

## CONSERVATION MEASURES

13.1 The Commission agreed that Conservation Measures 3/IV, 4/V and 7/V should remain in force as they stand.

13.2 Conservation measures 13/VIII, 14/VIII, 15/VIII, 16/VIII and 17/VIII had all lapsed at the end of the 1989/90 season.

13.3 Conservation 2/III remained in force but was reviewed in the light of new information.

### Mesh Size

13.4 The Commission recollected the advice of the Scientific Committee last year on the topic of mesh selection (SC-CAMLR-VIII, paragraph 3.18) and noted their additional advice this year in respect of *C. gunnari* in Subarea 48.3.

13.5 Members agreed that it was no longer appropriate to retain the use of 80 mm mesh nets in the directed fishery for *C. gunnari* in Subarea 48.3.

13.6 Some delegations, including the European Community, felt the scientific advice indicated that the minimum permitted mesh size should be 100 mm.

13.7 Other delegations believed that a minimum permitted mesh size of 90 mm was entirely consistent with the scientific advice provided.

13.8 In either case it was recognised that it would be necessary to delay implementation of this Conservation Measure until fishing nations had had time to make the necessary changes. It was agreed, however, that the new regulations should be in force as from 1 November 1991.

13.9 The Commission adopted Conservation Measure 19/IX and amended Conservation Measure 2/III by deleting the reference to *C. gunnari*.

13.10 In conformity with the provision contained in the statement of the Chairman of the Conference on the Conservation of Antarctic Marine Living Resources in 1980, the French

Delegation informed the Commission that, for the time being, the waters adjacent to Kerguelen and Crozet Islands should be excluded from the area of application of Conservation Measure 19/IX.

13.11 For the fish resources, Members reviewed the advice of the Scientific Committee on a stock by stock basis.

#### *Champscephalus gunnari* in Subarea 48.3

13.12 The Scientific Committee had noted the difficulty experienced by the WG-FSA in arriving at recommendations for the management of the *C. gunnari* fishery. Three alternative TAC options were suggested: two derived from an analysis of survey results (44 000 to 64 000 tonnes, SC-CAMLR-IX, paragraph 3.37); and the third from consideration of by-catch limitations (14 000 tonnes, SC-CAMLR-IX, paragraph 3.42). The Scientific Committee had recommended that a conservative TAC should be adopted and some delegations expressed the view that the figure of 14 000 tonnes could reflect such a conservative measure.

13.13 The EEC proposed a TAC of 14 000 tonnes for this species, a figure supported by a number of other delegations. This limit would, *inter alia*, minimise the by-catch of other protected fish species in Subarea 48.3.

13.14 The USSR Delegation proposed a TAC of 64 000 tonnes as being more consistent with the advice from survey results.

13.15 There was a clear recommendation of the Scientific Committee that a conservative TAC for *C. gunnari* should be set. In the light of this recommendation, the Commission adopted Conservation Measure 20/IX.

13.16 The Commission noted the intentions of the USSR to collect and submit detailed catch data from one of its vessels operating in the *C. gunnari* fishery in Subarea 48.3 on a haul-by-haul basis. The data will be used by WG-FSA to estimate by-catch rates.

13.17 The Commission adopted by-catch TAC limits for *Notothenia gibberifrons* of 500 tonnes, and *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus*, *Notothenia squamifrons* of 300 tonnes as recommended in paragraphs 3.68, 3.70 and 3.72 of the Scientific Committee's report. It was agreed that these limits should be incorporated into Conservation Measure 20/IX.

13.18 The Commission adopted the recommendation of the WG-FSA (SC-CAMLR-IX, Annex 5, paragraph 274) endorsed by the Scientific Committee, that a closed season between 1 April and 4 November 1991 should be implemented to protect spawning stock.

3.19 Conservation Measure 21/IX was adopted.

13.20 The Commission adopted the recommendation of the Scientific Committee (SC-CAMLR-IX, paragraph 3.98) that, in addition to catch data, the reporting system for this species should include effort data in accordance with the indices specified in the STATLANT B forms (total catch, days and hours fished). It was agreed to incorporate this in Conservation Measure 25/IX.

#### *Patagonotothen brevicauda guntheri* in Subarea 48.3

13.21 Last year the Commission, in the absence of specific recommendations, adopted a TAC of 12 000 tonnes, a level reduced from that of the previous year's TAC to allow for lack of adequate management data (CCAMLR-VIII, paragraph 102).

13.22 The reported catch in 1989/90 was only 145 tonnes. It was stated that this was because fishing occurred only outside 12 miles from Shag Rocks (SC-CAMLR-IX, Annex 5, paragraph 142).

13.23 The Scientific Committee had noted that the current management advice was predicated on considerable uncertainty in respect of current biomass, age structure, recent recruitment and demography (SC-CAMLR-IX, paragraph 3.50).

13.24 In addition, previous and current assessments of *P.b. guntheri* had taken at face value the 1987 and 1988 catch data. It now transpires that these data contain substantial erroneous information, relating to catches purporting to be of *P.b. guntheri* from the main South Georgia area, where this species does not occur (SC-CAMLR-IX, paragraph 3.49).

13.25 The above situation had produced a dichotomy of views in the Scientific Committee (SC-CAMLR-IX, paragraph 3.53).

13.26 The Commission, noting particularly the potentially serious consequences of the situation outlined in paragraphs 13.22 and 13.23 above, adopted Conservation Measure 23/IX.

*Dissostichus eleginoides* in Subarea 48.3

13.27 The Commission last year expressed concern over the development of this longline fishery, noting that it was a new fishery, that catch levels had risen rapidly and that very limited data on it were available (CCAMLR-VIII, paragraphs 52 and 104).

13.28 Most Members had endorsed the advice of the Scientific Committee (SC-CAMLR-VIII, paragraph 3.43), that the best available scientific evidence indicated a TAC of 1 200 tonnes (CCAMLR-VIII, paragraph 105).

13.29 This was challenged by USSR on the basis that this fishery only takes senescent fish (CCAMLR-VIII, paragraph 106), an assertion now known to be incorrect (SC-CAMLR-IX, paragraph 3.56), and no TAC was set.

13.30 Despite the USSR implementing its stated intention (CCAMLR-VIII, paragraph 106) not to increase in 1990 its longline fleet by more than 10 to 15%, the catch had increased by 100% to 8 311 tonnes (SC-CAMLR-IX, paragraph 3.55).

13.31 Despite requests for past and future catch and effort data (CCAMLR-VIII, paragraphs 52 and 109) in 1990, only STATLANT data had been supplied; no fine-scale data, no effort statistics and incomplete biological data had been provided.

13.32 Furthermore, fishing on this species had continued since the end of June 1990. No data were available to the Scientific Committee on these catches but in the August through October period last year, over 2 500 tonnes were taken.

13.33 The Commission recollected that at its Seventh Meeting (CCAMLR-VII, paragraph 96), the Commission agreed that a situation, whereby the level of fishing between the start of a season and the meeting of the Commission could effectively pre-empt the Commission's decisions at that meeting on appropriate TACs, was unacceptable.

13.34 The USSR reported that between 1 July and 15 October 1990 it had caught 1 440 tonnes of *D. eleginoides* in Subarea 48.3.

13.35 Members noted that:

- (i) such a catch is already greater than a TAC which might have been set following the recommendation of the Scientific Committee for a TAC in the lower part of the range of 1 200 to 8 000 tonnes (SC-CAMLR-IX, paragraph 3.58); and
- (ii) such a low catch rate, in comparison with that prevailing last year, suggests that the stock may already be significantly depleted.

13.36 The USSR reiterated its view (SC-CAMLR-IX, paragraph 3.59) that a TAC in the middle of the above range would be appropriate.

13.37 The Commission adopted Conservation Measure 24/IX, in conjunction with systems for reporting catch and effort data (Conservation Measures 25/IX and 26/IX).

13.38 It was noted, however, that the implementation of paragraph 3 of Conservation Measure 24/IX would necessitate transmitting instructions to fishing fleets. This could not be done immediately and a date of 1 December 1990 for the effective implementation of the catch and effort reporting system for 1990/91 was agreed.

*Notothenia gibberifrons*, *Notothenia squamifrons*, *Chaenocephalus aceratus* and *Pseudochaenichthys georgianus* in Subarea 48.3

13.39 The Commission noted the Scientific Committee endorsement of the recommendation of WG-FSA (SC-CAMLR-IX, Annex 5, paragraph 2.73) that Conservation Measure 14/VIII should be replaced with an identical measure for the 1990/91 season.

13.40 Accordingly, Conservation Measure 22/IX was adopted.

Subareas 48.1 and 48.2

13.41 In respect of fin fisheries in Subareas 48.1 and 48.2, the Commission noted that advice of the Scientific Committee (SC-CAMLR-IX, paragraphs 3.74 to 3.77), recollected the statements made last year (SC-CAMLR-VIII, paragraphs 3.52 and 3.53) and considered the lack of relevant management data (SC-CAMLR-IX, paragraph 3.74) and the resulting substantial uncertainties.

13.42 Accordingly, Conservation Measure 27/IX was adopted.

#### Subarea 58.4

13.43 In considering Division 58.4.4, the Commission noted the management advice of the Scientific Committee in respect of fisheries for *N. squamifrons* on the Ob and Lena Banks.

13.44 Conservation Measure 28/IX was adopted.

#### Subarea 58.5

13.45 The Commission endorsed the advice of the Scientific Committee in respect of directed fisheries for *Notothenia rossii*, *N. squamifrons*, *C. gunnari* and *D. eleginoides* in Division 58.5.1.

13.46 In conformity with the opportunity provided by the statement of the Chairman of the Conference on the Conservation of Antarctic Marine Living Resources in 1980, the French Delegation indicated that this advice may not be regarded as pertinent to the waters adjacent to Kerguelen in respect of *N. rossii*, *N. squamifrons*, *C. gunnari* and *D. eleginoides* for Division 58.5.1.

#### CONSERVATION MEASURE 19/IX

##### Mesh Size for *Champocephalus gunnari*

13.47 The Commission hereby adopts the following Conservation Measure in accordance with Article IX of the Convention:

1. The use of pelagic and bottom trawls having the mesh size in any part of a trawl less than 90 mm is prohibited for any directed fishery for *Champocephalus gunnari*.
2. The mesh size specified above is defined in accordance with the regulations on mesh size measurement, Conservation Measure 4/V.
3. It is prohibited to use any means or device which would obstruct or diminishes the size of the meshes.
4. This Conservation Measure does not apply to fishing conducted for scientific research purposes.

5. This Measure will apply as of 1 November 1991.
6. Conservation Measure 2/III is amended accordingly.

#### CONSERVATION MEASURE 20/IX

##### Limitation of the Total Catch of *Champscephalus gunnari* in Statistical Subarea 48.3 in the 1990/91 Season

13.48 The Commission, in accordance with Conservation Measure 7/V, hereby adopts the following Conservation Measure in accordance with Article IX of the Convention:

1. The total catch of *Champscephalus gunnari* in the 1990/91 season shall not exceed 26 000 tonnes in Statistical Subarea 48.3
2. In Statistical Subarea 48.3, the by-catch of *Notothenia gibberifrons* shall not exceed 500 tonnes and the by-catch of any of the following species: *Notothenia rossii*, *Notothenia squamifrons*, *Chaenocephalus aceratus* and *Pseudochaenichthys georgianus* shall not exceed 300 tonnes.
3. The fishery in Statistical Subarea 48.3 shall close if the by-catch of any of the species named in paragraph 2 above reaches their by-catch limit or if the total catch of *Champscephalus gunnari* reaches 26 000 tonnes, whichever comes first.
4. If, in the course of the directed fishery for *Champscephalus gunnari*, the by-catch of any one haul of any of the species named in paragraph 2 above exceeds 5%, the fishing vessel shall move to another fishing ground within the subarea.
5. The use of bottom trawls in the directed fishery for *Champscephalus gunnari* in Statistical Subarea 48.3 is prohibited.
6. For the purpose of implementing paragraphs 1, 2 and 3 of this Conservation Measure, the Catch Reporting System set out in Conservation Measure 25/IX shall apply in the 1990/91 season.

#### CONSERVATION MEASURE 21/IX

Closed Seasons in the 1990/91 Season in Statistical Subarea 48.3

13.49 The Commission, in accordance with Conservation Measure 7/V, hereby adopts the following Conservation Measure in accordance with Article IX of the Convention:

Directed fishing on *Champsocephalus gunnari* in Statistical Subarea 48.3 between 1 April and 4 November 1991 is prohibited.

#### CONSERVATION MEASURE 22/IX

Prohibition of Directed Fishery on *Notothenia gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus* and *Notothenia squamifrons* in Statistical Subarea 48.3 in the 1990/91 Season

13.50 The Commission, in accordance with Conservation Measure 7/V, hereby adopts the following Conservation Measure in accordance with Article IX of the Convention:

Directed fishing on *Notothenia gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus* and *Notothenia squamifrons* in Statistical Subarea 48.3 is prohibited in the 1990/91 season.

#### CONSERVATION MEASURE 23/IX

Prohibition of Directed fishery on *Patagonotothen brevicauda guntheri* in Statistical Subarea 48.3 for the 1990/91 Season

13.51 The Commission, in accordance with Conservation Measure 7/V, hereby adopts the following Conservation Measure in accordance with Article IX of the Convention:

Directed fishing on *Patagonotothen brevicauda guntheri* in Statistical Subarea 48.3 is prohibited in the 1990/91 season.



## CONSERVATION MEASURE 24/IX

### Catch Limit on *Dissostichus eleginoides* in Statistical Subarea 48.3 for the 1990/91 Season

13.52 The Commission, in accordance with Conservation Measure 7/V, hereby adopts the following Conservation Measure in accordance with Article IX of the Convention:

1. The total catch of *Dissostichus eleginoides* in Statistical Subarea 48.3 caught in the 1990/91 season shall be limited to 2 500 tonnes.
2. For the purposes of the fishery for *Dissostichus eleginoides* in Statistical Subarea 48.3, the 1990/91 fishing season is defined as the period from 2 November 1990 to the end of the Commission meeting in 1991.
3. For the purpose of implementing this Conservation Measure:
  - (i) the catch reporting system set out in Conservation Measure 25/IX shall apply in the 1990/91 season, commencing on 2 November 1990.
  - (ii) the data reporting system set out in Conservation Measure 26/IX shall apply in the 1990/91 season, commencing on 2 November 1990.

## CONSERVATION MEASURE 25/IX

### Catch and Effort Reporting System in Statistical Subarea 48.3 in the 1990/91 Season

13.53 The Commission, in accordance with Conservation Measure 7/V, hereby adopts the following Conservation Measure in accordance with Article IX of the Convention:

1. For the purposes of this Catch and Effort Reporting System the calendar month shall be divided into six reporting periods, viz: day 1 to day 5, day 6 to day 10, day 11 to day 15, day 16 to day 20, day 21 to day 25 and day 26 to the last day of the month. These reporting periods are hereinafter referred to as periods A, B, C, D, E and F.
2. At the end of each reporting period, each Contracting Party shall obtain from each of its vessels its total catch and total days and hours fished for that period and shall, by cable or telex, transmit the aggregated catch and days and hours fished for its vessels

so as to reach the Executive Secretary not later than the end of the next reporting period.

3. Such reports shall specify the month and reporting period (A, B, C, D, E or F) to which each report refers.
4. Immediately after the deadline has passed for receipt of the reports for each period, the Executive Secretary shall notify all Contracting Parties of the total catch taken during the reporting period, the total aggregate catch for the season to that date, together with an estimate of the date upon which the total allowable catch is likely to be reached for that season. Each estimate shall be based on a projection forward of the average daily catch rate (calculated as the total catch by all contracting parties divided by the number of days in the period) for the most recent period based on the reports received for the period in question, to the point at which the total allowable catch will have been taken.
5. When the Executive Secretary has received reports which show that 80% of the total allowable catch has been taken, the Executive Secretary shall make a final estimate of the date upon which the total allowable catch will be reached. The fishery shall close at the end of the last day of the reporting period within which that date falls.

#### CONSERVATION MEASURE 26/IX

Effort and Biological Data Reporting System for *Dissostichus eleginoides* in Statistical Subarea 48.3 in the 1990/91 Season

13.54 The Commission, in accordance with Conservation Measure 7/V, hereby adopts the following Conservation measure in accordance with Article IX of the Convention:

1. At the end of each month, each Contracting Party shall obtain from each of its vessels the haul-by-haul data required to complete the CCAMLR fine-scale catch and effort data form for longline fisheries (Form C2, Ver.1). It shall transmit these data to the Executive Secretary not later than the end of the month following.
2. Each month the length composition of a minimum of 500 fish will be measured and the information passed to the Executive Secretary not later than the end of the month following.

#### CONSERVATION MEASURE 27/IX

Prohibition of Directed Fishing for Finfish in Statistical Subareas 48.1 and 48.2 in the 1990/91 Season

13.55 The Commission hereby adopts the following Conservation Measure in accordance with Article IX of the Convention:

Taking of finfish, other than for scientific research purposes, in Statistical Subareas 48.1 and 48.2 is prohibited in the 1990/91 season.

#### CONSERVATION MEASURE 28/IX

Limitation of the Total Catch *Notothenia squamifrons* in Statistical Subarea 58.4 in the 1990/91 Season

13.56 The Commission hereby adopts the following Conservation Measure in accordance with Article IX of the Convention:

The total catch of *N. squamifrons* in the 1990/91 season on the Lena Bank and Ob Bank (Statistical Division 58.4.4) shall not exceed 305 tonnes and 267 tonnes respectively.