

FISHERIES MANAGEMENT AND CONSERVATION UNDER CONDITIONS OF UNCERTAINTY

Catches of *Dissostichus* spp.

5.1 The Commission noted the Scientific Committee's discussion on information pertaining to fishing on *Dissostichus* spp. inside and outside the Convention Area (SC-CAMLR-XXVI, paragraph 8.1 and Annex 5, Table 4). Catches of *D. eleginoides* outside the Convention Area originated mostly from Areas 41 and 87 (see also paragraph 4.52).

5.2 The Commission also noted that Argentina had provided further information on the fishery on *D. eleginoides* inside the Patagonian sector of the Argentine EEZ (Area 41). The annual catch limit for *D. eleginoides* is 2 500 tonnes and catches in 2006/07 were similar to the previous season (SC-CAMLR-XXVI, paragraph 8.2).

5.3 The Commission noted with concern that the estimated total catch from IUU fishing had increased in recent years, and IUU fishing had shifted from 'traditional' grounds in Area 58, such as Division 58.5.1, to high-seas areas and oceanic banks, such as BANZARE Bank (Division 58.4.3b) closer to the Antarctic continent. Some IUU fishing vessels were also using bottom gillnets (SC-CAMLR-XXVI, paragraphs 8.3 to 8.6). The matter was further considered in section 10.

5.4 The Commission endorsed the Scientific Committee's and WG-FSA's advice that the Secretariat's current method for estimating catches taken during IUU fishing may be further improved by including an estimate of the local density of licensed vessels (SC-CAMLR-XXVI, Annex 5, paragraphs 8.1 and 8.3). Such a measure would provide an estimate of the probability of licensed vessels detecting IUU fishing events (see also paragraph 10.51(iii)).

Fishery Management Plans

5.5 The Commission noted progress made by the informal intersessional ad hoc group tasked with developing the concept of Fishery Management Plans (FMPs) (CCAMLR-XXV, paragraph 13.11; CCAMLR-XXVI/34). This work had included consideration of the:

- benefits gained and opportunities arising from advancing FMPs
- linkages with the Unified Regulatory Framework and Fishery Plans
- procedure and work required to develop FMPs.

5.6 The ad hoc group proposed that development of a fisheries management checklist would provide a suitable interim measure to highlight gaps in management procedures and to assess the worth of developing comprehensive FMPs (see CCAMLR-XXVI/34).

5.7 The Commission thanked the ad hoc group for its work, and agreed that this group should continue developing the concept and details of a generic CCAMLR fisheries management checklist, and outline the potential role of FMPs in the context of CCAMLR's established management approach. Noting the need to streamline the relationship between the fisheries management checklist and other existing frameworks within CCAMLR, the Commission asked the ad hoc group to report further progress at CCAMLR-XXVII, and encouraged interested Members to participate in its work.

5.8 The Commission requested that the Secretariat provide technical assistance to the ad hoc group on the interface of such a checklist with the current Fishery Plans. The Commission noted that, should it decide to implement full FMPs in the future, this may require substantial work by the Secretariat, especially during the implementation phase.

Bottom fishing in CCAMLR high-seas areas

5.9 The Commission reviewed its progress in meeting the requirements of the United Nations General Assembly (UNGA) Sustainable Fisheries Resolution (61/105) which calls upon States and RFMOs, or other arrangements, to take immediate action to ensure that fish stocks are managed sustainably and to protect vulnerable marine ecosystems (VMEs), including but not limited to seamounts, hydrothermal vents, cold-water corals and sponges, from destructive fishing practices. More specifically, Resolution 61/105 calls upon States and RFMOs, and other arrangements to regulate and manage all bottom fisheries in high-seas areas so as to prevent significant adverse impacts on VMEs by no later than 31 December 2008 (UNGA Resolution 61/105, OP80–OP91).

5.10 In Conservation Measure 22-05, the Commission had requested that the Scientific Committee review the criteria for determining what constitutes significant harm to benthos and benthic communities (Conservation Measure 22-05; CCAMLR-XXV, paragraphs 11.25 to 11.37). It noted that this task had been overtaken by UNGA Resolution 61/105 and thanked the Scientific Committee and WG-FSA for making considerable progress in addressing issues surrounding the implementation, from a scientific perspective, of that resolution (SC-CAMLR-XXVI, paragraphs 4.159 to 4.168).

5.11 The Commission noted that the Scientific Committee had developed practical guidelines for providing scientific advice on the different components for managing bottom fisheries in high-seas areas of the Convention Area. It also noted that many of the components identified by the Scientific Committee can draw on existing practices and procedures within the Scientific Committee and its working groups (SC-CAMLR-XXVI, paragraphs 4.162 and 4.163).

5.12 The Commission endorsed the Scientific Committee's proposed framework for indicating what research and data collection activities might be required at different stages of the process of managing bottom fishing, and what is needed to develop scientific advice (SC-CAMLR-XXVI, paragraph 4.164). The Commission noted that Conservation Measure 21-02, paragraphs 2 and 3, provide a good starting framework for data collection requirements. Future work includes developing:

- (i) practical guidelines on identifying evidence of VMEs during fishing activities
- (ii) procedures that could be followed if evidence of VMEs is found
- (iii) research and data collection programs needed to:
 - (a) evaluate VMEs and the potential for significant adverse impacts
 - (b) develop approaches to avoid and mitigate significant adverse impacts of fishing on benthic ecosystems.

5.13 The Commission agreed that the full development of the process will require further work in both the Scientific Committee and the Commission and by Members during the intersessional period to meet the requirements of UNGA Resolution 61/105 (SC-CAMLR-XXVI, paragraph 4.165). Such work could include, *inter alia*:

- (i) development of rules and data collection requirements needed to trigger actions with respect to avoidance of potentially vulnerable areas and the gathering of data to assist in identifying VMEs;
- (ii) identifying the method for specifying areas in which evidence of VMEs is detected;
- (iii) developing an approach for annual assessments of benthic interactions of bottom fishing and identification of Vulnerable and Potentially Vulnerable Areas;
- (iv) consideration of the requirements for observation and reporting;
- (v) consideration of the available management approaches to avoid and mitigate significant adverse impacts on VMEs;
- (vi) further consideration of the relationship between effective fishing footprint and geomorphological features;
- (vii) a method for assessing the amount of seabed directly affected by the fishing gears to better evaluate the potential spatial extent of disturbance of VMEs.

5.14 The Commission noted that (SC-CAMLR-XXVI, paragraphs 4.166 and 4.167):

- (i) existing practices can be used to advance the requirements of UNGA Resolution 61/105 with respect to avoiding significant adverse impacts on VMEs;
- (ii) this process makes it easier to understand what needs to be done and when and how this work contributes to CCAMLR achieving its objectives and complying with UNGA Resolution 61/105;
- (iii) additional resources will need to be brought to these tasks.

5.15 The Commission endorsed the advice and work plan which the Scientific Committee had developed to address issues surrounding Conservation Measure 22-05 and the implementation of UNGA Resolution 61/105 (SC-CAMLR-XXVI, paragraphs 4.169 to 4.171). It noted that the work to be undertaken could include, *inter alia*, existing practices to advance the requirements of the resolution. The process would also elaborate by-catch procedures already in place and will contribute towards implementing the objectives of the Convention.

5.16 The Commission noted the need to act quickly to address the requirements of UNGA Resolution 61/105 by the deadline of December 2008. Proposed work will need to be completed during the 2007/08 intersessional period, for review at CCAMLR-XXVII. In reviewing its approach in 2008, the Commission should continue to ensure that all aspects of the UNGA resolution have been implemented.

5.17 Some Members urged the Commission and the Scientific Committee to develop clear and practical procedures for identifying VMEs and guidelines for vessels which may encounter VMEs during the course of fishing. Consideration would also need to be given to the development and implementation of practical measures and devices to mitigate the impact of fishing on bottom communities.

5.18 The Commission tasked the Scientific Committee, taking into account Conservation Measure 22-06 (see paragraph 13.41), with developing pragmatic and flexible guidelines for identifying VMEs and defining actions taken by vessels which may encounter evidence of VMEs during the course of fishing. These guidelines may take account, where appropriate, of relevant international technical guidelines, including those developed by other organisations, regarding standards, criteria or specifications for identifying VMEs and the impacts of fishing activities on such ecosystems. Also, the guidelines should take account of the difficulties that some Members may have in the acquisition of some types of information to help identify VMEs and the types of fishing activities that may impact on them. The Commission agreed to review these guidelines at its next meeting.

5.19 The Commission noted that some assemblages may be readily classified as vulnerable when they are characterised by slow growing, habitat-forming, sessile species including, but not limited to, cold-water coral communities, sponge communities, hydrothermal vents and other communities associated with seamounts.

5.20 The Commission urged all Members to engage in the work identified by the Scientific Committee and its working groups in 2007/08 (paragraphs 4.4 and 4.6).