

UN CONFERENCE ON STRADDLING STOCKS  
AND HIGHLY MIGRATORY FISH STOCKS

12.1 Chile introduced its paper CCAMLR-XII/BG/21. This describes the background to its request (CCAMLR-XI/BG/14) that the Commission consider the Scientific Committee's advice on the possible contribution by CCAMLR to two issues under special consideration by the UN Conference, namely:

the suitability of the concepts of maximum sustainable yield (MSY) and optimum sustainable yield in comparison with the approach described in Article II of the Convention; and

the experience of CCAMLR in implementing the so-called precautionary approach in fisheries management.

12.2 The Commission welcomed the report of the Scientific Committee on this matter (SC-CAMLR-XII, paragraphs 13.1 to 13.12). Commenting on the precise discussions of the Scientific Committee on MSY, Japan observed that the Scientific Committee had considered MSY as a single species concept. The Negotiating Text prepared by the Conference's Chairman, however, made reference to "stocks at levels capable of producing maximum sustainable yield, as qualified by relevant environmental and economic factors, including ... the interdependence of stocks" and was thus not solely a single species concept.

12.3 It was noted that the UN would complete its work at a number of sessions from March to June 1994 and that all the Members of CCAMLR were also Members of the UN. Some Members suggested that it would be appropriate to await these deliberations before discussing the issue at the 1994 meeting of the Commission, so as to avoid acting in haste and allow FAO to complete its tasks. Furthermore, it was pointed out that the mandate to the Scientific Committee had not come from the Commission itself and might perhaps be considered in more detail following further discussion by the Commission.

12.4 However, it was also noted that there was no reason for CCAMLR to act as an entirely passive observer to these discussions. CCAMLR has an interest in the subject under discussion, and has considerable experience in applying the various approaches to management. In this context it was stressed that Article II of the Convention was the

object of long negotiation and has been in force for 13 years, and that Article XXIII refers to cooperation between CCAMLR and other international agencies.

12.5 The Commission had already taken notice of the low level of awareness of CCAMLR that existed at the 1992 FAO Technical Consultation on High Seas Fishing (CCAMLR-XI, paragraph 11.6), and appreciated that since then a number of developments had taken place which had increased FAO's awareness of CCAMLR. It also noted that relationships with IWC had begun to change positively. However, it stressed the continued importance of making the work of the Commission known more widely in the UN and other relevant international organisations.

12.6 It was agreed, therefore, that it would be appropriate to inform the UN Conference and FAO of the work done in CCAMLR in respect of implementation of the principles described in Article II and in applying the precautionary approach in management, and that this would help to publicise the work of the Commission.

12.7 Accordingly, the Commission asked the Scientific Committee Chairman to prepare a letter to be sent by the Executive Secretary to the UN Conference and FAO which describes the actions taken by CCAMLR in implementing Article II and the precautionary approach. This letter, based in part on paragraphs 13.2 to 13.12 of SC-CAMLR-XII, is in Annex 8.

12.8 The observer from FAO stated that the deliberations of the Commission relating to the relevant UN meetings and the task of FAO in reviewing MSY as an effective management objective would be relayed to FAO and that he knew there would be great interest on the part of FAO in the discussions.

12.9 He further stated that FAO has great interest in the pioneering approaches of CCAMLR to ecosystem management, the unique problems of the Convention Area and the success achieved through its management measures. Several of these are expected to be directly applicable to other areas where FAO assists fisheries management.