

NEW AND EXPLORATORY FISHERIES

New and exploratory fisheries in 2005/06

11.1 At its last meeting, the Commission agreed to seven exploratory longline fisheries for *Dissostichus* spp. in the 2005/06 season (CCAMLR-XXIV, paragraph 10.4; Conservation Measures 41-04, 41-05, 41-06, 41-07, 41-09, 41-10 and 41-11). These exploratory fisheries were conducted in Subareas 48.6, 88.1 and 88.2 and Divisions 58.4.1, 58.4.2, 58.4.3a and 58.4.3b. The total reported catch of *Dissostichus* spp. was 4 592 tonnes (SC-CAMLR-XXV, Annex 5, Table 9).

Notifications for new and exploratory fisheries in 2006/07

11.2 Twelve Members submitted paid notifications for exploratory longline fisheries in 2006/07 on *Dissostichus* spp. in Subareas 48.6, 88.1 and 88.2 and Divisions 58.4.1, 58.4.2, 58.4.3a and 58.4.3b. There were no notifications for new fisheries, and no notifications were received for fisheries in closed areas (SC-CAMLR-XXV, Annex 5, Table 5).

11.3 The Commission noted that the Scientific Committee had not attempted to determine whether the notifications referred to in paragraph 11.2 had satisfied the requirements of the notification procedure set out in Conservation Measure 21-02.

11.4 It acknowledged the substantial progress made by the Scientific Committee in assessing *Dissostichus* spp. stocks in Subareas 88.1 and 88.2 as well as in developing attached management advice. This had been made possible by the significant contribution of tagging study results to assessments of these fisheries (SC-CAMLR-XXV, paragraphs 4.35 and 4.193 to 4.212).

11.5 The Commission also noted that the Scientific Committee was unable to develop management advice based on assessments of yield for the other exploratory fisheries. The latter was therefore unable to provide any new advice on catch limits for *Dissostichus* spp. or any by-catch species. However, the Scientific Committee had developed some general advice for exploratory fisheries in Subareas 48.6 and 58.4 (Divisions 58.4.1, 58.4.2, 58.4.3a and 58.4.3b).

11.6 The Commission agreed that the tagging rate for *Dissostichus* spp. in exploratory fisheries be increased to (SC-CAMLR-XXV, paragraph 4.151):

- a minimum of three fish per tonne with a target of 10 fish per tonne in those SSRUs in Subareas 88.1 and 88.2 which are closed but which carry a 10-tonne research exemption for a single vessel in a single season;
- a minimum of three fish per tonne in exploratory fisheries in Divisions 58.4.1 and 58.4.2.

11.7 The Commission noted that in regions where both *D. eleginoides* and *D. mawsoni* occur, such as Subarea 48.6, the Scientific Committee had considered whether it may be

necessary to also increase the tagging rate from the present rate of one fish per tonne to three fish per tonne to ensure that an adequate number of fish of each species are tagged (SC-CAMLR-XXV, paragraph 4.158).

11.8 While most Members agreed that the proposed increase in the tagging rate in Subarea 48.6 would accelerate development of an assessment for this fishery, some Members requested that this matter be further considered by the Scientific Committee and WG-FSA in 2007.

11.9 Norway and New Zealand advised the Commission that they would instruct their vessels fishing in Subarea 48.6 in 2006/07 to tag and release *Dissostichus* spp. at a minimum rate of three fish per tonne of green weight caught. The Commission thanked Norway and New Zealand for this initiative, and urged other notifying Members to strive towards achieving a comparable tagging rate of three fish per tonne in Subarea 48.6.

11.10 The Commission noted with concern the Scientific Committee's advice regarding exploratory fisheries for *Dissostichus* spp. in Subarea 58.4 (SC-CAMLR-XXV, paragraphs 4.184 to 4.192).

11.11 It endorsed the Scientific Committee's recommendations for:

- urgent consideration of how to acquire appropriate data for assessments of stock status and yield of *D. mawsoni* in the Indian Ocean sector because of (i) the lack of progress towards assessments in these divisions, and (ii) a rapidly escalating catch in the region;
- submissions by Members on stock structure, biological parameters (e.g. growth, length-weight relationship, maturity), recruitment and methods for assessment of these stocks;
- increased tagging rates (see paragraph 11.6), and for Members to ensure that all fish recorded as being tagged and released are in good condition and have not been subjected to seabird predation.

11.12 Australia proposed that the fishery for *Dissostichus* spp. in Division 58.4.3b be closed until such a time that a survey of the *Dissostichus* stock in this division was conducted, and its results reported to, and analysed by, the Scientific Committee and WG-FSA.

11.13 Some Members supported this proposal and agreed that continued fishing by licensed vessels in Division 58.4.3b may lead to overfishing of *Dissostichus* spp.

11.14 Other Members urged the Commission to focus on the development of additional measures aimed at eliminating IUU fishing. Further, some Members believed that the presence of licensed fishing vessels in Division 58.4.3b, and elsewhere in the Convention Area, allowed the collection of biological information on *Dissostichus* spp. as well as factual information on IUU fishing (paragraph 12.9). In addition, the presence of licensed fishing vessels in an area may deter IUU activities.

11.15 Australia noted that recent incidents with IUU fishing vessels indicated that the presence of licensed vessels in the vicinity of IUU fishing vessels did not deter, or reduce IUU

fishing activities. This was clearly demonstrated by incidents of harassment of licensed vessels by IUU fishing vessels and by the fact that levels of IUU catch were of the order of four times higher than those of licensed vessels fishing in some areas.

11.16 The Commission urged Members to consider further options for combating IUU fishing in the Convention Area, and in particular in Subarea 58.4, and agreed to reconsider this matter at CCAMLR-XXVI.

11.17 Australia advised the Commission that it would be increasing its level of surveillance in Subarea 58.4 and hoped that all Members would further contribute to the development of national and international efforts against IUU fishing in the Convention Area through cooperative endeavours.

11.18 France also advised the Commission that it would be increasing its level of surveillance in the high-seas region south of the French EEZs in Division 58.5.1 and Subarea 58.6.

11.19 The Commission thanked Australia and France for their increased efforts to combat IUU fishing in Subarea 58.4. The Commission also noted South Africa's surveillance efforts around Prince Edwards and Marion Islands.

11.20 The Commission agreed to carry forward the requirements for the exploratory fisheries for *Dissostichus* spp. in Subarea 48.6 and Divisions 58.4.1, 58.4.2, 58.4.3a and 58.4.3b.

11.21 The Commission endorsed the Scientific Committee's management advice for *Dissostichus* spp. in Subareas 88.1 and 88.2 (SC-CAMLR-XXV, paragraphs 4.204 to 4.211), including:

- setting a catch limit of 3 072 tonnes for *Dissostichus* spp. in the Ross Sea (Subarea 88.1 and Subarea 88.2 SSRUs A and B);
- setting a catch limit of 353 tonnes for *Dissostichus* spp. in SSRU 882E;
- retaining the current catch limits for *Dissostichus* spp. in SSRUs 882 C, D, F and G;
- applying last year's allocation method to set catch limits for SSRUs in Subarea 88.1;
- retaining the provision for a 10-tonne research exemption in all SSRUs in Subareas 88.1 and 88.2 with a zero catch limit so as to provide additional opportunities for research and tagging in these areas.

11.22 The Commission noted that research fishing in SSRUs with a zero catch limit is often conducted towards the end of the fishing season, and may be terminated early if the overall catch limit for the fishery is reached.

11.23 The Commission agreed that the 10-tonne research exemption in each SSRU with a zero catch limit should be deducted from the overall catch limit for the fishery, thereby setting this amount of catch aside to allow research fishing to be conducted at any time during the season (see also paragraphs 12.56 to 12.62).

11.24 The Commission also agreed to carry forward the requirements for fishery-based research in exploratory fisheries contained in Conservation Measure 41-01. It urged Members to submit biological and tagging data to the Secretariat in a timely manner.

Review of potential destructive fishing practices

11.25 The Commission noted the Scientific Committee's consideration of a proposal to prohibit deep-sea gillnet fishing in the Convention Area. The Scientific Committee agreed that gillnets (including trammel nets) are non-selective fishing devices and if not utilised correctly could take mobile species indiscriminately. In addition, gillnets may have adverse impacts if dragged along the bottom and have the potential to 'ghost' fish over long time periods when lost or discarded. The Scientific Committee agreed that it would be reasonable to have an interim prohibition on deep-sea gillnetting in the Convention Area until the Scientific Committee has investigated and reported on the potential impacts of this gear in the Convention Area and the information has been reviewed by the Commission. The Scientific Committee also noted that the suggested interim prohibition should apply only to commercial fisheries and not for research purposes (SC-CAMLR-XXV, paragraphs 4.212 and 4.213).

11.26 The Commission endorsed this advice and agreed to introduce an interim ban on the use of deep-water gillnets in the Convention Area (paragraphs 12.26 and 12.27).

11.27 The Commission considered a proposal by the USA to address the negative impacts of bottom trawl fishing on oceanic ecosystems, and in particular vulnerable marine ecosystems in the CCAMLR Convention Area (CCAMLR-XXV/BG/33). The proposal was that:

- (i) in high-seas areas where there is an RFMO with competence to regulate bottom fisheries, that RFMO would take action to:
 - (a) immediately freeze the footprint of bottom-trawl fishing (i.e. no expansion into new areas or in existing areas), unless the RFMO determines that such expansion would not cause significant adverse harm to vulnerable marine ecosystems;
 - (b) end all bottom trawling by 2009, unless the RFMO determines that its continuation would not cause significant adverse harm.

11.28 The USA, along with some other Members, noted their commitment to addressing destructive fishing practices within existing RFMOs, at the United Nations, and at CCAMLR. The USA noted its desire to join with other countries at international organisations to eliminate fishing practices that jeopardise fish stocks and the habitats that support them, and to establish rules based on sound science to enhance sustainable fishing practices and to phase out destructive fishing practices.

11.29 The Commission noted the Scientific Committee's comment that at present bottom trawl fishing is prohibited in some areas adjacent to the Antarctic Continent (Conservation Measures 41-05 and 41-11) and there are no plans to initiate new bottom trawl fishing (SC-CAMLR-XXV, paragraphs 4.215 and 4.216).

11.30 The Commission also recalled its desire to mitigate impacts of fishing practices in the Convention Area and that the conservation measures for new and exploratory fisheries (Conservation Measures 21-01 and 21-02) provide mechanisms for establishing whether a proposed fishing method could have adverse impacts on the Antarctic marine living resources, including the following steps prior to fishing:

- (i) notification of the intention to fish;
- (ii) scientific review of the potential implications of the proposal to the target species, by-catch and ecosystem (including habitats);
- (iii) development of a research plan to be undertaken by the fishing vessels to contribute to assessments of both catch limits and the potential impacts of the fishery on the stocks, non-target species and ecosystem;
- (iv) setting of precautionary catch limits to enable evaluation of resource potential and to acquire information for use in assessing appropriate measures for the further development of the fishery;
- (v) setting other measures as needed, including spatial and temporal closures and limits on the number of vessels, to enable an orderly development of the fishery;
- (vi) set in place appropriate management measures and, thereby, achieve its objectives in Article II.

11.31 In considering the proposal, the Commission noted its previous experience in introducing bottom trawling in high-seas areas in the Convention Area through the approach adopted in Conservation Measure 186/XVIII in 1999. In that measure, experiments were specified to determine the effects of bottom trawling on the continental shelf of Antarctica before allowing further development of the fishery.

11.32 Most Members supported freezing the footprint of bottom trawl fishing, and limiting future expansion of trawl fishing to operations which would not cause significant adverse harm to vulnerable marine ecosystems.

11.33 Some Members requested that the environmental impact of bottom trawl fishing be further considered by the Scientific Committee.

11.34 The FAO Observer advised the Commission that FAO, in collaboration with the Canadian Department of Fisheries and Oceans, was developing a proposal to hold an international meeting on the effects of trawl fishing on the high seas. Details of this meeting would be advised when arrangements were finalised.

11.35 The FAO Observer also advised that the proposal to freeze the footprint of bottom trawl fishing had received widespread support amongst FAO Member Countries.

11.36 The Commission agreed to make explicit the means by which bottom trawling in high-seas areas of the Convention Area should be managed in order to avoid impacting vulnerable marine ecosystems, including the benthos and benthic communities. It therefore agreed that for any bottom trawling in high seas areas of the Convention Area to be approved, the

Commission needs to be satisfied that the fishery would not have a significant impact on vulnerable marine ecosystems, including benthos and benthic communities, in areas of the Convention Area for which bottom trawling is proposed.

11.37 The Commission requested the Scientific Committee to review the use of bottom trawling gear in high-seas areas of the Convention Area, including with respect to relevant criteria for determining what constitutes significant harm to benthos and benthic communities in the Convention Area.

11.38 In taking account of the concerns of Members to manage bottom trawling in high seas areas of the Convention Area and noting the need for work to be undertaken by the Scientific Committee, the Commission agreed to adopt a new Conservation Measure 22-05 that would be in force for the 2006/07 and 2007/08 fishing seasons and to modify the existing new and exploratory fisheries measures (Conservation Measures 21-01 and 21-02) (paragraphs 12.18 and 12.28). It decided that these measures would be reviewed by the Commission in 2007.

Notification procedure

11.39 The Commission considered the Secretariat's proposed standard format for the notification of Members' intentions to fish in the Convention Area (CCAMLR-XXV/29). This format captured all the requirements for notification in a single standard format which was designed to assist Members in completing the information and the Secretariat in checking the contents of notifications.

11.40 The Commission agreed that all Members should use this standard format in future notifications.