

CONSERVATION MEASURES

9.1 It was noted that the Scientific Committee has recommended a TAC for the Shag Rocks area without defining it. An interim definition was adopted in Conservation Measure 38/X and the Scientific Committee was requested to provide definitions for statistical divisions as needed.

9.2 The Commission agreed that Conservation Measures 2/III (as amended by 19/IX, which comes into force on 1 November 1991 except for waters adjacent to Kerguelen and Crozet Islands (CCAMLR-IX, paragraph 13.10)), 3/IV, 4/V, 7/V, and 18/IX should remain in force.

9.3 Conservation Measures 20/IX to 28/IX inclusive were restricted to the 1990/91 season and have therefore lapsed.

9.4 Members reviewed the advice of the Scientific Committee, concerning matters where conservation measures were envisaged, on a stock-by-stock basis.

Subarea 48.3

Champscephalus gunnari in Subarea 48.3

9.5 The Commission noted the range of possible TACs for *C. gunnari* (8 400 to 61 900 tonnes) in the advice of the Scientific Committee (SC-CAMLR-X, paragraph 4.46). It noted that all Members except the USSR felt that given all the uncertainties involved, a conservative TAC was the most that could be contemplated.

9.6 The United Kingdom noted that the USSR survey data from 1990, which, if correct, implied a 1991 stock size of over 1 million tonnes. This was not credible in the light of the minute commercial catch (less than 100 tonnes) in 1991. The high TACs proposed for 1992 depend on a 1991 survey by the USSR for which inadequate detail for critical review had been provided.

9.7 The Commission noted that whichever survey data were correct there had been a massive decline (by 77 to 80%) in the *C. gunnari* stock in the absence of fishing (SC-CAMLR-X, paragraph 4.36).

9.8 Given this situation, the failure of the USSR to provide the complete detailed catch data vital to stock assessments (CCAMLR-IX, paragraph 13.16) and the decision of the Commission that in the absence of essential data conservative catch limits should be set (CCAMLR-IX, paragraph 7.7), the Commission agreed to adopt a suggestion of some Members of the Scientific Committee (SC-CAMLR-X, paragraph 4.48) that the fishery be closed for the 1991/92 season, pending the results of further surveys.

9.9 Accordingly Conservation Measure 33/X was adopted (see paragraph 10.5 below).

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

9.10 The Commission reviewed the advice of the Scientific Committee concerning these stocks (SC-CAMLR-X, paragraphs 4.26 and 4.27, 4.69 to 4.71).

9.11 Accordingly Conservation Measure 34/X was adopted (see paragraph 10.6 below).

Dissostichus eleginoides in Subarea 48.3

9.12 The Commission noted with regret that despite its concern over the failure to improve on the limited data available for the management of the fishery (CCAMLR-IX, paragraph 13.27) and the adoption of Conservation Measure 26/IX specifying the effort and biological data to be provided, most data required under this conservation measure had not been provided.

9.13 The advice of the Scientific Committee, with a range of estimates of possible TACs of between 794 and 8 819 tonnes, reflected the limited data available and consequent uncertainties in assessing the stock.

9.14 The Commission also recollected its strong concern over incidental mortality of seabirds, especially albatrosses, associated with this fishery (CCAMLR-IX, paragraphs 5.3 to 5.6).

9.15 It noted the advice of the Scientific Committee on this topic:

- (i) that last year's draft conservation measure (CCAMLR-IX, Annex 6), on ways to minimise incidental mortality of seabirds associated with this fishery, should be adopted;
- (ii) that the Commission should take further steps to protect seabirds from incidental mortality associated with this fishery and that the only realistic ways of doing this were:
 - (a) improved modifications of gear or fishing methods;
 - (b) restricting the operation of the fishery, through some combination of catch and/or effort limitation.

9.16 Some Members drew attention to the poor record of the Soviet Union in providing data and conforming to recommendations of the Commissions (CCAMLR-IX, paragraphs 5.4 to 5.6, 13.27 to 13.33, SC-CAMLR-X, paragraphs 8.14 (i) and 8.23) concerning its longline fishery in Subarea 48.3 and in particular, failure to observe part of Conservation Measure 26/IX (SC-CAMLR-X, paragraph 4.56). These Members felt that it was therefore necessary to close the longline fishery in Subarea 48.3.

9.17 Other Members felt that it was possible to set a TAC at the lower end of the range of those proposed by the Scientific Committee.

9.18 Accordingly, Conservation Measure 35/X was adopted. This conservation measure was adopted in conjunction with a catch reporting system (Conservation Measure 36/X) and a system for reporting of biological and effort data (Conservation Measure 37/X), failure to comply with which would lead to the closure of the fishery (see paragraphs 10.8 to 10.10 below).

Electrona carlsbergi in Subarea 48.3

9.19 The Commission endorsed the advice of the Scientific Committee (SC-CAMLR-X, paragraphs 4.80 and 9.8) that an $F_{0.1}$ policy is not applicable in this type of fishery.

9.20 The Commission noted the advice of the Scientific Committee (SC-CAMLR-X, paragraph 4.81) that a conservation measure should be adopted because of the very rapid expansion in this fishery.

9.21 Furthermore, the Scientific Committee had advised (SC-CAMLR-X, paragraph 4.83) that TACs might be set firstly for the whole of Subarea 48.3 (with a suggested range of 245 000 to 398 000 tonnes) and secondly for the Shag Rocks area (with a suggested range of 32 700 to 53 000 tonnes), where most fishing had taken place in the seasons for which fine-scale data were available.

9.22 Accordingly, Conservation Measure 38/X was adopted in conjunction with a catch reporting system (Conservation Measure 40/X) and a reporting system for biological data (Conservation Measure 39/X) (see paragraphs 10.10 to 10.12 below).

9.23 In view of the need to report data for specified subdivisions for Subarea 48.3, the Commission requested the Scientific Committee to consider the description of statistical divisions within Statistical Subarea 48.3 with respect to providing management advice.

Subareas 48.1 and 48.2

9.24 Directed fisheries on finfish in both these subareas had been closed in the 1990/91 season.

9.25 In respect of Subarea 48.1, the Commission noted the advice of the Scientific Committee (SC-CAMLR-X, paragraph 4.92) that, because of the limited new data available, the closure should be extended to the 1991/92 season.

9.26 Accordingly, Conservation Measure 41/X was adopted (see paragraph 10.13 below).

9.27 In respect of Subarea 48.2, the Commission noted that since closing the subarea to fishing, surveys showed that all assessed stocks had increased in size (SC-CAMLR-X, Annex 6, paragraph 7.218).

9.28 Furthermore, it noted the advice of most Members (SC-CAMLR-X, paragraphs 4.88 and 4.90; and Annex 6, paragraph 7.219) that:

- (i) re-opening the fishery would result in maximum potential yields of 1 000 to 3 000 tonnes;
- (ii) an allocation of a TAC for *C. gunnari* according to the maximum MSY of 3 010 tonnes would produce catches of other species (*N. gibberifrons*, *N. kempi* and *C. aceratus*) of 1.4 to 1.7 times their MSY;
- (iii) past data provisions had been extremely poor and even a limited fishery was inappropriate; and
- (iv) closure of the subarea should be extended to the 1991/92 season.

9.29 The Commission also noted that the USSR was advocating a limited fishery in accordance with the calculated MSY.

9.30 Conservation Measure 42/X was adopted (see paragraph 10.14 below).

Subarea 58.4

9.31 The Commission noted the advice of the Scientific Committee (SC-CAMLR-X, paragraphs 4.102 and 4.103). Accordingly, it was agreed that directed fishing on *N. squamifrons* in Division 58.4.4 (Ob and Lena Banks) should be prohibited until such time as a re-evaluation of the fishery on these stocks is satisfactorily completed to avoid the danger of allowing overfishing on the basis of inadequate information (SC-CAMLR-X, Annex 6, paragraph 7.255).

9.32 Accordingly, Conservation Measure 43/X was adopted (see paragraph 10.15 below).