

## 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.