

DEVELOPMENT OF APPROACHES TO CONSERVATION OF ANTARCTIC MARINE LIVING RESOURCES

65. The Convener of the Commission's Working Group for the Development of Approaches to the Conservation of Antarctic Marine Living Resources (WG-DAC), Australia, presented the Working Group's Report which is included at Annex E.

66. The approach to be taken in relation to new and developing fisheries was identified by WG-DAC as a key topic for consideration by the Commission under this item. The Working Group had, however, been unable to discuss the issue fully at its meeting and believed that further discussion was necessary. The Commission agreed that the issue was an important one and should continue to be considered.

67. The Convener of the Working Group noted that the Scientific Committee had responded to the questions the Working Group had formulated at its meeting during CCAMLR-VII (CCAMLR-VII, paragraphs 140 to 141).

68. The Scientific Committee's responses are given in its report (SC-CAMLR-VIII, paragraphs 7.1 to 7.22). In its consideration of these questions the Scientific Committee agreed that:

- (a) approaches to management of the krill fishery (such as that discussed in SC-CAMLR-VIII/BG/17) should be referred to the WG-Krill for detailed consideration (SC-CAMLR-VIII, paragraph 7.10);
- (b) the approaches to the use of CEMP data as part of CCAMLR fishery management strategies (such as that discussed in SC-CAMLR-VIII/9) merited further investigation and development and should be discussed by the WG-CEMP at its next meeting (SC-CAMLR-VIII, paragraph 7.19); and
- (c) In addition to the matters referred to in paragraphs 7.10 and 7.19 of the Scientific Committee's Report (a) and (b) above, the specialist working groups of the Scientific Committee should reconsider the Commission's questions and the wider issue of development of appropriate approaches to conservation in the light of the Scientific Committee's consideration of the issue (SC-CAMLR-VIII, paragraph 7.21).

69. The Commission endorsed the approach of the Scientific Committee on these matters and agreed that the Scientific Committee's responses should be considered at the Commission's next meeting.

70. The USSR welcomed the emphasis the WG-DAC had put on the need for adequate scientific information, referring to Article IX of the Convention, and reminded the Commission of its responsibility to facilitate relevant scientific research. It further pointed out that the effectiveness of the Commission is dependent on the best scientific evidence available being supplied by the Scientific Committee.

71. The necessity for the WG-DAC to ensure that consistency with the principles in Article II of the Convention is always maintained in the development of approaches to conservation was also stressed. In this context, the USSR queried the concept of setting 'upper limits' to a fishery, as discussed in WG-DAC-89/4. The use of terms such as 'experimental fishery' was also questioned. It was pointed out that any fishery will have some impact and all should be subject to regulation if necessary.

72. The USSR drew attention to the relevance of Articles 61 and 119 of the United Nations Convention on the Law of the Sea even though the Convention is not yet in force.

73. The USA agreed with the USSR's emphasis on the Commission's role in applying and giving effect to Article II. It also noted the relevance of Article XX (4) in discussion on the need for scientific information.

74. Attention was drawn to the fact that the Scientific Committee had noted that, as the data requirements for different conservation approaches may be vastly different, and the cost of pursuing inappropriate approaches could be high, the Commission should be asked for more specific guidance on the strategic issues it would like the Scientific Committee to consider and provide advice on (SC-CAMLR-VIII, paragraph 7.22).

75. The USA noted that discussions under Items 6 and 8 of the Commission's agenda and questions arising from them (paragraphs 50 and 123) were relevant to discussions under this item, and to the Scientific Committee's request for guidance.