarcticum* in Division 58.4.2. The Commission agreed to a total precautionary catch limit of 2 000 tonnes consisting of 1 000 tonnes for *C. wilsoni* and 500 tonnes for each of the other species. The Commission also agreed that this measure would be for one year and that data arising from the fishery activities would be reviewed by the Scientific Committee in 2004. Accordingly, Conservation Measure 43-04 (2003) was adopted.

Crab

10.69 The Commission endorsed the advice of the Scientific Committee regarding the crab fishery in Subarea 48.3. Accordingly, Conservation Measures 52-01 (2003) and 52-02 (2003) were adopted.

Squid

10.70 The Commission agreed that the existing management regime for the exploratory jig fishery for *M. hyadesi* in Subarea 48.3 be maintained for the 2003/04 fishing season. Accordingly, Conservation Measure 61-02 (2003) was adopted.

New Resolutions

10.71 The Commission recalled the safety concerns regarding fishing vessels operating in high latitudes. It was agreed that the definition of suitable specifications for vessels would enhance the health and safety of crew and scientific observers at sea, and would reduce the risk of accidents and pollution in high latitudes. Accordingly, the Commission adopted Resolution 20/XXII on ice-strengthening standards for fishing vessels operating in high-latitude fisheries in the Convention Area.

General

10.72 Australia advised the Commission that any fishing or fisheries research activities in that part of Divisions 58.4.3 and 58.5.2 that constitutes the Australian EEZ around the

Australian Territory of Heard Island and McDonald Islands must have the prior approval of Australian authorities. The Australian EEZ extends up to 200 n miles from the Territory. Australia regarded unauthorised fishing in its waters as a serious matter that undermines efforts to ensure fishing occurs only on an ecologically sustainable basis. Australia seeks the assistance of other CCAMLR Members in ensuring their nationals and vessels 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 and no further concessions are available in 2003/04. Australia has legislation to provide for large penalties for illegal fishing in Australia's EEZ, including the immediate forfeiture of foreign vessels found engaged in such activities. Any enquiries about fishing in the Australian EEZ should be made initially to the Australian Fisheries Management Authority.