

CCAMLR-XXIV

**COMMISSION FOR THE CONSERVATION OF  
ANTARCTIC MARINE LIVING RESOURCES**

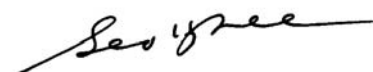
**REPORT OF THE TWENTY-FOURTH MEETING  
OF THE COMMISSION**

HOBART, AUSTRALIA  
24 OCTOBER – 4 NOVEMBER 2005

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Chair of the Commission  
November 2005

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### **Abstract**

This document is the adopted record of the Twenty-fourth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources held in Hobart, Australia from 24 October to 4 November 2005. Major topics discussed at this meeting include: review of the Report of the Scientific Committee; illegal, unreported and unregulated fishing in the Convention Area; assessment and avoidance of incidental mortality of Antarctic marine living resources; new and exploratory fisheries; current operation of the System of Inspection and the Scheme of International Scientific Observation; compliance with conservation measures in force; review of existing conservation measures and adoption of new conservation measures; management under conditions of uncertainty; and cooperation with other international organisations including the Antarctic Treaty System. The Reports of the Standing Committee on Administration and Finance and the Standing Committee on Implementation and Compliance are appended.

## CONTENTS

	Page
OPENING OF THE MEETING .....	1
Opening of the new CCAMLR Headquarters building .....	3
ORGANISATION OF THE MEETING .....	3
Adoption of the Agenda .....	3
Report of the Chair .....	4
FINANCE AND ADMINISTRATION .....	5
Examination of audited Financial Statements for 2004 .....	5
Audit requirements for the 2005 Financial Statements .....	5
Secretariat Strategic Plan .....	5
Members' Activities .....	6
Education Package .....	6
Support for participation at meetings .....	6
Review of budget for 2005 .....	6
Cost recovery .....	6
Contingency Fund .....	7
Professional Staff salaries .....	8
Budget for 2006 .....	8
Multi-year funding of Scientific Committee projects .....	8
Members' contributions .....	8
Forecast budget for 2007 .....	9
CDS Fund .....	9
Antarctic Treaty Secretariat Funds .....	9
Installation of a wireless network at the CCAMLR Headquarters .....	9
Belgian Special Fund .....	9
Commission meeting venue and Secretariat office accommodation .....	9
Chair and Vice-Chair of SCAF .....	10
SCIENTIFIC COMMITTEE .....	10
Intersessional activities .....	10
CCAMLR Scheme of International Scientific Observation .....	10
Ecosystem monitoring and management .....	11
Workshop on Marine Protected Areas .....	12
Dependent species and ecosystem considerations .....	14
Harvested species .....	14
Krill .....	14
Toothfish .....	16
Icefish .....	17
Other finfish species .....	18
By-catch species .....	18
Crab resources .....	19
Squid resources .....	19
Scientific research exemption .....	20
Secretariat supported activities .....	20

Scientific Committee activities .....	21
Reorganisation of the work of the Scientific Committee and its working groups .....	22
Report of WG-FSA .....	22
Activities of the CCAMLR-IPY Group during the intersessional period .....	23
Joint CCAMLR-IWC workshop .....	23
<b>ASSESSMENT AND AVOIDANCE OF INCIDENTAL MORTALITY .....</b>	<b>24</b>
Incidental mortality of marine animals during fishing operations .....	24
Marine debris .....	25
<b>IMPLEMENTATION AND COMPLIANCE .....</b>	<b>26</b>
Report of SCIC .....	26
Compliance with conservation measures .....	26
Compliance evaluation procedure .....	27
<b>CATCH DOCUMENTATION SCHEME FOR <i>DISSOSTICHUS</i> SPP. ....</b>	<b>28</b>
<b>ILLEGAL, UNREPORTED AND UNREGULATED (IUU) FISHING IN THE CONVENTION AREA .....</b>	<b>29</b>
Current level of IUU fishing .....	29
Procedure for the estimation of IUU catches .....	29
IUU Vessel Lists .....	30
Review of current measures aimed at eliminating IUU fishing .....	30
<b>SCHEME OF INTERNATIONAL SCIENTIFIC OBSERVATION .....</b>	<b>31</b>
<b>NEW AND EXPLORATORY FISHERIES .....</b>	<b>33</b>
New and exploratory fisheries in the 2004/05 season .....	33
Notifications for new and exploratory fisheries in the 2006/07 season .....	33
<b>CONSERVATION MEASURES .....</b>	<b>37</b>
Review of existing conservation measures and resolutions .....	37
Revised conservation measures .....	38
Compliance .....	38
General fishery matters .....	40
Notifications .....	40
Data reporting .....	40
Research and experiments .....	41
Definitions .....	42
New conservation measures .....	42
General fishery matters .....	42
Fishing seasons, closed areas and prohibition of fishing .....	42
By-catch limits .....	42
Environmental protection .....	43
Toothfish .....	44
Details of vessels nominated for exploratory fisheries in 2005/06 .....	48
Icefish .....	50
Crab .....	51
Squid .....	51

New resolutions .....	51
Environmental protection .....	51
General .....	52
<b>FISHERIES MANAGEMENT AND CONSERVATION UNDER CONDITIONS OF UNCERTAINTY .....</b>	<b>52</b>
<b>DATA ACCESS AND SECURITY .....</b>	<b>53</b>
<b>COOPERATION WITH OTHER ELEMENTS OF THE ANTARCTIC TREATY SYSTEM .....</b>	<b>53</b>
Cooperation with Antarctic Treaty Consultative Parties .....	53
Cooperation with SCAR .....	57
Assessment of proposals for Antarctic Specially Protected Areas and Specially Managed Areas, which include marine areas .....	58
<b>COOPERATION WITH OTHER INTERNATIONAL ORGANISATIONS .....</b>	<b>58</b>
Reports of observers from international organisations .....	58
Intergovernmental organisations .....	58
FAO .....	58
IUCN .....	59
IWC .....	61
ACAP .....	61
Non-governmental organisations .....	62
ASOC .....	62
COLTO .....	63
Reports of CCAMLR representatives at meetings of international organisations in 2004/05 .....	64
Cooperation with CITES .....	65
Cooperation with CCSBT .....	65
Partnership with FIRMS .....	66
Participation in CCAMLR meetings .....	67
Nomination of representatives to meetings of international organisations in 2005/06 .....	67
<b>CCAMLR SYMPOSIUM .....</b>	<b>68</b>
<b>IMPLEMENTATION OF THE OBJECTIVES OF THE CONVENTION .....</b>	<b>72</b>
<b>ELECTION OF VICE-CHAIR OF THE COMMISSION .....</b>	<b>72</b>
<b>NEXT MEETING .....</b>	<b>73</b>
Invitation of observers to the next meeting .....	73
Date and location of the next meeting .....	73
<b>OTHER BUSINESS .....</b>	<b>73</b>
International Polar Year in 2007/08 .....	73
Twenty-fifth Meeting of CCAMLR .....	74
Change to the Commission's Rules of Procedure .....	74
Other .....	74

ADOPTION OF THE REPORT .....	74
CLOSE OF THE MEETING .....	75
ANNEX 1: List of Participants .....	77
ANNEX 2: List of Documents .....	103
ANNEX 3: Agenda for the Twenty-fourth Meeting of the Commission .....	119
ANNEX 4: Report of the Standing Committee on Administration and Finance (SCAF) .....	123
ANNEX 5: Report of the Standing Committee on Implementation and Compliance (SCIC) .....	139
ANNEX 6: Opening speeches on the occasion of the official opening of the new CCAMLR Headquarters at 181 Macquarie Street, Hobart (24 October 2005) .....	171
ANNEX 7: Joint Assessment Group (JAG) – terms of reference and proposed draft agenda for the 2006 meeting .....	175
ANNEX 8: Text of a standard letter to be used in the course of diplomatic actions in respect of non-Contracting Parties .....	179
ANNEX 9: Letter from CCAMLR Secretariat in reply to CCSBT letter of 19 October 2005 .....	183
ANNEX 10: ATCM Decision 9 (2005) ‘Marine Protected Areas and other areas of interest to CCAMLR’ .....	187

**REPORT OF THE TWENTY-FOURTH  
MEETING OF THE COMMISSION**  
(Hobart, Australia, 24 October to 4 November 2005)

OPENING OF THE MEETING

1.1 The Twenty-fourth Annual Meeting of the Commission for the Conservation of Antarctic Marine Living Resources was held in Hobart, Tasmania, Australia, from 24 October to 4 November 2005, chaired by Prof. Seo-hang Lee (Republic of Korea).

1.2 Twenty-three of the 24 Members of the Commission were represented: Argentina, Australia, Belgium, Brazil, Chile, European Community, France, Germany, India, Italy, Japan, Republic of Korea, Namibia, New Zealand, Norway, Russian Federation, South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay. Poland was not represented.

1.3 Other Contracting Parties, Bulgaria, Canada, Finland, Greece, Mauritius, Netherlands, Peru and Vanuatu, were invited to attend the meeting as observers. Greece, Mauritius, Netherlands and Peru were represented.

1.4 The Cook Islands had deposited its Instrument of Accession to the Convention with the Depositary (Australia) on 20 October 2005 and also attended the meeting.

1.5 The Agreement on the Conservation of Albatrosses and Petrels (ACAP), the Antarctic and Southern Ocean Coalition (ASOC), the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the Committee for Environmental Protection (CEP), the Convention on International Trade in Endangered Species (CITES), the Coalition of Legal Toothfish Operators (COLTO), the Permanent Commission on the South Pacific (CPPS), the Food and Agriculture Organization of the United Nations (FAO), the Forum Fisheries Agency (FFA), the Inter-American Tropical Tuna Commission (IATTC), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Intergovernmental Oceanographic Commission (IOC), the World Conservation Union (IUCN), the International Whaling Commission (IWC), the Scientific Committee on Antarctic Research (SCAR), the South East Atlantic Fisheries Organisation (SEAFO), the Scientific Committee on Oceanic Research (SCOR), the Secretariat of the Pacific Community (SPC), the United Nations Environment Programme (UNEP) and the Commission for the Conservation and Management of the Highly Migratory Fish Stocks of the Western and Central Pacific Ocean were also invited to attend the meeting as observers. ACAP, ASOC, CCSBT, CEP, COLTO, FAO, IUCN, IWC, SCAR, SEAFO and UNEP attended.

1.6 It was agreed at last year's meeting to invite to CCAMLR-XXIV as observers the following non-Contracting Parties: Angola, Belize, People's Republic of China, Colombia, Indonesia, Kenya, Madagascar, Malaysia, Mexico, Mozambique, Panama, Philippines, Sao Tome and Principe, Seychelles, Singapore, St Vincent and Grenadines, Thailand and Togo (CCAMLR-XXIII, paragraph 18.1). These countries were known to have an interest in fishing for, or trade in, *Dissostichus* spp. The People's Republic of China was represented at the meeting.

1.7 The List of Participants is given in Annex 1. The List of Documents presented to the meeting is given in Annex 2.

1.8 The Chair welcomed all participants to the meeting, particularly the Cook Islands.

1.9 The Chair noted that CCAMLR had a long association with the Government of Australia, the Depositary of the Convention, the State of Tasmania and the city of Hobart. The Commission looked forward to its annual meeting with eager anticipation, heightened by the warm reception and hospitality which all enjoyed, and now by a magnificent new Headquarters building.

1.10 The Chair then introduced the Honourable Justice William Cox, Governor of Tasmania.

1.11 Justice Cox welcomed delegates to Hobart and Tasmania. In his address he said that the occasion was especially noteworthy to him as it was the first time that CCAMLR had met in its own Headquarters. He felt it was fitting that the historic building now housed an organisation that leads the world in terms of ocean governance and the sustainable management of the wild resources found therein.

1.12 Justice Cox said that each year, as CCAMLR looked back over its achievements and took the lessons learned into the future, progress continued to be made in combating the scourge of illegal, unreported and unregulated fishing, implementation of a centralised Vessel Monitoring System and development of an electronic Catch Documentation Scheme. Progress was also being made in addressing ecosystem considerations in the management of the krill fishery and in advancing various scientific initiatives aimed at improving the information on which management advice to the Commission had come to be based.

1.13 Most notably, the CCAMLR Symposium organised by Australia and Chile provided a unique opportunity for a frank and open appraisal of how CCAMLR goes about its business. Not only was this timely, it was also indicative of a 'healthy' respect for progress along with recognition of the need to remain flexible in response to ever-changing circumstances. Therefore, it is significant that the Symposium's outcomes are going to be considered against a background of growing international scrutiny as to the way that regional fisheries management organisations operate.

1.14 Justice Cox said that, through its innovative thinking and progressive actions, CCAMLR has probably done more than many other, and similar, organisations, to advance the efficient meeting of its objectives. The fact that CCAMLR and those involved are often held up as an example of best international practice in the field of wild-resource management is clearly a testament that the organisation must be 'doing something right' and is a credit to all involved.

1.15 Justice Cox repeated his past sentiment that CCAMLR Contracting Parties have much to offer the world in terms of their institutional and scientific expertise, as well as their institutional responsibility for a vast amount of vital data on the resources of the Southern Ocean. It is perhaps fitting that, like many of the other Antarctic organisations based in Tasmania, CCAMLR contributes greatly to the scientific synergy that characterises the Antarctic Treaty System. Along with COMNAP, the ACAP Secretariat and the University's



Antarctic CRC, CCAMLR is much valued in Tasmania as an institution with considerable educational potential on matters Antarctic. To have it now housed in the oldest school building in the State, is thus very appropriate.

1.16 Justice Cox wished the Commission every success with the Twenty-fourth Meeting.

#### Opening of the new CCAMLR Headquarters building

1.17 The Chair welcomed the Hon. Alexander Downer, MP (Minister for Foreign Affairs, Australia), Senator The Hon. Ian Macdonald (Minister for Fisheries, Forestry and Conservation, Australia), Lara Giddings, MHA (Minister for Economic Development and the Arts, Tasmania) and other distinguished guests on the occasion of the opening of the new CCAMLR Headquarters building. He again noted that this was the first time in CCAMLR's nearly 25-year history that it was holding its annual meeting at its own Headquarters.

1.18 Minister Downer indicated the importance that Australia attaches to its responsibilities as CCAMLR's host country and as the Depositary of the CAMLR Convention (see Annex 6). He highlighted the high esteem with which the Commission is regarded both domestically and internationally, especially in respect of its unique ecosystem and precautionary approach as well as its efforts to combat IUU fishing. Minister Downer also noted that the opening of the new CCAMLR Headquarters had personal significance since his father had attended the Hutchins School as a boy.

1.19 Minister Downer unveiled a commemorative plaque and declared the new CCAMLR Headquarters open.

1.20 In thanking Minister Downer, the Chair introduced Minister Lara Giddings, MHA.

1.21 Minister Giddings indicated that the Tasmanian Government was extremely proud of the fact that Hobart served as the host city for three important Antarctic organisations, including CCAMLR (see Annex 6). In these terms, she saw the locating of its new Headquarters in a well known and historic landmark as reinforcing the Tasmanian Government's ongoing commitment to, as well as its support for, CCAMLR over many years. Minister Giddings concluded by informing the Commission that the Tasmanian Government had entered into an agreement with the Australian Government to ensure that CCAMLR's move to its new Headquarters was now a reality and would continue to be supported in terms of underwriting the rent for the premises into the future.

## ORGANISATION OF THE MEETING

### Adoption of the Agenda

2.1 The Provisional Agenda (CCAMLR-XXIV/1), had been distributed prior to the meeting. The Commission agreed to make the following changes:

- (i) add subitem 15(iv) 'Cooperation with CCSBT' to its agenda and renumber the existing subitems 15(iv)–(vi) accordingly;

- (ii) add subitem 20(iii) 'Change to the Commission's Rules of Procedure'.

With these additions, the Commission adopted its agenda which is given in Annex 3.

2.2 The Chair referred Agenda Item 3 to the Standing Committee on Administration and Finance (SCAF), and Agenda Items 6 to 8 to the Standing Committee on Implementation and Compliance (SCIC). The reports of SCAF and SCIC are given in Annexes 4 and 5 respectively.

#### Report of the Chair

2.3 The Chair reported on intersessional activities. He reported that the Commission had not experienced the budgetary problems of recent years, which was largely attributable to the return to historic rates of exchange between the Australian and US dollar.

2.4 Two Scientific Committee working group meetings, along with associated subgroup meetings and workshops, had been held during the intersessional period; details of these meetings are elaborated in SC-CAMLR-XXIV, paragraph 1.7.

2.5 For the 2004/05 season, 52 inspectors had been designated, in accordance with the CCAMLR System of Inspection, by Argentina, Australia, New Zealand, UK and the USA. Ten reports were received from CCAMLR-designated inspectors from the UK in 2004/05.

2.6 Under the CCAMLR Scheme of International Scientific Observation, observers were on board all vessels in all finfish fisheries in the Convention Area (see paragraph 4.4 for further details).

2.7 During the 2004/05 season CCAMLR Members had actively participated in 13 fisheries in the Convention Area. In addition, four other managed fisheries were conducted in national EEZs within the Convention Area. Vessels fishing in fisheries managed under conservation measures in force in 2004/05 had reported, by 21 September 2005, a total of 124 535 tonnes of krill, 14 074 tonnes of toothfish and 1 991 tonnes of icefish; other species were taken as by-catch (CCAMLR-XXIV/BG/13).

2.8 The Catch Documentation Scheme for *Dissostichus* spp. (CDS) has been operating since 2000 and now includes the participation of three non-Contracting Parties to CCAMLR: the People's Republic of China, Seychelles and Singapore; along with three Acceding States: Canada, Mauritius and Peru. The total number of catch documents (i.e. landing/transshipment, export and re-export documents) received and processed by the Secretariat (as at 30 September 2005) is well over 30 000.

2.9 In accordance with the Commission's request, the Secretariat continues to trial and develop electronic web-based CDS (E-CDS) documentation.

2.10 Under Conservation Measure 10-04 adopted last year, the centralised vessel monitoring system (C-VMS) commenced operation during the intersessional period. On a voluntary basis, 26 vessels have been monitored in nine subareas or divisions, as well as outside the Convention Area.

2.11 During the year, the Commission and the Scientific Committee had been represented by observers at a number of international meetings (sections 14 and 15; SC-CAMLR-XXIV, section 9).

2.12 It was with regret that the Chair informed Members of the death on 4 June 2005 of the SCAF Vice-Chair, Mr Chris Badenhorst from South Africa. He conveyed the Commission's condolences to Mrs Nolene Badenhorst and family, and asked all delegates to stand for a minute's silence in memory of this kind and sincere man.

## FINANCE AND ADMINISTRATION

3.1 The Chair of SCAF, Dr H. Pott (Germany), presented the report of SCAF (Annex 4) outlining the results of the Committee's discussions and recommendations for decisions by the Commission.

### Examination of audited Financial Statements for 2004

3.2 Noting that a full audit had been carried out on the 2004 Financial Statements and that an unqualified report had been provided by the auditor, the Commission accepted the audited Financial Statements for 2004.

### Audit requirements for the 2005 Financial Statements

3.3 The Commission endorsed the advice of SCAF that a review audit only was required for the 2005 Financial Statements.

### Secretariat Strategic Plan

3.4 The Commission received the advice of SCAF with respect to the Executive Secretary's report, which forms a key element of the annual assessment of his performance and noted that the Secretariat's Strategic Plan is now fully implemented.

3.5 The Commission noted the comments of SCAF in relation to the need for in-house legal capacity and also the significant contribution the Secretariat had provided in E-CDS training for Mauritius.

3.6 The Commission noted that the Secretariat would prepare for next year's meeting a review of the role of the Science/Compliance Officer, also noting the present incumbent's likely retirement in the near future and the potential loss of corporate memory (Annex 4, paragraph 8).

## Members' Activities

3.7 The Commission noted that the Scientific Committee had advised that the Reports of Members' Activities are no longer required in its work, or that of its working groups (Annex 4, paragraph 9; SC-CAMLR-XXIV, paragraph 15.5).

## Education Package

3.8 The Commission accepted that the formal launch of the Education Package should coincide with CCAMLR's 25th anniversary celebrations (Annex 4, paragraph 10).

## Support for participation at meetings

3.9 The Commission endorsed the recommendation of SCAF that, when the Commission identifies non-Contracting States to be invited as observers, the letter of invitation should specify that CCAMLR does not fund participation and should refer the invited party to the UN funding body (Annex 4, paragraphs 11 and 12).

## Review of budget for 2005

3.10 The Commission noted the unanticipated increase in the 2005 budget due to the longer than expected report of the Working Group on Fish Stock Assessment (WG-FSA). The Commission agreed that the approved budget for 2005 should be revised as presented in Annex 4, Appendix II, including a projected surplus of A\$24 400.

## Cost recovery

3.11 The Commission noted that income from the non-refundable portion of the exploratory fees received in respect of new and exploratory fisheries covers the costs incurred in processing such notifications.

3.12 The Commission endorsed the recommendation of SCAF (Annex 4, paragraphs 16 and 17) to include paragraph (v), below, in the procedures for recovery of costs associated with the administration of new and exploratory fisheries agreed last year (CCAMLR-XXIII, paragraph 3.12 and Annex 4, paragraph 14), viz:

- (i) a notification is required for each new and exploratory fishery, i.e. a single submission by an individual Member in respect of a single year, a single species group and one subarea/division;
- (ii) each notification should identify the companies and vessels intending to pursue the fishery;

- (iii) each notification should be accompanied, or followed within one month, by a payment of A\$8 000 in respect of each vessel intending to pursue the fishery, consisting of:
- a fee of A\$3 000 representing the recovery of administrative costs;
  - a sum of A\$5 000, to be refunded when the vessel had commenced fishing in the fishery for the season in accordance with conservation measures determined by the Commission. In the event of the Commission deciding that a notified fishery should not proceed in a particular year, this sum shall be refunded;
- (iv) where payment is made by a fishing company rather than a Member, the Member should identify in the notification:
- the company making the payment
  - the vessels in respect of which the payment is made;
- (v) where a notification is not accompanied by the payment in paragraph (iii), the notification shall proceed no further and as a consequence, notice of receipt by the Secretariat will not be circulated, nor will it be forwarded to the Scientific Committee or its working groups for consideration. Except that, where more than one vessel is included in the notification, the notification may proceed for consideration by the Scientific Committee or its working groups in respect of those vessels for which the requirements of paragraph (iii) have been met. Where the requirements of paragraph (iii) have not been met in respect of a particular vessel or vessels, the part of the notification dealing with that vessel or vessels shall not advance for consideration by the Scientific Committee or its working groups.

3.13 The Commission agreed that the Secretariat should immediately circulate to Members all notifications for new and exploratory fisheries received by the due date. This would be in keeping with the original intent of the Commission in ensuring that notifications became available to Members three months before the CCAMLR meeting, as opposed to two months which is currently the case. Following the deadline for payments, a subsequent communication should also be circulated by the Secretariat, advising of those notifications for which payment has not been received and giving a clear indication that they would not be progressed.

3.14 The Commission also agreed that the Secretariat should draft a precise pro forma, sent to Members six weeks to two months prior to the deadline for the receipt of applications, indicating the due date for the application, details required in the application and the requirements for submitting payment.

#### Contingency Fund

3.15 The Commission endorsed the recommendation of SCAF (Annex 4, paragraph 18) that any funds in excess of A\$110 000 should be transferred to the General Fund from 2006.

## Professional Staff salaries

3.16 The Commission noted that this item had been deferred to the next meeting.

## Budget for 2006

3.17 The Commission endorsed the recommendation of SCAF for the creation of an Asset Replacement Fund (Annex 4, paragraph 20) into which income generated from leasing the meeting facilities to outside organisations can be paid, and from which future maintenance and asset replacement costs are to be met to the extent available from the Fund.

3.18 The Commission received advice that funding of the C-VMS for 2006 would continue to be met from savings achieved in the General Fund as a result of cost substitution of expenditure relating to new and exploratory fisheries applications and that the matter should be further reviewed thereafter.

3.19 The Commission accepted that the Scientific Committee's budget, as presented in its report, should be incorporated into the Commission's 2006 budget (Annex 4, paragraph 25; SC-CAMLR-XXIV, paragraph 10.1(i) (a)–(f)).

3.20 The Commission fully supported the recommendation of SCAF to adopt the budget for 2006 as presented in Annex 4, Appendix II.

## Multi-year funding of Scientific Committee projects

3.21 The Commission approved that A\$8 500, budgeted for expenditure on preparatory work to revise the *Scientific Observers Manual* in 2005 be carried forward in the Special Science Fund in accordance with the procedure approved in 2004 (CCAMLR-XXIII, paragraph 3.22 and Annex 4, paragraph 27).

## Members' contributions

3.22 In accordance with Financial Regulation 5.6, the Commission granted Argentina, Brazil, Republic of Korea, Spain and Uruguay an extension to the deadline for the payment of 2006 contributions.

3.23 The Commission noted the concern expressed by Members over late contribution payments. It endorsed the request of SCAF that the Secretariat report back to the Committee's next meeting on practices followed by other, similar, international organisations with a view to providing information on the possibility of imposing a penalty for late contributions in the future.

3.24 The Commission agreed that Members should be urged to continue their efforts to ensure that contributions are paid by the due date, including those Members who had been

granted extensions. Payments made, together with date of receipt, will be included in an appendix to the SCAF report. Some Members proposed that Members who did not pay in time be listed in the report of the Commission.

#### Forecast budget for 2007

3.25 The Commission noted the forecast budget for 2007 as presented in Annex 4, Appendix II, and that no real growth in Member's contributions was anticipated. It confirmed the advice of SCAF that care should be taken by Members when using this forecast for their own financial budgeting.

#### CDS Fund

3.26 The Commission noted that no expenditure was incurred from this fund in 2005.

#### Antarctic Treaty Secretariat Funds

3.27 The Commission noted that the Secretariat had closed the account held on behalf of the Antarctic Treaty Secretariat and expressed its gratitude to the Secretariat for work undertaken in this matter.

#### Installation of a wireless network at the CCAMLR Headquarters

3.28 A number of Members spoke in favour of progressing implementation of a wireless computer system (Annex 4, paragraph 36). The Commission agreed to wait on a report concerning, *inter alia*, potential savings on paper costs etc. to be prepared by the Secretariat which would be submitted to next year's meeting.

#### Belgian Special Fund

3.29 Belgium advised that it was making a €20 000 voluntary contribution to establish a Belgian Special Fund to support activities undertaken in respect of Marine Protected Areas (MPAs). The Members expressed their appreciation to Belgium.

#### Commission meeting venue and Secretariat office accommodation

3.30 The Commission agreed to convey a formal note of appreciation, signed by the Commission Chair on its behalf, to the Australian Commonwealth Government (via the

Minister for Foreign Affairs), the Tasmanian State Government and the property owner (Mr R. Rockefeller) for their assistance in providing the new CCAMLR Headquarters building.

3.31 It was also agreed that the statements made by the Ministers during the official opening celebrations should be appended to the final Commission report (Annex 6).

#### Chair and Vice-Chair of SCAF

3.32 The Commission noted that Germany had been reappointed as Chair of SCAF and that New Zealand had been appointed Vice-Chair (Annex 4, paragraph 38). It expressed its appreciation to Dr Pott for his excellent leadership and management of the Committee and presentation of its report.

3.33 The Commission thanked the new Administration and Finance Officer and his staff for their work in the preparation of the budget items.

#### SCIENTIFIC COMMITTEE

4.1 The Chair of the Scientific Committee, Dr E. Fanta (Brazil) presented the report of the Scientific Committee (SC-CAMLR-XXIV). The Commission thanked Dr Fanta for her comprehensive report (CCAMLR-XXIV/BG/48).

4.2 The Commission noted the Scientific Committee's general recommendations, advice, research and data requirements. The Commission also discussed substantive matters arising from the Committee's deliberations under other parts of the former's agenda, including assessment and avoidance of incidental mortality (section 5); IUU fishing (section 8); Scheme of International Scientific Observation (section 9); new and exploratory fisheries (section 10); fisheries management and conservation under conditions of uncertainty (section 12); data access and security (section 13); and cooperation with other international organisations (section 14).

#### Intersessional activities

4.3 The Commission noted the extensive activities of the Scientific Committee and its various working groups in 2005 (SC-CAMLR-XXIV, paragraph 1.7). It joined the Scientific Committee in thanking the conveners of the working groups, subgroups and workshops for their contributions to the work of CCAMLR.

#### CCAMLR Scheme of International Scientific Observation

4.4 Scientific observers appointed under the CCAMLR Scheme of International Scientific Observation were deployed on all vessels fishing for finfish in the Convention Area in



2004/05. In addition, scientific observers were deployed on eight krill fishing vessels under the scheme. The Scientific Committee's advice on scientific observation is also considered in section 9.

#### Ecosystem monitoring and management

4.5 The Commission noted progress in developing a feedback management regime for the krill fishery.

4.6 In particular, the 2005 meeting of the Working Group on Ecosystem Monitoring (WG-EMM) included a Workshop on Management Procedures which focused on examining six candidate methods for subdividing the krill catch limit in Area 48 among small-scale management units (SSMUs) (SC-CAMLR-XXIV, paragraphs 3.16 to 3.22).

4.7 It also noted that the Scientific Committee had agreed that future work should continue to examine the sensitivity of performance measures in the development of the krill–predator–fishery–model (KPFM) (SC-CAMLR-XXIV, paragraphs 3.18 and 3.19). The Commission recognised the importance of operating models, such as KPFM, for developing and evaluating management procedures in order to be confident that such procedures will meet the conservation objectives set out in Article II of the Convention. It also agreed that the KPFM, with its extensive documentation, graphic outputs and diagnostics, has successfully engaged participants with a wide range of scientific, modelling and fisheries management expertise.

4.8 The Commission noted the Scientific Committee's view that a further year's work should allow delivery of appropriate advice on the evaluation of options for the subdivision of the precautionary catch limit for krill in Area 48.

4.9 The Commission endorsed the Scientific Committee's work plan over the next few years (SC-CAMLR-XXIV, paragraph 3.43), noting in particular:

- (i) plans for an Australian krill biomass survey of Division 58.4.2 from January to March 2006 to provide an updated estimate of  $B_0$  for Division 58.4.2;
- (ii) a change in the model for estimating krill acoustic target strength to that of a 'theoretically-derived, empirically-validated' model. Consequently, the Scientific Committee suggested holding a workshop to review and, if necessary, revise the current precautionary krill catch limits no later than 2007;
- (iii) a second Workshop on Management Procedures to be held in 2006 to develop appropriate advice on evaluating options for subdivision of the krill precautionary catch limit among SSMUs in Area 48.

4.10 The Commission questioned the timing of the proposed workshop to review and revise precautionary catch limits for krill (paragraph 4.9(ii)). Some Members considered that it would be advantageous to hold the workshop in 2008 or 2009 on completion of the CCAMLR-IPY-2008 Survey (paragraphs 4.76 to 4.80). Following discussion, the Commission endorsed the Scientific Committee's proposal to hold the workshop in 2007,

noting that this would allow the Scientific Committee to incorporate any revision of catch limits in its advice on the subdivision of the precautionary catch limit for krill in Area 48 at the earliest possible opportunity.

4.11 The Commission endorsed the Scientific Committee's approval of the two Antarctic Treaty Consultative Meeting (ATCM) management plans containing marine areas (SC-CAMLR-XXIV, paragraph 3.23) – the Antarctic Specially Protected Area (ASPA) at Edmonson Point and a revised plan for the Antarctic Specially Managed Area (ASMA) at Admiralty Bay – and agreed to forward its conclusions to the next ATCM for its consideration.

#### Workshop on Marine Protected Areas

4.12 The Commission endorsed the Scientific Committee's advice arising from the 2005 Workshop on Marine Protected Areas (SC-CAMLR-XXIV, paragraphs 3.51 to 3.65), agreeing that the primary aim is to establish a harmonised regime for the protection of the Antarctic marine environment across the Antarctic Treaty System (ATS). This may require clarification of the roles and responsibilities of ATCM and CCAMLR in respect of the management of different human activities in the region (SC-CAMLR-XXIV, paragraph 3.52).

4.13 In terms of this workshop's remit to review current principles and practices related to the establishment of MPAs, the Commission noted that:

- (i) there was a need to develop a strategic approach to MPA design and implementation throughout the Southern Ocean, notably in relation to a system of protected areas;
- (ii) there was a strong need for collaboration at technical and policy levels to further develop the MPA concept in the Southern Ocean. Relevant bodies in such a dialogue would include key elements of the Treaty System (CEP and the ATCM) as well as SCAR, SCOR, observers to CCAMLR, intergovernmental and non-governmental organisations.

4.14 On the way that MPAs could be used to contribute to furthering the objectives of CCAMLR, the Commission noted that:

- (i) MPAs had considerable potential for furthering CCAMLR's objectives in applications ranging from protection of ecosystem processes, habitats and biodiversity to protection of particular species (including population and life history stages);
- (ii) under the IUCN categories of protected areas, the Convention Area as a whole would qualify as Category IV (Habitat/Species Management Area) as a protected area managed mainly for conservation through management intervention to ensure maintenance of habitats and/or to meet requirements of specific species;

- (iii) conservation outcomes appropriate for achieving the objectives of CCAMLR Article II include maintenance of biological diversity as well as the maintenance of ecosystem processes;
- (iv) attention may need to be given to the need for, *inter alia*, protection of:
  - (a) representative areas – a system of representative areas that would aim to provide a comprehensive, adequate and representative system of MPAs to contribute to the long-term ecological viability of marine systems, to maintain ecological processes and systems, and to protect the Antarctic marine biological diversity at all levels;
  - (b) scientific areas to assist with distinguishing between the effects of harvesting and other activities from natural ecosystem changes as well as providing opportunities for understanding of the Antarctic marine ecosystem without interference;
  - (c) areas potentially vulnerable to impacts by human activities, to mitigate those impacts and/or ensure the sustainability of the rational use of marine living resources;
- (v) the process of establishing a CCAMLR protected areas system will need to account for satisfactory fishery outcomes in terms of the rational use provisions of Article II.

4.15 On the types of scientific information required to develop MPAs, the Commission noted that:

- (i) key tasks to be considered in developing a system of protected areas to assist CCAMLR in achieving its broader conservation objectives are:
  - (a) a broad-scale bioregionalisation of the Southern Ocean;
  - (b) a fine-scale subdivision of biogeographic provinces, which may include hierarchies of spatial characteristics and features within regions, giving particular attention to areas identified in the bioregionalisation;
  - (c) identification of areas that might be used to achieve the conservation objectives;
  - (d) determination of areas requiring interim protection;
- (ii) such tasks should initially comprise a desktop study;
- (iii) the types of data required are listed in SC-CAMLR-XXIV, Annex 7, Table 2.

4.16 The Commission also recognised that the MPA Workshop had considered the types of information required to assess MPAs in the Convention Area currently under development or consideration (SC-CAMLR-XXIV, paragraphs 3.60 to 3.63).

4.17 The Commission endorsed the Scientific Committee's future work plan for developing a system of protected areas, including (SC-CAMLR-XXIV, paragraphs 3.65 and 3.73):

- (i) holding a workshop to advise on a bioregionalisation of the Southern Ocean, including, where possible, advice on smaller-scale delineation of provinces and potential areas for protection to further the conservation objectives of CCAMLR;
- (ii) establishing a Steering Committee, including members of the Scientific Committee and CEP. An important role of the Steering Committee will be to involve appropriate experts from outside the Scientific Committee and CEP with appropriate data or expertise;
- (iii) inviting CEP to undertake the initial work necessary to develop a bioregionalisation of the coastal provinces, as an extension of its terrestrial bioregionalisation work, while the Scientific Committee would undertake the initial work needed to delineate the oceanic provinces.

4.18 In considering the Scientific Committee's proposal to hold a second MPA Workshop in 2008, the Commission agreed that there is a need to make more rapid progress on such an important issue. It therefore urged the Scientific Committee to hold the workshop in 2007.

#### Dependent species and ecosystem considerations

4.19 The Commission noted that the Scientific Committee continues to consider a broad ecosystem approach to fisheries and in particular the effects of fisheries on non-target species (SC-CAMLR-XXIV, paragraphs 3.78 to 3.80). Progress is being made on the setting of catch limits for the target species in a fishery, and the implementation and conduct of that fishery.

#### Harvested species

4.20 The Commission noted the Scientific Committee's summary of various fisheries in 2004/05 (SC-CAMLR-XXIV, paragraphs 1.10 to 1.14). In all, 16 Members fished along with one Contracting Party.

#### Krill

4.21 The Commission noted the information provided by the Scientific Committee on krill fishing in 2003/04 (SC-CAMLR-XXIV, paragraph 4.1 and Table 2) compared with 2004/05 (SC-CAMLR-XXIV, paragraph 4.2 and Table 3). The krill harvest in the 2003/04 fishing season was 118 116 tonnes and up to September 2005 was 124 535 tonnes. All fishing occurred in Area 48 only, and most of the catch was taken within three of the 15 SSMUs.

4.22 The Commission noted that an analysis of historical catches indicated that only five out of 15 SSMUs in Area 48 contributed substantially to the total krill catch (SC-CAMLR-XXIV, paragraph 4.6). A shift in operations was noted in SSMUs at the South Shetland Islands, where fishing has shifted from the December–February period to fishing in March–May. In the vicinity of the South Orkney Islands the fishery has continued in the March–May period and at South Georgia the timing of operations has also remained relatively constant (June–August). This change in the season of the fishery may mean that the level of observer coverage (mainly in winter) may not be sufficient to understand the behaviour of the fishery or issues such as the by-catch of larval fish.

4.23 The Commission also noted that the Vanuatu-flagged vessel *Atlantic Navigator* had used a new fishing system where krill are continuously pumped aboard from the codend of a pelagic trawl without the need to bring the trawl aboard (SC-CAMLR-XXIV, paragraphs 4.8 and 4.9). This new technique may have considerable potential to impact other elements of the ecosystem either through by-catch, particularly of larval fish, or through incidental mortality of either immature krill or other small pelagic species.

4.24 The Commission noted that this new technique will be used by a Norwegian-flagged vessel in 2005/06. The Commission agreed that an urgent study was required to document the new technique and its potential impacts. Accordingly, the Commission welcomed Norway's undertaking to provide a report in 2006 on the operation of this technique and on its potential impacts. The Commission also noted deployment of scientific observers would assist in gathering essential information on the operational characteristics of this type of fishing.

4.25 Most Members of the Commission endorsed the Scientific Committee's advice that this new technique should not be considered a 'new and exploratory fishery', but that there is a need for adequate information on its selectivity as well as on catch rate and location. In particular, because haul duration can extend for several days, there is considerable potential for single hauls to occur across several SSMUs (see also discussion in paragraphs 10.18 and 10.19).

4.26 Russia believed that this new continuous pumping technique may have a potentially negative impact on the Antarctic ecosystem, particularly through the incidental mortality of larval and juvenile fish, immature krill or other zooplankton organisms. Therefore Russia believed that the krill fishery based on the pumping technique should be classified as an exploratory fishery until such time as comprehensive information on the selectivity of the fishing method, characteristics of the hauls and their species composition, the location of krill catches and the haul duration was received and evaluated by the Scientific Committee.

4.27 Norway noted that this specific fishery had been going on for two years and had been undertaken in full compliance with all relevant CCAMLR measures.

4.28 Russia urged Norway to ensure that in the 2006/07 season the application for fishing for krill, using pumping technologies, is submitted in compliance with Conservation Measure 21-02.

4.29 The Commission noted the notifications of intention to harvest krill in the 2005/06 fishing season. These included Russia (15 000 tonnes), Japan (25 000 tonnes), the Republic of Korea (25 000 tonnes), Ukraine (30 000 tonnes), USA (50 000 tonnes) and Norway (100 000 tonnes), giving a total of 245 000 tonnes (WG-EMM-05/6). Norway further

indicated that the Vanuatu-flagged vessel *Atlantic Navigator* ceased fishing for krill in August 2005. As notified, the vessel will be replaced by the Norwegian-flagged *Saga Sea*, which will begin fishing in December 2005.

4.30 In respect of the krill fishing vessel *Saga Sea*, Norway indicated that it would provide data on krill catches at a level at least equivalent to the haul-by-haul information required in Conservation Measure 23-06, and would consult the Secretariat as to how best effect this.

4.31 The Commission noted the utility of the notification procedure for krill fisheries which has been operating for the last two seasons and encouraged Members to continue to submit these notifications. It recognised that the time series of such information will be extremely valuable in discerning trends in the fishery.

4.32 The Commission noted the Scientific Committee's advice that the krill fishery's pattern of operation is changing in respect of the nations involved, in the composition of its products and in the harvesting technology being used. There may also be evidence of gradual increases in overall catch levels. These developments will require changes in the type of data and reporting formats required from the fishery and in the level of observer coverage (SC-CAMLR-XXIV, paragraph 4.11).

4.33 The Commission endorsed the Scientific Committee's advice that (SC-CAMLR-XXIV, paragraph 3.43):

- (i) while the Commission has set catch limits for each subarea in Area 48 in Conservation Measure 51-01, there is no requirement in Conservation Measure 23-03 to report catches at the scale of subarea and hence there was no mechanism by which to determine if a catch limit had been exceeded;
- (ii) in order to allow the consideration of catches in each SSMU at an annual time scale, paragraph 3 of Conservation Measure 23-06 be modified appropriately.

#### Toothfish

4.34 The Commission noted that Members had fished for *Dissostichus eleginoides* in 2004/05 in Subareas 48.3 and 48.4 and Division 58.5.2, and for *Dissostichus* spp. in Subareas 48.6, 88.1, 88.2 and Divisions 58.4.1, 58.4.2, 58.4.3a and 58.4.3b. Other fisheries for *D. eleginoides* occurred in the EEZs of South Africa (Subareas 58.6 and 58.7) and France (Subarea 58.6 and Division 58.5.1). A total catch of 14 074 tonnes of *Dissostichus* spp. was reported in the Convention Area in the 2004/05 season (to 21 September 2005), compared with 15 877 tonnes in the previous season (SC-CAMLR-XXIV, Tables 2 and 3).

4.35 Data reported in the CDS indicated that 8 511 tonnes of *Dissostichus* spp. were taken outside the Convention Area in 2004/05 (to October 2005) compared with 15 806 tonnes in the previous season (SC-CAMLR-XXIV, paragraph 4.23). The catch of *Dissostichus* spp. outside the Convention Area reported through the CDS was 4 465 tonnes in 2004/05 and 3 873 tonnes for Areas 41 and 87 respectively, compared to 8 411 and 5 828 tonnes respectively in 2003/04.

4.36 The Commission noted that the Scientific Committee and WG-FSA had considered two separate modelling strategies for assessing *D. eleginoides* in Subarea 48.3 (SC-CAMLR-XXIV, paragraphs 4.42 to 4.58).

4.37 The Commission endorsed the Scientific Committee's advice setting a catch limit of 3 556 tonnes for *D. eleginoides* in Subarea 48.3 in 2005/06 (SC-CAMLR-XXIV, paragraphs 4.59 to 4.62).

4.38 The Commission endorsed the Scientific Committee's advice on *D. eleginoides* in the French EEZs in Division 58.5.1 and Subarea 58.6 (SC-CAMLR-XXIV, paragraphs 4.67, 4.68 and 4.91). It commended France on implementing a tag–recapture experiment in the 2005/06 season as this represents a major step forward in the determination of stock status.

4.39 It also endorsed the Scientific Committee's advice on *D. eleginoides* in Division 58.5.2 (SC-CAMLR-XXIV, paragraphs 4.77 and 4.78).

4.40 The Commission noted that the Scientific Committee was unable to provide management advice for the fishery in the South African EEZ in Subareas 58.6 and 58.7 because the assessment for that fishery reported to WG-FSA was not based on the CCAMLR decision rules. The Commission urged South Africa to use the CCAMLR decision rules in estimating yields for the fishery and to consider the Scientific Committee's advice on the matter (SC-CAMLR-XXIV, paragraphs 4.83 and 4.84).

4.41 The Commission endorsed the Scientific Committee's advice (SC-CAMLR-XXIV, paragraphs 4.68, 4.85 and 4.92) on the continued prohibition of directed fishing for *D. eleginoides* in areas outside national jurisdiction in Subareas 58.6 and 58.7 and Divisions 58.4.4 and 58.5.1.

#### Icefish

4.42 The Commission noted that Members had fished for *Champsocephalus gunnari* in Subarea 48.3 and Division 58.5.2 in 2004/05, and a total of 1 991 tonnes of *C. gunnari* was taken in the Convention Area (to 21 September 2005), compared with 2 762 tonnes in the previous season (SC-CAMLR-XXIV, Tables 2 and 3).

4.43 The Commission noted that neither an acoustic research survey nor the fishery had found large concentrations of *C. gunnari* in Subarea 48.3 in 2004/05. It also noted that various explanations were discussed by the Scientific Committee (SC-CAMLR-XXIV, paragraphs 4.95 to 4.97).

4.44 The Commission endorsed the Scientific Committee's advice (SC-CAMLR-XXIV, paragraphs 4.97 and 4.99) on *C. gunnari* in Subarea 48.3.

4.45 The Commission endorsed the Scientific Committee's advice (SC-CAMLR-XXIV, paragraphs 4.106 and 4.107) on *C. gunnari* in Division 58.5.2. In endorsing this advice, the Commission noted the Scientific Committee's advice (SC-CAMLR-XXIV, paragraph 4.108) that:

- (i) this catch would primarily be of age-4 fish, which have been reproductively mature for at least one year;
- (ii) the catch on this cohort in the following year (2006/07) should be zero in order to satisfy the decision rule that the biomass of the stock should be greater than or equal to 75% of that which would have been present after two years in the absence of fishing;
- (iii) this strategy would provide for three years of reproduction by this cohort, although the strategy of having the catch concentrated in one year may slightly reduce the capacity for reproduction in the cohort's fifth year;
- (iv) although unlikely, given the absence of a strong 1+ year class in the 2005 survey, should a survey in 2006 show a 2+ cohort entering the fishable population then it may be difficult to have a fishery in the 2006/07 season that results in a negligible catch of the current dominant cohort, which would be 4+ during that survey.

4.46 The Commission agreed that the fishery for *C. gunnari* within the French EEZ of Division 58.5.1 should remain closed until information on stock status is obtained from a survey (SC-CAMLR-XXIV, paragraph 4.109).

#### Other finfish species

4.47 The Commission endorsed the Scientific Committee's advice on other finfish fisheries in Subareas 48.1, 48.2 and 48.3 (SC-CAMLR-XXIV, paragraphs 4.112 and 4.119).

4.48 The Commission endorsed the Scientific Commission's advice that a mark-recapture program for *Dissostichus* spp. be conducted over the next three to five years in Subarea 48.4 with a 100 tonne catch limit per season (SC-CAMLR-XXIV, paragraph 4.118 and Annex 5, paragraph 5.143). The Commission agreed to take the necessary steps to ensure that this research program is not affected by other fishing activities.

#### By-catch species

4.49 The Commission noted that the Scientific Committee had been unable to provide new advice on by-catch catch limits (SC-CAMLR-XXIV, paragraphs 4.179, 4.186 and 4.187). Therefore, the Commission agreed to maintain the status quo for catch limits for by-catch species in 2005/06.

4.50 The Commission endorsed the Scientific Committee's advice (SC-CAMLR-XXIV, paragraphs 4.192 to 4.200) on changes to data reporting forms. The Commission also urged:

- (i) Members and scientific observers to complete all the information requested on the data forms;



- (ii) Members engaged in fisheries to collect information necessary to establish levels of risk, as used in the development of the level of risk for species such as the grenadier *Macrourus whitsoni* and the ray *Amblyraja georgiana* in the exploratory fishery in the Ross Sea (SC-CAMLR-XXIV, paragraph 4.196);
- (iii) Members and scientific observers to submit to the Secretariat, where feasible, reports on fishing methods and strategies likely to reduce by-catch of non-target species.

4.51 The Commission endorsed the Scientific Committee's advice (SC-CAMLR-XXIV, paragraphs 4.201 to 4.204) that:

- (i) where possible, vessels should release rays from the lines by cutting the snoods when the rays are still in the water, unless requested not to do so by the observer during the biological sampling period;
- (ii) the requirement to cut all rays from lines whilst still in the water be relaxed when observers are carrying out particular tasks aimed at collecting further information on rays during the sampling period concerned.

4.52 The Commission endorsed a new 4-category scale (SC-CAMLR-XXIV, paragraph 4.204) to assess the condition of skates and rays when they are returned to the water.

4.53 Spain noted that the by-catch in exploratory fisheries had necessitated closure of some SSRUs (CCAMLR-XXIV/BG/13). A study on *Macrourus* spp. in Subareas 88.1 and 88.2 had also demonstrated the influence of fishing method, depth, geographical area and bait type (SC-CAMLR-XXIV, paragraph 4.197). Spain proposed that the Commission consider revising the by-catch 'move-on rule' for exploratory fisheries so as to encourage the industry to improve the selectivity of longline fishing methods.

#### Crab resources

4.54 The Commission noted that there had been no fishery for crab in Subarea 48.3 in the 2004/05 season and that no proposal to harvest crab had been received for the 2005/06 season. The Commission endorsed the management advice (SC-CAMLR-XXIV, paragraph 4.182) provided by the Scientific Committee.

#### Squid resources

4.55 The Commission noted that there had been no fishery for *Martialia hyadesi* in Subarea 48.3 in the 2004/05 season and that no notification to harvest this species had been received for the 2005/06 season. The Commission endorsed the management advice (SC-CAMLR-XXIV, paragraph 4.184) provided by the Scientific Committee.

## Scientific research exemption

4.56 The Commission recalled that scientific research surveys notified to the Secretariat under Conservation Measure 24-01 are regularly updated on the CCAMLR website. It noted the future surveys identified (SC-CAMLR-XXIV, paragraphs 8.1 to 8.3) by the Scientific Committee. These comprise:

- bottom trawl survey in Subarea 48.1 by Germany in November/December 2006
- bottom trawl survey in Division 58.5.1 by France during 2006/07
- bottom trawl survey in Subarea 88.3 by the USA in March 2006
- bottom trawl survey in Division 58.5.2 by Australia in 2006
- bottom trawl survey in Subarea 48.3 by the UK in January/February 2006
- acoustic survey in Subarea 88.1 by Italy in December 2006 and January 2007.

## Secretariat supported activities

4.57 The Commission noted the work undertaken by the Secretariat in 2004/05 in support of the Scientific Committee and its working groups (SC-CAMLR-XXIV, paragraphs 12.1 to 12.13).

4.58 The Commission endorsed the revisions to the submission of meeting documents to the Scientific Committee and its working groups. The guidelines had been discussed and revised in 2005 so as to standardise the guidelines for the working groups (SC-CAMLR-XXIV, paragraphs 12.14 to 12.16).

4.59 The Commission also endorsed the Scientific Committee's decision that an electronic reference library of all relevant meeting documents, including those submitted at previous meetings, be made available generally to meeting participants under the Rules for Access and Use of CCAMLR Data (SC-CAMLR-XXIV, paragraph 12.19).

4.60 The Commission endorsed the implementation of an Internet newsgroup in support of working groups' activities. The Internet newsgroups will be operated in accordance with agreed terms of reference and does not require moderation by the Secretariat (SC-CAMLR-XXIV, paragraph 12.28). The Commission agreed to fund the development of the newsgroup system (SC-CAMLR-XXIV/9).

4.61 The Commission noted the Scientific Committee's concerns regarding a new trial electronic version of the *Statistical Bulletin* (eSB) which the Secretariat had developed at the request of WG-FSA (SC-CAMLR-XXI, Annex 5, paragraph 13.8; SC-CAMLR-XXIV, paragraphs 12.20 to 12.27). The trial eSB contained fine-scale catch data aggregated by species, area, fine-scale rectangle and month. Some Members were concerned that these aggregated catch data may provide information which could be used by IUU fishing vessels and/or may divulge proprietary information.

4.62 The Commission asked that the Secretariat draft a policy governing the presentation and publication of aggregated fine-scale data, and the degree of aggregation required to alleviate Members' concerns. The Commission agreed that such a policy should be uniformly applied to all fisheries in the Convention Area (SC-CAMLR-XXIV, paragraph 12.26).

## Scientific Committee activities

4.63 The Commission endorsed the work plan for the Scientific Committee and its working groups in 2005/06 (SC-CAMLR-XXIV, paragraphs 13.1 to 13.62), including:

- (i) meeting of WG-EMM in Namibia from 17 to 28 July 2006 – the Second Workshop on Management Procedures will be held in week 1 of the meeting;
- (ii) meeting of WG-FSA, including ad hoc WG-IMAF, in Hobart from 9 to 20 October 2006;
- (iii) meeting of WG-FSA's Subgroup on Assessment Methods (WG-FSA-SAM) in Namibia in the week immediately prior to WG-EMM-06 (approximate dates: 10 to 14 July 2006);
- (iv) meeting of the Joint Assessment Group (JAG) in Namibia during the week following WG-FSA-SAM-06 (approximate dates: 17 to 21 July 2006) (paragraphs 8.3 to 8.5);
- (v) meeting of the Subgroup on Acoustic Survey and Analysis Methods (SG-ASAM) in Hobart in March 2006, in association with the meeting of the ICES Working Group on Fisheries Acoustic Science and Technology;
- (vi) the second workshop on the age determination of *C. gunnari* is scheduled between April and June 2006;
- (vii) SC-CAMLR-XXV scheduled in Hobart from 23 to 27 October 2006.

4.64 The Commission noted that the dates and venue of the meetings of JAG, SG-ASAM and the age determination workshop will be determined in consultation with meeting organisers and information will be circulated to Members in early 2006 (SC-CAMLR-XXIV, paragraph 13.15).

4.65 The Commission endorsed the Scientific Committee's decision that all observers invited to the 2005 meeting would be invited to participate in SC-CAMLR-XXV. In addition, the Scientific Committee had agreed to invite Peruvian scientists to participate in the 2006 meeting of WG-EMM and future planning meetings of the CCAMLR-IPY steering group (SC-CAMLR-XXIV, paragraph 13.42).

4.66 The Commission also noted that:

- (i) Dr E. Barrera-Oro's (Argentina) term as Vice-Chair of the Scientific Committee ended in 2005 and the Scientific Committee had unanimously elected Mr L. Pshenichnov (Ukraine) to the position for a term of two regular meetings (2006 and 2007);
- (ii) Dr K. Reid (UK) will replace Dr R. Hewitt (USA) as Convener of WG-EMM.

4.67 The Commission joined the Scientific Committee in thanking Dr Hewitt, outgoing convener of WG-EMM, and Dr Barrera-Oro, outgoing Vice-Chair, for their significant contributions to the work of the Scientific Committee. The Commission welcomed Dr Reid and Mr Pshenichnov.

#### Reorganisation of the work of the Scientific Committee and its working groups

4.68 The Commission endorsed the Scientific Committee's decision (SC-CAMLR-XXIV, paragraphs 13.1 to 13.11) to review the reorganisation of its work in order to improve the balance, conduct and integration of work between the major current elements of its work program.

4.69 The Commission noted that this review would be developed during the intersessional period by a steering committee (SC-CAMLR-XXIV, paragraph 13.11).

#### Report of WG-FSA

4.70 The Commission noted concerns expressed by the Scientific Committee (SC-CAMLR-XXIV, paragraphs 13.21 to 13.25) at the budget over-run in the costs of translating and publishing the 2005 report of WG-FSA.

4.71 The Scientific Committee had discussed ways to reduce the future costs of translating and publishing the report of WG-FSA. The Commission agreed that the 2005 report was very large. However Members' individual needs for information were varied and precluded consensus being reached over which sections of the report should be retained, and which may be removed.

4.72 Further, the Commission recalled that WG-FSA had tried to reduce the cost of translation in 2003 by placing some appendices in background documents. This approach resulted in information being available in English only and subject to the rules for access and use of data. While saving considerable costs, this approach was found to be generally unacceptable to Members of the Scientific Committee and WG-FSA (SC-CAMLR-XXII, paragraphs 10.3 to 10.5; SC-CAMLR-XXIII, paragraph 13.11).

4.73 In reply to the question posed by the Scientific Committee (SC-CAMLR-XXIV, paragraph 13.24), the Commission advised that it relied primarily on the advice and information provided in the Scientific Committee's report.

4.74 The Commission strongly urged the Scientific Committee to address this year's budget over-run and develop ways to either reduce the size of the report of WG-FSA in future years, or identify cost savings in other areas of its work.

4.75 The USA proposed that the Commission revoke its decision taken in 2004 to translate and publish the report of WG-FSA in its entirety (CCAMLR-XXIII, paragraph 4.65), and that it reinstate the practice of placing the appendices of WG-FSA in background documents. However, consensus was not reached regarding that proposal. The USA noted that the overrun in the Scientific Committee's budget resulted in an increase of some A\$1 500 in each Member's 2006 contribution to CCAMLR.

#### Activities of the CCAMLR-IPY Group during the intersessional period

4.76 The Commission recalled the Scientific Committee's progress in developing CCAMLR's contribution to the International Polar Year in 2008 (SC-CAMLR-XXIV, paragraphs 13.33 to 13.43; SC-CAMLR-XXIV/BG/2 Rev. 1).

4.77 It noted that the Scientific Committee had developed a core project to conduct a synoptic survey of krill, pelagic fish and plankton biomass and biodiversity in the South Atlantic (Expression of Intent (EoI) 148). This had been evaluated by the Joint IPY Committee and established as the 'lead project' under the IPY topic 'Natural Resources, Antarctic'. CCAMLR has also been invited to establish an umbrella project in support of other projects under 'Natural Resources, Antarctic'. Accordingly, and with the support of WG-EMM, an umbrella project had been developed with a wider circum-Antarctic perspective than the original CCAMLR-IPY proposal above.

4.78 The Commission congratulated the Scientific Committee on these developments, and formally endorsed the core project (EoI 148) and the umbrella project.

4.79 The Commission urged all Members to participate in the CCAMLR core project. It noted that firm commitments for ship-time and other research activities should be provided to the next round of consultations on the matter. These will take place in association with the WG-EMM meeting in July 2006.

4.80 The Commission welcomed Peru's proposal to participate in the CCAMLR-IPY projects (SC-CAMLR-XXIV, paragraph 13.42) as an Acceding State, noting that Peruvian scientists will be invited to the 2006 meeting of WG-EMM and future planning meetings of CCAMLR-IPY projects.

#### Joint CCAMLR-IWC workshop

4.81 The Commission endorsed the Scientific Committee's proposal (SC-CAMLR-XXIV, paragraphs 13.44 to 13.53) to hold a joint CCAMLR-IWC workshop to review information required for ecosystem models being developed to provide management advice on krill predators in the Antarctic marine ecosystem.

## ASSESSMENT AND AVOIDANCE OF INCIDENTAL MORTALITY

### Incidental mortality of marine animals during fishing operations

5.1 The Commission considered advice prepared by the Scientific Committee on the assessment and avoidance of incidental mortality of Antarctic marine living resources (SC-CAMLR-XXIV, paragraphs 5.1 to 5.55). It endorsed the report, its conclusions and advice (specifically paragraphs 5.53 to 5.55), subject to the comments below.

5.2 The USA thanked France for its data and reports on seabird by-catch.

5.3 Spain expressed its concern at the request of the Scientific Committee to confirm that the role of observers does not include the ability to agree to fishing-related practices in contravention of CCAMLR conservation measures in force (SC-CAMLR-XXIV, paragraph 5.54(x)). It believed this has already been clearly defined in the priority list of tasks agreed to for observers and in the text of the CCAMLR Scheme of International Scientific Observation and described in the CCAMLR *Scientific Observers Manual*.

5.4 The Chair of the Scientific Committee explained that it wanted the Commission to reiterate that observers are not in a position to agree to fishing-related practices that are in contravention of CCAMLR conservation measures. The Commission agreed with this statement.

5.5 Spain further noted that Conservation Measure 25-02 no longer contains the provisions to allow for the testing of mitigation measures, which were contained in the previous version of this measure (SC-CAMLR-XXIV, paragraph 5.50). Spain reiterated the request of the Scientific Committee for the Commission to consider revising Conservation Measure 25-02 to reintroduce procedures for the testing of new mitigation measures for seabirds. Spain expressed its concerns that these procedures be implemented for the industry to be able to develop and test new methods.

5.6 The Republic of Korea supported Spain in this request.

5.7 The Commission supported the proposal by Spain and the Republic of Korea to review Conservation Measure 25-02.

5.8 In respect of incidental mortality of Convention Area seabirds in areas adjacent to the Convention Area, the UK recollected that last year the Commission adopted Resolution 22/XXIII, in order to improve communication with, and assist in implementation of, effective mitigation measures by regional fishery management organisations (RFMOs) with areas of application adjacent to the Convention Area.

5.9 The UK noted responses from several RFMOs (SC-CAMLR-XXIV, Annex 5, Appendix O, paragraphs 159 to 167) and notably from CCSBT (SC-CAMLR-XXIV, Annex 5, Appendix O, paragraphs 168 to 173). It welcomed the commendation of Japan (SC-CAMLR-XXIV, Annex 5, Appendix O, paragraph 172) for providing, via CCSBT, summaries and analyses of data on seabird by-catch levels and rates, comprising one of the few quantitative assessments for any area immediately adjacent to the Convention Area. However, the UK noted:

- (i) the substantial concerns expressed by the Scientific Committee at estimated annual mortality levels of 13 500 seabirds, including about 10 000 albatrosses, mostly of species which breed in the Convention Area;
- (ii) the advice on the need for more effective mitigation of seabird by-catch in CCSBT fisheries (SC-CAMLR-XXIV, paragraphs 5.30 and 5.31);
- (iii) the Commission's endorsement that Members of CCAMLR, especially those also members of the participating RFMOs, support a thorough review of by-catch related initiatives and requirements at the proposed joint meeting of the secretariats of the tuna RFMOs and their members (SC-CAMLR-XXIV, paragraph 5.32).

5.10 Japan informed the Commission that it would be hosting a meeting of all tuna commissions in early 2007 and would inform those responsible for organising the meetings of the commissions concerned about seabird by-catch in areas adjacent to the Convention Area, although it could not commit the inclusion of this topic in the agenda of that meeting.

#### Marine debris

5.11 The Commission noted the report prepared by the Secretariat and considered by the Scientific Committee on the current status and trends of national surveys on monitoring marine debris and its impact on marine mammals and seabirds in the Convention Area (SC-CAMLR-XXIV/BG/13; SC-CAMLR-XXIV, paragraphs 6.1 to 6.13).

5.12 The Commission noted that Members conducted marine debris programs in accordance with the CCAMLR standard methods at 12 sites, predominantly within Area 48. These data are submitted to CCAMLR and entered into the marine debris database. It was noted that South Africa submitted data on beached debris at Marion Island for the first time using the standard method.

5.13 Members, locations and duration of marine debris surveys are as follows:

- (i) beached marine debris: Chile (Cape Shirreff, Livingston Island, South Shetland Islands 1993 to 1997), UK (Bird Island, South Georgia 1989 to present, and Signy Island, South Orkney Islands 1991 to present), Uruguay (King George Island, South Shetland Islands 2001 to present) and South Africa (Marion Island 2004);
- (ii) debris associated with seabird colonies: UK (Bird Island 1993 to present);
- (iii) marine mammal entanglement: UK (Bird Island 1991 to present and Signy Island 1997 to present);
- (iv) hydrocarbon soiling: UK (Bird Island 1993 to present).

5.14 The Commission noted the overall reduction in the levels of marine debris, in particular plastic packaging bands (SC-CAMLR-XXIV, paragraph 6.7).

5.15 The Commission further noted that as requested, the Secretariat contacted CEP in May 2005, for information relating to monitoring marine debris or methods for analysing accumulation rates and trends in marine debris (SC-CAMLR-XXIII, paragraph 6.5), there has been no response prior to CCAMLR-XXIV (SC-CAMLR-XXIV, paragraph 6.4).

## IMPLEMENTATION AND COMPLIANCE

### Report of SCIC

6.1 The meeting of SCIC was held from 24 to 28 October 2005 and chaired by Mrs V. Carvajal (Chile). All attending Members of the Commission and observers participated in the meeting.

6.2 The SCIC Chair presented the Committee's report (Annex 5) relating to Commission Agenda Item 6 (Implementation and Compliance) and drew the Commission's attention to a number of recommendations. The Commission's deliberations on SCIC recommendations in respect of compliance and implementation issues are provided in paragraphs 6.7 to 6.11. The deliberations of the Commission on recommendations in respect of the CDS, IUU fishing in the Convention Area and the Scheme of International Scientific Observation are provided in sections 7, 8 and 9 respectively.

6.3 The Commission noted with appreciation the summary of SCIC advice prepared for the Commission's deliberations. This clearly indicated actions sought by SCIC from the Commission on each item of advice.

6.4 Argentina recalled 'the views already expressed by another delegation in SCIC that there is no UK territory in Subarea 48.3 and that all Members should be encouraged to maximise CCAMLR inspection coverage of the Convention Area'.

6.5 In response to Argentina, the UK expressed support in principle for the application of the CCAMLR Scheme of Observation and System of Inspection in Area 48. The UK noted that to date, very few Members had undertaken inspections within the CAMLR Convention Area. That said, the UK reminded Argentina that in respect of waters adjacent to the islands within the area to which the Convention applies over which the existence of State sovereignty is recognised by all Contracting Parties, the 1980 Chairman's Statement was relevant. In particular, the UK drew attention to paragraphs 4 and 5 of the Statement in this respect as they relate to Subareas 48.2, 48.3 and 48.4.

6.6 Argentina rejected the UK's views and reiterated its position reflected in paragraph 3.3 of the SCIC report (Annex 5).

### Compliance with conservation measures

6.7 In considering SCIC's report (Annex 5, paragraphs 3.16, 3.19, 3.21 and 3.22), the Commission agreed that:



- (i) Members should submit reports of port inspections on each occasion that a vessel unloads *Dissostichus* spp. in their territories;
- (ii) the Secretariat should implement a procedure for reminding Members about outstanding reports;
- (iii) Members should comply in full with all provisions of Conservation Measure 21-02. Incomplete exploratory fisheries notifications would not be considered in future;
- (iv) the Secretariat should develop and circulate a pro forma and checklist to assist Members to fulfil the requirements of Conservation Measure 21-02 in future. The Secretariat should also bring deficient exploratory fishery notifications to the attention of the submitting Member.

6.8 The Commission noted that SCIC had worked on revising Conservation Measures 10-03, 10-04, 10-05, 10-06, 10-07 and 21-02, but had been unable to agree on final wording. The draft measures had therefore been referred to the Commission for further consideration (paragraphs 11.7 to 11.17). The Commission also noted that SCIC had reached agreement on a draft resolution dealing with enhancing cooperation with non-Contracting Party developing States (paragraph 8.9).

#### Compliance evaluation procedure

6.9 The Commission noted that SCIC considered further actions required to advance developing and implementing procedures for evaluating compliance with conservation measures (Annex 5, paragraphs 3.26 to 3.28).

6.10 The Commission, in particular, noted that there are a number of outstanding issues in the proposed procedure that still need clarification, such as division of responsibilities between SCIC and the Scientific Committee as well as identification of compliance evaluation criteria. The Commission recalled its decision at CCAMLR-XXIII (CCAMLR-XXIII, paragraph 6.7; CCAMLR-XXIII, Annex 5, paragraphs 3.27 to 3.29) that responsibility for evaluating compliance with conservation measures should reside with SCIC and that the Scientific Committee should continue to play an important role in the evaluation of conservation measure performance. Specific Secretariat tasks in relation to compliance evaluation are listed in paragraph 6.11.

6.11 The Commission noted SCIC's intersessional work, including the following tasks for the Secretariat (Annex 5, paragraph 3.28):

- (i) to identify, in consultation with Members, key compliance elements in conservation measures;
- (ii) to prepare a summary of compliance information received for the 2005/06 season in respect of key elements identified for consideration at the next meeting of CCAMLR.

## CATCH DOCUMENTATION SCHEME FOR *DISSOSTICHUS* SPP.

7.1 Following recommendations from SCIC (Annex 5, paragraphs 4.3 to 4.5, 4.6, 4.10 and 4.11), the Commission agreed:

- (i) to take further action in respect of Port, Export and Import States, such as Singapore, China and its Special Administrative Region Hong Kong, which do not fully implement the CDS;
- (ii) to invite countries, as appropriate, to consider the implementation of the new World Customs Organization (WCO) harmonised tariff codes for toothfish product prior to their entry into force in January 2007;
- (iii) that Australia, France and the USA should work intersessionally in order to improve the current version of the E-CDS including full language support;
- (iv) to appoint Australia, Chile, France, Germany, Japan, UK and the USA to the CDS Fund Review Panel.

7.2 The Commission noted that SCIC had commenced work on improving Conservation Measure 10-05 but had been unable to adopt the suggested revisions and had therefore referred them to the Commission for further consideration (paragraphs 11.11 and 11.12).

7.3 The UK noted that the IUU-listed vessel *Sargo*, and *Seafrost*, were reported to have transhipped toothfish in Malaysia and that the toothfish transhipped was reported to have been subsequently exported to the Special Administration Region of Hong Kong and China. The UK requested that the People's Republic of China clarify its arrangements in respect of the importation of toothfish into its territory.

7.4 The People's Republic of China advised that it complies strictly with CDS requirements when toothfish is landed and imported into and exported or re-exported from its territory. As a non-Contracting Party, China has been voluntarily implementing the CDS since July 2001. China is always supporting the principle to combat IUU fishing and will continue its cooperation with CCAMLR in the future.

7.5 The USA advised Members that a new domestic regulation is being prepared which would require full implementation of the E-CDS and C-VMS in respect of all toothfish imported by the USA. The USA advised that the new regulation is anticipated to come into effect in 2006.

7.6 Several Members, whilst commending US efforts to combat IUU fishing, expressed concern that the USA intends to adopt unilateral measures, particularly a measure which would require the use of C-VMS outside the Convention Area (Annex 5, paragraph 3.13). Other Members welcomed the announcement by the USA.

## ILLEGAL, UNREPORTED AND UNREGULATED (IUU) FISHING IN THE CONVENTION AREA

### Current level of IUU fishing

8.1 The Commission noted the following advice received from SCIC (Annex 5, paragraphs 2.2 to 2.5):

- (i) the total estimated IUU catch in the Convention Area of 2 086 tonnes;
- (ii) general agreement, with some exceptions, to the IUU catch estimates for 2005 using the current assessment methodology;
- (iii) that pressure from surveillance operations around sub-Antarctic islands had pushed IUU fishing into high-seas areas of the Convention Area;
- (iv) the observed decline in estimates of IUU catch in the Convention Area for the past three years.

8.2 The Commission considered that observed declines in IUU fishing could be a consequence of the impact of improved monitoring, control and surveillance (MCS) and CDS measures on IUU activities, uncertain accuracy of the current IUU catch assessment methodology and reduction in toothfish catches overall.

### Procedure for the estimation of IUU catches

8.3 The Commission considered SCIC's advice on developing a new standard methodology for estimating IUU catches in the Convention Area (Annex 5, paragraphs 2.11 to 2.16). The Commission endorsed a proposal made by SCIC that JAG should be re-established, and that it should first meet in 2006 in conjunction with the meetings of WG-EMM and WG-FSA-SAM. The first meeting of JAG would consider the agenda proposed by SCIC (Annex 5, Appendix V).

8.4 The terms of reference of JAG as adopted by the Commission in 2003 (CCAMLR-XXII, Annex 6), and a draft agenda for the JAG meeting in 2006 as proposed by SCIC, are appended (Annex 7).

8.5 The Commission agreed that, in preparing for the JAG meeting in 2006, Members should consider:

- (i) adequate participation
- (ii) preparation of key papers
- (iii) establishment of a small steering group or committee
- (iv) nomination of a convener of JAG.

8.6 The Commission decided to establish a small steering group in order to further consider the work of JAG intersessionally. The following Members indicated willingness to participate in the steering group: Australia, UK and the USA. The steering group was requested to nominate a convener.

## IUU Vessel Lists

8.7 The Commission considered SCIC's advice (Annex 5, paragraphs 2.23, 2.24, 2.26 to 2.28 and Appendix III) on the IUU Vessel Lists and agreed to:

- (i) consolidate the 2003 and 2004 IUU Vessels Lists into a combined List of Contracting Party Vessels and a combined List of non-Contracting Party Vessels;
- (ii) remove the now Madagascan-flagged vessel *Eternal* from the combined List of Contracting Party Vessels;
- (iii) note SCIC's advice that no Contracting Party vessels were to be included on the IUU Vessel List of Contracting Party Vessels in 2005;
- (iv) adopt SCIC's recommended IUU Vessel List of non-Contracting Party Vessels for 2005;
- (v) remind Members to pay particular attention to future activities of the Togolese-flagged vessel *Aldabra*;
- (vi) request that the Secretariat seek information from St Kitts & Nevis on the current name and flag status of the vessel *Keta*, formerly the *Sherpa Uno*.

## Review of current measures aimed at eliminating IUU fishing

8.8 The Commission noted that most IUU vessels sighted in the Convention Area were flagged to Equatorial Guinea, Georgia and Togo. It endorsed SCIC's advice that diplomatic demarches be made to these States as possible 'Flags of Non-Compliance' (Annex 5, paragraphs 2.10 and 2.11).

8.9 The Commission adopted Resolution 24/XXIV on a non-Contracting Party Cooperation Enhancement Program (paragraph 11.97). This aims to provide information, training materials and technical assistance to non-Contracting Flag and Port States with an interest in controlling toothfish harvesting and trade, but which lack the expertise and resources to do so.

8.10 The Commission generally agreed that stronger diplomatic actions were required in respect of non-Contracting Parties which did not exert an appropriate level of control over IUU-related activity in respect of their flag vessels or within their territories and that joint diplomatic initiatives should be undertaken as appropriate.

8.11 The Commission considered and approved the text of a standard letter to be used by Members in the course of diplomatic actions mentioned in paragraph 8.10 (Annex 8).

8.12 The Commission agreed that Members be urged to use any existing positive relationships with non-Contracting Parties in order to encourage compliance with CCAMLR conservation measures. Dialogue could be undertaken on a bilateral basis by Members with

existing economic or cooperative relationships with identified non-compliant Flag States. Ukraine offered further assistance in respect of Georgia, and South Africa offered to approach Equatorial Guinea and Togo.

8.13 Spain advised the Committee of its efforts to implement national legislation in respect of its nationals who engaged in IUU-related activities and urged other Members to take all possible action in order to address such activities.

8.14 Argentina, while sharing several of the preceding views with respect to Flags of Convenience, highlighted the need to distinguish between the concepts of non-Contracting Parties, Flags of non-Compliance and Flags of Convenience. Argentina believed that it was incorrect to make a generalised assumption that these terms are equivalent, as the problems they give rise to are different in nature.

8.15 Several Members expressed the view that States are likely to respond more positively to initiatives which fostered awareness and cooperation, rather than actions such as trade sanctions, which should only be considered as a last resort.

8.16 The FAO Observer advised the Commission that FAO has two new programs designed to provide financial assistance to assist developing countries to effectively administer fisheries regulations. The FAO Observer noted that three non-Contracting Party Flag States relevant to CCAMLR – Equatorial Guinea, Georgia and Togo – would be likely to qualify for assistance. The FAO Observer also advised that, in order to qualify for these programs, States must voluntarily show willingness to cooperate. The FAO Observer advised that the issue could be raised at the next FAO Committee on Fisheries (COFI) meeting.

8.17 Several Commission Members considered that further measures should be contemplated towards Flag States, nationals and operators and supported the development of a regime of trade measures against States consistently involved in IUU fishing, and in trade of fish caught in an IUU manner, in the Convention Area. The Commission noted that Conservation Measures 10-06 and 10-07 provided for the use of trade-related measures as well as procedures to be used where diplomatic approaches were ineffective. The European Community noted that criteria and procedures setting out when and how these sanctions might be applied should be developed. The European Community undertook to form an intersessional working group with other Members. Australia, France and Norway expressed an interest in participating in this group.

8.18 The Commission noted that SCIC had considered the current situation with the CCAMLR Plan of Action (POA) on IUU Fishing proposed in 2002 (CCAMLR-XXIV/36). The Commission endorsed the decision of SCIC to suspend the project and to instead analyse whether the current set of CCAMLR conservation measures adequately meets all actions required by the FAO IPOA-IUU, and to identify potential gaps. It was noted that Chile agreed to conduct the required analysis and report to the next meeting of SCIC.

## SCHEME OF INTERNATIONAL SCIENTIFIC OBSERVATION

9.1 In accordance with CCAMLR's Scheme of International Scientific Observation, scientific observers were deployed during the 2004/05 fishing season on all finfish vessels and on some krill vessels operating in the Convention Area (SC-CAMLR-XXIV/BG/7).

9.2 In terms of future operational requirements of the Scheme of International Scientific Observation, the Commission noted advice received from both the Scientific Committee and SCIC.

9.3 The Commission noted that the Scientific Committee had (SC-CAMLR-XXIV, paragraphs 2.1 to 2.32):

- (i) considered and approved the recommendations of WG-FSA aimed at refining the *Scientific Observers Manual* (SC-CAMLR-XXIV, Annex 5, paragraphs 11.3(i) and (iv));
- (ii) decided that a major review of the *Scientific Observers Manual* was currently unnecessary as the mechanisms for its continual update and review are already in place;
- (iii) advised that deployment of international scientific observers on krill fishing vessels would allow the collection of useful scientific information required to develop management advice for the krill fishery, consistent with an ecosystem approach.

9.4 The Commission noted that SCIC considered a proposal from New Zealand on mandatory deployment of scientific observers (Annex 5, paragraphs 5.4 to 5.11) on board krill fishing vessels and a proposal by Ukraine on deployment of national and international observers (Annex 5, paragraph 5.4). The Commission further noted that due to the lack of consensus on the issue, SCIC was unable to recommend that deployment of observers on board krill fishing vessels should be mandatory (Annex 5, paragraph 5.11).

9.5 Russia suggested that the Commission consider deploying scientific observers on krill fishing vessels using the new krill ‘pumping’ technology, following the Scientific Committee’s concerns about the potential impact of this type of technology on elements of the ecosystem (SC-CAMLR-XXIV, paragraphs 4.8 to 4.10). It would therefore be appropriate to make deployment of one or even two international scientific observers compulsory on board vessels that use this new technology of krill fishing, such as the *Saga Sea*.

9.6 The UK proposed a trial to place scientific observers on 100% of all krill vessels for one year, to carry out tasks already requested or required by the Scientific Committee. For this single-year trial, protocols should be developed and results analysed and evaluated (SC-CAMLR-XXIV, paragraph 2.16).

9.7 Japan and the Republic of Korea reiterated their comments discussed at SCIC (Annex 5, paragraphs 5.6 and 5.7). In addition, Japan requested clarification as to whether the UK-proposed trial would be mandatory and involve 100% coverage of krill fishing vessels. The Republic of Korea expressed concern regarding the economic ramifications of mandatory deployment of observers on krill fishing vessels and estimated that it could increase operation costs, including fishing loss, by up to US\$600 000 per vessel.

9.8 Despite support expressed by most Members for the UK-proposed trial, the Commission was unable to agree that the trial be mandatory. Most Members urged all krill fishing Members to voluntarily deploy 100% scientific observer coverage under the conditions of the CCAMLR Scheme of International Scientific Observation.

## NEW AND EXPLORATORY FISHERIES

### New and exploratory fisheries in the 2004/05 season

10.1 At CCAMLR-XXIII, the Commission agreed seven exploratory longline fisheries for *Dissostichus* spp. in the 2004/05 season (Conservation Measures 41-04, 41-05, 41-06, 41-07, 41-09, 41-10 and 41-11). For the first time, fishing had occurred in respect of all of these exploratory fisheries (SC-CAMLR-XXIV, paragraphs 4.123 to 4.133).

10.2 The Commission noted that the Scientific Committee had completed its first assessments of yield for the *Dissostichus* spp. exploratory fisheries in the Ross Sea (Subarea 88.1 and SSRUs 882A, 882B and 882E).

10.3 However, the Commission noted that the Scientific Committee had not been able to provide advice on other exploratory fisheries in other areas. The Scientific Committee reiterated the urgent need to develop a means for estimating abundance and providing assessments of stock status. In this context, the Commission noted that with the continuing tagging programs in all areas, in the next year or two it may be possible to obtain mark-recapture estimates of abundance, provided that sufficient tags are deployed each year.

### Notifications for new and exploratory fisheries in the 2006/07 season

10.4 The Commission noted that 12 Members had submitted notifications in accordance with its rules for exploratory *Dissostichus* spp. fisheries in Subareas 48.6, 88.1, 88.2 and Divisions 58.4.1, 58.4.2, 58.4.3a and 58.4.3b (SC-CAMLR-XXIV, paragraphs 4.143, 4.145, 4.169 to 4.171; SC-CAMLR-XXIV/BG/5). No notifications had been received from Members for exploratory fisheries in closed areas, and no notifications had been made for new fisheries.

10.5 The Commission noted that two Members had submitted notifications after the deadline of 24 July 2005, however all payments were received by the deadline of 24 August 2005. The Scientific Committee had not attempted to determine whether the notifications for exploratory fisheries satisfied the requirements of Conservation Measure 21-02 (paragraphs 4, 5 and 7).

10.6 As last year, the Commission noted that there had been a large number of notifications for exploratory fisheries in Subareas 48.6, 88.1 and 88.2 and Divisions 58.4.1, 58.4.2 and 58.4.3b. Depending on the size of the precautionary catch limits, this implied that if all vessels operated simultaneously, the available catch per vessel could be lower than that required for economic viability, especially for those vessels operating in high latitudes where fishing imposes considerable operational difficulties. There may also be additional administrative difficulties in determining closure dates for fishing in SSRUs when many vessels are fishing simultaneously in an adjacent subarea or division.

10.7 The Commission endorsed the Scientific Committee's general advice on exploratory fisheries (SC-CAMLR-XXIV, paragraphs 4.167 to 4.172), including:

- (i) over-runs, such as the five occasions in SSRUs in Subarea 88.1 in 2004/05 (three catch limits for *Dissostichus* spp. and two catch limits for *Macrourus* spp.), and

under-runs of SSRU catch limits were inevitable. However, provided that these over-runs and under-runs were more or less balanced over the season within subareas or divisions, then the over-runs did not pose a conservation threat to the stocks;

- (ii) in order to facilitate analyses of tagging data, vessels are requested to record a unique identifier on the C2 data forms for every set made, and scientific observers are requested to ensure that this identifier is also recorded on their data forms;
- (iii) where individual vessels notified for more than one subarea or division, the notification should include an indicative fishing plan including projected timings for fishing in different areas;
- (iv) all vessels participating in exploratory fisheries must complete the research and tagging requirements of Conservation Measure 41-01.

10.8 The Commission noted that Spain had informed the Scientific Committee that due to lower survival, problems were encountered with the release of tagged large-sized toothfish in the exploratory fishery in Division 58.4.3b (SC-CAMLR-XXIV, paragraph 4.28). Other Members had experienced similar difficulties.

10.9 The Commission also noted that some Members had been unable to complete the required number of research hauls due to some SSRU or fishery closures.

10.10 The Commission recognised the value of the scientific data acquired during fishery-based research, and urged the Scientific Committee to further develop the research and tagging requirements of Conservation Measure 41-01 to take account of the difficulties reported by Members.

10.11 The Commission endorsed the Scientific Committee's advice on the exploratory fisheries for *Dissostichus* spp. in Subareas 88.1 and 88.2 (SC-CAMLR-XXIV, paragraphs 4.173 to 4.176) in regard to:

- (i) the requirement to carry out specific research sets as defined in Conservation Measure 41-01 within Subareas 88.1 and 88.2 should be replaced by a requirement that all fish of each *Dissostichus* spp. in a haul (up to a maximum of 35 fish) be measured and randomly sampled for biological studies from all lines hauled within Subareas 88.1 and 88.2;
- (ii) the catch limit for SSRU 882E for 2005/06 should be 273 tonnes;
- (iii) the catch of *Dissostichus* spp. be limited to 2 964 tonnes in the area comprising Subarea 88.1 and the SSRUs A and B in Subarea 88.2;
- (iv) the SSRU boundaries in Subarea 88.1 be retained but that the catch limits for SSRUs B, C and G be combined and managed as a single area – 'northern area', and that the catch limits for SSRUs H, I and K be combined and managed as a single area – 'slope area';
- (v) the catch limits for *Dissostichus* spp. in each SSRU be limited to:



88.1 SSRUs B, C and G combined (northern area) – 348 tonnes total  
88.1 SSRUs H, I and K combined (slope area) – 1 893 tonnes total  
88.1 SSRU J – 551 tonnes  
88.1 SSRU L – 172 tonnes  
88.1 SSRUs A, D, E, F – 0 tonnes total  
88.2 SSRUs A, B – 0 tonnes total.

10.12 The Commission noted that the Scientific Committee was unable to provide advice on suitable catch limits for SSRUs 882C, D, F and G, and on catch limits for *Dissostichus* spp. taken in the other exploratory fisheries. No new advice was available on catch limits for any by-catch species in any of the exploratory fisheries.

10.13 The Commission discussed the merit of allowing some limited fishing in all SSRUs in exploratory fisheries. This issue had been raised at the Scientific Committee meeting (SC-CAMLR-XXIV, paragraph 4.177). Some Members argued that no SSRU should have a zero catch limit because:

- (i) it was important to obtain catch statistics from all areas in the SSRUs to assess the status of the stocks in these areas;
- (ii) the variability in ice cover means that all SSRUs should be open for fishing;
- (iii) concentrated fishing in some SSRUs may result in adverse impacts on the population;
- (iv) fish should be tagged in all SSRUs to improve population estimates and information on distribution and abundance.

10.14 Some Members proposed setting a minimum catch limit of 10 tonnes of *Dissostichus* spp. in each SSRU to address the points in paragraphs 10.13(i) to (iv). A similar approach had been agreed in relation to the mark–recapture experiment proposed in Subarea 48.4 (paragraph 4.48).

10.15 The Commission noted, however, that the advice from the Scientific Committee on yield for Subarea 88.1 and SSRUs 882A and 882B was for the whole area and not just part of the area. As such, the restriction of the catch to a subset of SSRUs to improve the mark–recapture program resulted in no penalty to the fishery and did not imply that those SSRUs with zero catch limit are unassessed.

10.16 The Commission requested the Scientific Committee to consider these issues and review the allocation on catch limits in SSRUs at its next meeting.

10.17 The Commission endorsed the Scientific Committee’s advice on incidental mortality of seabirds and marine mammals in relation to exploratory fisheries notified for 2005/06 (see section 4).

10.18 The Commission considered two general matters related to new and exploratory fisheries:

- (i) Should the new krill fishing technique (SC-CAMLR-XXIV, paragraph 4.8 to 4.10) be considered a new or exploratory fishery?

- (ii) When does an exploratory fishery cease to be considered 'exploratory' and become an assessed fishery?

10.19 On the first matter, the Commission recalled the Scientific Committee's advice that this new technology would not be considered a 'new and exploratory fishery'. The Scientific Committee agreed that this new technology would not be considered a 'new and exploratory fishery' if there is an adequate description of the selectivity of the method for krill, a characterisation of the haul (or catch rate) and information on the location of krill catches. In particular, because haul duration can extend for several days, there existed the potential for single hauls to occur in several different SSMUs. The Secretariat needs to revise the format for reporting data to accommodate the information arising from the new fishing method (SC-CAMLR-XXIV, paragraphs 4.8 to 4.10).

10.20 The second matter had been considered at the Valdivia Symposium (CCAMLR-XXIV/BG/30, session 4). The Commission noted that the symposium had raised concerns regarding the lack of an agreed process for the transition of a fishery from exploratory to assessed.

10.21 The Commission requested the Scientific Committee to further develop CCAMLR's Regulatory Framework (e.g. CCAMLR-XXI, paragraph 12.1) and define the steps required for moving from new and exploratory to assessed fisheries.

10.22 The Commission considered the need to develop a policy on destructive fishing practices, including consideration of the benthic impacts of bottom trawling. This issue had also been raised at the Valdivia Symposium (CCAMLR-XXIV/38 and BG/30).

10.23 The Commission requested the Scientific Committee to begin considering this matter by identifying vulnerable deep-sea habitats, including deep-sea corals, which may require protection from fishing.

10.24 In considering notifications of Members' intentions to participate in exploratory fisheries, the Commission reviewed vessel information submitted in accordance with Conservation Measure 21-02, paragraph 4.

10.25 New Zealand pointed out that one vessel, the Spanish-flagged *Galaecia*, was owned by Vidal Armadores, and the contact point was Mr Antonio Vidal Pego, currently indicted by the USA for importing and conspiring to sell illegally possessed toothfish into the USA (Annex 5, paragraph 3.6). New Zealand further noted that Mr Vidal was also the owner of other vessels, such as the *Carran* and the *Viarsa I*, which were included on the IUU Vessel Lists. New Zealand stated that, in its view, the *Galaecia* should not be considered for participation in a CCAMLR exploratory fishery.

10.26 Spain noted that, until the present, the *Galaecia* had been operating as a legal vessel under the control of Spanish authorities. Despite approval of the Commission for the vessel to participate in exploratory fisheries in 2002 and 2003, Spain gave full consideration of specific compliance issues related to the vessel and did not grant it a licence to fish inside the Convention Area in 2002 and 2003. These decisions taken by Spanish authorities are currently subject to legal proceedings in Spain. However, as the vessel had no recorded breaches of compliance against it and had complied with CCAMLR conservation measures,

Spain had no reason not to present a notification for the *Galaecia* to participate in an exploratory fishery. Spain further noted that it did not possess any legal evidence against the vessel which would justify taking measures against it, as suggested by New Zealand.

10.27 Australia noted that other vessels reportedly owned by Mr Vidal were now included on the IUU Vessel Lists. Australia advised that IUU operators had established a network whereby legal and IUU vessels cooperated and supported each other, and reiterated that vessels which could be linked to other IUU vessels, owners or operators should not be permitted to fish inside the Convention Area. Australia believed that neither *Galaecia* nor *Paloma V* should be permitted to fish inside the Convention Area. Many Members agreed with this position.

10.28 Uruguay advised that *Paloma V* had already participated in exploratory fisheries in the Convention Area and there had been no breaches of compliance recorded against it. Therefore, there was no reason to preclude it from participating in exploratory fisheries in the 2005/06 season. Uruguay advised that the owner of *Paloma V* was Mabenal S.A. and that it is a publicly listed company under Uruguayan law, and its owners are its shareholders. It could therefore not be assumed that Mr Vidal was an owner or part-owner of *Paloma V*.

10.29 The European Community underlined that it took the issue raised by Australia and New Zealand very seriously and that it will thoroughly investigate the matter together with the concerned European Community Member State. The European Community also ensured that it is fully committed to combat IUU fishing and to conservation and sustainable management of fish stocks in the CAMLR Convention Area.

## CONSERVATION MEASURES

11.1 Conservation measures adopted at CCAMLR-XXIV will be published in the *Schedule of Conservation Measures in Force 2005/06*.

### Review of existing conservation measures and resolutions

11.2 The Commission noted that the following conservation measures<sup>1</sup> will lapse on 30 November 2005: 32-09 (2004), 33-02 (2004), 33-03 (2004), 41-01 (2004), 41-02 (2004), 41-04 (2004), 41-05 (2004), 41-06 (2004), 41-07 (2004), 41-08 (2004), 41-09 (2004), 41-10 (2004), 41-11 (2004), 42-02 (2004), 52-01 (2004), 52-02 (2004) and 61-01 (2004). The Commission also noted that Conservation Measure 42-01 (2004) will lapse on 14 November 2005. All of these measures dealt with fishery-related matters for the 2004/05 season.

11.3 Due to new a mark-recapture program in Subarea 48.4, the Commission agreed to terminate Conservation Measure 41-03 (1999) on 30 November 2005. A new replacement measure was adopted (paragraphs 11.46 and 11.47).

11.4 The Commission agreed that the following conservation measures<sup>1</sup> will remain in force in 2005/06:

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<sup>1</sup> Reservations to these measures are given in the *Schedule of Conservation Measures in Force in 2004/05*.

#### Compliance

10-01 (1998), 10-02 (2004).

#### General fishery matters

21-01 (2002), 22-01 (1986), 22-02 (1984), 22-03 (1990), 23-02 (1993), 23-03 (1991), 23-04 (2000), 23-05 (2000), 25-01 (1996), 25-03 (2003).

#### Fishery regulations

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), 32-13 (2003), 32-14 (2003), 32-15 (2003), 32-16 (2003), 32-17 (2003), 33-01 (1995), 51-01 (2002), 51-02 (2002), 51-03 (2002).

#### Protected areas

91-01 (2004), 91-02 (2004), 91-03 (2004).

11.5 The Commission agreed that the following resolutions will remain in force in 2005/06: 7/IX, 10/XII, 14/XIX, 15/XXII, 16/XIX, 17/XX, 18/XXI, 19/XXI, 20/XXII, 21/XXIII, 22/XXIII and 23/XXIII.

#### Revised conservation measures

11.6 The Commission revised the following conservation measures<sup>1</sup>:

#### Compliance

10-03 (2002), 10-04 (2004), 10-05 (2004), 10-06 (2004), 10-07 (2003).

#### General fishery matters

21-02 (2004), 23-01 (2004), 23-06 (2004), 24-01 (2003), 24-02 (2004) and 25-02 (2003).

#### Compliance

11.7 SCIC proposed revising Conservation Measure 10-03 to (CCAMLR-XXIV/BG/47):

- (i) insert a cross-reference to the IUU Vessel Lists established in Conservation Measures 10-06 and 10-07;
- (ii) list vessels engaged in support of fishing activities in contravention of conservation measures;
- (iii) insert a footnote from Conservation Measure 10-05 which exempts trawlers with less than 50 tonnes of toothfish on board taken as by-catch.

11.8 The Commission agreed to these revisions. However, some of the proposed changes to the text (see CCAMLR-XXIV/BG/47) were not agreed. The revised Conservation Measure 10-03 (2005) was adopted.

11.9 SCIC proposed revising Conservation Measure 10-04 to (CCAMLR-XXIV/BG/47):

- (i) reinstate a section adopted in the 2002 version of the measure which required notification of each movement between subareas and divisions;
- (ii) encourage Flag States to submit all VMS reports to the Secretariat by means of direct reporting by vessels to the Secretariat via VMS land stations;
- (iii) clarify confidentiality provision for requests by Contracting Parties of VMS data.

11.10 The Commission agreed to these revisions and Conservation Measure 10-04 (2005) was adopted.

11.11 SCIC proposed revising Conservation Measure 10-05 to (CCAMLR-XXIV/BG/47):

- (i) add a section with definitions of Port State, Landing, Export, Import, Re-export and Transshipment;
- (ii) clarify content of annual summary reports of CDS Parties;
- (iii) add a provision to the text of the measure and to the data fields to DCD and Re-export forms requiring the reporting of the transport details of toothfish shipments.

11.12 The Commission agreed to these revisions and Conservation Measure 10-05 (2005) was adopted.

11.13 SCIC proposed revising Conservation Measures 10-06 and 10-07 (CCAMLR-XXIV/BG/47). The revision to Conservation Measure 10-07 had the following main objectives:

- (i) adopt the same procedures for the establishment of the IUU Vessel List for non-Contracting Parties consistent with the amended Conservation Measure 10-06;
- (ii) simplify the deadlines and procedures for the submission of, and distribution by the Secretariat of, information related to the establishment of the IUU Vessel List and to the Adopted List;
- (iii) clarify the content of various information requested from Flag States on the vessel reported engaged in IUU fishing activities or included in the IUU Vessel List for non-Contracting Parties.

11.14 The revision of Conservation Measure 10-06 pursued the objectives described above in paragraphs 11.13(ii) and (iii) in order to make it consistent with changes made to Conservation Measure 10-07.

11.15 The Commission agreed to these revisions. However, some of the proposed changes to the text (see CCAMLR-XXIV/BG/47) were not agreed. The revised Conservation Measures 10-06 (2005) and 10-07 (2005) were adopted.

11.16 Australia expressed its deep disappointment that particular amendments to Conservation Measures 10-06 and 10-07 were unable to be adopted as one Member was unable to agree to them. Australia urged that Member to reconsider its position. Australia noted that vessels operating outside the Convention Area were supporting IUU vessels fishing inside the Convention Area. Australia noted that the Convention obliged the Commission to take such actions as are necessary to achieve the objective of the Convention. Current Conservation Measures 10-06 and 10-07 do not allow action against these vessels supporting and facilitating IUU vessels inside the Convention Area; this is a major loophole in the Commission's fight against IUU fishing. It was clearly Australia's view that the Commission has the legal and a moral authority to take actions against vessels acting contrary to the objectives of the Convention. Many other Members shared this view.

11.17 In reply to the Australian delegate, Argentina pointed out that, while sharing concerns related to the control of illegal fishing, its understanding is that the introduction of substantive changes in international law should be conducted through the appropriate mechanisms, a point of view also shared by other delegations.

## General fishery matters

### Notifications

11.18 The Commission revised the notification procedure for exploratory fisheries (Conservation Measure 21-02) in accordance with the advice of SCIC (Annex 5, paragraphs 3.17 to 3.19). The proposed revision clarified paragraph 5(i) with respect to the submission of licensing information at the time of submitting notifications. The revised Conservation Measure 21-02 (2005) was adopted.

### Data reporting

11.19 The Commission noted the Secretariat's proposal for a 48-hour deadline for the submission of five-day catch and effort reports (CCAMLR-XXIV/BG/13). This proposal aimed to reduce the delay in reporting catches and thereby improve the Secretariat's ability to monitor fisheries and forecast closures.

11.20 The Commission recalled its discussion last year (CCAMLR-XXIII, paragraphs 10.19 and 10.20) and agreed to retain the existing deadline of two working days in Conservation Measure 23-03.

11.21 The Commission encouraged Members to investigate automated procedures for vessels to submit catch and effort reports in real time. As an initial step, the Commission noted that the Secretariat had developed a compact email format which vessels may use to send catch and effort reports.

11.22 The Commission revised the five-day catch and effort reporting system to clarify the reporting procedure, and to include data on the number of pots used in pot fisheries. The revised Conservation Measure 23-03 (2005) was adopted.

11.23 The Commission agreed that haul-by-haul data should be submitted annually for all krill fisheries (paragraph 4.33(ii)). It also agreed that monthly catch reports should be compiled at the spatial scale relevant to the management of catch limits specified in Conservation Measures 51-01 to 51-03. In respect of Conservation Measure 51-01, monthly reports are required of the catch in each of Subareas 48.1, 48.2, 48.3 and 48.4. In respect of Conservation Measure 51-02, monthly reports are required of the catch in Division 58.4.1 east of 115°E and west of 115°E. In respect of Conservation Measure 51-03, monthly reports are required of the catch in Division 58.4.2. The revised Conservation Measure 23-06 (2005) was adopted.

11.24 The Commission noted the Scientific Committee's advice on the need to modify the fine-scale haul-by-haul catch and effort data form used in the krill fisheries to take explicit account of the data from krill trawlers using the new continuous pumping technique (paragraph 10.19). This technique results in hauls which may have tow durations of several days, and may result in catches taken from more than one subarea or SSMU. The Scientific Committee and WG-EMM had requested that the Secretariat investigate this matter during the intersessional period.

11.25 The Commission welcomed Norway's advice that its flagged vessel using the new technique would record catch and effort data at whatever frequency appropriate to the needs of the Commission and Scientific Committee. For example, catch and effort data may be recorded at pre-determined time intervals (e.g. 1 hour) or at a pre-determined distance travelled while fishing (e.g. 3 n miles).

#### Research and experiments

11.26 The Commission recognised that the established approach of setting zero catch limits in some SSRUs (i.e. local fishery closure) and statistical areas may lead to an inconsistency with paragraph 1(a) of Conservation Measure 24-01 (paragraphs 10.12 to 10.16). The inconsistency would arise if research fishing was notified and conducted in an area with a zero catch limit. In such a circumstance, the catch from research fishing could not be considered as part of the catch limit.

11.27 Recognising that scientific research activities may be needed in some or all areas, including those with zero catch limits, the Commission agreed that catches for research purposes should be considered a part of any catch limits in force for each species taken unless the catch limit in an area was set at zero. Further, in the event of research being undertaken in an area with a zero catch limit, the catches should be considered to be the catch limit for the season in that area unless the zero catch limit area was part of a group of areas for which an overall catch limit was set. In this latter case the research catches should be considered as part of the overall catch limit for that group of areas. A further clause was included when catch limits were grouped by managed area (paragraphs 11.58 and 11.59).

11.28 The revised Conservation Measure 24-01 (2005) was adopted. The application of this measure in the exploratory fisheries in Subareas 88.1 and 88.2 was specified in conservation Measures 41-09 and 41-10 respectively (see below).

11.29 The Commission recalled its request last year (CCAMLR-XXIII, paragraph 10.24) that the Scientific Committee review available data on the maximum length of longlines used in the Convention Area with respect to Conservation Measure 24-02 and longline sink rate testing. The Scientific Committee recommended that the requirement for line sink rate testing prior to entering the Convention Area should be changed from the current requirement to test a maximum length of longline to that of testing a specified minimum length (SC-CAMLR-XXIV, paragraph 5.19).

11.30 Additional revisions to Conservation Measure 24-02 were suggested by Japan to accommodate vessels using the Spanish system with longlines less than the specified minimum length and also to accommodate vessels using systems other than the autoline or Spanish longline system. This latter revision was suggested to allow for the Commission-endorsed experimental trials to test the bottom-line system on the *Shinsei Maru* in 2005/06 (SC-CAMLR-XXIV, paragraph 5.54). Accordingly, Conservation Measure 24-02 (2005) was adopted.

11.31 The Commission revised Conservation Measure 25-02 so as to allow Members to test variations in the design of mitigation measures for longlines. The wording of paragraph 7 from the version adopted in 2002 was reinstated with a small revision.

11.32 The revised Conservation Measure 25-02 (2005) was adopted. In adopting this measure, the Commission agreed to avoid quoting, to the extent possible, bibliographic references in conservation measures.

### Definitions

11.33 The Commission reconfirmed its working definitions agreed for 'offal', seabirds 'caught' and 'incineration ash' (CCAMLR-XXIII, paragraphs 10.28 to 10.33).

### New conservation measures

#### General fishery matters

##### Fishing seasons, closed areas and prohibition of fishing

11.34 The Commission agreed to renew the prohibition of directed fishing for *Dissostichus* spp. except in accordance with specific conservation measures. Accordingly, directed fishing for *Dissostichus* spp. in Subarea 48.5 was prohibited in the 2005/06 season, and the Commission adopted Conservation Measure 32-09 (2005).

#### By-catch limits

11.35 The Commission recalled that the Scientific Committee had been unable to provide new advice on by-catch catch limits (SC-CAMLR-XXIV, paragraph 4.186).



11.36 The Commission agreed to apply the existing by-catch catch limits in Division 58.5.2 in the 2005/06 season. The Commission noted that there had been occasions in the fishery when the capture of a single large sleeper shark (*Somniosus* spp.) weighing more than 1 tonne had invoked the move-on rule for 'other by-catch species' (Conservation Measure 33-02 (2004), paragraph 5). The Commission agreed to include *Somniosus* spp. in the list of selected species for which the move-on rule applies when 2 tonnes or more are caught in any one haul. Accordingly, Conservation Measure 33-02 (2005) was adopted.

11.37 The Commission agreed to apply the existing by-catch catch limits for exploratory fisheries in the 2005/06 season, taking account of the revised catch limit for *Dissostichus* spp. in Subareas 88.1 and 88.2 and the consequential changes to by-catch catch limits in those subareas.

11.38 In addition, the Commission agreed to a new move-on rule in exploratory fisheries which was designed to encourage Members and their vessels to further improve the selectivity of fishing gear and fishing methods. This rule requires vessels to monitor the by-catch of *Macrourus* spp. relative to that of *Dissostichus* spp. at 10-day intervals. If the catch of *Macrourus* spp. taken by a single vessel in any two 10-day periods in a single SSRU exceeds 16% by weight of the vessel's catch of *Dissostichus* spp. in those periods, then the vessel is required to cease fishing in that SSRU for the remainder of the season. For example, a vessel might fish in an SSRU for part of the first 10-day period in January and catch 5 tonnes of macrourids and 20 tonnes of toothfish (a by-catch rate of 25%), triggering this rule in respect of its first 10-day period. In order to seek areas of lower by-catch rates it might choose to move to another SSRU and to return to the first SSRU at a later date. Suppose that it returns to the first SSRU halfway through the second 10-day period in February and achieves a by-catch rate of 10%. It continues fishing in the same SSRU in the third 10-day period in February and achieves a by-catch rate of 20%, fully triggering the rule because it has had a by-catch rate of greater than 16% for two 10-day periods in this SSRU. From the end of the third 10-day period in February the vessel would no longer be able to fish in this SSRU.

11.39 The revised Conservation Measure 33-03 (2005) was adopted. The Commission noted that responsibility for implementation of this rule lies with the Flag State and the vessel and not the observer. It recognised, however, that in practice the rule could place additional burdens on the scientific observer. The Commission requested that the Scientific Committee provide it with an analysis of the effectiveness of this rule in reducing by-catch in Subareas 88.1 and 88.2 in the 2005/06 fishing season, and that SCIC and the Scientific Committee review the implications of the rule on observer workload at its 2006 meeting.

#### Environmental protection

11.40 The Commission agreed to extend the environmental protection implemented in the fisheries in Subareas 88.1 and 88.2, to other fisheries operating south of 60°S. These environmental protection elements regulate the disposal of plastic packaging bands, the dumping or discharge of oil, garbage, food wastes, poultry, sewage, offal or incineration ash, and the translocation of poultry. These elements were added to Conservation Measures 41-04 (Subarea 48.6, south of 60°S), 41-05 (Division 58.4.2) and 41-11 (Division 58.4.1, south of 60°S).

## Toothfish

11.41 The Commission removed the requirement to carry out specific research sets as defined in Annex 41-01/B of Conservation Measure 41-01 in the exploratory fisheries in Subareas 88.1 and 88.2. In its place, the Commission agreed that there be a requirement that all fish of each *Dissostichus* species in a haul (up to a maximum of 35 fish) be measured and randomly sampled for biological studies from all lines hauled in Subareas 88.1 and 88.2.

11.42 The Commission recalled that some Members engaged in exploratory fisheries in 2004/05 had encountered difficulties meeting the requirements for the tagging program defined in Annex 41-01/C (paragraph 10.8). The Commission agreed to include a footnote in this annex to address this difficulty in the short term.

11.43 The revised Conservation Measure 41-01 (2005) was adopted. In adopting this measure, the Commission requested that Members experiencing difficulties in implementing the tagging program submit detailed information to WG-FSA for further investigation. The Scientific Committee was requested to advise on this matter in 2006.

11.44 The Commission endorsed the Scientific Committee's advice on the longline and pot fishery for *D. eleginoides* in Subarea 48.3 (SC-CAMLR-XXIV, paragraphs 4.59 to 4.62). The Commission agreed that the revised catch limit for *D. eleginoides* (3 556 tonnes) should be divided amongst the three management areas as follows:

Area A (West Shag Rocks):	0 tonnes (closed)
Area B (Shag Rocks):	1 067 tonnes (30 % of the catch limit)
Area C (South Georgia):	2 489 tonnes (70% of the catch limit).

11.45 The Commission also revised the by-catch catch limits to 177 tonnes (5% of the catch limit for *D. eleginoides*) for *Macrourus* spp. and 177 tonnes (5% of the catch limit for *D. eleginoides*) for skates and rays. For the purpose of these by-catch limits, 'Macrourus spp.' and 'skates and rays' shall each be counted as a single species. The Commission noted that the season for longline fishing operations may be extended to 14 September for any vessel which had demonstrated full compliance with Conservation Measure 25-02 in the 2004/05 fishing season (SC-CAMLR-XXIV, Annex 5, Appendix O, paragraph 61). The Commission adopted Conservation Measure 41-02 (2005).

11.46 The Commission noted the advice of the Scientific Committee regarding the conduct of the fishery for *D. eleginoides* in Subarea 48.4 in the 2004/05 season (SC-CAMLR-XXIV, paragraph 4.114), including the initiation of a mark-recapture program by the UK to assess the size of the toothfish population in the area. The Commission endorsed the advice of the Scientific Committee that the UK's mark-recapture program in Subarea 48.4 be established for the next three to five years (SC-CAMLR-XXIV, paragraph 4.118), and noted the requirement to amend Conservation Measure 41-03 to accommodate this program. The changes required include a revision of the catch limit of *D. eleginoides* to 100 tonnes per season, a revised fishing season of 1 April to 30 September, and a requirement for each vessel operating in the fishery to undertake a tagging program in accordance with the CCAMLR Tagging Protocol.

11.47 The Commission adopted Conservation Measure 41-03 (2005), covering the 2005/06, 2006/07 and 2007/08 seasons. For the purposes of this conservation measure, the area of

fishing will be restricted to the portion of Subarea 48.4 north of a deep-water trench between Candlemas Islands and Saunders Island in order to increase the likelihood of a successful assessment at the end of this period. The Commission noted the advice of the Scientific Committee that the depth of water in this trench is such that it may form a natural barrier to the movement of fish, hence the area to the north represents a discreet area suitable for the assessment of population size using the mark–recapture approach. Fishing and tagging will be distributed throughout this area, over all depths where it is operationally possible to do so within the constraints of ice presence and bottom topography.

11.48 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Subarea 48.6 in 2005/06 would be limited to Japanese and New Zealand flagged vessels using longlines only, and that no more than one vessel per country shall fish at any one time. Other elements regulating this fishery were carried forward. The Commission introduced new environmental requirements for vessels fishing south of 60°S (paragraph 11.40). Conservation Measure 41-04 (2005) was adopted.

11.49 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Division 58.4.1 in 2005/06 would be limited to one (1) Australian, two (2) Chilean, two (2) Korean, three (3) New Zealand, two (2) Spanish and one (1) Uruguayan flagged vessels using longlines only. Other elements regulating this fishery were carried forward. The Commission introduced new environmental requirements for vessels fishing south of 60°S (paragraph 11.40). Conservation Measure 41-11 (2005) was adopted.

11.50 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Division 58.4.2 in 2005/06 would be limited to one (1) Australian, two (2) Chilean, one (1) Korean, two (2) New Zealand and two (2) Spanish flagged vessels using longlines only. Other elements regulating this fishery were carried forward, and the Commission introduced new environmental requirements (paragraph 11.40). Conservation Measure 41-05 (2005) was adopted.

11.51 The Commission recalled that it had established a system of alternate open and closed SSRUs in Divisions 58.4.1 and 58.4.2 (CCAMLR-XXIII, paragraphs 10.57 and 10.59). The Commission urged Members to submit information which would allow the Scientific Committee to review the suitability of this system for managing *Dissostichus* spp. and for protecting benthic communities in high latitudes.

11.52 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Division 58.4.3a in 2005/06 would be limited to Australian, Korean, Chilean and Spanish flagged vessels using longlines only, and that no more than one vessel per country would fish at any one time. Other elements regulating this fishery were carried forward, and Conservation Measure 41-06 (2005) was adopted.

11.53 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Division 58.4.3b in 2005/06 would be limited to Australian, Chilean, Korean, Spanish and Uruguayan flagged vessels using longlines only, and that no more than one vessel per country would fish at any one time. Other elements regulating this fishery were carried forward.

11.54 Some Members proposed that the Commission increase the precautionary catch limit for *Dissostichus* spp. in Division 58.4.3b so as to allow increased fishery-based research, including tagging, and a greater presence in the area for the purpose of surveillance. The

Commission did not have time to consider this proposal fully and therefore deferred to the previous advice from the Scientific Committee and agreed to retain the existing precautionary catch limit. It encouraged a review of this issue prior to its 2006 meeting.

11.55 Conservation Measure 41-07 (2005) was adopted. In adopting this measure the Commission requested the Scientific Committee to make greater use of the available data from the exploratory fishery for *Dissostichus* spp. in Division 58.4.3b, and to review its management advice for this fishery.

11.56 The Commission endorsed the Scientific Committee's advice on the trawl and longline fishery for *D. eleginoides* in Division 58.5.2 in the 2005/06 season, and agreed on the use of pots in this fishery (SC-CAMLR-XXIV, paragraphs 4.77 and 4.78). The advice included the catch limit of 2 584 tonnes which was applicable west of 79°20'E. In addition, the fishing season for the trawl and pot fisheries was defined as the period from 1 December 2005 to 30 November 2006, while the season for longlining was defined as the period from 1 May to 31 August 2006. In addition, the season for longline fishing operations may be extended to 30 September 2006 for any vessel which had demonstrated full compliance with Conservation Measure 25-02 in the 2004/05 season (SC-CAMLR-XXIV, Annex 5, Appendix O, paragraph 61). Conservation Measure 41-08 (2005) was adopted.

11.57 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Subarea 88.1 in 2005/06 would be limited to two (2) Argentine, two (2) Korean, five (5) New Zealand, one (1) Norwegian, two (2) Russian, one (1) South African, three (3) Spanish, two (2) UK and three (3) Uruguayan flagged vessels using longlines only.

11.58 The Commission agreed to the following catch limit for *Dissostichus* spp. in Subarea 88.1 (SC-CAMLR-XXIV, paragraphs 4.173 to 4.176):

Whole of Subarea 88.1:	2 964 tonnes
SSRU A:	0 tonnes (closed)
SSRUs B, C and G (northern):	348 tonnes total
SSRU D:	0 tonnes (closed)
SSRU E:	0 tonnes (closed)
SSRU F:	0 tonnes (closed)
SSRUs H, I and K (slope):	1 893 tonnes total
SSRU J:	551 tonnes
SSRU L:	172 tonnes.

11.59 As for other exploratory fisheries, the by-catch catch limits for this fishery are defined in Conservation Measure 33-03. However, as a number of SSRUs in Subarea 88.1 have been grouped for management purposes, the by-catch limits are explicitly stated in Conservation Measure 41-01.

11.60 The Commission agreed that the setting of research hauls (Conservation Measure 41-01, Annex B, paragraphs 3 and 4) is no longer required in that fishery (see paragraph 4.59).

11.61 The Commission agreed that research fishing under Conservation Measure 24-01 should be limited to 10 tonnes of catch and one vessel in each of SSRUs A, D, E and F.

Based on past fishing activities, the Commission agreed that catches taken in SSRUs E and F should be considered part of the overall catch limit in Subarea 88.1; catches taken in SSRUs A and D would not be considered part of the overall catch limit.

11.62 The Commission adopted Conservation Measure 41-09 (2005). Some Members expressed concern that by agreeing not to count catches from SSRUs A and D against the overall catch limit in Subarea 88.1, the total catch taken by the fishery and research fishing in 2005/06 may exceed the catch limit advised by the Scientific Committee by 20 tonnes. The Commission agreed that this situation should not set a precedent for future management of Subarea 88.1, and requested the Scientific Committee to review the implications of this decision.

11.63 Following the adoption of Conservation Measure 41-09, New Zealand recorded its concern that the conservation measure allowed research fishing which would not be considered as part of the total catch limit of *Dissostichus* spp. in Subarea 88.1, in conflict with the clear advice provided to the Commission by the Scientific Committee that 2 964 tonnes in total of *Dissostichus* spp. be taken from this area.

11.64 The Commission agreed that the exploratory fishery for *Dissostichus* spp. in Subarea 88.2 in 2005/06 would be limited to two (2) Argentine, one (1) Korean, five (5) New Zealand, one (1) Norwegian, two (2) Russian, three (3) Spanish, two (2) UK and one (1) Uruguayan flagged vessels using longlines only.

11.65 The Commission noted that the Scientific Committee had conducted an assessment for SSRU E in Subarea 88.2 (SC-CAMLR-XXIV, paragraph 4.174), and had advised that SSRUs A and B should be closed to fishing (paragraph 10.11). However, the Scientific Committee was unable to provide advice on catch limits for SSRUs C, D, F and G in that subarea.

11.66 In the absence of scientific advice, the Commission agreed to apply the overall catch limit of 375 tonnes, agreed to apply for *Dissostichus* spp. to the seven SSRUs in Subarea 88.2 in the 2004/05 season, pro rata to the four SSRUs C, D, F and G for the 2005/06 season. This yielded a catch limit of 214 tonnes for the four SSRUs (i.e. four-sevenths of 375 tonnes).

11.67 The Commission agreed to the following catch limit for *Dissostichus* spp.:

Subarea 88.2 south of 65°S:	487 tonnes
SSRU A:	0 tonnes (closed)
SSRU B:	0 tonnes (closed)
SSRUs C, D, F and G:	214 tonnes total
SSRU E:	273 tonnes.

11.68 As for other exploratory fisheries, the by-catch catch limits for this fishery are defined in Conservation Measure 33-03. However, as a number of SSRUs in Subarea 88.2 have been grouped for management purposes, the by-catch limits are explicitly stated in the measure for this fishery.

11.69 The Commission agreed that the setting of research hauls (Conservation Measure 41-01, Annex B, paragraphs 3 and 4) was no longer required in that fishery (see paragraph 11.68).

11.70 The Commission also agreed that research fishing under Conservation Measure 24-01 should be limited to 10 tonnes of catch and one vessel in each of SSRUs A and B. Based on past fishing activities, the Commission agreed that catches taken in SSRUs A and B should be considered as part of the overall catch limit in Subarea 88.2.

11.71 The Commission adopted Conservation Measure 41-10 (2005).

11.72 The Commission noted that the Scientific Committee had considered the Ross Sea as a discrete ecological unit which comprised Subarea 88.1 and SSRUs A and B in Subarea 88.2. The Commission encouraged Members to contribute information which may assist in a review of the statistical boundary between Subareas 88.1 and 88.2.

11.73 The UK expressed concern that a number of the vessels intending to fish in the exploratory fisheries in Subareas 88.1 and 88.2 did not, according to their notifications, meet the specification on ice strengthening set out in Resolution 20/XXII. Whilst recognising that such specifications are not mandatory, the UK was nevertheless of the view that Members should in future pay particular attention to ice-strengthening provisions. The use of non-ice strengthened vessels in high-latitude ice-infested Antarctic waters increases the risk to such vessels and their crew and in consequence the risk of impact to the Antarctic environment.

11.74 Spain, Argentina, Australia, Chile and New Zealand (which noted it had search and rescue responsibility for much of Subareas 88.1 and 88.2) shared the concern expressed by the UK about the potentially serious consequences of having vessels that do not meet ice-strengthening requirements. These Parties believed that the solution should be to take a step forward and have Resolution 20/XXII turned into a conservation measure.

Details of vessels nominated for exploratory  
fisheries in 2005/06

11.75 Australia expressed its great concern at the apparent link between two companies proposing to undertake exploratory fisheries in 2005/06 and companies known to be involved in IUU fishing.

11.76 Australia noted that the exploratory fishery notification from Uruguay stated that Mabenal S.A. was the owner of the *Paloma V*. The commercial corporate reporting firm Dun and Bradstreet lists Mabenal S.A. office address as:

Plaza Cagancha 1335  
Montevideo, Uruguay 11000  
Telephone (598) 2-900-2602.

11.77 It was apparent from information given by the defendant's counsel during the US indictment of Antonio Vidal Pego that this is the same address and telephone number as Fadilur S.A., the company which owns the fishing vessel *Hammer* (previously known as *Carran*), a vessel included on the CCAMLR IUU Vessel List for repeatedly having engaged in IUU fishing.

11.78 Australia also noted that the notification from Spain involving the *Galaecia* gave the vessel owner's name and address as Vidal Armadores S.A., La Coruña, Spain. The US indictment of Vidal Pego relates to illegal importation of toothfish, which was seized by US authorities. The fish were caught by the *Carran*, now named *Hammer*. Legal counsel for Fadilur has informed the US authorities that documents related to the management of Fadilur are located at the offices of Vidal Armadores, S.A., Avenida de la Coruña 18, Bajo, 15960, Ribeira La Coruña, Spain. This address is the same as that given for the vessel *Galaecia* nominated by Spain.

11.79 Australia requested Uruguay and Spain, and the European Community in respect of the Spanish proposal, to investigate the *bona fides* of the companies involved and clearly establish that they have no links to IUU fishing before they license those vessels to fish in the Convention Area.

11.80 New Zealand recalled the concerns it had earlier presented about two vessels notified for these fisheries by Spain and Uruguay. In particular, New Zealand noted the indictment recently issued by the US Department of Justice against Antonio Vidal Pego, a Spanish national, and Fadilur S.A, a Uruguayan corporation, on charges of importing and conspiring to sell illegally possessed toothfish, charges that carried substantial penalties under US law, and recalled that Mr Vidal was linked to five vessels on CCAMLR's IUU Vessel List.

11.81 Mr Vidal was listed in the Spanish notification as the contact point for the Spanish-flagged vessel *Galaecia*. The information that had been provided by Australia also indicated that Mr Vidal maintained a connection with the Uruguayan-flagged vessel *Paloma V*.

11.82 New Zealand noted it had discussed its concerns directly with the delegations concerned and urged them to withdraw the vessels. New Zealand wished to record its hope that both Spain and Uruguay respectively would investigate these matters and not license the vessels *Galaecia* and *Paloma V* to participate in CCAMLR's new and exploratory fisheries in the coming season.

11.83 The European Community underlined that it took the issue raised by Australia and New Zealand very seriously and that it will thoroughly investigate the matter together with the concerned European Community Member State. The European Community also ensured that it is fully committed to combat IUU fishing and to conservation and sustainable management of fish stocks in the CAMLR Convention Area.

11.84 Uruguay was grateful for the interest some Members had demonstrated in trying to cooperate in efforts to allay any kind of IUU fishing activities.

11.85 The *Paloma V* had participated in exploratory and regulated fisheries in the CAMLR Convention Area in previous years, complying with the relevant conservation measures, with no infringement reported.

11.86 As recorded in CCAMLR-XXIV/BG/50, the owner of the vessel in question is Mabenal S.A., a publicly listed company registered under Uruguayan law as a Sociedad Anonima, whose owners are its stockholders. This is a legal entity which is consistent with

information presented in CCAMLR-XXIV/BG/50, which also shows that many vessels of other Parties to the Convention are owned by such companies. Uruguay's official records show that Mabenal S.A.'s office address is:

Juncal 1378  
Oficina 903.

11.87 In this particular case, Uruguay understood that there were no concrete legal or procedural elements to counter the participation of the *Paloma V* in exploratory fisheries. Furthermore, it noted that the views expressed by some Members of the Commission were based solely on circumstantial evidence.

11.88 If Uruguay was to receive a formal request, by proper diplomatic channels, there should be no doubt that it would take all the appropriate steps required.

11.89 Spain stated that its authorities pay due attention to the common concern about IUU fishing, and confirms that it is willing to apply its national laws where there is legal evidence of illegal fishing. There was no such case in relation to its notifications for exploratory fisheries.

11.90 Australia welcomed the commitment of Uruguay and Spain to investigate the concerns raised and indicated that it would make a formal request to Uruguay (paragraph 11.88).

#### Icefish

11.91 The Commission endorsed the Scientific Committee's advice on the trawl fishery for *C. gunnari* in Subarea 48.3 in the 2005/06 season (SC-CAMLR-XXIV, paragraphs 4.100 and 4.101). The Commission agreed a catch limit of 2 244 tonnes for the 2005/06 season, and the retention of the other elements of Conservation Measure 42-01 (2004). The Commission also agreed to the catch limit of *C. gunnari* during the spawning period (1 March to 31 May) of 561 tonnes (25% of the total catch limit for the season), and that any catch taken between 1 October and 14 November 2005 shall be counted against the total catch limit for the 2005/06 fishing season.

11.92 The Commission agreed that the 2005/06 fishing season in this fishery would begin on 15 November 2005 and end on 14 November 2006. Accordingly, Conservation Measure 42-01 (2005) was adopted.

11.93 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 2005/06 season (SC-CAMLR-XXIV, paragraphs 4.106 to 4.109). This advice included setting the catch limit for *C. gunnari* at 1 210 tonnes, and related advice for the 2006/07 season (paragraph 4.45).

11.94 The Commission adopted Conservation Measure 42-02 (2005).



## Crab

11.95 The Commission carried forward the measures for the crab fishery in Subarea 48.3 in the 2005/06 season (SC-CAMLR-XXIV, paragraph 4.182). Conservation Measures 52-01 (2005) and 52-02 (2005) were adopted.

## Squid

11.96 The Commission agreed that the existing measure for the exploratory jig fishery for *M. hyadesi* in Subarea 48.3 be maintained for the 2005/06 fishing season (SC-CAMLR-XXIV, paragraph 4.184). Conservation Measure 61-02 (2005) was adopted.

## New resolutions

11.97 The Commission adopted Resolution 24/XXIV on a Non-Contracting Party Cooperation Enhancement Program (paragraph 8.9).

## Environmental protection

11.98 At CCAMLR-XXIII, the Secretariat had tabled a proposal that the environmental protection-related provisions of CCAMLR fishery measures be consolidated into a single measure insofar as these provisions relate directly to the potential environmental consequences of fishing activities (CCAMLR-XXIII, paragraph 10.101). The Commission agreed that additional consideration was necessary, particularly in relation to harmonising environmental requirements in CCAMLR fisheries with those of the International Convention for the Prevention of Pollution from Ships (MARPOL) and the Madrid Protocol. The Secretariat was tasked with further developing the concept of consolidating CCAMLR environmental-protection related provisions (CCAMLR-XXIII, paragraph 10.102).

11.99 The Commission briefly considered the developments undertaken by the Secretariat during the 2004/05 intersessional period (CCAMLR-XXIV/34). This work included a revised draft conservation measure entitled 'General Environmental Protection during Fishing', and a companion draft resolution entitled 'General Environmental Protection during Fishing in Waters adjacent to the CCAMLR Area'.

11.100 The Commission agreed to give full consideration to this matter at its next meeting, and requested that SCIC consider the Secretariat's proposal (CCAMLR-XXIV/34) at its 2006 meeting.

11.101 The Commission also requested the Secretariat to distribute the draft environmental protection measure, along with its consequent changes to fishery-related measures, during the forthcoming intersessional period so that Members may consider the implications of this proposal.

## General

11.102 Australia advised the Commission that any fishing or fisheries research activities in that part of Divisions 58.4.3a, 58.4.3b 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 2005/06. 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.

## FISHERIES MANAGEMENT AND CONSERVATION UNDER CONDITIONS OF UNCERTAINTY

12.1 The Commission recalled the Scientific Committee's 2004 advice on the likelihood of links between toothfish stocks inside and outside the Convention Area in the Indian Ocean (Areas 51 and 57) and that important information was missing in respect of research data, fishery-based data on catch locality, catch and effort, and size of fish in the catch (CCAMLR-XXIII, paragraphs 11.1 to 11.7).

12.2 The Commission noted that it had requested Members to submit to the Scientific Committee, all past and recent data collected on toothfish stocks in Areas 51 and 57. It had also requested that Members consider conducting cooperative surveys in these areas on a voluntary basis.

12.3 The Scientific Committee had further developed this matter (SC-CAMLR-XXIV, paragraphs 7.1 to 7.8) by reviewing:

- (i) catch and effort data for toothfish fishery in waters adjacent to the Convention Area;
- (ii) IUU fishing, including close collaboration of WG-FSA and SCIC with respect to IUU fishing.

12.4 The Scientific Committee reported that total catch of *Dissostichus* spp. outside the Convention Area in 2004/05 was 8 511 tonnes and the catch was mostly taken in Areas 41 and 87. The catch reported from outside the Convention Area in 2003/04 was 10 966 tonnes.

12.5 Argentina noted that it had provided additional information on *D. eleginoides* catches in the Patagonian sector of the Argentinean EEZ (Area 41). Argentina has introduced additional precautionary measures in this fishery from 2002 onwards to maintain

sustainability of the stocks, and the catch limit has been reduced from 6 000 tonnes in the period 2000–2002 to 4 800 tonnes in 2003 and to 2 250 tonnes in the 2004 and 2005 seasons (SC-CAMLR-XXIV, paragraph 7.3).

12.6 The Commission endorsed arranging close collaboration between the Scientific Committee and SCIC on developing methods for assessing the extent of IUU fishing (paragraphs 8.3 to 8.5).

12.7 The Commission considered IUU fishing in section 8.

## DATA ACCESS AND SECURITY

13.1 The Commission noted the matters of data access and security raised by the Secretariat (CCAMLR-XXIV/7 and SC-CAMLR-XXIV/BG/6). All data are managed in accordance with the Rules for Access and Use of CCAMLR Data, and the Rules for Access to CCAMLR CDS Data.

13.2 The Commission recalled that the Secretariat has (CCAMLR-XXIII, paragraphs 12.2 to 12.4):

- (i) implemented confidentiality of information provisions for its staff;
- (ii) implemented an Information Technology Code of Conduct for all its information technology functions so as to ensure, *inter alia*, security of electronic information for which the Secretariat is responsible;
- (iii) afforded urgent priority to ensuring security for data arising from the C-VMS.

13.3 The Commission noted the above and endorsed the ongoing need to ensure that appropriate levels of security be attached to data held by the Commission.

## COOPERATION WITH OTHER ELEMENTS OF THE ANTARCTIC TREATY SYSTEM

### Cooperation with Antarctic Treaty Consultative Parties

14.1 The Executive Secretary reported on his attendance at ATCM-XXVIII in Stockholm, Sweden (CCAMLR-XXIV/BG/7).

14.2 In accordance with Article 9 of the Antarctic Treaty, a report of CCAMLR activities in 2004/05 was tabled.

14.3 The Commission noted the following main points of direct relevance to CCAMLR-XXIV as discussed at ATCM-XXVIII and presented in the report of the Executive Secretary:

- (i) Revision of Annex II to the Environmental Protocol continues to be an issue of importance for CCAMLR in terms of its responsibility in respect of marine species (exploited, dependent and related). The review of Annex II will be revisited at ATCM-XXIX.
- (ii) ATCM adopted Annex VI to the Protocol on Environmental Protection: Liability Arising from Environmental Emergencies.
- (iii) CCAMLR will remain apprised of developments concerning strategic issues facing CEP and may be invited to attend a workshop on the subject planned for the period immediately prior to ATCM-XXIX.
- (iv) Decision 8 (2005) on the use of heavy fuel oil should be noted in terms of its relevance to fishing vessels operating in the Treaty Area (e.g. Subarea 88.1).
- (v) Decision 9 (2005) on MPAs and other areas of interest to CCAMLR relates to CCAMLR responsibilities on MPAs (Annex V to the Environmental Protocol, Article 6).
- (vi) The ATCM continues deliberations on the application of the new Liability Annex in respect of fishing vessels and their results may be of direct interest to the application of CCAMLR Resolution 20/XXII.
- (vii) CCAMLR should note the continued work of the ATCM on the Census of Antarctic Marine Life (CAML) and consideration of bioprospecting in the Antarctic.
- (viii) SCAR was invited to make an oral presentation to ATCM-XXIX on scientific issues relevant to the ATCM and the usefulness of a similar presentation should be considered by CCAMLR highlighting the activities of the Commission, as this would improve the communication and understanding between both organisations.
- (ix) The Executive Secretary has again invited the ATCM Executive Secretary to visit the CCAMLR Secretariat during CCAMLR-XXIV.
- (x) The next ATCM and CEP meetings will be held in Edinburgh, UK, from 12 to 23 June 2006.

14.4 On the question of liability as it relates to Annex II of the Environmental Protocol, Spain acknowledged the importance of Annex VI but expressed concern that it excluded fishing vessels (see paragraph 14.3(vi)). Spain stressed that vessels must be ice strengthened to avoid any environmental risk and that the Commission should assume responsibility and make this a conservation measure.

14.5 Spain advised that it denied access to vessels which did not meet ice-strengthening standards and noted its concern about the consequences should these vessels change flags to Members who do not apply this resolution.

14.6 New Zealand reminded the Commission of a draft conservation measure on ice strengthening proposed at CCAMLR-XXII. No consensus on the measure was reached and Resolution 20/XXII was adopted. New Zealand supported Spain and would like to see mandatory ice strengthening of all vessels.

14.7 Argentina expressed its support for Spain's position on ice strengthening.

14.8 The UK advised that Annex VI was the conclusion of 13 years of negotiations and that no agreement on liability relating to fishing vessels was reached. The International Maritime Organization (IMO) should be approached for advice on the scale of the problem as it relates to fishing vessels and their use of heavy oil. The UK further noted that the Commission has a resolution on ice strengthening (Resolution 20/XXII) and a move to make this mandatory would be out of step with IMO itself.

14.9 Norway and Japan agreed with the UK and suggested sending a request to IMO whose responsibilities include matters on ice strengthening of vessels.

14.10 Japan supported the UK and agreed that vessel ice strengthening would be much better dealt with by IMO.

14.11 The European Community noted there was clearly no consensus and suggested the Commission should enhance cooperation with IMO and forward to it Resolution 20/XXII to enable it to act on the matter as appropriate.

14.12 The Commission agreed that a formal letter regarding Resolution 20/XXII be sent to IMO, requesting its advice on actions planned in respect of fishing vessels. The Commission further requested the Executive Secretary to write to various classification societies asking for more information on ice-strengthening classifications.

14.13 Russia stressed the importance of ice strengthening and believed Resolution 20/XXII was adequate, but recommended the Commission await decisions to be taken by IMO and the ATCM, before taking the matter further.

14.14 The UK noted the text on MPAs agreed to in Stockholm, Sweden (Decision 9) and proposed that it be appended to the Commission report for further reference and guidance. The Commission agreed to this (see Annex 10).

14.15 South Africa believed that a presentation to the ATCM similar to the oral presentation invited from SCAR would improve knowledge on CCAMLR and enhance the relationship between both organisations and offered its assistance in the development of such a presentation.

14.16 The USA questioned whether the presentation would be regarding the work of the Scientific Committee or the work of the Commission.

14.17 The UK noted that the report of the Executive Secretary to the ATCM is very comprehensive and that a special presentation is, therefore, not necessary.

14.18 The Executive Secretary suggested that in celebrating 25 years of CCAMLR in 2006, a statement on this event could be addressed to the ATCM.

14.19 The USA noted numerous areas of overlap between the ATCM and the Commission, and asked Members to give consideration on how to improve and standardise cooperation between the two organisations.

14.20 Sweden reported to the Commission a paper to be tabled at the UN in New York on 1 November 2005 on behalf of the State Parties to the Antarctic Treaty. Ambassador G. Widgren (Sweden) read out the following extract:

‘The Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) is a key element of the Antarctic Treaty System. CCAMLR covers a wide range of issues in terms of fisheries and ocean management. Among the most significant have been attempts to curb illegal, unreported and unregulated (IUU) fishing, particularly of the highly lucrative toothfish, through a range of measures including enhanced port inspections and “blacklisting” of IUU vessels. Of particular note, CCAMLR has established and further developed a satellite-based Centralised Vessel Monitoring System (C-VMS) and a Catch Documentation Scheme (CDS) to track the international trade in toothfish. The Antarctic Treaty Parties have joined with CCAMLR in condemning such illegal practices, most of which are being undertaken by vessels of “flags of non-compliance”.

The Antarctic Treaty Parties in support of CCAMLR would, in this forum, call on such Flag States to ensure that their vessels act responsibly within CCAMLR waters in accordance with the regulatory measures established for the area.’

14.21 Dr A. Press (Australia), the CEP Chair and the CEP Observer to SC-CAMLR, reported that CEP is discussing the importance of data and scientific research in the CAMLR Convention Area undertaken by the Scientific Committee. He noted the intimate knowledge that the Scientific Committee has of the species in the CAMLR Convention Area surrounding the Antarctic continent. He encouraged the continued dialogue between CEP and the Scientific Committee.

14.22 The Chair of the Scientific Committee, Dr Fanta, presented a report on her attendance at CEP-VIII (CCAMLR-XXIV/BG/20). The full report has been submitted to, and discussed by, the Scientific Committee (SC-CAMLR-XXIV, paragraphs 9.2 to 9.7). Dr Fanta focused, in addition to the report of the Executive Secretary, on the following points:

- (i) the work of CCAMLR on lowering the level of IUU fishing be supported by ATCM Members;
- (ii) the increased level of human activity in the Antarctic;
- (iii) the need for databases of environmental indicators and the possibility of obtaining information from other bodies such as SCAR, CCAMLR or COMNAP;
- (iv) information on the status of protected area management plans, and initial/comprehensive environmental impact evaluations will become available on the ATS website;
- (v) the suggested incorporation of climate change, bioprospecting and outreach in the CEP agenda;

- (vi) the use of satellite images for environmental monitoring was highlighted;
- (vii) guidelines for CEP Consideration of Proposals for New and Revised Designations of Antarctic Specially Protected Species under Annex II of the Protocol;
- (viii) the problem of introduction of new species to the Antarctic and the transfer of species between Antarctic sites;
- (ix) ASPA No. 149, Cape Shirreff and San Telmo Island, Livingston Island, South Shetland Islands, and ASPA No. 145, both with marine components, were approved by the ATCM;
- (x) criteria to be developed for the indication of new areas for protection and nominations of areas were discussed;
- (xi) it was noted that CCAMLR could make available data obtained through its programs on marine debris and the CCAMLR Ecosystem Monitoring Program (CEMP);
- (xii) progress made by the Intersessional Contact Group on the State of the Antarctic Environment Reporting System (SAER) was reported.

14.23 Dr Fanta stressed the importance of cooperation and collaboration between CEP and the Scientific Committee.

14.24 South Africa thanked Dr Fanta for her report and noted the need to clarify the roles and responsibilities of the ATS and CCAMLR regarding Antarctic marine living resources, and highlighted the overlap between the organisations.

14.25 The Commission approved CCAMLR's representation at ATCM-XXIX by the Executive Secretary and the Chair of the Scientific Committee at the meeting of CEP-IX.

#### Cooperation with SCAR

14.26 The SCAR Observer to CCAMLR, Dr G. Hosie, presented a report and focused on intersessional activities of SCAR of direct relevance to the work of CCAMLR (CCAMLR-XXIV/BG/36). The full report had been submitted to, and discussed by, the Scientific Committee (SC-CAMLR-XXIV, paragraphs 9.8 and 9.9).

14.27 The main activities of SCAR were:

- (i) A new SCAR EBA program (Evolution and Biodiversity in the Antarctic) is a major program which seeks to describe the past, understand the present and predict the future ([www.scar.org/researchgroups/lifescience](http://www.scar.org/researchgroups/lifescience)).
- (ii) SCAR is the leading sponsor of the CAML program, which is a Southern Ocean contribution to EBA and to the global Census of Marine Life (CoML).

- (iii) SCAR is developing a Marine Biological Information Network (SCAR-MarBIN), which will provide CCAMLR with useful references on general ecosystem activity (see [www.scarmarbin.be](http://www.scarmarbin.be)).
- (iv) SCAR is keen to sponsor a Southern Ocean Continuous Plankton (CPR) recorder database as a service to the Antarctic community, which can assist in addressing CEMP's objectives.
- (v) The next SCAR Meeting and 2nd SCAR Open Science Conference will be held in Hobart, Australia, from 9 to 19 July 2006. SCAR-XXIX is being jointly held with the COMNAP-XVII meeting. The 2nd SCAR Open Science Conference will be held from 12 to 14 July 2006 and the theme of the conference is 'Antarctica in the Earth System'.

14.28 Dr Hosie informed the Commission that SCAR is keen to continue to play a major role in the Antarctic and Southern Ocean forum, and in particular SCAR seeks to develop a strong mutual relationship with CCAMLR, providing data and advice on request and participating in workshops and meetings of the Scientific Committee and its working groups.

14.29 The Chair of the Scientific Committee agreed with Dr Hosie that programs such as EBA and CAML should interact with the working groups of the Scientific Committee.

Assessment of proposals for Antarctic Specially Protected Areas and Specially Managed Areas, which include marine areas

14.30 There were no new draft management plans for Antarctic protected areas received by the Commission from the ATCM (see also paragraph 4.11 for other decisions on this subject).

## COOPERATION WITH OTHER INTERNATIONAL ORGANISATIONS

Reports of observers from international organisations

Intergovernmental organisations

### FAO

15.1 The FAO Observer noted many FAO activities of relevance to CCAMLR, in particular, those relating to the United Nations General Assembly (UNGA) review of high-seas fisheries, implementation of the Compliance Agreement and IUU fishing. He also raised the possibility of other RFMOs having access to the expertise of CCAMLR as a means of improving fisheries governance on a wider basis especially in respect of improving such organisations' administrative resources. Further details are contained in CCAMLR-XXIV/BG/40.

15.2 In response to the remarks made by the FAO Observer and information received from new organisations, the European Community indicated that newly created RFMOs in areas north of the CAMLR Convention Area (e.g. SEAFO, SIOFA) are facing difficulties in



collecting data from fishing activities in their areas. The European Community felt that CCAMLR could assist these organisations by conveying its knowledge of data submission and fishing activities in such areas.

15.3 The European Community also brought Members' attention to the Australian, New Zealand and Chilean initiative setting up a new RFMO for the South Pacific adjacent to the CAMLR Convention Area. A meeting associated with this initiative will take place in Wellington, New Zealand, in February 2006, and, as SIOFA has done, is likely to adopt procedures related to the collection of data from fishing activities in the area concerned. It was recognised that, as a first step in enhancing cooperation with such new organisations, CCAMLR could assist them with the collection of data required for their work.

15.4 Chile thanked the FAO and the European Community for their comments. It reiterated the point made by the European Community that Chile, along with Australia and New Zealand, was involved in establishing a new RFMO to cover fish stocks in the high-seas parts of the South Pacific, an area not currently regulated by existing arrangements.

15.5 Australia noted the point raised by the European Community. It felt there were many important reasons for CCAMLR to enter into dialogue with adjoining RFMOs and other organisations, not the least of which related to the exchange of scientific information and information about fish stocks, as well as issues of common concern such as by-catch and other conservation issues. It was also notable that as IUU fishing decreases in the CAMLR Convention Area, the vessels involved are likely to move to other areas covered by other RFMOs. Therefore, CCAMLR should also share information about IUU catches and activities of fish pirates around the world. Such information includes knowledge of the companies involved, so that the scourge of illegal pirate fishing is tackled globally.

15.6 Argentina noted the problems arising from interactions with other fisheries organisations and affiliations. It felt it was important to keep in mind the obligation to respect the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and other norms of positive international law.

## IUCN

15.7 The following statement was made by the IUCN Observer:

'IUCN appreciates this opportunity to address the Commission at its 24th meeting.

We would like to highlight two issues of particular concern to IUCN addressed at this meeting: (1) the development of a system of Marine Protected Areas (MPAs) to support CCAMLR objectives and (2) the elimination of IUU fishing in the oceans around Antarctica.

First of all, I want to draw the Commission's attention to relevant decisions taken at IUCN's 3rd World Conservation Congress (WCC) last year in particular Resolution 3.036 on Antarctica and the Southern Ocean. Details of these decisions are available in CCAMLR-XXIV/BG/34 and BG/44.

With regard to Marine Protected Areas, IUCN is pleased to note the progress achieved since the Commission's decision last year to convene a workshop on MPAs. We appreciate that IUCN was able to send an expert to the workshop. We especially welcome the workshop's recognition of the need to develop a strategic approach to MPA design and implementation throughout the Convention Area, and that this should be undertaken across the Antarctic Treaty System as a whole.

IUCN considers MPAs as a tool to achieve the conservation of marine living resources which, as stated in the Convention, includes their rational use. This is an issue that has been high on the international agenda since the last CCAMLR meeting, both in the context of fisheries management at the FAO Committee on Fisheries meeting and in the broader context of conserving marine biodiversity in areas beyond national jurisdiction, considered in several meetings at the United Nations and the Convention on Biological Diversity. The issue will be taken up again in February in a working group established by the UN General Assembly. Thus there exist substantial opportunities to exchange information and expertise with other international bodies and to collaborate at technical and policy levels, as urged in the workshop report.

IUCN urges the Commission to support the further scientific work recommended by the Scientific Committee as a matter of urgency, in order to further CCAMLR objectives, including bioregionalisation of the Southern Ocean and determining areas that may need interim protection as the full system of MPAs is being developed.

We encourage governments to mobilise the resources needed to hold a workshop on bioregionalisation and consolidating advice on an MPA system in the CCAMLR area as soon as possible. This would be a substantial contribution toward achieving the target of developing representative networks of MPAs by 2012.

With respect to IUU fishing, IUCN is pleased to note the progress achieved within CCAMLR. We are concerned however, that seabird populations and toothfish stocks are still under intense and continued pressure from IUU fishing and urge Commission Members to strengthen their efforts to eliminate IUU fishing in the Southern Ocean.

As a member of the High Seas Task Force on IUU Fishing, IUCN strongly supports the initiatives at global and regional levels that they have endorsed to tackle this pernicious problem.

In closing, IUCN welcomes the outcomes of the Valdivia Symposium. We are pleased to note the special attention given to achieving the Convention's broader conservation objectives in particular through establishing MPAs, and the emphasis on means to improve compliance with CCAMLR measures. The symposium lends support to broader international efforts to ensure the regular assessment of organisations with a mandate to manage fisheries against standards set by international instruments – including institutional mechanisms such as decision-making, scientific advisory processes, transparency and compliance and enforcement. IUCN will continue to urge such regular assessments in international fora, and look forward to wider international support.'

15.8 In referring to the intervention by IUCN regarding MPAs, Spain thanked IUCN for its valuable contribution to the current dialogue open in different international fora about the development of such MPAs.

15.9 The Commission's discussion of the various developments in relation to its ongoing debate regarding MPAs is reported in paragraphs 4.11 to 4.14.

## IWC

15.10 The IWC Observer drew Members' attention to CCAMLR-XXIV/BG/41 and BG/45 containing information on the IWC. The 57th Annual Meeting of the IWC took place from 20 to 24 June in Ulsan, Republic of Korea. Points of interest were:

- (i) the review of information on abundance, rates of increase and stock structure of humpback whales in Antarctica, South America, Africa and Oceania as part of its ongoing Comprehensive Assessment;
- (ii) SC-IWC expected to agree on estimates of circumpolar abundance of Antarctic minke whales next year;
- (iii) different views regarding elements that should be included in a Revised Management Scheme (RMS) 'package', and on whether adoption of an RMS should be linked in any way to the lifting of the commercial whaling moratorium;
- (iv) Japan proposed an expansion of its scientific whaling program. Japan intends to take 850 ( $\pm 10\%$ ) minke whales, 50 humpback whales, and 50 fin whales in various areas of the Southern Ocean;
- (v) a proposed Schedule amendment to create a new whale sanctuary in the South Atlantic and a proposed Schedule amendment to abolish the Southern Ocean Sanctuary did not receive the required three-quarter majority support to be adopted;
- (vi) the IWC Secretariat was exploring alternatives to its current office accommodation in Cambridge, UK; unlike CCAMLR, the rental for the IWC Secretariat is covered by the IWC's own budget.

## ACAP

15.11 The ACAP Observer made the following statement:

'Thank you Mr Chair for the opportunity to address the meeting. It is a great pleasure to attend this, the Twenty-fourth Meeting of the Commission and to provide your Members with a report on progress with implementation of the Agreement on the Conservation of Albatrosses and Petrels, known as ACAP.'

ACAP is a multilateral agreement negotiated under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals (CMS). It seeks to conserve albatrosses and petrels by coordinating international activity to mitigate known threats to albatross and petrel populations.

The Agreement entered into force on 1 February 2004 and there are currently 11 signatories, eight of whom have ratified the Agreement. In the short life of this Agreement there have been two meetings, the first Meeting of the Parties, held in November 2004; and the first meeting of the Advisory Committee, which was held in July this year. CCAMLR participated in both of these meetings and we are very appreciative of your support for the Agreement.

Three working groups have been established under the Advisory Committee in order to progress the action plan annexed to the Agreement. Their responsibilities include reviewing the population status and trends of species listed under Annex 1 of the Agreement; addressing taxonomic issues; and collecting information on breeding sites and assessing threats to species from factors associated with these sites. The Working Group on Population, Status and Trends has already made considerable progress with its work plan, to the extent that it was able to recently contribute to the work of CCAMLR's incidental mortality working group (ad hoc WG-IMAF). WG-IMAF agreed at its meeting two weeks ago that, in order to avoid duplication, population data in future should be compiled, reviewed and archived by ACAP, with summary data provided to the CCAMLR Secretariat annually, or when appropriate.

It was noted at the Advisory Committee meeting that engagement with RFMOs was fundamental to improving the conservation status of many albatross and petrel populations and it will seek observer status at relevant RFMO meetings. In this regard the meeting noted the considerable work that has already been done by CCAMLR to reduce seabird by-catch in CCAMLR waters and the success it has achieved.

ACAP looks forward to continuing this close working relationship between CCAMLR and ACAP in future years and I thank you Mr Chair for this opportunity to address the meeting.'

#### Non-governmental organisations

##### ASOC

15.12 The ASOC Observer noted that four ASOC papers had been tabled at the meeting, including CCAMLR-XXIV/BG/32 'ASOC Priorities for CCAMLR-XXIV'. In particular, he noted:

'ASOC believes that CCAMLR needs to look at ways in which it can both strengthen the existing IUU vessel list, and agree substantive response actions. The list is, surely, intended as a tool, not as an end in itself.

Consequently, we believe it would be wise to add vessels to the IUU vessel list that have been used in ways that undermine CCAMLR conservation measures, even if the detected problem with the particular vessel was reported outside the CCAMLR area.

It appears that we need to see firmer diplomatic action in relation to Flag States that do not respond to Secretariat approaches on vessels, and if necessary the deployment of appropriate trade-related sanctions.

We have noted that emerging approaches such as the Proliferation Security Initiative may suggest helpful models for cooperative interdiction of IUU vessels in the CCAMLR area; and whilst we obviously hope that Members themselves are not a problem, we have suggested that CCAMLR should have mechanisms for suspending Members persistently in breach of the Convention or its conservation measures.

In relation to electronic *Dissostichus* Catch Documents, we believe that it would be useful to make the present voluntary web-based system mandatory – as some Members already require. Some Members helpfully require operation of centralised VMS both inside and outside the Convention Area. ASOC encourages all Flag and Port States to follow suit.

With the krill fishery, the issue for ASOC is that after the long, carefully and painfully acquired experience with toothfish, we do not have to start from scratch again. ASOC believes that the observer and reporting standards that have emerged in the toothfish fishery are the appropriate and readily transferable standards we should expect in the krill fishery – 100% observer coverage, international observers etc.’

## COLTO

15.13 The COLTO Observer made the following statement:

‘Thank you Chair and CCAMLR Members for the opportunity to participate at your meeting.

It is important to have input from legal operators who actively fish in CCAMLR waters, and implement CCAMLR conservation measures. Legal operators are also impacted significantly by IUU fishing and can assist Members through provision of industry-based information. It is pleasing to see that more actual fishing people – active at sea – are here at CCAMLR this year than before.

COLTO has been pleased to note a further reduction in IUU activities. The trend of less product from IUU fishing has continued to be evident in our main markets. Clearly, the actions and efforts of CCAMLR have been working well.

COLTO would like to commend all Members involved in compliance actions taken this year. The prosecution and subsequent sinking of the *Elqui* was a positive deterrent to IUU, fines for breaches by the *Ibsa Quinto* and *Jacqueline*, completion of legal action with the *Apache* and apprehension of the *Taruman* all sent powerful messages to IUU operators. The message is clear – CCAMLR Members are demonstrating a strengthening of resolve and increased determination to eliminate IUU.

There are many other Members, and individuals at CCAMLR, who are working to achieve a fully legal toothfish fishery, but who remain the “silent achievers”. I would

include in that group the many compliance officers, the CDS officers and the CCAMLR Secretariat. All of these people have worked tirelessly to support legal operations and deserve our thanks also.

COLTO members recognise that at-sea patrols in southern oceans are logistically difficult, very expensive and testing for vessel officers and crew alike. Patrols by vessels from Australia, France, South Africa and the UK have all greatly aided the work of the Commission. Aerial surveillance by New Zealand has also provided some valuable leads and insights to help eliminate IUU.

The officers, crew and logistic support teams of those patrols deserve a special vote of thanks from COLTO members. As practising fishers, COLTO members well understand the difficulties and challenges those individuals face while working in such a harsh environment.

COLTO membership increased to 24 companies this year, plus three associate members, from 10 countries. We continue to receive data from informants and strive to maintain a viable public source of information using industry-sourced data.

Our website is still popular – it has had more than 4 000 visitors per month this year, with nearly 120 000 hits since we began operations.

COLTO would ask the Commission to remain vigilant as threats of new IUU operators continue. We remain dedicated to providing assistance to CCAMLR to eliminate IUU wherever possible.’

#### Reports of CCAMLR representatives at meetings of international organisations in 2004/05

15.14 The Executive Secretary reported that he and other members of the Secretariat had attended various international meetings during the intersessional period. Such attendance was addressed in CCAMLR-XXIV/BG/3, BG/4, BG/5, BG/6, BG/8 and BG/9). Highlights of these meetings were summarised in CCAMLR-XXIV/BG/10.

15.15 The Executive Secretary noted in respect of COFI-26 and RFB4:

- (i) As the supreme body relating to fisheries matters within the UN system, COFI is moving towards a review of RFMOs, including examination of their mandates. As CCAMLR is often held up as an example of best practice in the global context of effective fisheries and ecosystem management, a review of this nature should not be of concern. However, there is now considerable interest both within FAO and the UN system as a whole that such a review should proceed and that this should be as independent, focused and effective as possible.
- (ii) The Regional Fisheries Bodies (RFBs) which meet alongside COFI have indicated that these bodies should be part of any such review in their own right.
- (iii) A ministerial one-day meeting immediately following COFI issued a statement on IUU fishing (CCAMLR-XXIV/BG/6).

15.16 The Executive Secretary also wished to note that the Interministerial Task Force on IUU Fishing is looking at the issue of setting up a global information system for fishing vessels on the high seas. No further details were available.

15.17 With respect to the Southern African Development Community (SADC) MCS Workshop and the MCS Workshop in Kuala Lumpur, the Executive Secretary advised Members that these workshops had provided considerable opportunity for the Secretariat to form contacts with officials in various countries, particularly in regard to Indonesia and Malaysia, where there have been reports of offloading of toothfish under the CDS. Both workshops also highlighted the issue of the administrative and criminal sanctions, procedures and processes being applied for infringements relating to IUU fishing (CCAMLR-XXIV/BG/3 and BG/8).

15.18 Argentina indicated that it had reservations with regard to CCAMLR-XXIV/BG/5 and the involvement of the Secretariat in the issues raised in the paper which should only be dealt with at a global level.

#### Cooperation with CITES

15.19 The Executive Secretary drew Members' attention to the indications at CCAMLR-XXII, that the Commission would review any developments in its cooperation with CITES on matters of mutual interest (CCAMLR-XXII, paragraphs 14.18 and 14.19). There were some outcomes from the 13th Meeting of Parties of CITES on the Agreement for the Listing of Marine Species Criteria. As noted by FAO and COFI-25, the association between FAO and CITES is still under consideration. There have been no further developments in CCAMLR's cooperation with CITES.

#### Cooperation with CCSBT

15.20 The Commission welcomed CCAMLR-XXIV/BG/43 Rev. 1, comprising a letter from the Executive Secretary of CCSBT and an attached letter from the Fisheries Agency of Japan (circulated as COMM CIRC 05/77), requesting the establishment of an agreement between CCSBT and CCAMLR concerning fishing for southern bluefin tuna in the CAMLR Convention Area.

15.21 The Commission recognised that there is an overlap between the responsibilities of CCAMLR and CCSBT. The Convention for Antarctic Marine Living Resources applies to all marine living resources within the CAMLR Convention Area while the Convention for the Conservation of Southern Bluefin Tuna applies to southern bluefin tuna throughout its range, including in the CAMLR Convention Area. The Commission therefore considered an agreement should be concluded with CCSBT to define the respective responsibilities of CCAMLR and CCSBT in relation to the fishing of southern bluefin tuna within the CAMLR Convention Area.

15.22 The Commission agreed that discussions should be initiated with CCSBT, with the aim of establishing an agreement in relation to fishing of southern bluefin tuna in the Convention Area, and setting out CCAMLR's required measures in the interim. The

Commission considered that it was important to ensure that fishing of southern bluefin tuna was carried out in accordance with relevant CCAMLR conservation measures. The Commission further noted that CCAMLR did not have all necessary conservation measures to mitigate incidental mortality of seabirds in the Convention Area due to southern bluefin tuna fishing, and considered that it was important to develop further measures in this respect in cooperation with CCSBT.

15.23 The Commission agreed that the Executive Secretary should reply to CCSBT in terms of the letter at Annex 9, proposing that an ad hoc working group comprising Members of the Commission and CCSBT should be established to progress the issue intersessionally, with the aim of concluding an agreement as soon as possible.

#### Partnership with FIRMS

15.24 The Commission recalled the intersessional consultation (COMM CIRC 05/10) raised by discussion at CCAMLR-XXIII (CCAMLR-XXIII, paragraphs 14.27 to 14.34), and noted the Fishery Resources Monitoring System (FIRMS) developments reported under the Secretariat's watching brief (CCAMLR-XXIV/8).

15.25 The Commission considered the benefits which FIRMS may bring to CCAMLR (CCAMLR-XXIV/8, paragraphs 8 and 9) and the annual cost of the FIRMS partnership (CCAMLR-XXIV/8, paragraphs 10 to 13).

15.26 The benefits to CCAMLR of joining the FIRMS partnership include:

- further development of cooperative working relationships, as appropriate, with the FAO and with other specialised agencies in accordance with Article XXIII of the Convention;
- further cooperation with Parties which may exercise jurisdiction in marine areas in close proximity to the Convention Area and/or on species of interest to CCAMLR in accordance with Article IX;
- becoming involved in a new initiative consistent with international best practice and aimed at providing and exchanging information on fishing status and trends, including the exchange of information with RFBs with jurisdiction in marine areas in close proximity to the Convention Area;
- better understanding the global dimension of IUU fishing and the links to IUU fishing activities in the Convention Area.

15.27 The Chair of SCAF advised that SCAF had considered the cost of participation in FIRMS and had agreed that provision for these costs may be made within the existing budget of the Commission. Accordingly, the Commission agreed that participation in FIRMS would be at the levels of funding outlined in CCAMLR-XXIV/8, paragraphs 11 and 12.



## Participation in CCAMLR meetings

15.28 The Commission noted that the Secretariat had been liaising with FAO on the question of accessibility to special funds within the UN system to support participation of non-Contracting Developing States at CCAMLR meetings.

15.29 It was recommended that, when the Commission identifies non-Contracting States to be invited as observers, the letter of invitation should specify that CCAMLR does not fund participation and should refer the invited party to the funding body (paragraph 3.9). The Secretariat would assist the invited State in preparing a funding application through the design of an appropriate pro forma.

## Nomination of representatives to meetings of international organisations in 2005/06

15.30 The following observers were nominated to represent CCAMLR at meetings of international organisations in 2005/06:

- EBCD & IUCN Conference on Marine Biodiversity, Fisheries Management and Marine Protected Areas, 10 November 2005, Brussels, Belgium – European Community.
- 19th Regular Meeting of the Commission of ICCAT, 14 to 20 November 2005, Seville, Spain – European Community.
- Vessel Monitoring Systems Lima (organised by Carpe Diem Ltd, UK), 22 and 23 November 2005, Lima, Peru – no nomination.
- First Meeting of the FIRMS Technical Working Group, 5 to 9 December 2005, Rome, Italy – Data Manager.
- Second Annual Session of WCPFC, including the Technical and Compliance Committee, 12 to 16 December 2005, Pohnpei, Federated States of Micronesia – Secretariat.
- First intergovernmental meeting on the establishment of a South Pacific RFMO, 14 to 17 February 2006, Wellington, New Zealand (paragraphs 15.4 and 15.5) – New Zealand.
- Meeting of FIRMS Steering Committee, February/March 2006, Madrid, Spain – Data Manager.
- Sharing the Fish – Allocation Issues in Fisheries Management 2006 Conference (presented by the Western Australian Department of Fisheries in cooperation with FAO and supported by the Australian Department of Agriculture, Fisheries and Forestry and the New Zealand Ministry of Fisheries), 26 February to 2 March 2006, Fremantle, Western Australia – Australia.

- 97th Session of the OECD Committee on Fisheries, 24 to 26 April 2006, Paris, France – France.
- VMS Conference (organised by Carpe Diem Ltd, UK), April 2006, China or Hong Kong (dates and venue to be confirmed) – Compliance Administrator.
- Review Conference on the UN Fish Stocks Agreement, 22 to 26 May 2006, New York, USA – Spain.
- 58th Annual Meeting of the IWC, 26 May to 20 June 2006, St Kitts and Nevis, Caribbean – Sweden.
- 10th Session of the COFI Sub-Committee on Fish Trade, 30 May to 2 June 2006, Seville, Spain – Spain.
- ATCM-XXIX, 12 to 23 June 2006, Edinburgh, Scotland, UK – Executive Secretary.
- CEP-IX, 12 to 23 June 2006, Edinburgh, Scotland, UK – Chair, Scientific Committee.
- 74th Annual Meeting of the IATTC, 19 to 30 June 2006, Pusan, Republic of Korea – Republic of Korea.
- Meeting of UNICPOLOS, June 2006, New York, USA – Australia.
- 3rd Annual Meeting of SEAFO, September/October 2006, Namibia – Namibia.
- CCSBT-XIII Annual Commission Meeting, 10 to 13 October 2006, Miyazaki, Japan – Japan.
- Expert Consultation on Fish Trade and Marketing, October–November 2006 (dates and venue to be announced) – no nomination.
- Second Meeting of the Parties to ACAP (MOP2), (dates and venue not yet available) – Australia.
- 2nd Session of SWIOFC (dates and venue not yet available) – European Community.

15.31 There was no nomination of a representative to the WTO Committee on Trade and Development Information session with the representatives of Secretariats of Multilateral Environmental Agreements (for which dates and venue were not available). The Executive Secretary agreed to request that the WTO provide the Secretariat with a report on the outcomes of the session.

## CCAMLR SYMPOSIUM

16.1 Since 1996, the Commission has discussed the Convention's objectives under a specific agenda item. The time available for such discussion has usually been limited.

16.2 In 2002, Australia (CCAMLR-XXI/BG/13) and Chile (CCAMLR-XXI/BG/44) submitted papers suggesting that more in-depth discussion at a designated symposium would provide an opportunity for Members to ponder the Commission's significant role in world affairs. The Commission noted that the Symposium would contribute to preparations for the IPY as well as the 25th anniversary of CCAMLR (CCAMLR-XXII, paragraph 15.1).

16.3 With the Commission's ongoing support (CCAMLR-XXII, paragraphs 15.1 to 15.4; CCAMLR-XXIII, paragraphs 15.1 to 15.13), Chile and Australia hosted the 'CCAMLR Symposium' in Valdivia, Chile, between 5 and 8 April 2005. Details of the Symposium's purpose and an outline of subjects to be addressed had been developed following proposals originally described in CCAMLR-XXII/BG/49. The Symposium's outcomes were reported in summary in CCAMLR-XXIV/38 and in a more complete form in CCAMLR-XXIV/BG/30.

16.4 The Commission noted that individuals from most of the Commission's Members had participated in the Symposium along with participants from Acceding States, the academic/conservation community and the CCAMLR Secretariat. The Symposium was conducted under 'Chatham House Rules' with participants acting in their individual capacities.

16.5 The Symposium's major purpose was to provide for open and frank discussion of CCAMLR's future, particularly with respect to:

- CCAMLR's relationship with other elements of the ATS
- development of a policy for cooperation with RFBs
- enabling CCAMLR to focus more effectively on IUU fishing.

16.6 It was structured to address the following themes:

- CCAMLR: a review of past developments
- Current and future challenges facing CCAMLR
- Conservation of Antarctic marine living resources
- Managing harvesting activities in the CAMLR Convention Area
- CCAMLR as part of the ATS
- CCAMLR in the wider international context
- Options for the future.

16.7 The Commission noted that the CCAMLR Symposium had achieved an invaluable and exceptionally wide-ranging discussion over many aspects of the policies and practices of CCAMLR.

16.8 The Commission thanked Australia and Chile for organising the Symposium and noted that it was a milestone event in CCAMLR's history.

16.9 Argentina thanked Australia and Chile for organising such an excellent symposium, which allowed participants to make both a retrospective analysis and examine future perspectives for CCAMLR's work. Argentina expressed the view that, with respect to certain proposals presented in Appendices 1 and 2 of CCAMLR-XXIV/BG/30, these proposals must adhere to international law, including UNCLOS, in particular those related to implementation and compliance, those referring to multilateral actions intended to be taken in the high seas and those intending to modify Port States' jurisdictions. Argentina stated that a revision of

fundamental norms that entails an alteration of the balance of States' competencies reflected by UNCLOS, should only be dealt with at an appropriate global level, thus avoiding sectorial actions that may diminish due transparency, or contribute to uncertainty.

16.10 As an initial step in considering the main suggestions arising from the CCAMLR Symposium, the Commission decided to request its subsidiary groups to consider the items which had been identified as 'matters which received special consideration' (CCAMLR-XXIV/BG/30, Appendix 1), including taking into account any related commentary in Appendix 2 of the same document and the fact that there were many common views reflected in those discussions as well as divergent views.

16.11 Accordingly, the Commission requested SCIC to consider and advise on those matters from the proceedings of the CCAMLR Symposium relating to:

- (i) CCAMLR's inspection and surveillance capability – including multilateral cooperative compliance and enforcement that can be taken under UNCLOS;
- (ii) 'commissioning a legal review of high-seas enforcement capacity to determine if legal action against non-Party States or third-Party States fishing in the Convention Area can be taken under UNCLOS';
- (iii) developing 'the use of diplomatic tools, in a cooperative manner, to encourage compliance with CCAMLR measures'.

16.12 The Commission requested the Scientific Committee to include in its intersessional program of work and its agendas for next year's meetings consideration of:

- (i) 'ways to achieve broader conservation objectives for the marine environment, including:
  - looking at the establishment of MPAs as appropriate
  - addressing the call from the UN to take action on destructive fishing practices
  - the link between CEMP monitoring and the decision-making process';
- (ii) 'understanding trends and responses to climate change including the consideration of establishing ecosystem reference areas'.

16.13 The Commission requested that the Scientific Committee consider, where appropriate to its mandate, other aspects of the outcomes of the CCAMLR Symposium when it is reviewing its program of work, including:

'ways to achieve a robust management framework for CCAMLR high-seas fisheries including the use of multi-year management plans and a revision of the principles and procedures for new and exploratory fisheries.'

16.14 Russia expressed the view that, with respect to paragraph 16.12, the Scientific Committee should consider the possible establishment of MPAs only in accordance with the decision of the Commission based on the recommendations of the 2005 Scientific Committee MPA workshop held in Silver Spring, MD, USA (SC-CAMLR-XXIV, Annex 7). With

respect to paragraph 16.12, Russia noted that any revision of the principles and procedures for new and exploratory fisheries should include consideration of the transition from an exploratory fishery into an established fishery.

16.15 The Commission noted that the Scientific Committee had begun to review its program of work and to consider how it might organise this work in the future. This would provide opportunities for incorporating these items on its agenda and for including associated work in its working groups. In this respect, the Commission noted the work by the Scientific Committee this year on:

- (i) initial discussions of a work plan that can lead to the development of a system of MPAs (paragraph 4.15);
- (ii) the use of data arising from CEMP to help develop models for evaluating the subdivision of the Area 48 catch limit for krill amongst SSMUs (paragraph 4.7);
- (iii) advice on future interactions with RFMOs and other fisheries organisations and other organisations with respect to incidental mortality of seabirds (paragraph 5.9; SC-CAMLR-XXIV, paragraph 5.55).

16.16 The Commission recommended that 'CCAMLR parties should make efforts to engage, in accordance with international law, with other organisations as appropriate through:

- the Commission utilising Article XXIII of the Convention to forge links with RFMOs and other organisations and agreements to further CCAMLR's objectives;
- parties individually and collectively making efforts in a strategic way in RFMO's and other organisations to further CCAMLR's objectives;
- CCAMLR developing an annual review paper for the observers to present at other international meetings.'

16.17 The Commission requested that the Secretariat:

- (i) suggest opportunities for better CCAMLR involvement with long-standing RFMOs and other fisheries organisations which may have particular relevance to CCAMLR and likewise provide relevant information to the Commission on newly-formed RFMOs and other fisheries organisations;
- (ii) prepare a draft annual review paper for CCAMLR observers to international meetings.

16.18 The Commission also recognised the need to enhance cooperation with other elements of the ATS. In this context it welcomed the establishment of formal collaboration with CEP to address the topic of MPAs.

## IMPLEMENTATION OF THE OBJECTIVES OF THE CONVENTION

17.1 The Commission acknowledged its ongoing and extremely successful cooperation with non-Contracting Parties over the years. In particular, certain of these Parties have joined with the Commission in implementing the CDS. In recent years some have also acceded to the Convention and then joined the Commission to become a full participant in its work.

17.2 Some Parties considered, however, that it might be useful to adopt guidelines for non-Contracting Parties who wish to cooperate with CCAMLR with a view to giving guidance to those who might wish to join the CAMLR Commission. Reference was made with respect to guidelines already adopted in various RFMOs and to Article 8 of the UN Straddling Fish Stocks Agreement. Consensus was not reached as other Parties did not consider this necessary given the success of cooperation with non-Contracting Parties so far and that it was not appropriate, in their view, for States who are not Parties to the Convention, to fish in the Convention Area. In addition, it was recalled in this context that there are Parties to the Convention as well as other States who are not Party to the UN Straddling Fish Stocks Agreement. The Commission also noted comments from the Cook Islands in respect of its present situation.

17.3 Argentina recalled that a deeply entrenched principle is that the Flag State has jurisdiction over its vessels in the high seas. There are only few specific exceptions to this rule. Subject to the Law of the Sea, all States have the right to fish in the high seas, as well as the obligation to conserve its resources, cooperating to this end directly amongst them or by means of agreements or the pertinent regional or sub-regional organisations, in accordance with international law. Without prejudice that it embodies the ecosystem approach, CCAMLR lacks the competence required to legislate or to make recommendations with respect to areas outside the Convention Area. A revision considered to be necessary or convenient should only be dealt with in accordance with the established procedures. If CCAMLR moves away from its legality, its own legitimacy before third Parties would be eroded.

17.4 During the meeting, a majority of Parties questioned the Argentine delegate's interpretation of the Law of the Sea as applied to the competency of CCAMLR to make recommendations on activities outside the Convention Area which undermine the Convention.

17.5 The Commission agreed to maintain this item on its agenda next year.

## ELECTION OF VICE-CHAIR OF THE COMMISSION

18.1 The Commission elected Namibia as Vice-Chair of the Commission from the end of this meeting to the conclusion of the 2007 meeting.

18.2 In acceptance, Namibia thanked the Commission for its trust and for the honour afforded to it. It also indicated that it would strive to work hard in its new role to facilitate the Commission's meeting of its objectives in accordance with the established rules for doing CCAMLR 'business'.

## NEXT MEETING

### Invitation of observers to the next meeting

19.1 The Commission will invite the following States to attend the Twenty-fifth Meeting of the Commission as observers:

- Acceding States – Bulgaria, Canada, Finland, Greece, Mauritius, Netherlands, Peru and Vanuatu;
- Cook Islands, following its entry into force of the Convention (see paragraph 1.4);
- non-Contracting Parties participating in the CDS who are involved in harvesting or landing and/or trade of toothfish – the People’s Republic of China, Seychelles and Singapore;
- non-Contracting Parties not participating in the CDS but possibly involved in harvesting or landing and/or trade of toothfish – Angola, Belize, Bolivia, Colombia, Georgia, Indonesia, Kenya, Madagascar, Malaysia, Mexico, Mozambique, Panamá, Philippines, Sao Tomé and Príncipe, St Vincent and the Grenadines, Thailand and Togo.

19.2 The following intergovernmental organisations will be invited: ACAP, CCSBT, CEP, CITES, CPPS, FAO, FFA, IATTC, ICCAT, IOC, IUCN, IWC, SCAR, SCOR, SEAFO, SPC and UNEP.

19.3 The following non-governmental organisations will be invited: ASOC and COLTO.

### Date and location of the next meeting

19.4 The Commission noted that the next meeting would be held at the CCAMLR Headquarters in Hobart, Australia.

19.5 The Commission agreed that its Twenty-fifth Meeting would be held from 23 October to 3 November 2006. Heads of Delegation were requested to be in Hobart for a meeting on 22 October 2006.

19.6 The Commission noted that the Twenty-fifth Meeting of the Scientific Committee would be held at the same location, from 23 to 27 October 2006, immediately preceded by WG-FSA. The meeting of WG-EMM would take place in Namibia in July 2006.

## OTHER BUSINESS

### International Polar Year in 2007/08

20.1 The Commission’s discussion of CCAMLR-IPY-2008 is reported in paragraphs 4.76 to 4.80 (see also SC-CAMLR-XXIV, paragraphs 13.33 to 13.43).

## Twenty-fifth Meeting of CCAMLRL

20.2 The Commission noted the suggested activities set out in CCAMLRL-XXIV/37 in relation to commemoration of the Twenty-fifth Meeting.

20.3 The Commission endorsed SCAF's advice (Annex 4, paragraph 10) that the launch of the Education Package coincide with the 25th anniversary celebrations.

20.4 The Commission noted that its involvement in the IPY mirrored that of SCAR/COMNAP, and that the 25th anniversary celebration was timely in this regard.

20.5 The Commission agreed to consider issuing a 25-year celebratory statement at CCAMLRL-XXV.

## Change to the Commission's Rules of Procedure

20.6 The Commission agreed and adopted a change to the Rules of Procedure to align the requirement of invited observers to provide details of their representatives consistent with that required for Members in Rule 2. Accordingly, new Rule 31 will read as follows:

'Each Observer invited in accordance with Rule 30 above shall notify the Executive Secretary as far as possible in advance of any meeting of the name of its representative and before or at the beginning of the meeting the names of its alternate representatives and advisers.'

The existing Rule 31 and subsequent rules would be renumbered accordingly.

## Other

20.7 Argentina made a statement with respect to the Malvinas, South Georgia and South Sandwich Islands and surrounding waters, in terms of paragraphs 19.11 and 19.13 of CCAMLRL-XXIII, and paragraphs 7.1 and 7.3 of Annex 5 of CCAMLRL-XXIII, that apply *mutatis mutandis* to the present meeting.

20.8 The UK responded by drawing the Commission's attention to paragraphs 14.8 and 19.12 of CCAMLRL-XXIII, and paragraph 7.2 of Annex 5 of CCAMLRL-XXIII, that apply *mutatis mutandis* to the present meeting.

## ADOPTION OF THE REPORT

21.1 The Report of the Twenty-fourth Meeting of the Commission was adopted.



## CLOSE OF THE MEETING

22.1 Australia noted that one delegate who had been involved with CCAMLR for a number of years would not be returning. Australia wished to record its appreciation for the constructive role that Mr Ray Arnaudo (USA) had played in CCAMLR over the years and wished him well in his new endeavours.

22.2 On behalf of the Commission and the Secretariat, the Executive Secretary presented Mr Arnaudo with a gift in appreciation for his calm demeanour, understanding and good friendship over many years.

22.3 Mr Arnaudo thanked the Chair for his efforts at this meeting and noted that it had been one of the quickest meetings on record. He said that all could be proud of what CCAMLR had achieved, particularly with the progress being made against IUU fishing through the CDS.

22.4 The Executive Secretary also farewelled Prof. John Croxall (UK) who, after an association of nearly 25 years, was retiring and would not be returning to CCAMLR meetings. He believed that all had been enriched by Prof. Croxall's contribution to the organisation and the energy he had expended in furthering its actions.

22.5 Prof. Croxall said it had been a privilege and a pleasure to work with the CCAMLR community. He thanked everyone for their support and forbearance over many years and hoped to see many in other endeavours in the future.

22.6 South Africa, on behalf of the Commission, thanked the Chair of the Scientific Committee, Dr Fanta, who had persevered through the meeting despite having suffered a broken arm. South Africa also expressed its appreciation to the Vice-Chair of the Scientific Committee, Dr Barrera-Oro, for his support.

22.7 Japan expressed its sincere appreciation to Prof. Lee for his hard work in chairing the Commission's meeting which was a difficult job given the complexity of the organisation. With Prof. Lee's professional and succinct dealings, the meeting had been concluded smoothly and successfully in an atmosphere of friendship and mutual understanding. Japan expressed its deepest respect to the Chair and looked forward to next year's Twenty-fifth Meeting.

22.8 Russia endorsed all the good wishes that had been expressed and especially thanked the translators and interpreters who helped participants to understand each other.

22.9 The Executive Secretary thanked his staff who had, particularly this year in moving to the new Headquarters, willingly worked long hours and produced the information and given the support expected by Members for a Secretariat of an organisation with CCAMLR's standing. He personally thanked all the staff without exception and the Commission joined the applause.

22.10 The Chair thanked participants for their special effort, without which the meeting would not have been such a great success. He thanked everyone for their support and cooperation and the restraint shown by all participants. The discussions had achieved a productive outcome. He said that in adopting the report, it had been a great day for the cause of conservation of the Southern Ocean. Prof. Lee congratulated all for the achievements upon

which we should build to make a better and healthier environment. In this South Pacific area to which Tasmania belongs, there is an old saying – ‘Land divides, ocean unites’. The Chair wished to revise this to ‘Land divides, Antarctica unites’. We all are united as one under the name of CCAMLR to conserve marine life of the Antarctic continent and its surrounding waters.

22.11 The Chair took the opportunity to express his special thanks to Dr Fanta (Chair of the Scientific Committee) Mrs Carvajal (Chair of SCIC), Dr Pott (Chair of SCAF) and Dr D. Agnew (UK) (Chair of the Conservation Measures Drafting Group) for their hard work and outstanding contribution to the meeting.

22.12 The Chair said that the success of the meeting had been made possible by the dedication, efficiency and professionalism of all members of the Secretariat staff and the interpreters, all of whom had worked hard under the leadership of the Executive Secretary, Dr D. Miller. He fully appreciated everyone’s sincere participation and contribution in helping him chair the Twenty-fourth Meeting of CCAMLR.

22.13 The Chair closed the meeting.

**LIST OF PARTICIPANTS**

## LIST OF PARTICIPANTS

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**LIST OF DOCUMENTS**

## LIST OF DOCUMENTS

CCAMLR-XXIV/1	Provisional Agenda for the Twenty-fourth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources
CCAMLR-XXIV/2	Provisional Annotated Agenda for the Twenty-fourth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources
CCAMLR-XXIV/3	Examination of the audited financial statements for 2004 Executive Secretary
CCAMLR-XXIV/4	Review of the 2005 budget, draft 2006 budget and forecast budget for 2007 Executive Secretary
CCAMLR-XXIV/5	Members' contributions: financial impacts of late contribution payments Secretariat
CCAMLR-XXIV/6	New and exploratory fisheries: notification fees in relation to Secretariat costs incurred Secretariat
CCAMLR-XXIV/7	Executive Secretary's report to SCAF 2005 Executive Secretary
CCAMLR-XXIV/8	Watching brief on the Fishery Resource Monitoring System (FIRMS) and the partnership arrangement Secretariat
CCAMLR-XXIV/8 ADDENDUM	Watching brief on the Fishery Resource Monitoring System (FIRMS) and the partnership arrangement Secretariat
CCAMLR-XXIV/9	Notification of Spain's proposal to conduct exploratory fisheries for toothfish ( <i>Dissostichus</i> spp.) in CCAMLR Subareas 88.1 and 88.2 and Divisions 58.4.1, 58.4.2, 58.4.3a and 58.4.3b in the 2005/06 season Delegation of Spain
CCAMLR-XXIV/10	Notification of exploratory fisheries for <i>Dissostichus</i> spp. in the 2005/06 season in CCAMLR Subarea 48.6 Delegation of Japan

CCAMLR-XXIV/11	Notification of exploratory fisheries for <i>Dissostichus</i> spp. in the 2005/06 season in CCAMLR Subareas 88.1 and 88.2 Delegation of Norway
CCAMLR-XXIV/12	Notification of Argentina's intention to conduct exploratory fisheries for <i>Dissostichus</i> spp. in CCAMLR Subareas 88.1 and 88.2 Delegation of Argentina
CCAMLR-XXIV/13	New Zealand notification to undertake exploratory fishing for <i>Dissostichus</i> spp. in CCAMLR Subarea 48.6 in the 2005/06 season Delegation of New Zealand
CCAMLR-XXIV/13 CORRIGENDUM	New Zealand notification to undertake exploratory fishing for <i>Dissostichus</i> spp. in CCAMLR Subarea 48.6 in the 2005/06 season Delegation of New Zealand
CCAMLR-XXIV/14	New Zealand notification to undertake exploratory fishing for <i>Dissostichus</i> spp. in CCAMLR Divisions 58.4.1 and 58.4.2 in the 2005/06 season Delegation of New Zealand
CCAMLR-XXIV/14 CORRIGENDUM	New Zealand notification to undertake exploratory fishing for <i>Dissostichus</i> spp. in CCAMLR Divisions 58.4.1 and 58.4.2 in the 2005/06 season Delegation of New Zealand
CCAMLR-XXIV/15	New Zealand notification to undertake exploratory fishing for <i>Dissostichus</i> spp. in CCAMLR Subareas 88.1 and 88.2 in the 2005/06 season Delegation of New Zealand
CCAMLR-XXIV/15 CORRIGENDUM	New Zealand notification to undertake exploratory fishing for <i>Dissostichus</i> spp. in CCAMLR Subareas 88.1 and 88.2 in the 2005/06 season Delegation of New Zealand
CCAMLR-XXIV/16	Notification of exploratory fisheries for <i>Dissostichus</i> spp. in the 2005/06 season in CCAMLR Subarea 88.1 Delegation of South Africa
CCAMLR-XXIV/17	Notification of Australia's intention to conduct an exploratory longline fishery in Division 58.4.1 for <i>Dissostichus</i> spp. Delegation of Australia

CCAMLR-XXIV/18	Notification of Australia's intention to conduct an exploratory longline fishery in Division 58.4.2 for <i>Dissostichus</i> spp. Delegation of Australia
CCAMLR-XXIV/19	Notification of Australia's intention to conduct an exploratory longline fishery in Division 58.4.3a for <i>Dissostichus</i> spp. Delegation of Australia
CCAMLR-XXIV/20	Notification of Australia's intention to conduct an exploratory longline fishery in Division 58.4.3b for <i>Dissostichus</i> spp. Delegation of Australia
CCAMLR-XXIV/21	Notification by the United Kingdom of its intention to participate in the exploratory fishery for <i>Dissostichus</i> spp. in CCAMLR Subareas 88.1 and 88.2 during the 2005/06 season Delegation of the United Kingdom
CCAMLR-XXIV/22	Notification of exploratory fisheries for <i>Dissostichus</i> spp. in the 2005/06 season in Subareas 88.1 and 88.2 and Divisions 58.4.1, 58.4.2, 58.4.3a and 58.4.3b Delegation of the Republic of Korea
CCAMLR-XXIV/23	Notification of an exploratory fishery in Division 58.4.3b Delegation of Uruguay
CCAMLR-XXIV/24	Notification of an exploratory fishery in Subarea 88.2 Delegation of Uruguay
CCAMLR-XXIV/25	Notification to conduct an exploratory longline fishery in Division 58.4.1 for <i>Dissostichus</i> spp. on board of the <i>Globalpesca I</i> and <i>II</i> in the 2005/06 season Delegation of Chile
CCAMLR-XXIV/26	Notification to conduct an exploratory longline fishery in Division 58.4.2 for <i>Dissostichus</i> spp. on board of the <i>Globalpesca I</i> and <i>II</i> in the 2005/06 season Delegation of Chile
CCAMLR-XXIV/27	Notification to conduct an exploratory longline fishery in Division 58.4.3a for <i>Dissostichus</i> spp. on board of the <i>Globalpesca I</i> and <i>II</i> in the 2005/06 season Delegation of Chile

CCAMLR-XXIV/28	Notification to conduct an exploratory longline fishery in Division 58.4.3b for <i>Dissostichus</i> spp. on board of the <i>Globalpesca I</i> and <i>II</i> in the 2005/06 season Delegation of Chile
CCAMLR-XXIV/29	Notification of an exploratory fishery in Statistical Division 58.4.1 Delegation of Uruguay
CCAMLR-XXIV/30	Notification of an exploratory fishery in Subarea 88.1 Delegation of Uruguay
CCAMLR-XXIV/31	Notification by Russia of its intention to continue an exploratory fishery for <i>Dissostichus</i> spp. in CCAMLR Subareas 88.1 and 88.2 for the 2005/06 season Delegation of Russia
CCAMLR-XXIV/32	A draft resolution on combatting unregulated fishing in the Convention Area by the vessels of non-Contracting Parties Delegation of Australia
CCAMLR-XXIV/33	A proposal that CCAMLR adopt a capacity building program Delegation of Australia
CCAMLR-XXIV/34	CCAMLR environmental protection measures Secretariat
CCAMLR-XXIV/35	Categorisation, collection and availability of information applicable to assessment of compliance with the conservation measures Secretariat
CCAMLR-XXIV/36	CCAMLR Plan of Action on Illegal, Unreported and Unregulated Fishing (CPOA-IUU) Secretariat
CCAMLR-XXIV/37	Celebrating twenty-five years of CCAMLR Secretariat
CCAMLR-XXIV/38	CCAMLR Symposium Delegations of Australia and Chile
CCAMLR-XXIV/39	Implementation of Conservation Measures 10-06 and 10-07 draft lists of IUU vessels, 2005 Secretariat

CCAMLR-XXIV/40	Proposal to amend the E-CDS Delegation of France
CCAMLR-XXIV/41	Amendment of the catch document format Delegation of France
CCAMLR-XXIV/42	Requirement for observers on krill-fishing vessels in the CCAMLR Area Delegation of New Zealand
CCAMLR-XXIV/43	Proposal for further clarification of the CCAMLR scheme of cost recovery Delegation of New Zealand
CCAMLR-XXIV/44	Report of the Standing Committee on Implementation and Compliance (SCIC)
CCAMLR-XXIV/45	Report of the Standing Committee on Administration and Finance (SCAF)
CCAMLR-XXIV/45 ADDENDUM	Report of the Standing Committee on Administration and Finance (SCAF)
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CCAMLR-XXIV/BG/1 Rev. 1	List of documents
CCAMLR-XXIV/BG/2	List of participants
CCAMLR-XXIV/BG/3	Report of the Executive Secretary's attendance at the South African Development Community (SADC) Regional Symposium on Monitoring, Control and Surveillance (MCS) Workshop (1 to 4 February 2005, Cape Town, South Africa) Executive Secretary
CCAMLR-XXIV/BG/4	Report of Conference on the Governance of High Seas Fisheries and the UN Fish Agreement: moving from words to action (1 to 5 May 2005, St John's, Canada) Executive Secretary
CCAMLR-XXIV/BG/5	Report of Interministerial Task Force Meeting on IUU Fishing (9 and 11 March 2005, Paris, France and Rome, Italy) Executive Secretary



CCAMLR-XXIV/BG/6	Report of attendance at the Twenty-sixth Meeting of the FAO Committee on Fisheries (COFI), the Fourth Meeting of Regional Fisheries Bodies (RFBs) and the FAO Ministerial Meeting on Fisheries (7 to 15 March 2005, Rome, Italy) Executive Secretary
CCAMLR-XXIV/BG/7	Report of the CCAMLR Observer to ATCM-XXVIII (Stockholm, Sweden, 6 to 17 June 2005) Executive Secretary
CCAMLR-XXIV/BG/8	Report on the Global Fisheries Enforcement Training Workshop (18 to 22 July 2005, Kuala Lumpur, Malaysia) Secretariat
CCAMLR-XXIV/BG/9	Report of CCAMLR Observer to the First ACAP Meeting of Parties and Advisory Committee Meeting (Hobart, Australia, 8 to 12 November 2004 and 20 to 22 July 2005) CCAMLR Observer (Secretariat)
CCAMLR-XXIV/BG/10	Summary of potential items for the Commission's attention from various Secretariat reports Executive Secretary
CCAMLR-XXIV/BG/11	Financial support for CCAMLR meeting attendance by non-Contracting Party Developing States Secretariat
CCAMLR-XXIV/BG/12	Summary of current conservation measures and resolutions in force 2004/05 Secretariat
CCAMLR-XXIV/BG/13	Implementation of fishery conservation measures in 2004/05 Secretariat
CCAMLR-XXIV/BG/14	Implementation of the System of Inspection and other CCAMLR enforcement provisions in 2004/05 Secretariat
CCAMLR-XXIV/BG/15	Implementation and operation of the Catch Documentation Scheme in 2004/05 Secretariat
CCAMLR-XXIV/BG/16	Report of the E-CDS trial Secretariat

CCAMLR-XXIV/BG/17	Implementation and operation of the Centralised Vessel Monitoring System (C-VMS) in 2004/05 Secretariat
CCAMLR-XXIV/BG/18	Development and maintenance of the CCAMLR Vessel Database Secretariat
CCAMLR-XXIV/BG/19	On the determination and establishment of marine protected area in the area of the Argentina Islands Archipelago Delegation of Ukraine
CCAMLR-XXIV/BG/20	Report on the VIII Meeting of the Committee for Environmental Protection (Stockholm, Sweden, 6 to 10 June 2005) Chair of the CCAMLR Scientific Committee
CCAMLR-XXIV/BG/21	Plan d'action pour l'évaluation du stock de légine dans les Terres australes et antarctiques françaises (une campagne de chalutage scientifique) Délégation française
CCAMLR-XXIV/BG/22	État des mesures mises en œuvre par les armements à la pêche français impliqués dans la pêcherie palangrière de légine des TAAF, pour maîtriser la mortalité accidentelle d'oiseaux Délégation française
CCAMLR-XXIV/BG/23	Étude relative aux pétrels Délégation française
CCAMLR-XXIV/BG/24	Note de commentaires sur les chiffres communiqués par la France concernant la mortalité aviaire accidentelle Délégation française
CCAMLR-XXIV/BG/25	Fonctions et attributions des contrôleurs de pêche Délégation française
CCAMLR-XXIV/BG/26	Expérimentations relatives à la lutte contre la mortalité aviaire Délégation française
CCAMLR-XXIV/BG/27	L'E-CDS moderne Délégation française
CCAMLR-XXIV/BG/28	Modification de la réglementation relative à la mortalité aviaire dans les Terres australes et antarctiques françaises Délégation française

CCAMLR-XXIV/BG/29	Projet de station de distribution de gasoil aux navires extérieurs à Kerguelen Délégation française
CCAMLR-XXIV/BG/30	CCAMLR Symposium Report Delegations of Australia and Chile
CCAMLR-XXIV/BG/31	Invitation from the Western and Central Pacific Fisheries Commission Secretariat
CCAMLR-XXIV/BG/32	ASOC Priorities for CCAMLR-XXIV Submitted by ASOC
CCAMLR-XXIV/BG/33	Agreement on the Conservation of Albatross and Petrels, summary of the First Session of the Meeting of Parties Delegation of Australia
CCAMLR-XXIV/BG/34	Report from the CCAMLR Observer to the 3rd IUCN World Conservation Congress (17 to 25 November 2004, Bangkok, Thailand) CCAMLR Observer (Australia)
CCAMLR-XXIV/BG/35 Rev. 1	Calendar of meetings of relevance to the Commission in 2005/06 Secretariat
CCAMLR-XXIV/BG/36	Report on the activities of the Scientific Committee on Antarctic Research (SCAR) 2004/05 SCAR Observer to CCAMLR G. Hosie (Australia)
CCAMLR-XXIV/BG/37	Installation of a wireless network at the CCAMLR Secretariat Headquarters Secretariat
CCAMLR-XXIV/BG/38	Assessment of IUU fishing activities in the French waters bordering Kerguelen and Crozet Islands for the season 2004/05: general information concerning CCAMLR Area 58 (1 June 2004 to 30 June 2005) Delegation of France (available in English and French)
CCAMLR-XXIV/BG/39	Rapport concernant les activités du Comité des pêcheries de l'Organisation de coopération et de développement économiques (OCDE) Délégation française

CCAMLR-XXIV/BG/40	FAO Observer's Report FAO Observer (R. Shotton)
CCAMLR-XXIV/BG/41	The 57th Annual Meeting of the International Whaling Commission (20 to 24 June 2005, Ulsan, Republic of Korea) CCAMLR Observer (Republic of Korea)
CCAMLR-XXIV/BG/42	Observer's Report on the WTO Committee on Trade and Environment (CTE) 2005 CCAMLR Observer (New Zealand)
CCAMLR-XXIV/BG/43 Rev. 1	Letter from CCSBT on Cooperation with CCAMLR in the management of blue fin tuna in the CCAMLR Area Secretariat
CCAMLR-XXIV/BG/44	Report of the World Conservation Union (IUCN) Twenty-fourth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources 24 October to 4 November 2005 Submitted by IUCN
CCAMLR-XXIV/BG/45	IWC Observer's Report to CCAMLR Annual Meeting 2005 IWC Observer (B. Fernholm, Sweden)
CCAMLR-XXIV/BG/46	See document CCAMLR-XXIV/43
CCAMLR-XXIV/BG/47	Drafts of revised conservation measures prepared by SCIC at CCAMLR-XXIV
CCAMLR-XXIV/BG/48	Report of Scientific Committee Chair to the Commission
CCAMLR-XXIV/BG/49	Report from the CCAMLR Observer to the Commission for the Conservation of Southern Bluefin Tuna (CCSBT12) CCAMLR Observer (Australia)
CCAMLR-XXIV/BG/50	Vessel information in support of exploratory fishery notifications Secretariat
CCAMLR-XXIV/BG/50 ADDENDUM	Vessel information in support of exploratory fishery notifications Secretariat

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SC-CAMLR-XXIV/1	Provisional Agenda for the Twenty-fourth Meeting of the Scientific Committee for the Conservation of Antarctic Marine Living Resources
SC-CAMLR-XXIV/2	Provisional Annotated Agenda for the Twenty-fourth Meeting of the Scientific Committee for the Conservation of Antarctic Marine Living Resources
SC-CAMLR-XXIV/3	Report of the meeting of the Working Group on Ecosystem Monitoring and Management (Yokohama, Japan, 4 to 15 July 2005)
SC-CAMLR-XXIV/4	Report of the Working Group on Fish Stock Assessment (Hobart, Australia, 10 to 21 October 2005)
SC-CAMLR-XXIV/5	Development of the electronic volume of the <i>Statistical Bulletin</i> Secretariat
SC-CAMLR-XXIV/6	Reports of Members' Activities Secretariat
SC-CAMLR-XXIV/7	Report of the CCAMLR Workshop on Marine Protected Areas (Silver Spring, MD, USA, 29 August to 1 September 2005)
SC-CAMLR-XXIV/8	Proposal to test a new streamer line as a mitigation method to reduce incidental mortality of seabirds in longline fishing Delegation of Spain
SC-CAMLR-XXIV/9	Establishment of a newsgroup for the Subgroup on Development of Operating Models Secretariat
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SC-CAMLR-XXIV/BG/1	Catches in the Convention Area in the 2003/04 and 2004/05 seasons Secretariat
SC-CAMLR-XXIV/BG/2 Rev. 1	Convener's summary on intersessional activities of the Subgroup for the Implementation of the CCAMLR-2008-IPY-Survey V. Siegel (Convener, Steering Group 'CCAMLR-2008-IPY-Survey')

SC-CAMLR-XXIV/BG/3	Report of the First Meeting of the Subgroup on Acoustic Survey and Analysis Methods (SG-ASAM) (La Jolla, USA, 31 May to 2 June 2005)
SC-CAMLR-XXIV/BG/4	Recolección de desechos marinos en la temporada 2004/05 en Cabo Shirreff, Isla Livingston, Shetland del sur, Antártica Delegación de Chile
SC-CAMLR-XXIV/BG/5	Summary of notifications for new and exploratory fisheries in 2005/06 Secretariat
SC-CAMLR-XXIV/BG/6	Data Management: report on activities during 2004/05 Secretariat
SC-CAMLR-XXIV/BG/7	Summary of scientific observation programmes undertaken during the 2004/05 season Secretariat
SC-CAMLR-XXIV/BG/8	Report on the 21st session of the Coordinating Working Party on Fisheries Statistics (CWP) Secretariat
SC-CAMLR-XXIV/BG/9	Observer's Report from the 57th Meeting of the Scientific Committee of the International Whaling Commission (Ulsan, Republic of Korea, 30 May to 10 June 2005) CCAMLR Observer (K.-H. Kock, Germany)
SC-CAMLR-XXIV/BG/10	Report on the 4th International Fisheries Observer Conference (Sydney, Australia, 8 to 11 November 2005) CCAMLR Observer (Secretariat)
SC-CAMLR-XXIV/BG/11	Report of the Convener of WG-EMM-05 to SC-CAMLR-XXIV
SC-CAMLR-XXIV/BG/12	Synopses of papers submitted to WG-EMM-05 Secretariat
SC-CAMLR-XXIV/BG/13	Review of CCAMLR activities on monitoring marine debris in the Convention Area Secretariat
SC-CAMLR-XXIV/BG/14	Fishing equipment, marine debris and hydrocarbon soiling associated with seabirds at Bird Island, South Georgia, 2004/05 Delegation of the United Kingdom

SC-CAMLR-XXIV/BG/15	Beach debris survey – Main Bay, Bird Island, South Georgia, 2003/04 Delegation of the United Kingdom
SC-CAMLR-XXIV/BG/16	Entanglement of Antarctic fur seals ( <i>Arctocephalus gazella</i> ) in man-made debris at Bird Island, South Georgia, during the 2004 winter and 2004/05 breeding season Delegation of the United Kingdom
SC-CAMLR-XXIV/BG/17	Beach debris survey Signy Island, South Orkney Islands, 2004/05 Delegation of the United Kingdom
SC-CAMLR-XXIV/BG/18	Entanglement of Antarctic fur seals ( <i>Arctocephalus gazella</i> ) in man-made debris at Signy Island, South Orkney Islands, 2004/05 Delegation of the United Kingdom
SC-CAMLR-XXIV/BG/19 Rev. 1	Submission of papers by international organisations on direct request from the Scientific Committee and its working groups Secretariat
SC-CAMLR-XXIV/BG/20	Antarctic marine ecosystem research in the CCAMLR Area Submitted by ASOC
SC-CAMLR-XXIV/BG/21	Ecosystem management of the Antarctic krill fishery Submitted by ASOC
SC-CAMLR-XXIV/BG/22	Marine noise pollution – mitigation and the need for wider protection Submitted by ASOC
SC-CAMLR-XXIV/BG/23	Report from the 2005 ICES Annual Science Conference (Aberdeen, UK, 20 to 25 September 2005) CCAMLR Observer (M. Collins, UK)
SC-CAMLR-XXIV/BG/24	Calendar of meetings of relevance to the Scientific Committee in 2005/06 Secretariat
SC-CAMLR-XXIV/BG/25	Scientific justification for a marine protected area designation around the Balleny Islands to protect ecosystem structure and function in the Ross Sea region, Antarctica: progress report Delegation of New Zealand

SC-CAMLR-XXIV/BG/26	IMAF risk assessment of fisheries by statistical area Ad Hoc Working Group on Incidental Mortality Associated with Fishing (WG-IMAF)
SC-CAMLR-XXIV/BG/27	Incidental mortality of seabirds during unregulated longline fishing in the Convention Area Ad Hoc Working Group on Incidental Mortality Associated with Fishing (WG-IMAF)
SC-CAMLR-XXIV/BG/28	Intersessional work plan for Ad Hoc WG-IMAF for 2005/06 Ad Hoc Working Group on Incidental Mortality Associated with Fishing (WG-IMAF)
SC-CAMLR-XXIV/BG/29	Ad Hoc WG-IMAF Conveners' summary for the Scientific Committee 2005
SC-CAMLR-XXIV/BG/30	A proposal for streamlining the work of the Scientific Committee for the Conservation of Antarctic Marine Living Resources Delegation of Australia
SC-CAMLR-XXIV/BG/31	Proposal for a joint CCAMLR-IWC Workshop: data and parameter requirements for models exploring the roles of predators in the Antarctic marine ecosystem Delegation of Australia
SC-CAMLR-XXIV/BG/32	Brazilian voluntary report on the Implementation of the ACAP Action Plan Delegation of Brazil
SC-CAMLR-XXIV/BG/33	Brazilian International Scientific Observers Course for Fisheries in the Convention Area Delegation of Brazil
SC-CAMLR-XXIV/BG/34	Report of the Convener of WG-FSA to SC-CAMLR-XXIV, October 2005
Other documents	
SC-CAMLR-XXIV/P1	Kock, K.-H., K. Reid, J. Croxall and S. Nicol. Fisheries in the Southern Ocean – an ecosystem approach. <i>Trans. Roy. Soc. Lond.</i> (in press)
WS-MPA-05/4	Marine protected areas in the context of CCAMLR: a management tool for the Southern Ocean IUCN information paper Submitted by IUCN



WG-EMM-05/6

Summary of notifications for krill fisheries in 2005/06  
Secretariat

WG-EMM-05/32

On the use of scientific observers on board krill fishing  
vessels  
Delegation of Ukraine

**AGENDA FOR THE TWENTY-FOURTH MEETING  
OF THE COMMISSION**

**AGENDA FOR THE TWENTY-FOURTH MEETING  
OF THE COMMISSION**

1. Opening of the meeting
2. Organisation of the meeting
  - (i) Adoption of the agenda
  - (ii) Report of the Chair
  - (iii) CCAMLR Symposium
3. Finance and administration
  - (i) Report of SCAF
  - (ii) Audited Financial Statements for 2004
  - (iii) Audit requirement for the 2005 Financial Statements
  - (iv) Secretariat matters
  - (v) Contingency Fund
  - (vi) Special funds
  - (vii) Budgets for 2005, 2006 and 2007
  - (viii) Members' contributions
  - (ix) Reports of Members' Activities
4. Scientific Committee
5. Assessment and avoidance of incidental mortality
  - (i) Marine debris
  - (ii) Incidental mortality of seabirds and marine mammals during fishing operations
6. Implementation and compliance
  - (i) Report of SCIC
  - (ii) Compliance with conservations measures
  - (iii) Compliance evaluation procedure
7. Catch Documentation Scheme for *Dissostichus* spp. (CDS)
  - (i) Report of SCIC
  - (ii) CDS annual report
  - (iii) Review of the E-CDS trial
8. Illegal, unreported and unregulated (IUU) fishing in the Convention Area
  - (i) Report of SCIC
  - (ii) Current level of IUU fishing
  - (iii) Review of current measures aimed at eliminating IUU fishing
9. Scheme of International Scientific Observation
10. New and exploratory fisheries

11. Conservation measures
  - (i) Review of existing measures
  - (ii) Consideration of new measures and other conservation requirements
12. Fisheries management and conservation under conditions of uncertainty
13. Data access and security
14. Cooperation with other elements of the Antarctic Treaty System
  - (i) Cooperation with Antarctic Treaty Consultative Parties
  - (ii) Cooperation with SCAR
  - (iii) Assessment of proposals for Antarctic Specially Protected Areas and Specially Managed Areas, which include marine areas
15. Cooperation with other international organisations
  - (i) Reports of observers from international organisations
  - (ii) Reports from CCAMLR representatives at meetings of international organisations in 2004/05
  - (iii) Cooperation with CITES
  - (iv) Cooperation with CCSBT
  - (v) Partnership in FIRMS
  - (vi) Participation in CCAMLR meetings
  - (vii) Nomination of representatives to meetings of international organisations in 2005/06
16. CCAMLR Symposium
17. Implementation of the objectives of the Convention
18. Election of Vice-Chair of the Commission
19. Next meeting
  - (i) Invitation of observers
  - (ii) Date and location
20. Other business
  - (i) International Polar Year in 2007/08
  - (ii) Twenty-fifth Meeting of CCAMLR
  - (iii) Change to the Commission's Rule of Procedure
21. Report of the Twenty-fourth Meeting of the Commission
22. Close of the meeting.

**REPORT OF THE STANDING COMMITTEE  
ON ADMINISTRATION AND FINANCE (SCAF)**

## CONTENTS

	Page
EXAMINATION OF AUDITED FINANCIAL STATEMENTS FOR 2004 .....	127
AUDIT REQUIREMENT FOR 2005 FINANCIAL STATEMENTS .....	127
SECRETARIAT STRATEGIC PLAN.....	127
REPORTS OF MEMBERS' ACTIVITIES.....	128
EDUCATION PACKAGE.....	128
SUPPORT FOR PARTICIPATION AT MEETINGS.....	128
REVIEW OF 2005 BUDGET .....	128
COST RECOVERY .....	129
CONTINGENCY FUND .....	130
PROFESSIONAL STAFF SALARIES .....	130
BUDGET FOR 2006 .....	130
CCAMLR Headquarters .....	130
Operation of the C-VMS .....	131
Advice from other committees .....	131
MULTI-YEAR FUNDING OF SCIENTIFIC COMMITTEE TASKS .....	131
MEMBERS' CONTRIBUTIONS .....	132
Timing of Members' contributions .....	132
Implementation of the contribution formula .....	132
FORECAST BUDGET FOR 2007 .....	132
CDS FUND.....	132
ANY OTHER BUSINESS .....	132
Antarctic Treaty Secretariat funds .....	132
Installation of a wireless network at the CCAMLR Headquarters .....	133
Commission meeting venue and Secretariat office accommodation .....	133
ELECTION OF CHAIR AND VICE-CHAIR OF SCAF FOR 2006 AND 2007 .....	133
ADOPTION OF THE REPORT.....	133
CLOSE OF MEETING.....	133

APPENDIX I: Agenda .....	134
APPENDIX II: Review of 2005 budget, budget for 2006 and forecast for 2007 .....	136
APPENDIX III: Members' contributions 2006 .....	137

## **REPORT OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE (SCAF)**

The Commission had deferred Item 3 (Finance and Administration) of its Agenda (CCAMLR-XXIV/1, Appendix A) to SCAF. The Committee's Agenda was adopted (Appendix I).

2. The Committee appointed Ms T. Akkers (South Africa) as Vice-Chair for this meeting, replacing the late Mr C. Badenhorst.

### EXAMINATION OF AUDITED FINANCIAL STATEMENTS FOR 2004

3. The Committee noted that a full audit had been carried out on the 2004 Financial Statements. The report had identified no incidents of non-compliance with Financial Regulations or International Accounting Standards. The Committee **recommended that the Commission accept the financial statements as presented in CCAMLR-XXIV/3.**

### AUDIT REQUIREMENT FOR 2005 FINANCIAL STATEMENTS

4. The Committee noted that the Commission had decided in 1994 that a full audit should be performed on average once every two years, and in 1995 that this would be required at least once every three years. As a full audit was carried out in 2003 and 2004, the Committee **recommended that the Commission require a review audit only to be performed on the 2005 Financial Statements.**

### SECRETARIAT STRATEGIC PLAN

5. The Executive Secretary presented his report (summarised in CCAMLR-XXIV/7). The Committee noted that this report forms a key element in annually assessing the Executive Secretary's performance. The report made particular reference to the implementation of the Strategic Plan and staff issues. The Executive Secretary advised that the Secretariat's Strategic Plan is now fully implemented and referred the Committee to the summary details of specific tasks and outcomes for 2004/05, included as Appendix I of his report, which showed the tasks as diverse, complex and extensive.

6. The Committee recognised the need for limited in-house legal knowledge and supported ongoing seminar-based training for appropriate staff.

7. The Committee also recognised the significant contribution the Secretariat had provided in E-CDS training for Mauritius.



8. The Committee recognised the likely retirement of the Science/Compliance Officer in the next two years and the consequential loss of corporate memory which currently rests with the incumbent. The Committee **recommended a review of the role of the Science/Compliance Officer to be presented at next year's meeting by the Secretariat.**

#### REPORTS OF MEMBERS' ACTIVITIES

9. The Committee noted that the Scientific Committee had not yet responded to the Commission's request to formulate a proposal to address the contents of the Members' Activities Reports and the requirements as to which aspects of the reports would be made publicly available. The Committee asked that the Scientific Committee respond to this request intersessionally. However, it is anticipated that the Scientific Committee may forward advice directly to the Commission at its current meeting.

#### EDUCATION PACKAGE

10. The Committee took note of progress achieved in establishing an education package. The Committee endorsed a proposal from New Zealand that the formal launch of the Education Package should coincide with CCAMLR's 25th anniversary celebrations.

#### SUPPORT FOR PARTICIPATION AT MEETINGS

11. The Committee accepted CCAMLR-XXIV/BG/11, noting that the Secretariat has been liaising with FAO on the question of accessibility to special funds within the UN system to support participation of non-Contracting Developing States at CCAMLR meetings.

12. The Committee **recommended that, when the Commission identifies non-Contracting States to be invited as observers, the letter of invitation should specify that CCAMLR does not fund participation and should refer the invited party to the funding body.** The Secretariat would assist the invited State in preparing a funding application through the design of an appropriate pro forma.

#### REVIEW OF 2005 BUDGET

13. The Committee noted the expected outcome of the 2005 budget as presented in CCAMLR-XXIV/4 and received the advice of the Secretariat that additional costs (A\$40 000) were anticipated for the longer than expected report of WG-FSA together with new reports of the Subgroup on Acoustic Survey and Analysis Methods (SG-ASAM) and the Workshop on Marine Protected Areas (MPAs). The Committee expressed its concern at the continued growth of such reports with the additional concern of unanticipated expenditure, arising from the need to translate and publish very long reports, continuing to compromise the Commission's objective of zero real growth in its budget (CCAMLR-XXII, paragraph 3.33).

14. The Committee noted that the increased costs in relation to the longer than anticipated report of WG-FSA would be met from the surplus brought forward.

15. The Committee also noted additional interest income (A\$7 000) transferred from the Contingency Fund, arising from a decision to cap the Contingency Fund at the previously agreed balance of A\$110 000. With these changes, the Committee **recommended that the revised budget for 2005 as presented in Appendix II, including a projected surplus of A\$24 400, be adopted by the Commission.**

## COST RECOVERY

16. In accepting the Secretariat paper CCAMLR-XXIV/6, the Committee noted that income from the non-refundable portion of the exploratory fishery fees received in respect of new and exploratory fisheries, covers the costs incurred in processing such notifications.

17. The Committee also considered the procedures attached to the scheme for recovery of costs associated with the administration of new and exploratory fisheries. It approved a proposal from New Zealand to add an additional paragraph (v), below, to the procedures adopted at CCAMLR-XXIII (paragraph 3.12 and Annex 4, paragraph 14), namely:

- (i) a notification is required for each new and exploratory fishery, i.e. a single submission by an individual Member in respect of a single year, a single species group and one subarea/division;
- (ii) each notification should identify the companies and vessels intending to pursue the fishery;
- (iii) each notification should be accompanied, or followed within one month, by a payment of A\$8 000 in respect of each vessel intending to pursue the fishery, consisting of:
  - (a) a fee of A\$3 000, representing the recovery of administrative costs;
  - (b) a sum of A\$5 000, to be refunded when the vessel had commenced fishing in the fishery for the season in accordance with conservation measures determined by the Commission. In the event of the Commission deciding that a notified fishery should not proceed in a particular year, this sum shall be refunded.
- (iv) where payment is made by a fishing company rather than a Member, the Member should identify in the notification:
  - (a) the company making the payment
  - (b) the vessels in respect of which the payment is made.
- (v) **Where a notification is not accompanied by the payment in paragraph (iii), the notification shall proceed no further and as a consequence, notice of receipt by the Secretariat will not be circulated, nor will it be forwarded to**

**the Scientific Committee or its working groups for consideration. Except that, where more than one vessel is included in the notification, the notification may proceed for consideration by the Scientific Committee or its working groups in respect of those vessels for which the requirements of paragraph (iii) have been met. Where the requirements of paragraph (iii) have not been met in respect of a particular vessel or vessels, the part of the notification dealing with that vessel or vessels shall not advance for consideration by the Scientific Committee or its working groups.**

In discussing this text the Committee noted that, as a consequence of the introduction at CCAMLR-XXIII of a one-month period for payments outlined in paragraph (iii), exploratory fisheries notifications do not become available to Members until two months before the CCAMLR meeting, as opposed to three months which was, to the understanding of the Committee, the original intent of the Commission. The Committee **recommended that the Commission consider this issue.**

#### CONTINGENCY FUND

18. The Committee noted that, following the transfer of forfeited funds in respect of new and exploratory fisheries notifications, the balance of the Contingency Fund will exceed the A\$110 000 balance determined at CCAMLR-XXII. The Committee **recommended that any funds in excess of A\$110 000 should be transferred to the General Fund from 2006.**

#### PROFESSIONAL STAFF SALARIES

19. The Committee did not identify any specific alternative salary structures for Professional Staff at the present time. The Committee deferred further consideration of this matter to its next meeting.

#### BUDGET FOR 2006

##### CCAMLR Headquarters

20. The Committee received advice from the Secretariat that the Commission Headquarters has the potential to generate income from outside organisations leasing the facilities. The Committee **recommended the creation of an Asset Replacement Fund into which income generated from leasing the meeting facilities can be paid, and from which future maintenance and asset replacement costs are to be met to the extent available from the Fund.**

## Operation of the C-VMS

21. The Committee noted the advice from the Secretariat that the funding of the C-VMS can continue to be met from savings achieved in the General Fund as a result of cost substitution of expenditure relating to new and exploratory fisheries applications for 2006. It also agreed that the matter should be further reviewed thereafter.

## Advice from other committees

22. The Chair of SCIC advised that SCIC had requested funding for a Joint Assessment Group (JAG) meeting for 2006 in conjunction with the WG-EMM meeting, the continuing subscription to the Lloyd's Vessel Database and participation at the Western and Central Pacific Fisheries Commission (WCPFC) meeting in Micronesia in December 2005 and the VMS meeting in Hong Kong in 2006. The Committee noted the advice from the Secretariat that those recommendations from SCIC with budgetary implications had already been included in the draft budget presented in CCAMLR-XXIV/4.

23. The Committee received the advice of the Chair of the Scientific Committee on the Committee's budget for 2006 and on items in the Commission budget of relevance to the Scientific Committee.

24. The Committee noted the importance of WG-FSA's work but expressed serious concern about the increasing size of the WG-FSA report and the consequential considerable cost implications for the Commission's budget. It urged the Scientific Committee to explore ways to move towards a more condensed form of report with less cost implications. It noted the request from the Chair of the Scientific Committee that the Commission advise the Scientific Committee on what parts of the report could be excluded in order to reduce the cost of the report.

25. It was noted that overall, the funding requested by the Scientific Committee was covered by provisions made in the draft budget presented in CCAMLR-XXIV/4, and SCAF **recommended that the Commission approve the Scientific Committee budget of A\$258 000 for inclusion in the Commission's budget for 2006.**

26. The Committee noted that, as a result of its deliberations, it was able to present a budget for 2006 which provides zero real growth in Members' contributions. The Committee **recommended that the Commission adopt the budget for 2006 as presented in Appendix II to this report.**

## MULTI-YEAR FUNDING OF SCIENTIFIC COMMITTEE TASKS

27. In presenting its budget for 2006, the Scientific Committee requested that an amount of A\$8 500, budgeted for expenditure on preparatory work to rewrite the *Scientific Observers Manual* in 2005, be carried forward in the Special Science Fund. The Committee **recommended that the Commission permit this expenditure to be carried forward in accordance with the procedure approved in 2004 (CCAMLR-XXIII, paragraph 3.22 and Annex 4, paragraph 26).**

## MEMBERS' CONTRIBUTIONS

### Timing of Members' contributions

28. The Committee noted and expressed concern over late contribution payments. It encouraged Members who do not pay on time to pay by the due date and requested the Secretariat to report back to the Committee's next meeting on practices followed by other, similar, international organisations with a view to providing information on the possibility of imposing a penalty for late contributions in the future.

29. The USA proposed that Members who did not pay on time be listed in the report of the Commission.

30. The Committee **recommended that, in accordance with Financial Regulation 5.6, the Commission grant to Argentina, Brazil, Spain and Uruguay an extension to the deadline for payment of 2006 contributions.**

### Implementation of the contribution formula

31. The Committee noted that there had been no requests from any Member to amend the contribution formula for 2006.

## FORECAST BUDGET FOR 2007

32. The Committee presented a forecast budget for 2007 to the Commission, noting that no real growth was anticipated in Members' contributions. However, SCAF recalled its advice of previous years that the figures are indicative only and care should be taken when they are used as a basis for financial budgeting by individual Members.

## CDS FUND

33. The Committee received advice from the Secretariat that no expenditure was incurred from this fund in 2005.

## ANY OTHER BUSINESS

### Antarctic Treaty Secretariat funds

34. The Committee noted that the Secretariat had closed the account held on behalf of the Antarctic Treaty Secretariat and the balance of the funds had been transferred.

35. The Committee expressed its gratitude to the Secretariat for the work undertaken in this matter.

#### Installation of a wireless network at the CCAMLR Headquarters

36. The Committee noted advice from the Secretariat on installing a wireless computer connection (CCAMLR-XXIV/BG/37) to enable electronic access to meeting papers and the Internet during meeting times. This would involve a set-up cost of A\$20 000 plus A\$5 000 in annual running costs. The Committee noted the potential of a wireless network in a broader context and directed the Secretariat to explore possible options for potential future savings in paper costs and volume as part of a general strategy to reduce the quantity of hardcopy documents.

#### Commission meeting venue and Secretariat office accommodation

37. The Committee requested the Commission to convey a formal note of appreciation, signed by the Commission Chair on its behalf, to the Australian Commonwealth Government (via the Minister for Foreign Affairs), the Tasmanian State Government and the property owner (Mr R. Rockefeller) for their assistance in providing the new CCAMLR Headquarters building.

#### ELECTION OF CHAIR AND VICE-CHAIR OF SCAF FOR 2006 AND 2007

38. The Committee re-appointed Germany as Chair of SCAF and appointed New Zealand as Vice-Chair, from the end of the 2005 meeting until the end of the 2007 meeting.

#### ADOPTION OF THE REPORT

39. The report of the meeting was adopted.

#### CLOSE OF MEETING

40. The Chair, Dr H. Pott (Germany), closed the meeting.

**AGENDA**

Standing Committee on Administration and Finance (SCAF)  
(Hobart, Australia, 24 to 28 October 2005)

1. Organisation of the meeting
2. Examination of audited Financial Statements for 2004
3. Audit requirement for the 2005 Financial Statements
4. Secretariat Strategic Plan
5. Reports of Members' Activities
6. Education package
7. Support for participation at meetings
8. Review of 2005 budget
9. Cost recovery
10. Contingency Fund
11. Professional Staff salaries
12. Budget for 2006
  - (i) Relocation of CCAMLR Headquarters
  - (ii) Operation of the C-VMS
  - (iii) Scientific Committee budget
  - (iv) Advice from SCIC
13. Multi-year funding of Scientific Committee tasks
14. Members' contributions
  - (i) Timing of Members' contributions
  - (ii) Implementation of the contribution formula
15. Forecast budget for 2007
16. CDS Fund
17. Any other business
  - (i) Antarctic Treaty Secretariat funds

18. Election of Chair and Vice-Chair of SCAF for 2006 and 2007
19. Adoption of the report
20. Close of the meeting.



**REVIEW OF 2005 BUDGET, BUDGET FOR 2006 AND FORECAST FOR 2007**  
(all amounts in Australian dollars)

Budget for 2005				2006	2007
Adopted in 2004	Revised	Variance		Budget	Forecast
<b>INCOME</b>					
2 580 000	2 580 000	0	Members' Annual Contributions	2 657 400	2 737 100
0	0	0	New Members' Contributions	0	0
0	0	0	From (to) Special Funds	50 000	0
46 200	58 000	11 800	Interest	66 000	93 500
433 900	450 000	16 100	Staff Assessment Levy	506 400	548 000
20 200	102 300	82 100	Surplus from Prior Year	24 400	0
<u>3 080 300</u>	<u>3 190 300</u>	<u>110 000</u>		<u>3 304 200</u>	<u>3 378 600</u>
<b>EXPENDITURE</b>					
512 700	520 227	7 527	Data Management	548 400	560 100
613 800	618 151	4 351	Compliance	651 900	665 800
680 700	716 758	36 058	Communications	741 700	732 000
283 500	280 787	(2 713)	Information Services	286 600	293 700
258 100	295 169	37 069	Information Technology	306 000	312 700
731 500	734 808	3 308	Administration	769 600	814 300
<u>3 080 300</u>	<u>3 165 900</u>	<u>85 600</u>		<u>3 304 200</u>	<u>3 378 600</u>
<b>Expenditure allocated by sub-item</b>					
2 162 300	2 230 100	67 800	Salaries and Allowances	2 384 000	2 428 300
161 400	161 400	0	Equipment	160 000	163 000
64 200	64 200	0	Insurance and Maintenance	95 000	67 000
38 500	38 500	0	Training	39 000	40 000
216 000	222 000	6 000	Meeting Facilities	233 000	266 000
188 200	160 000	(28 200)	Travel	150 000	190 000
54 100	59 100	5 000	Printing and Copying	54 700	56 300
89 200	124 200	35 000	Communication	117 000	94 000
106 400	106 400	0	Sundry	71 500	74 000
<u>3 080 300</u>	<u>3 165 900</u>	<u>85 600</u>		<u>3 304 200</u>	<u>3 378 600</u>
Surplus for the year		24 400			

**MEMBERS' CONTRIBUTIONS 2006**  
 General Fund Contributions – Payable by 1 March 2006  
 (all amounts in Australian dollars)

Member	Basic	Fishing	Total
Argentina*	106 625	1 000	107 625
Australia	106 625	10 725	117 350
Belgium	106 625		106 625
Brazil*	106 625		106 625
Chile	106 625	7 289	113 914
European Community	106 625		106 625
France	106 625	17 820	124 445
Germany	106 625		106 625
India	106 625		106 625
Italy	106 625		106 625
Japan	106 625	16 944	123 569
Korea, Republic of	106 625	8 605	115 230
Namibia	106 625		106 625
New Zealand	106 625	4 725	111 350
Norway	106 625	1 000	107 625
Poland	106 625	4 025	110 650
Russia	106 625	2 579	109 204
South Africa	106 625	2 135	108 760
Spain*	106 625	2 866	109 491
Sweden	106 625		106 625
Ukraine	106 625	7 328	113 953
UK	106 625	5 747	112 372
USA	106 625	3 789	110 414
Uruguay*	106 625	1 823	108 448
	2 559 000	98 400	2 657 400

\* Extension of deadline approved by Commission

**REPORT OF THE STANDING COMMITTEE ON  
IMPLEMENTATION AND COMPLIANCE (SCIC)**

## CONTENTS

	Page
I. OPENING OF THE MEETING.....	141
II. IUU FISHING IN THE CONVENTION AREA .....	141
Current level of IUU fishing.....	141
Procedures for the estimation of IUU catches .....	143
IUU Vessel Lists.....	144
CCAMLR Plan of Action on IUU Fishing .....	145
III. REVIEW OF COMPLIANCE AND IMPLEMENTATION-RELATED MEASURES AND POLICIES .....	146
System of Inspection .....	146
Reports on compliance with conservation measures .....	147
Compliance evaluation procedure.....	149
IV. REVIEW OF THE CATCH DOCUMENTATION SCHEME (CDS) .....	150
Implementation and operation of the CDS .....	150
E-CDS trial.....	150
CDS Fund .....	151
V. SCHEME OF INTERNATIONAL SCIENTIFIC OBSERVATION .....	151
VI. ELECTION OF THE VICE-CHAIR OF THE COMMITTEE .....	152
VII. OTHER BUSINESS.....	153
VIII. ADVICE TO SCAF .....	154
IX. ADOPTION OF THE REPORT AND CLOSE OF THE MEETING.....	154
APPENDIX I: Agenda.....	155
APPENDIX II: List of documents .....	156
APPENDIX III: Proposed List of non-Contracting Party Vessels (Conservation Measure 10-07) 2005 .....	161
APPENDIX IV: IUU Vessel Lists for 2003 and 2004 combined .....	165
APPENDIX V: Proposed draft agenda for JAG 2006 Estimation of IUU in the Convention Area .....	169

## **REPORT OF THE STANDING COMMITTEE ON IMPLEMENTATION AND COMPLIANCE (SCIC)**

### **I. OPENING OF THE MEETING**

1.1 The meeting of the Standing Committee on Implementation and Compliance (SCIC) was held from 24 to 28 October 2005.

1.2 The Chair of SCIC, Ms V. Carvajal (Chile) opened the meeting and most Members of the Commission participated. No Members invoked a ruling in accordance with Rule 32(b) of the Commission Rules of Procedure. Therefore, all observers were invited to participate in the meeting as appropriate.

1.3 The Committee adopted the Agenda as set out in CCAMLR-XXIV/1 and SCIC-05/1. The Agenda and List of Documents considered by the Committee are provided in Appendices I and II respectively.

### **II. IUU FISHING IN THE CONVENTION AREA**

#### Current level of IUU fishing

2.1 The Committee considered estimates of IUU catches in the Convention Area prepared by the Secretariat (SCIC-05/11) and used by the Working Group on Fish Stock Assessment (WG-FSA) for the estimation of total removals of toothfish (SCIC-05/10 Rev. 2). These estimates were prepared using the existing methodology outlined in CCAMLR-XXII, paragraph 6.12.

2.2 As of 1 October 2005, the total compliance-derived estimate of IUU catches in the Convention Area for the 2004/05 fishing season is 2 068 tonnes. The Committee noted that there was a decline in IUU catches over the past three years, although estimated levels for 2005 were at similar levels to 2004.

2.3 In response to the request contained in the report of WG-FSA (SC-CAMLR-XXIV, Annex 5, paragraph 8.3), the Committee considered and, with some exceptions, agreed with the total IUU catch estimate prepared by the Secretariat for the 2004/05 season. However, the Committee also observed that assumptions used to estimate IUU catch, combined with recent changes in IUU operations, could likely lead to potential overestimation of IUU catches in some areas and underestimation in other areas.

2.4 Based on advice received from the Scientific Committee last year, SCIC considered whether additional information would justify the revision of IUU catches estimated for 2003/04 (CCAMLR-XXIII, Annex 5, paragraph 2.3; SC-CAMLR-XXIII, Annex 5, paragraphs 8.7 to 8.10). No new information had been received and the 2004 estimate remained unchanged.

2.5 France submitted a report on IUU activities in the EEZ around Kerguelen and Crozet Islands which confirmed that the reduction of IUU catches reported taken from Area 58 has

been substantiated by reduced IUU effort considering that no IUU activities were reported in the EEZ around Kerguelen and Crozet Islands (CCAMLR-XXIV/BG/38). Australia reported that IUU fishing within the EEZ around Heard and McDonald Islands had decreased significantly. Australia did not accept that the methodology used by the Secretariat was appropriate for estimating IUU catches in some divisions including in Division 58.5.2. Australia estimated the IUU catch for Division 58.5.2 was in the range of 0–150 tonnes. The Committee noted that the pressure from surveillance operations around sub-Antarctic islands had forced IUU fishing into high-seas areas within the Convention Area.

2.6 The Committee took note of the summary of Members' surveillance activities prepared by the Secretariat which included reports of sightings and/or apprehensions of vessels in the 2004/05 intersessional period submitted by Australia, France, New Zealand and the UK (CCAMLR-XXIV/BG/14).

2.7 Australia advised the Committee on its surveillance program undertaken in the Convention Area which included high-seas areas outside national EEZs of Coastal States. In particular, Australia advised of:

- the sightings of eight IUU fishing vessels of non-Contracting Parties in high-seas areas (Divisions 58.4.3a, 58.4.3b and 58.4.4b);
- Flags of non-Compliance – Equatorial Guinea, Georgia and Togo;
- apprehension of the Cambodian-flagged fishing vessel *Taruman* for alleged illegal fishing outside the Convention Area in the EEZ around Macquarie Island;
- ports used by IUU vessels, including Jakarta and Singapore.

2.8 The Committee also noted information from South Africa on the deployment of a number of patrol vessels, including one patrol vessel in the EEZ around Prince Edward and Marion Islands. South Africa also reported that it had recently sighted an unknown vessel inside Subarea 58.7.

2.9 The Committee noted that Members should:

- collect information on agencies involved in the recruitment of crew for IUU fishing vessels;
- make the results of actions against IUU fishing vessels, and companies and crew involved, publicly available worldwide;
- take into account the FAO Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated Fishing.

2.10 The Committee recommended that the Commission take action with Flag States of IUU vessels and considered Resolution 19/XXI in respect of the possibility of listing some flags, such as Equatorial Guinea, Georgia and Togo, as 'Flags of non-Compliance'.

2.11 The Committee also recommended that diplomatic approaches be made to the Flag States of vessels on the IUU List or suspected IUU vessels. In respect of Australia's

apprehension on the high seas of the *Taruman* with the permission of the Flag State of the vessel, Cambodia, Spain advised that it had undertaken such actions aware that some Spanish nationals were on board the vessel (SCIC-05/14).

2.12 The Committee considered a draft resolution to help combat IUU fishing by non-Contracting Parties put forward by Australia. Australia advised that compared with the Policy to Enhance Cooperation between CCAMLR and non-Contracting Parties (CCAMLR-XVIII) the new resolution presents a much broader policy on cooperation with non-Contracting Parties and a framework for diplomatic actions.

2.13 The Committee recommended that the Commission adopt the resolution to develop a cooperation enhancement program.

#### Procedures for the estimation of IUU catches

2.14 The Committee considered WG-FSA's advice on future work required to develop a new standard methodology for the estimation of IUU catches (SC-CAMLR-XXIV, Annex 5, paragraphs 8.1 to 8.10). In particular, the Committee noted that the work proposed would involve both compliance and fish stock assessment specialists, and noted that in 2003 the Commission had already considered the possibility of convening a specialist joint group to deal with the matter (CCAMLR-XXII, paragraphs 6.3 to 6.10).

2.15 The Committee reviewed various requests from WG-FSA-05 (SC-CAMLR-XXIV, Annex 5, paragraphs 8.1 to 8.10) concerning the information to be used in the estimation of IUU catches. These were essentially:

- to seek specialist assistance from SCIC;
- to clarify the responsibilities of WG-FSA and SCIC;
- to review the methodologies for IUU catch estimation, including the use of various types of information such as sightings and surveillance coverage in different fishery areas;
- to review sensitivity of assumptions used in current and historical estimates about IUU activity in the context of providing the best estimate of IUU extractions for use in assessments (SC-CAMLR-XXIV, Annex 5, paragraph 8.8).

2.16 SCIC recalled that the Commission had formed a Joint Assessment Group (JAG) in 2003 to draw on the expertise of both SCIC and the Scientific Committee (paragraph 2.14), in part to develop methods for estimating IUU removals of toothfish. It noted that this group had yet to be convened. The Committee recognised that progress with this issue was now dependent on an intersessional JAG meeting.

2.17 The Committee noted the JAG terms of reference adopted by the Commission in 2003. These appeared to remain relevant although the Committee suggested that the terms of reference be limited to Task I contained in Annex VI of CCAMLR-XXII and should not be considered exhaustive. SCIC therefore recommended that a meeting of JAG should be held prior to the next WG-FSA meeting, most appropriately in association with WG-EMM

immediately following WG-FSA-SAM in mid-July 2006. To be successful, such a meeting would require participants from WG-FSA with expertise in scientific sampling and assessment methodologies (who usually attend WG-FSA-SAM), and participants from SCIC with expertise in monitoring, control and surveillance (MCS). A successful outcome would depend on there being sufficient preparation of working papers prior to the meeting and a mutual willingness of participants from the scientific and MCS communities to pool their knowledge and expertise.

2.18 To focus the JAG meeting, the Committee prepared a draft agenda (Appendix V). The primary purpose of the meeting will be to examine methodologies for estimating IUU catch and provide advice to the Commission.

2.19 It was acknowledged that once methodologies had been agreed, JAG might not need to meet annually, but periodically perhaps every three to five years to review and update procedures as necessary and in response to changing IUU situations. However, it was also recognised that the proposed agenda, whilst covering all current issues, might be too ambitious for a single first meeting. Therefore, in order to complete its work, JAG should also develop a prioritised work plan and timetable and might need to meet in both 2006 and 2007.

2.20 SCIC recognised that although there would be Secretariat facilities available at the JAG 2006 meeting, these would be principally supplied to support WG-FSA-SAM and WG-EMM. It would therefore be desirable for both the Science/Compliance Officer and Compliance Administrator to provide support, including data access, in light of their expertise in the Secretariat's current methods for estimation of IUU fishing.

2.21 The Committee informed the Chair of the Scientific Committee of developments on JAG at the time of receiving preliminary advice from the Chair of the Scientific Committee on matters of relevance to SCIC.

#### IUU Vessel Lists

2.22 The Committee considered the Provisional List of IUU Vessels for Contracting Parties and Draft List of IUU Vessels for non-Contracting Parties for 2005 and reviewed the IUU Vessel Lists for 2003 and 2004 (CCAMLR-XXIV/39). This review covered all evidentiary and supporting information submitted by Members, Flag States and the Secretariat and is summarised in SCIC-05/9.

2.23 The Committee decided:

- (i) that the 2003 and 2004 IUU Vessel Lists be consolidated into a combined List of Contracting Party Vessels and a combined List of non-Contracting Party Vessels (Appendix III) and that its format be amended as set out in Appendix IV;
- (ii) not to forward a Proposed IUU Vessel List to the Commission under Conservation Measure 10-06, since there were no Contracting Party vessels which should be included on such a list. The Committee decided that the incident reported by Argentina concerning the Uruguayan-flagged *Viking Sky* did not constitute a violation of CCAMLR conservation measures;



- (iii) to forward the Proposed IUU Vessel List for non-Contracting Party Vessels (Appendix IV) to the Commission for approval under Conservation Measure 10-07;
- (iv) to recommend to the Commission that the Madagascan-flagged *Eternal* be removed from the IUU Vessel List of Contracting Party Vessels as it was now deployed exclusively as a passenger vessel;
- (v) to recommend to the Commission that Members pay particular attention to the future activities of the Togolese-flagged *Aldabra*.

2.24 The Committee requested that the Secretariat contact St Kitts & Nevis in order to request information in respect of the flag status of the vessel *Keta* (ex *Sherpa Uno*).

2.25 Australia reported the sighting of the *Sea Storm* in Subarea 58.6. South Africa indicated that it may be able to provide additional information on the change of ownership of the *Sea Storm* as she was currently in Durban, South Africa. The Committee recommended the inclusion of the *Sea Storm* on the Provisional List of non-Contracting Party Vessels.

2.26 The Committee considered proposals submitted by the European Community and the Secretariat suggesting amendments to Conservation Measure 10-06 'Scheme to promote compliance by Contracting Party vessels with CCAMLR conservation measures in force' (SCIC-05/17 and CCAMLR-XXIV/39) and forwarded a revised draft of Conservation Measure 10-06 to the Commission for further consideration (CCAMLR-XXIV/BG/47).

2.27 The Committee considered proposals submitted by the UK, the European Community and the Secretariat suggesting amendments to Conservation Measure 10-07 'Scheme to promote compliance by non-Contracting Party vessels with CCAMLR conservation measures in force' (SCIC-05/13, SCIC-05/17 and CCAMLR-XXIV/39) and forwarded a revised draft of Conservation Measure 10-07 to the Commission for further consideration (CCAMLR-XXIV/BG/47).

#### CCAMLR Plan of Action on IUU Fishing

2.28 The Committee discussed the current situation with the CCAMLR Plan of Action on IUU Fishing (POA-IUU) proposed in 2002 and the subsequently revised draft of the CCAMLR plan (CCAMLR-XXIV/36). The Committee decided to currently suspend the project but instead to analyse whether the current set of CCAMLR conservation measures adequately meets all actions required by the FAO IPOA-IUU, and to identify potential gaps. Chile agreed to conduct the required analysis and report to the next meeting of SCIC.

2.29 Argentina stated that a CCAMLR POA-IUU should strictly abide by UNCLOS provisions and reflect the objectives of the Convention.

### III. REVIEW OF COMPLIANCE AND IMPLEMENTATION-RELATED MEASURES AND POLICIES

#### System of Inspection

3.1 In 2004/05 Members designated 53 inspectors, of which eight were reported to have been deployed at sea and conducted 10 at-sea inspections of vessels. All inspections were conducted in Subarea 48.3 by inspectors designated by the UK (CCAMLR-XXIV/BG/14).

3.2 The UK reported on the progress of a prosecution against the UK-flagged vessel *Jacqueline* as a result of non-compliance with CCAMLR conservation measures during 2004. The UK also reported on the prosecutions of the Spanish-flagged vessel *Ibsa Quinto* and the Guinea-flagged vessel *Elqui*.

3.3 Argentina made the following statement:

‘With regard to inspections carried out in the CCAMLR Area as well as to port inspections and further unilateral action by the UK, Argentina reserved its legal position, including also action taken by vessels based in and operating off the Malvinas Islands, South Georgia and the South Sandwich Islands. These and the surrounding waters are an integral part of the Argentine National Territory and are subject to the illegitimate occupation by the UK.

With regard to unilateral action taken by the alleged British authorities against vessels such as *Elqui* and *Ibsa Quinto*, deviating from the multilateral system of the Convention and the Chairman’s Statement, Argentina recalled its position which remains unvaried and was already expressed on the occasion of the illegal arrest and further prosecution of the Chilean vessel *Antonio Lorenzo* in 1996.’

3.4 The UK made the following statement:

‘In response to the Argentine statement, the United Kingdom reiterated that it had no doubt about its sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and their surrounding maritime areas.

Furthermore, in relation to this issue, the United Kingdom reminded the Committee of the provisions of the 1980 Chairman’s Statement were relevant.

Accordingly, the United Kingdom regarded the actions taken against the IUU vessel *Elqui* as entirely justified and legitimate.’

3.5 Argentina rejected the statement of the UK and reiterated its position.

3.6 The USA submitted an information paper on the prosecution of a dealer, Antonio Vidal Pego, indicted for unlawfully importing toothfish into the USA from the fishing vessel *Carran*.

3.7 There were no proposals from Members on improvements to the System of Inspection.

## Reports on compliance with conservation measures

3.8 The Committee considered a proposal from the Secretariat to avoid delays in the submission of catch and effort reports (CCAMLR-XXIV/BG/13). The Secretariat proposed that the current deadline of two working days for the submission of five-day catch and effort reports be reduced to 48 hours in order to improve fisheries monitoring and forecast fishery closures. However, the Committee did not have time to consider the proposal in any detail.

3.9 The Committee noted that the Scientific Committee had considered summaries of data collected by scientific observers concerning the implementation of conservation measures relating to the reduction of seabird and marine mammal by-catch and the disposal of plastic waste. The Committee was advised that the results of analyses of these data will be submitted directly to the Commission by the Scientific Committee.

3.10 The Committee reviewed the results of the first year's implementation and operation of the Centralised Vessel Monitoring System (C-VMS) following entry into force on 11 May 2005 (CCAMLR-XXIV/BG/17). The Committee generally considered that C-VMS was working well, although there were some technical issues that needed to be resolved, and reviewed information on data transmission options, security and summary information on the CCAMLR website. The Committee agreed that the Secretariat should continue to acquire the technical expertise necessary to effectively process C-VMS data and that some Members needed to improve the timeliness, format and communication methods of submission of C-VMS data. The Secretariat noted in CCAMLR-XXIV/BG/17 that it had found direct reporting the most efficient method of data receipt. Argentina believed that other means should be explored to achieve, when necessary, a more effective reporting, other than direct reporting, since Flag State jurisdiction remains paramount.

3.11 During 2004/05, C-VMS data had been submitted by vessels flagged to Argentina, Australia, Chile, France (Overseas Territories), Japan, New Zealand, Republic of Korea, South Africa, Spain, Ukraine, UK and Uruguay. Vessels flagged to Australia, Chile, Korea, New Zealand and Ukraine had voluntarily reported some VMS data in respect of fishing activities outside the Convention Area.

3.12 The USA indicated that it intends to implement regulations that would require an electronic catch document to accompany imports of toothfish. These regulations would also require toothfish imported into the USA to have been harvested by vessels participating in the C-VMS.

3.13 Many Members expressed strong concern as regards this announcement. These Members noted that there is no obligation to submit VMS position reports relating to activities outside the Convention Area. It was suggested that the USA instead seek VMS reports directly from the relevant Flag States if it had concerns regarding the real origin of the catch rather than involving CCAMLR in matters which do not fall under its jurisdiction.

3.14 The Committee considered proposals submitted by the Secretariat suggesting amendments to Conservation Measure 10-04 'Automated satellite-linked vessel monitoring system' (CCAMLR-XXIV/BG/17). The proposed amendments were revised to take into account comments made by members of the Committee. The Committee agreed to the revised draft of Conservation Measure 10-04 and forwarded it to the Commission for consideration (CCAMLR-XXIV/BG/47).

3.15 The Committee reviewed the Secretariat's ongoing work on the CCAMLR Vessel Database (CCAMLR-XXIV/BG/18) and noted that CCAMLR now has an online subscription to Lloyds Seaweb. The Committee agreed that this was a useful tool in the maintenance of the CCAMLR Vessel Database and that the subscription should be renewed annually. The Committee also recommended assessment of the value of other Lloyds products which provide records of port calls of vessels and requested that the Secretariat investigate these and report back at CCAMLR-XXV.

3.16 The Committee noted that very few Members had submitted reports of port inspections of vessels carrying toothfish as required under the current version of Conservation Measure 10-03 compared to the number of catch documents received each year (i.e. in excess of 2 000). The Secretariat was tasked with reminding Members on each occasion a catch document is issued but a corresponding port inspection report is not subsequently received.

3.17 New Zealand raised the question of compliance with Conservation Measure 21-02 of notifications for exploratory fisheries. New Zealand noted that very few Members had included all vessel details required in accordance with paragraph 5(i) of Conservation Measure 21-02 in their notification of intention to participate in an exploratory fishery in the 2005/06 fishing season. New Zealand proposed that the Committee consider notifications received and assess compliance with paragraphs 5(i) and 7 of Conservation Measure 21-02.

3.18 Some Members suggested that paragraphs 4 and 5 of Conservation Measure 10-02 require mandatory submission of additional vessel details only after 1 August 2005. It was clarified that this was an incorrect interpretation.

3.19 Some Members also pointed out that paragraph 5(i) of Conservation Measure 21-02 requires exploratory notifications to include some information prescribed in paragraph 4(ii) of Conservation Measure 10-02, but that it was not possible to submit licensing information at the time of submitting exploratory notifications as, according to national legislation, licences cannot be issued until after the fishery has been approved by the Commission by means of a conservation measure. The Committee recommended that the Commission amend paragraph 5(i) of Conservation Measure 21-02 to cover this point.

3.20 The Committee also noted that paragraph 8 of Conservation Measure 21-02 makes provision for the substitution of one vessel for another if the vessel originally notified is prevented from participating in the fishery for legitimate operational or force majeure reasons. The Republic of Korea and South Africa advised the Committee of their intention to notify of substitute vessels in this regard.

3.21 The Committee agreed that it was a matter of serious concern that the majority of notifications for exploratory fisheries did not comply with Conservation Measure 21-02. The Committee also agreed to recommend to the Commission that, for 2005, vessel details from the CCAMLR Vessel Database, if sufficient, could be used by the Commission in consideration of the new and exploratory fishery notifications. The Secretariat was requested to provide a report on the vessels notified for the 2005/06 season.

3.22 The Committee reminded Members of the obligation under paragraph 7 of Conservation Measure 21-02 that the Commission shall not consider a notification by a Member unless the information required by paragraph 5 has been submitted by the due date. The Committee agreed that notifications which were incomplete at the deadline would not be

considered in future. However, the Secretariat was requested to prompt Members about any deficiencies in their notifications, where those notifications were received at least five working days before the deadline for receipt. The Secretariat was also requested to develop a pro forma and checklist to assist with the process of notification submission.

3.23 Australia requested that for 2005 the Commission agree to notifications, provided that Members submit all information required under Conservation Measure 21-02.

3.24 The Committee noted that the Secretariat usually circulates requests, reminders and information to Members on a number of aspects of the implementation of conservation measures and other reporting requirements. However, the Committee expressed the view that when reports and data are overdue, the Secretariat should advise Members in a manner similar to that described in paragraph 3.22.

3.25 The Committee also recommended that the Commission adopt an amendment to Conservation Measure 10-03 to include the same exemption as set out in footnote 1 of Conservation Measure 10-05 in respect of vessels which had caught less than 50 tonnes of toothfish as by-catch (CCAMLR-XXIV/BG/47).

#### Compliance evaluation procedure

3.26 The Committee noted that there are a number of outstanding points in the proposed procedure which still need clarifications, such as the division of responsibilities between SCIC and the Scientific Committee as well as identification of compliance evaluation criteria. The Committee recalled the Commission's decision at CCAMLR-XXIII that responsibility for the evaluation of compliance with conservation measures should reside with SCIC and that the Scientific Committee would continue to play an important role in the evaluation of performance of conservation measures (CCAMLR-XXIII, paragraph 6.7; CCAMLR-XXIII, Annex 5, paragraphs 3.27 to 3.29). With respect to compliance-related data collected by scientific observers, the Committee took note of advice received last year from the Scientific Committee that SCIC should take initial responsibility for the review of compliance with conservation measures using scientific observer reports (SC-CAMLR-XXIII, paragraph 2.14).

3.27 The Secretariat prepared a table summarising sources of compliance information which might be used in an evaluation of compliance as requested by the Commission (CCAMLR-XXIV/35). In preparing the table, the Secretariat took into account that the proposed annual assessment of compliance with conservation measures and their performance contains provisions which might require additional clarification, particularly in relation to development of the compliance evaluation criteria and the division of responsibility between SCIC and the Scientific Committee. A summary of scientific observer data collected on compliance with conservation measures relating to the reduction of seabird and marine mammal by-catch in fisheries prepared by the Secretariat and considered by WG-FSA was also submitted to the Committee (WG-FSA-05/9 Rev. 2).

3.28 The Committee noted these papers but decided that in order to consider further development of any proposed procedure for the evaluation of compliance with conservation measures it would be useful for the Secretariat to identify a set of key compliance elements and to circulate these intersessionally to Members for comment. The Committee agreed that

information on key compliance elements identified by the Secretariat should be circulated in April 2006 and Members be requested to comment by the end of June. On the basis of comments received, the Secretariat will prepare summaries of compliance information to be considered at the next meeting of the Committee. These summaries will be used by the Committee to further develop the proposed procedure.

#### IV. REVIEW OF THE CATCH DOCUMENTATION SCHEME (CDS)

##### Implementation and operation of the CDS

4.1 The Secretariat reported on the implementation and operation of the CDS in 2004/05. The Committee noted that Canada and Mauritius were now fully implementing the CDS. The Committee also noted that of the non-Contracting Parties participating in the CDS, Singapore was not implementing the CDS in respect of toothfish landed or exported into Singapore and that the People's Republic of China had not reported on whether it inspected vessels and catches prior to authorising landing certificates.

4.2 The USA advised the Committee that it had met with Singaporean officials and had brought a number of undocumented landings to their attention (SCIC-05/15 Rev. 1). The USA expressed concern that Singapore is not fully implementing the CDS. In response, Singapore indicated that it is not in a position to fully implement the CDS.

4.3 The Committee agreed that further actions were required in respect of Port, Export and Import States, such as Singapore, China and its Special Administrative Region Hong Kong, either implementing the CDS partially or not at all. The Committee agreed that collective diplomatic demarches be undertaken regarding Singapore's implementation of the CDS only in respect of toothfish re-exported from Singapore.

4.4 The Committee agreed that the Executive Secretary should invite countries having no specific customs codes for *Dissostichus* spp. to consider the implementation of the new World Customs Organization (WCO) harmonised system codes prior to their entry into force.

4.5 The Committee considered proposals submitted by France and the Secretariat suggesting amendments to Conservation Measure 10-05 'Catch Documentation Scheme for *Dissostichus* spp.' (CCAMLR-XXIV/41 and BG/15). The Committee proposed an amended draft of Conservation Measure 10-05 and forwarded it to the Commission for further consideration (CCAMLR-XXIV/BG/47).

##### E-CDS trial

4.6 The Committee noted that the electronic web-based Catch Documentation Scheme for *Dissostichus* spp. (E-CDS) trial had continued during 2005 although several Members expressed concerns about its feasibility. Australia, Chile, France, Japan, New Zealand, South Africa, UK and the USA have issued electronic catch, export and/or re-export documents. Mauritius, as an Acceding State, has issued electronic landing certificates and export documents.

4.7 France presented two papers which contained proposals to improve several elements of the current version of the E-CDS and identified possible ways of modernising in a global approach the E-CDS by taking into account existing technologies in order to monitor the consignment to its final destination (CCAMLR-XXIV/41 and BG/27).

4.8 The Committee also took into account that Australia, France and the USA intend to consult intersessionally with a view to develop the proposals further. The Secretariat advised the Parties concerned that any improvements to the system should not compromise its facility for electronic documents to be converted, when required, to paper-based documents as both electronic and paper formats would continue to coexist for some time.

4.9 The USA advised of its intention to require that all future imports of toothfish to the USA be accompanied by electronically issued documentation.

#### CDS Fund

4.10 No proposals for expenditure from the CDS Fund had been submitted in 2004/05. The Committee appointed Australia, Chile, France, Germany, Japan, UK and the USA to the CDS Fund Review Panel for 2005/06.

4.11 The Committee noted a proposal made by the USA that the CDS Fund could be used in 2006 for updating the E-CDS by including options with French and Russian languages.

#### V. SCHEME OF INTERNATIONAL SCIENTIFIC OBSERVATION

5.1 A summary of scientific observation programs undertaken in accordance with the CCAMLR Scheme of International Scientific Observation for the 2004/05 season was given in SC-CAMLR-XXIV/BG/7. A total of 31 longline, 14 finfish trawl, 2 finfish pot and 8 krill trawl observation programs were conducted.

5.2 The Committee received and discussed the advice from the Chair of the Scientific Committee relating to the need for the deployment of scientific observers on board krill fishing vessels. The Committee noted that last year it also considered a similar request from the Scientific Committee and asked for advice on the objectives and urgency attached to the deployment of observers on board krill vessels.

5.3 The Chair of the Scientific Committee advised that the current research priorities for observers on board krill fishing vessels are collection of data on incidental mortality of marine mammals and, in relation to the new pumping method, fish by-catch.

5.4 The Committee noted the proposal from New Zealand for the mandatory use of observers deployed under the CCAMLR Scheme of International Scientific Observation (CCAMLR-XXIV/42), as well as a proposal from Ukraine for the mandatory use of scientific observers on krill vessels (WG-EMM-05/32).

5.5 These proposals, as well as the advice from the Chair of the Scientific Committee, support the need for mandatory observers to allow important data to be collected on by-catch,

mitigation measures and krill and juvenile fish biology, which would enable a more complete understanding of the impact of this fishery on the ecosystem.

5.6 Although the proposal of New Zealand was supported by most Members, Japan had the following reservations:

- (i) although the need for scientists to obtain the necessary data for analysis is understood, Japan did not think that 100% observer coverage is necessary in light of the healthy conditions of krill resources;
- (ii) as the krill fishery was not a fishery like the toothfish fishery which targets depleted resources, there was no justification to treat it the same way and apply the same strict requirements for observers.

5.7 The Republic of Korea also expressed reservations on the necessity for mandatory deployment of observers on board krill fishing vessels. These concerns were based on the following points:

- (i) the issue of by-catch of seals was not a problem for Korean krill fishing vessels as they have developed a new trawl net design which prevents seals from entering the net;
- (ii) due to low financial returns in the krill fishery, which may be forced to close, the industry did not have the finances to pay for such an extensive observer program.

However, the Republic of Korea also noted that it has deployed international observers on board its krill fishing vessels during part of the krill fishing period, and in addition it will provide haul-by-haul data to the Commission for the better management of krill stocks.

5.8 Some Members also believed that scientific data on fish by-catch in krill fisheries could be obtained by placing scientific observers on vessels for a limited period of time, in order to obtain a representative sample of what is happening in the fishery.

5.9 Despite there being no mandatory requirement to place observers on board krill vessels, Ukraine and the USA noted that they currently deploy observers on board all their vessels.

5.10 Russia suggested as a compromise that scientific data collected by national observers on board krill vessels should be presented in the format of the CCAMLR Scheme of International Scientific Observation.

5.11 Due to the lack of consensus on this issue, the Committee was unable to recommend to the Commission that the use of observers on board krill vessels should be mandatory.

## VI. ELECTION OF THE VICE-CHAIR OF THE COMMITTEE

6.1 The Committee unanimously elected Ms T. Akkers (South Africa) to the Vice-Chair of SCIC. The Committee congratulated Ms Akkers on her appointment.



## VII. OTHER BUSINESS

7.1 The Chair asked Mr R. Arnaudo, head of the US Delegation, to report on his informal paper on administrative improvements as they pertain to SCIC. The paper remains an informal document which has not been circulated officially, and will be discussed at the meeting of Heads of Delegation. Mr Arnaudo noted several areas where SCIC might consider changes to its procedures or operations, including:

- shorter reports;
- agreement that the work adopted by SCIC should be broadly accepted by plenary, rather than re-debating issues;
- the possibility of interpretation at SCIC;
- reviewing the time allotted to SCIC, or holding meetings prior to the first week of the CCAMLR meeting;
- informal forbearance of the Flag State of a vessel accused of violating CCAMLR measures from blocking consensus of the meeting.

7.2 Several Members supported some of the proposals for improvements to the work of SCIC and Mr Arnaudo was requested to make his paper available to all interested parties for further discussion.

7.3 Argentina stated that:

‘The rule of consensus is paramount within the whole Antarctic Treaty System and should be used in a responsible manner.

Although reports might be shorter, they should duly allow to reflect each Member’s views, particularly when different positions exist. Report language and conservation measures should be precise and avoid oblique cross references as well as wording that might signify the existence of an agreement or common views when it is not the case.

With regard to proposals allowing for CCAMLR to legislate or make recommendations for areas outside the Convention Area, Argentina reiterated its legal views against such developments.’

7.4 Argentina expressed its reservations with regard to CCAMLR-XXIV/BG/5 (Report of Interministerial Task Force Meeting on IUU Fishing), which refers to initiatives that should be dealt with only at an appropriate universal level.

## VIII. ADVICE TO SCAF

8.1 The following recommendations agreed by the Committee have financial implications:

- (i) establishment of a new JAG with an intersessional meeting to be held in 2006 in conjunction with WG-EMM and WG-FSA-SAM (in order to support a meeting, additional Secretariat personnel with expertise in the Secretariat's work on the assessment of IUU fishing will be required) (paragraph 2.20);
- (ii) continued subscription of the Secretariat to Lloyd's Seaweb which provides comprehensive details of vessels, as well as vessel owners and has been an invaluable tool for the maintenance of the CCAMLR Vessel Database (the current discount rate of subscription is A\$2 500) (paragraph 3.15);
- (iii) participation of the Secretariat at the following international meetings:
  - (a) Western and Central Pacific Fisheries Commission – Technical Committee on Compliance (December 2005, Micronesia);
  - (b) VMS Conference (April 2006, Hong Kong).

## IX. ADOPTION OF THE REPORT AND CLOSE OF THE MEETING

9.1 The report of SCIC was adopted and the meeting closed. The Chair thanked the Committee. The Committee thanked the Chair for her excellent guidance during the course of the meeting.

**AGENDA**

Standing Committee on Implementation and Compliance (SCIC)  
(Hobart, Australia, 24 to 28 October 2005)

1. Opening of the meeting
  - (i) Adoption of the agenda
  - (ii) Organisation of the meeting
  - (iii) Review of submitted papers, reports and other presentations
2. IUU fishing in the Convention Area
  - (i) Current level of IUU fishing
  - (ii) Procedure for estimation of IUU catches
  - (iii) IUU Vessel Lists
3. Review of compliance and implementation-related measures and policies
  - (i) Compliance with conservation measures in force
  - (ii) Compliance evaluation procedure
  - (iii) Proposals for new and revised measures
4. Catch Documentation Scheme (CDS)
5. Scheme of International Scientific Observation
6. Election of the Vice-Chair of the Committee
7. Other business
8. Advice to the Commission
9. Advice to SCAF
10. Adoption of the report
11. Close of the meeting.

**LIST OF DOCUMENTS**

Standing Committee on Implementation and Compliance (SCIC)  
(Hobart, Australia, 24 to 28 October 2005)

SCIC-05/1	Provisional Agenda for the 2005 Meeting of the CCAMLR Standing Committee on Implementation and Compliance (SCIC)
SCIC-05/2	List of documents
SCIC-05/3	Information received from Belize Secretariat
SCIC-05/4	Report of Member's steps taken to implement the inspection, investigation and sanction provisions of Conservation Measure 10-02 during 2004/05 New Zealand
SCIC-05/5	Summary of notifications of vessels for new and exploratory fisheries Secretariat
SCIC-05/6	Deployment of UK-designated CCAMLR inspectors during the 2004/05 fishing season United Kingdom
SCIC-05/7	Reports of CCAMLR Inspectors submitted in accordance with the CCAMLR System of Inspection for 2004/05 Secretariat
SCIC-05/8	Catch Documentation Scheme (CDS): annual summary reports 2005 Secretariat
SCIC-05/9	Supplementary information for consideration under Conservation Measures 10-06 and 10-07 Draft list of IUU vessels 2005 Secretariat
SCIC-05/10 Rev. 2	Estimation of IUU catches of toothfish inside the Convention Area during the 2004/05 season Secretariat

SCIC-05/11	Extracts from the Report of the Working Group on Fish Stock Assessment (Total removals of <i>Dissostichus</i> spp., including IUU catches in the Convention Area) (Hobart, Australia, 10 to 21 October 2005)
SCIC-05/12	Conservation Measure 10-06: Ukraine registered vessel <i>Mellas</i> Delegation of the United Kingdom
SCIC-05/13	Revision of Conservation Measure 10-07: report on intersessional work of a drafting group United Kingdom (Convener of the group)
SCIC-05/14	Information received from Spain Delegation of Spain
SCIC-05/15 Rev. 1	Landings and trade of toothfish in Singapore Delegation of the USA
SCIC-05/16	Brazilian toothfish import and export records Delegation of Brazil
SCIC-05/17	Amendments to Conservation Measures 10-03, 10-06 and 10-07 Proposal by the European Community

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#### Other Documents

CCAMLR-XXIV/32	A draft resolution on combating unregulated fishing in the Convention Area by the vessels of non-Contracting Parties Delegation of Australia
CCAMLR-XXIV/33	A proposal that CCAMLR adopt a capacity building program Delegation of Australia
CCAMLR-XXIV/35	Categorisation, collection and availability of information applicable to assessment of compliance with the conservation measures Secretariat
CCAMLR-XXIV/36	CCAMLR Plan of Action on Illegal, Unreported and Unregulated Fishing (CPOA-IUU) Secretariat
CCAMLR-XXIV/39	Implementation of Conservation Measures 10-06 and 10-07 draft lists of IUU vessels, 2005 Secretariat

CCAMLR-XXIV/40	Proposal to amend the E-CDS Delegation of France
CCAMLR-XXIV/41	Amendment of the catch document format Delegation of France
CCAMLR-XXIV/42	Requirement for observers on krill-fishing vessels in the CCAMLR Area Delegation of New Zealand
CCAMLR-XXIV/BG/5	Report of Interministerial Task Force Meeting on IUU Fishing (9 and 11 March 2005, Paris, France and Rome, Italy) Executive Secretary
CCAMLR-XXIV/BG/6	Report of attendance at the Twenty-sixth Meeting of the FAO Committee on Fisheries (COFI), the Fourth Meeting of Regional Fisheries Bodies (RFBs) and the FAO Ministerial Meeting on Fisheries (7 to 15 March 2005, Rome, Italy) Executive Secretary
CCAMLR-XXIV/BG/8	Report on the Global Fisheries Enforcement Training Workshop (18 to 22 July 2005, Kuala Lumpur, Malaysia) Secretariat
CCAMLR-XXIV/BG/13	Implementation of fishery conservation measures in 2004/05 Secretariat
CCAMLR-XXIV/BG/14	Implementation of the System of Inspection and other CCAMLR enforcement provisions in 2004/05 Secretariat
CCAMLR-XXIV/BG/15	Implementation and operation of the Catch Documentation Scheme in 2004/05 Secretariat
CCAMLR-XXIV/BG/16	Report of the E-CDS trial Secretariat
CCAMLR-XXIV/BG/17	Implementation and operation of the Centralised Vessel Monitoring System (C-VMS) in 2004/05 Secretariat
CCAMLR-XXIV/BG/18	Development and maintenance of the CCAMLR Vessel Database Secretariat

CCAMLR-XXIV/BG/25	Fonctions et attributions des contrôleurs de pêche Délégation française
CCAMLR-XXIV/BG/27	L'E-CDS moderne Délégation française
CCAMLR-XXIV/BG/38	Assessment of IUU fishing activities in the French waters bordering Kerguelen and Crozet Islands for the season 2004/05: general information concerning CCAMLR Area 58 1 June 2004 to 30 June 2005 Delegation of France (available in English and French)
CCAMLR-XXIV/BG/40	FAO Observer's Report FAO Observer (R. Shotton)
SC-CAMLR-XXIV/BG/7	Summary of scientific observation programmes undertaken during the 2004/05 season Secretariat
WG-FSA-05/9 Rev. 2	A summary of scientific observations related to Conservation Measures 25-01 (1996), 25-02 (2003) and 25-03 (2003) Secretariat
WG-EMM-05/32	On the use of scientific observers on board krill fishing vessels Delegation of Ukraine

**PROPOSED LIST OF NON-CONTRACTING PARTY VESSELS  
(CONSERVATION MEASURE 10-07) 2005**



**PROPOSED LIST OF NON-CONTRACTING PARTY VESSELS (CONSERVATION MEASURE 10-07)<sup>1</sup> 2005**

Current name	Current Flag	Lloyds/IMO number	Call sign	Previous name(s) if known	List of owners <sup>2</sup>	Nature of activity	Date(s) of incident(s)	Flag State comments
<i>Condor</i>	Togo	6818930	SVCR8	<i>Inca, Viking, Cisne Azul</i>	- Arcosmar Fisheries (99) - Lopez JMS (01) - Premier Business (03) - Operator: Jose Manuel Salgueiro	Fishing inside Division 58.4.3b Fishing inside Division 58.4.4a	25 Feb 05 2 Aug 05	None received
<i>Jian Yuan</i>	Georgia	9230658	4LCW	<i>Boston-1, Boston</i>	- Sunhope Investments (00) - Great Feat Inc., c/- Sunhope Investments (Oct 04)	Fishing inside Division 58.4.3b	25 Feb 05	None received
<i>Sea Storm</i>	Equatorial Guinea	9146352	3CM2172	<i>Christina Glacial, American Warrior, Mohicano</i>	- Glacial Shipping (97) - Staplefield Investments (04) - Derime (Aug 05) - Operator: Vidal Armadores	Sighted inside Subarea 58.6	29 Jul 05	None received
<i>Taruman</i>	Cambodia	7235733	XUGW9		- Rulfend Corporation (05) - Operator: Rivadulla MD	Sighted fishing in Subarea 88.1	15 Jun 05	None received

Vessel	Current flag	Year included	Year deleted	Reason for deletion
<i>Elqui</i> <sup>3</sup>	Guinea	2004	2005	Scuttled
<i>Eternal</i>	Madagascar	2003	2005	Converted to a passenger vessel

<sup>1</sup> Vessels deleted from the IUU Vessel Lists adopted in 2003 and 2004.

<sup>2</sup> Ownership history is sourced from Lloyds Registry and only records dating back to 1995 have been included. The date in parenthesis is the date on which the ownership was reported to have come into effect. The latest reported owner is the lowest entry on the list. However, this information may not necessarily be current or correct.

<sup>3</sup> See paragraphs 3.3 to 3.5

**IUU VESSEL LISTS FOR 2003 AND 2004 COMBINED**

## IUU VESSEL LISTS FOR 2003 AND 2004 COMBINED

### Contracting Party Vessels, Conservation Measure 10-06

Current name	Current Flag	Lloyds/IMO number	Name at time of incident(s) (if different)	Reported Flag at time of incident(s) (if different)	Previous name(s)	Ownership history <sup>1</sup>	Nature of activity	Date(s) of incident(s)	Year included
<i>Viarsa I</i>	Uruguay	8001335			<i>Starlet No. 901</i>	- Viarsa Fishing Co. (Jan 02) - Operator: Navalmar SA	Sighted in Division 58.5.1 Apprehended in Division 58.5.2	7 Aug 03 3 Feb 04	2003
<i>Maya V</i>	Uruguay	8882818				- Globe Fishers (98) - Campopesca (99) - Rainbow Fisheries (Feb 03)	Fishing in Division 58.5.2 Apprehended	23 Jan 04	2004

### Non-Contracting Party Vessels, Conservation Measure 10-07

Current name	Current Flag	Lloyds/IMO number	Name at time of incident(s) (if different)	Reported Flag at time of incident(s) (if different)	Previous name(s)	Ownership history <sup>1</sup>	Nature of Activity	Date(s) of incident(s)	Year included
<i>Amorinn</i>	Togo	7036345	<i>Lome/ Iceberg II?</i>		<i>Lome/ Noemi</i>	- Infitco (1998) - Seric Business SA (unknown) - Sold to undisclosed interests (Jul 03)	In Division 58.4.2	23 Jan 04	2003
<i>Apache I</i>	Honduras	9142693			<i>America I</i>	- Kongshawn Shipping (01) - Long Liners (03) - Staplefield Investments SA (Apr 04)	Fishing in Division 58.5.1 Apprehended	25 Jun 04	2004
<i>Eolo</i>	Equatorial Guinea	7322897	<i>Thule</i>		<i>Magnus/ Dorita</i>	- Meteora Development Inc. (Feb 04) - Operator: Vidal Armadores	In Division 58.5.2	31 Jan 04	2003

(continued)

Non-Contracting Party Vessels (continued)

Current name	Current Flag	Lloyds/ IMO number	Name at time of incident(s) (if different)	Reported Flag at time of incident(s) (if different)	Previous name(s)	Ownership history <sup>1</sup>	Nature of Activity	Date(s) of incident(s)	Year included
<i>Golden Sun</i>	Equatorial Guinea	6803961	<i>Notre Dame</i>		<i>Mare</i>	- Monteco Shipping (Feb 03) - Operator: Capensis	Fishing in Division 58.4.3	22 Apr 04	2003
<i>Hammer</i>	Togo	9042001			<i>Carran</i>	- Fadilur SA (Aug 04) - Global Intercontinental Services (05) - Operator: Vidal Armadores	Undocumented landing, Malaysia	Aug 04	2004
<i>Kang Yuan</i>	Georgia	9230660	<i>Champion I</i>	Unknown	<i>Champion</i>	- Sunhope Investments (01) - Profit Peak (Oct 04) - Operator: Kando Maritime	Fishing in Division 58.4.3	22 Apr 04	2004
<i>Keta</i> <sup>2</sup>	Unknown	7322926	<i>Sherpa Uno</i>	Uruguay	<i>Sherpa Uno</i>	- C&S Fisheries (Sep 96) - Muner SA (00)	Sighted in Division 58.5.1	20 Dec 02 3 Feb 04	2004
<i>South Ocean</i> <sup>3</sup>	China	9230646	<i>Koko</i>	Georgia	<i>Austin-1</i>	- Sunhope Investments (00) - Koko Fishery (Feb 03) - Great Feat Inc., c/- Sunhope Investments (Sep 05)	In Division 58.4.3	24 Apr 04	2004
<i>Red Lion 22</i>	Equatorial Guinea	7930034	<i>Lucky Star</i>		<i>Praslin/ Big Star</i>	- Big Star International (Oct 98) - Praslin Corporation (Nov 00) - Transglove Investment Inc. (Sep 03)	Fishing in Division 58.4.3	22 Apr 04	2003
<i>Sargo</i>	Togo	5428908	<i>Lugalpesca</i>	Uruguay	<i>Lugalpesca/ Hoking</i>	- Jose Lorenzo SL (80) - Vibu Pesquera (Oct 05)	In Division 58.5.1	1 Dec 02 4 Jun 03	2003
<i>South Boy</i>	Equatorial Guinea	8713392	<i>Piscis</i>	Uruguay	<i>Piscis</i>	- Cazenove International SA (03) - Operator: Insuabela	Supporting IUU activities of <i>Thule</i>	5 Apr 04	2004
<i>Ross</i>	Togo	7388267			<i>Alos/Lena</i>	- Lena Enterprises (01) - Grupo Oya Perez SL (Aug 03)	Fishing in Subarea 58.7	Mar–Apr 04	2003

<sup>1</sup> Ownership history is sourced from Lloyds Registry and only records dating back to 1980 have been listed here. The date in parenthesis is the date on which the ownership was reported to have come into effect. The latest reported owner is the lowest entry on the list. However, this information may not necessarily be current or correct.

<sup>2</sup> Originally listed as *Sherpa Uno* on IUU List of Contracting Party Vessels in 2004. Moved to the List of non-Contracting Party Vessels in 2005.

<sup>3</sup> Reported renamed and reflagged after consideration by SCIC.

**PROPOSED DRAFT AGENDA FOR JAG 2006  
ESTIMATION OF IUU IN THE CONVENTION AREA**

1. Examination of potential IUU methodologies and data sources
  - (i) description of methods used by various national agencies
  - (ii) description of methods used by Secretariat/CCAMLR
  - (iii) sub-Antarctic island areas (Subareas 48.3, 58.6, 58.7, Divisions 58.5.1 and 58.5.2)
  - (iv) high-seas areas (Subareas 48.6, 88.1, 88.2, 88.3, Divisions 58.4.1, 58.4.2, 58.4.3, 58.4.4)
2. Data sources and coverage issues
  - (i) potential data sources; validation of information
  - (ii) classification of coverage areas
  - (iii) identification of appropriate coverage levels
3. Definition of assessment methods
  - (i) appropriate methods by area
  - (ii) confidentiality and publication issues
  - (iii) annual procedure for IUU estimation
4. Review of historical IUU estimates
  - (i) identification of potential problems with past estimates
  - (ii) identification of solutions and revision of estimates
5. Advice
  - (i) advice to the Scientific Committee and SCIC on assessment methodology
  - (ii) advice to WG-FSA on IUU estimates to be used in toothfish assessments
  - (iii) future work program (including periodicity of JAG review of IUU estimates and methods, priorities and timetable).

**OPENING SPEECHES ON THE OCCASION OF THE  
OFFICIAL OPENING OF THE NEW CCAMLR HEADQUARTERS  
AT 181 MACQUARIE STREET, HOBART  
(24 October 2005)**

**OPENING SPEECHES ON THE OCCASION OF THE  
OFFICIAL OPENING OF THE NEW CCAMLR HEADQUARTERS  
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(24 October 2005)**

**The Hon. Alexander Downer, MP  
Minister for Foreign Affairs, Australia**

**Australia Supports Antarctic Conservation**

'I am pleased to be opening the new headquarters of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) on the occasion of the Commission's 24th annual meeting in Hobart today.

The Commission plays an instrumental role in the conservation of the unique and fragile Antarctic ecosystem and its work builds on the international cooperation that exists under the Antarctic Treaty. Over the next two weeks, 24 CCAMLR Members and a host of observer states will participate in the annual Commission meeting.

Australia is proud to be the host country of CCAMLR. We are a strong advocate for both the conservation of Antarctic marine living resources and the suppression of illegal, unregulated and unreported fishing in the Southern Ocean which undermines such conservation.

The new CCAMLR Headquarters in Hobart is funded by the Commonwealth and Tasmanian Governments. Australia is pleased to have provided a purpose built venue that will meet the needs of CCAMLR and its Members in the future.'

Full details of Minister Downer's opening speech are available at:  
[www.foreignminister.gov.au/speeches/2005/051024\\_antarctic.html](http://www.foreignminister.gov.au/speeches/2005/051024_antarctic.html)

**Lara Giddings, MHA**  
**Minister for Economic Development, Tasmania**

### **New Hobart premises for international Antarctic secretariat**

'The Commission of the Conservation of Antarctic Marine Living Resources (CCAMLR) now has a new home at 181 Macquarie Street which in a former life was the Hutchins School.

The State Government will provide A\$125 000 a year towards hosting the Secretariat in Hobart.

The new Secretariat will enable us to better cater for international workshops and meetings and reaffirms Tasmania as a key Antarctic gateway.

A number of important international meetings are scheduled to take place at the new premises in 2006.

They include international workshops on Antarctic sea-ice thickness and biennial meetings of the Council of Managers of National Antarctic Programs (COMNAP) and the Scientific Committee of Antarctic Research (SCAR), to take place in July 2006.

All these meetings will attract between 600 to 800 Antarctic program managers and Antarctic scientists to Hobart, from over 29 countries.

They will provide huge opportunities for Tasmania's businesses, academia and industry to promote themselves to the broader international Antarctic community.

It will allow the local Antarctic sector to target countries to use the State as a future supply base for their operations, including the USA, Italy, China, India, Estonia, Japan and Russia.

The new accommodation and meeting facilities are a credit to the vision of CCAMLR director Dr Denzil Miller and his team and developer Nekon.

The State Government has been working to ensure that the future needs of CCAMLR continue to be met here in Tasmania.

I have no doubt this facility will truly become a hub for the international Antarctic community in Tasmania.'



**JOINT ASSESSMENT GROUP (JAG) –  
TERMS OF REFERENCE AND PROPOSED  
DRAFT AGENDA FOR THE 2006 MEETING**

## **TERMS OF REFERENCE OF JAG**

The following terms of reference were prepared by the ad hoc Joint Assessment Group (JAG) in 2003 for future work on the **Task I** (CCAMLR-XXII, Annex 6):

**Task I** – to develop methods for estimating total removals of toothfish (including, where applicable, both legitimate and IUU catches) with a view to:

- determining whether such methods would provide better estimates than those currently prepared by the Secretariat and used by WG-FSA;
- determining data requirements for each method and each component of the total removals;
- identifying the origins and availability and levels of reliability of such data for all areas of toothfish distribution;
- recommending to both the Scientific Committee and SCIC, changes to the present methods for estimating total removals of toothfish.

**PROPOSED DRAFT AGENDA FOR THE JAG MEETING IN 2006  
ESTIMATION OF IUU CATCHES IN THE CONVENTION AREA**

1. Examination of potential IUU catch estimation methodologies and data sources
  - (i) description of methods used by various national agencies
  - (ii) description of methods used by Secretariat/CCAMLR
  - (iii) sub-Antarctic island areas (Subareas 48.3, 58.6, 58.7, Divisions 58.5.1 and 58.5.2)
  - (iv) high-seas areas (Subareas 48.6, 88.1, 88.2, 88.3, Divisions 58.4.1, 58.4.2, 58.4.3, 58.4.4)
  
2. Data sources and coverage issues
  - (i) potential data sources; validation of information
  - (ii) classification of coverage areas
  - (iii) identification of appropriate coverage levels
  
3. Definition of assessment methods
  - (i) appropriate methods by area
  - (ii) confidentiality and publication issues
  - (iii) annual procedure for IUU estimation
  
4. Review of historical IUU catch estimates
  - (i) identification of potential problems with past estimates
  - (ii) identification of solutions and revision of estimates
  
5. Advice
  - (i) advice to the Scientific Committee and SCIC on assessment methodology
  - (ii) advice to WG-FSA on IUU catch estimates to be used in toothfish assessments
  - (iii) future work program (including periodicity of JAG review of IUU catch estimates and methods, priorities and timetable).

**TEXT OF A STANDARD LETTER TO BE USED  
IN THE COURSE OF DIPLOMATIC ACTIONS  
IN RESPECT OF NON-CONTRACTING PARTIES**

To Minister of Foreign Affairs

Dear Minister

I am writing to you at the request of Members of the Commission established by the Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR). The Members of CCAMLR are: Argentina, Australia, Belgium, Brazil, Chile, European Community, France, Germany, India, Italy, Japan, Korea, Republic of, Namibia, New Zealand, Norway, Poland, Russian Federation, South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

During their annual meeting from 24 October to 4 November 2005, Members of the Commission examined information on the vessel[s] [name]] flagged to [Flag State]. Commission Members decided to list these vessels on the CCAMLR Illegal, Unregulated and Unreported (IUU) Vessel List for Non-Contracting Parties, as they were regarded as undermining the objective of the CAMLR Convention. This matter has already been drawn to the attention of [Flag State] in letters of [date] from the Executive Secretary of this organisation. The List of vessels identified in this respect and full details of the activities that led to this decision are attached at Annex 1. The CAMLR Commission would be grateful if you could confirm that the vessel[s] [name] is [are] indeed flagged to [Flag State].

For your information I attach at Annex 2 a copy of CCAMLR Conservation Measure 10-07 on the scheme to promote compliance by non-Contracting Party vessels with CCAMLR conservation measures. In particular I draw your attention to paragraphs [ ] of this measure, and request that [Flag State] take measures in accordance with its applicable legislation to ensure that the above-named vessels do not conduct any activities that undermine the effectiveness of conservation measures adopted by CCAMLR. All conservation measures and additional information about CCAMLR can be found on its website at [www.ccamlr.org](http://www.ccamlr.org).

The international community has recognised that global cooperation is needed to prevent, deter and eliminate IUU fishing and is committed to the principle that States not party to regional fisheries management organisations are not discharged from their obligation to cooperate with those organisations. States have agreed to apply the conservation and management measures adopted by the organisation and to ensure that vessels entitled to fly their flag do not undermine such measures. The CAMLR Commission would be grateful if you would ensure that in future vessels flagged to [Flag State] will not fish in the CAMLR Convention Area unless they fully apply CCAMLR conservation measures. The Commission also invites [Flag State] to consider acceding to the CAMLR Convention.

Furthermore, CCAMLR has received information that nationals of Members of the CAMLR Commission might be involved in the operation of these vessels. The CAMLR Commission would appreciate receiving any information on the identity, in particular of operators involved in the operation of these vessels, so that appropriate action may be taken against such individuals in accordance with their own national legislation.

In addition, there are tools available to assist Flag States in pursuing the global approach needed to be a responsible Flag State. Further information is available from the CCAMLR Secretariat.

Finally, I enclose a copy of a resolution on enhancement of cooperation between CCAMLR and non-Contracting Parties which was adopted at this year's CCAMLR meeting. The intention of this resolution is to enhance such cooperation in order to combat IUU fishing. The resolution focuses on non-Contracting Parties that may have the will but lack the capacity to implement CCAMLR's conservation measures.

I thank you in advance for giving this matter your urgent attention and look forward to your prompt reply.

Yours sincerely,

Professor Seo-Hang Lee  
Chairman, CCAMLR

**LETTER FROM CCAMLR SECRETARIAT IN REPLY  
TO CCSBT LETTER OF 19 OCTOBER 2005**

Dear Mr Macdonald,

Thank you for your letter of 19 October 2005 advising that the Commission for the Conservation of Southern Bluefin Tuna ('CCSBT') had agreed at its 2005 annual meeting that it should enter into an agreement with the Commission for the Conservation of Antarctic Marine Living Resources ('CCAMLR'). Your letter was discussed by CCAMLR at its annual meeting in October/November 2005.

CCAMLR noted that there is an overlap between the responsibilities of CCAMLR and CCSBT. CCAMLR is responsible for the management and conservation of all Antarctic marine living resources within the CAMLR Convention Area, while CCSBT has responsibility for the management and conservation of southern bluefin tuna throughout its range. CCAMLR therefore very much welcomed the approach from CCSBT to conclude an agreement to ensure that fishing activities in relation to southern bluefin tuna within the CAMLR Convention Area are appropriately managed and to clarify the respective roles of CCAMLR and CCSBT in this respect. In particular, CCAMLR would welcome the opportunity to discuss measures to reduce incidental mortality of CAMLR Convention Area seabirds due to fishing of southern bluefin tuna.

CCAMLR considered that the appropriate way to progress this matter would be the establishment of an ad hoc working group comprised of members from the CAMLR and CSBT Commissions, which would meet as soon as possible. The aim of the group would be to establish an agreement in relation to fishing for southern bluefin tuna within the CCAMLR Convention Area. CCAMLR would hope to have such an agreement as soon as possible.

In the interim, CCAMLR requires the following measures:

- (i) CCSBT will advise the CCAMLR Secretariat of the names, Flag States, owners, operators, call signs and Lloyds/IMO numbers of all vessels licensed by CCSBT Parties to fish for southern bluefin tuna;
- (ii) CCSBT will not license any vessels on the CCAMLR IUU Vessel Lists to fish for southern bluefin tuna (and CCAMLR will reciprocate should CCSBT adopt such lists);
- (iii) CCSBT will require all vessels licensed to fish for southern bluefin, in respect of fishing activities for southern bluefin tuna within the Convention Area, to:
  - (a) submit automatic satellite-linked VMS reports in accordance with Conservation Measure 10-04 to the CCSBT Secretariat;
  - (b) apply Conservation Measure 25-01 on use and disposal of plastic packaging bands;
  - (c) apply Conservation Measure 25-02 (minimisation of incidental mortality of seabirds), except those provisions relating to line weighting;
  - (d) submit to the CCSBT Secretariat data on catch, by-catch and incidental mortality of seabirds in a manner consistent with the data requirements of CCAMLR;



- (e) comply with the CCAMLR System of Inspection, including allowing compliance inspections at sea within the CAMLR Convention Area;
- (iv) CCSBT will forward to the CCAMLR Secretariat all reports received under paragraph (iii) above.

Without prejudice to further development of the agenda for the working group, CCAMLR would also wish to discuss the following issues, with a view to concluding a final agreement as soon as possible:

- (i) effective measures to reduce the incidental mortality of seabirds, appropriate to the methods used to fish for southern bluefin tuna;
- (ii) observer coverage;
- (iii) illegal, unregulated and unreported fishing.

If the CCSBT is content with this approach, I would be grateful if you could contact me to discuss arrangements for a meeting.

Yours sincerely,

Dr Denzil G.M. Miller  
Executive Secretary

**ATCM DECISION 9 (2005)  
'MARINE PROTECTED AREAS AND  
OTHER AREAS OF INTEREST TO CCAMLR'**

**ATCM DECISION 9 (2005)**  
**‘MARINE PROTECTED AREAS AND**  
**OTHER AREAS OF INTEREST TO CCAMLR’**

The Representatives,

Noting the requirements in Article 6, (1) and (2) of Annex V to the Protocol of Environmental Protection to the Antarctic Treaty that the prior approval of the Commission for the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) must be obtained on proposal for Antarctic Specially Protected Areas or Antarctic Specially Managed Areas which contain marine areas;

Recalling that ATCM XXI agreed to transmit a draft text addressing criteria for Marine Areas to CCAMLR for its consideration;

Recalling also the endorsement of that draft text by CCAMLR at its XVIth Meeting, and its adoption as Decision 4 (1998) of ATCM XXII;

Noting that Decision 4 (1998) set out procedures to be followed pending the entry into force of the Annex V, which is now in force;

Desiring to adopt updated procedures;

Decide:

1. That for the purpose of the implementation of Article 6 (2) of the Environmental Protocol, draft management plans that contain marine areas which require a prior approval of CCAMLR are those:
  - (a) in which there is actual harvesting or potential capability of harvesting of marine living resources which might be affected by site designation; or
  - (b) for which there are provisions specified in a draft management plan which might prevent or restrict CCAMLR related activities.
2. That proposals for designations of Antarctic Specially Protected Areas or Antarctic Specially Managed Areas which meet the criteria of Paragraph 1 above shall be submitted to CCAMLR for its consideration before any decision is taken on the proposal relating to marine areas.
3. Furthermore that any other proposed designations which might have implications for CCAMLR Ecosystem Monitoring Programme (CEMP) sites shall also be submitted to CCAMLR for its consideration.
4. That this decision shall replace Decision 4 (1998), which shall cease to be operative.