

## COOPERATION WITH OTHER INTERNATIONAL ORGANISATIONS

### Reports of Observers from Other International Organisations

#### FAO

12.1 The FAO Observer, Mr R. Shotton, presented his report to the Commission (CCAMLR-XVII/BG/44 Rev 1). The revised version of the report contained some changes to the use of names of geographical locations and entities as requested by the Delegation of Argentina.

12.2 Presenting his report, Mr Shotton noted that CCAMLR delegates, no doubt, appreciate the limits that exist on observers in their participation in discussions at relevant Commission meetings and meetings of their subsidiary bodies, where no matter the congruence of interests and concerns with the host organisation, meeting rules may prevent the most effective communications and interactions.

12.3 The FAO report described important initiatives of FAO which are of particular interest to CCAMLR. Some Members expressed their regret that due to procedural matters the observer from FAO, a specialist of such knowledge and experience, could not participate at the meeting of SCOI, at least during discussion of some items of its agenda. These Members felt that the matter would be resolved next year.

12.4 The FAO report focused on several matters which were of particular interest to CCAMLR. These subjects were as follows:

- (i) availability of catch and trade statistics on *Dissostichus* spp.;
- (ii) status of ratification of UNIA and the FAO Compliance Agreement; and
- (iii) other FAO meetings and programs of interest to CCAMLR.

12.5 It is FAO's view that scope exists to improve the nature of the interactions between Member countries of CCAMLR and FAO, specifically in the detail of the catch and trade data that are provided to FAO's statistical service. On behalf of FAO's Fishery Information, Data and Statistics Unit (FIDI), the efforts of CCAMLR Member countries are sought to improve data reporting practices. In this regard, the cooperation of FAO was assured.

12.6 Several Members expressed the wish that FAO provide more detailed statistics concerning *Dissostichus* spp. catches and trade. During discussions it was, however, noted that FAO has no power to impose, or enforce, species trade codes despite their apparent desirability, but individual countries are better placed to achieve this through their national membership in the appropriate trade organisations. Chile noted that its statistical tabulations included preservation methods, product type, country of destination and exporting company; but suggested that interested CCAMLR Members could agree to a uniform identification of the product in all languages.

12.7 The Commission then considered information on the ratification by CCAMLR Members of UNIA and the FAO Compliance Agreement. FAO recalled that these accords were sought to deal with exactly the situation that confronts CCAMLR in dealing with the illegal fishing of *D. eleginoides*, and in the past, other unregulated fishing. It was noted that Norway, Russia and the USA had ratified UNIA and Argentina, the European Community, Norway, Sweden and the USA had ratified the FAO Compliance Agreement. It was also noted that Namibia, an observer to CCAMLR, had also ratified both agreements.

12.8 FAO hopes that by next year's Eighteenth CCAMLR Meeting, all CCAMLR Members will have signed these accords. Further, FAO is active in the analysis of vessel registration data, not only of registered ownership, but also of beneficial ownership and it is anticipated that there will be reports on these activities in the future as this seems to be an issue of direct

relevance to CCAMLR.

12.9 The Commission urged its Members to consider the ratification of both agreements as soon as possible. The Commission recalled that certain elements of its drafts of new conservation measures on the problem of illegal, unregulated and unreported fishing are based, at least in part, on one or both of these agreements. In particular, the draft conservation measure dealing with the standard marking of fishing vessels is in line with one of the provisions of the FAO Compliance Agreement.

12.10 The report of FAO also dealt with other FAO initiatives that are a consequence of the last COFI meeting. These include: (i) technical consultation on fleet capacity and control, (ii) consultation on conservation requirements for sharks, and (iii) consultation on the reduction of incidental catch of seabirds by longlining.

12.11 The Commission noted that the CCAMLR Observer, Mr J. Cooper (South Africa), took part in the FAO consultation on the reduction of incidental catch of seabirds in longline fisheries. His report was considered under item 'Assessment and Avoidance of Incidental Mortality of Antarctic Marine Living Resources' (paragraphs 6.25 to 6.28).

12.12 The Commission also noted that a FAO meeting on the use of Property Rights in Fisheries Management is to be held in Perth, Australia, in November 1999. Its primary objective will be to exchange views and experiences relating to strengthened forms of property rights in fisheries management. High-seas issues may be addressed.

12.13 Poland, supported by Norway, proposed that the Executive Secretary should write to the FAO Fishing Department seeking its assistance in dealing with the problem of illegal, unregulated and unreported fishing in the CCAMLR Convention Area. It was also proposed that CCAMLR Members who usually participate in meetings of the FAO Committee on Fisheries should use this opportunity to hold informal meetings with non-Contracting Parties to CCAMLR whose vessels are engaged in fishing in the CCAMLR Convention Area. Chile suggested that the meeting of FAO and non-FAO regional bodies (Rome, Italy, February 1999) would provide a suitable forum for cooperative exchange. The Secretariat will provide briefing notes to the observer attending this meeting.

12.14 The European Community referred to one of the recent initiatives of FAO, i.e. the development of an International Plan for Reducing Incidental Catch of Seabirds in Longline Fisheries. CCAMLR has already made a major contribution to its discussion. The report of the SC-CAMLR Observer, Mr Cooper, on the recent FAO consultation (October 1998) was received during the meeting (CCAMLR-XVII/BG/58).

12.15 In his concluding remarks, the observer from FAO advised the Commission that his report to next year's meeting would address ways in which FAO could assist international organisations, including CCAMLR, in their actions against illegal, unregulated and unreported fishing. The Commission thanked the FAO Observer for a comprehensive and focused report.

## ASOC

12.16 The report from ASOC was presented by the ASOC Observer, Ms C. Mormorunni (CCAMLR-XVII/BG/48).

12.17 The ASOC Observer noted that illegal and unregulated fishing for *Dissostichus* spp. threatens to undermine severely CCAMLR's progress towards precautionary management and the conservation of Antarctica marine living resources. The uncertainty surrounding the catch level in illegal and unregulated fisheries introduces an uncertainty into fish stock assessments, as well as into the evaluation of the impact of fisheries on dependent and associated species, and

the greater marine environment. ASOC believes that Members have no other choice but to set zero catch limits for *Dissostichus* spp. until the illegal and unregulated fishery is brought under control. It is unacceptable to be conducting 'legal' fishing when the actual catch is already so far above what CCAMLR estimates as a precautionary level.

12.18 A proposal put forward by ASOC that a 'zero' catch limit for *Dissostichus* spp. should be established by CCAMLR until all illegal, unregulated and unreported fishing are brought under control was considered by several Members as groundless for a number of reasons. Firstly, CCAMLR establishes catch limits for marine living resources taking into account advice of its Scientific Committee which is based on the best available data. Secondly, CCAMLR has already adopted a number of measures and will consider more stringent and comprehensive measures during the meeting. The implementation of these measures would enable CCAMLR to tackle the problem effectively without adversely affecting legitimate fishing.

12.19 The levels of seabird by-catch reported by CCAMLR indicate that urgent action to eliminate all incidental seabird mortality is needed. Incidental seabird mortality is exacerbated by the illegal and unregulated fishery and cannot be adequately addressed until these fisheries are dealt with.

12.20 ASOC recalled the paper on Marine Protected Areas (MPA) tabled by the IUCN at CCAMLR-XVI. ASOC encouraged the consideration of this powerful conservation and management tool and, more specifically, its application in the Convention Area, at next year's meeting.

12.21 In closing, ASOC felt that decisions taken by the Commission this year would demonstrate to the broader international community whether CCAMLR is in fact able to carry out its mission and ensure the protection and conservation of the Antarctic marine environment.

12.22 In relation to CCAMLR-XVII/BG/49 and BG/50, Chile, Norway, Japan and Argentina expressed the opinion that although the papers contain very interesting information which is of relevance to CCAMLR, the language used in these papers is often inappropriate and should be avoided in communications between governmental and non-governmental organisations.

12.23 In addition, Argentina stated that references in CCAMLR-XVII/BG/49 (e.g. p. 19) to the territorial status of the Falkland/Malvinas Islands are incorrect and that any reference to those islands should conform with CCAMLR's usual practice. Such inaccuracies should be avoided in the future.

12.24 New Zealand stated that, notwithstanding the current difficulty over inappropriate use of language, it regarded ASOC's general contribution to the work of the Commission as being valuable. New Zealand looked forward to continuing cooperation with ASOC.

12.25 It came to the attention of the Commission that ISOFISH had recently placed on its website information which reported proceedings of a meeting of SCOI to which no observers from international organisations were invited. This action was in a clear breach of confidentiality of discussions held by SCOI. Members also noted that CCAMLR had received a letter of apology from ASOC together with an assurance that such actions would not recur.

12.26 The Delegation of Uruguay expressed its concern and disappointment at learning, via international channels, that a non-governmental organisation (ISOFISH) had circulated information on topics discussed at the meeting of SCOI. This matter was exacerbated by the fact that, as has been confirmed, this information was distorted to the detriment of one of the parties identified, i.e. it was wrongly affirmed that the offending vessel was flying the Uruguayan flag.

12.27 The Delegation of Uruguay emphasised that this constitutes a dangerous deviation from the confidentiality with which SCOI matters should be dealt at meetings. This does not

conform with the responsibilities established by the CCAMLR Headquarters Agreement or for international conventions in relation to the inviolability of information considered within the ambit of international organisations. It should be noted, however, that Uruguay was pleased to receive a note from ASOC expressing regret in this matter. In the spirit of constructive cooperation Uruguay accepted this apology and looked forward to receiving the results of the investigation, as advised in this note, into the origin of the leak.

12.28 Norway pointed out that there should be a clear-cut line between CCAMLR as an intergovernmental organisation and non-governmental organisations with observer status. Norway warned that non-governmental organisations should not give the impression of representing CCAMLR and stressed that CCAMLR itself through subsidiary bodies should take appropriate actions.

12.29 Japan advised the Commission that it had drafted a proposal for an amendment of the Commission Rules of Procedure dealing with the attendance of observers at meetings of the Commission and its subsidiary bodies. Japan also expressed the need to reaffirm the moral obligations of Members and observers to maintain the confidentiality of the information presented to the subsidiary bodies of the Commission. These proposals are considered further under 'Other Business'.

#### Reports of CCAMLR Representatives at 1997/98 Meetings of Other International Organisations

##### CWP

12.30 The CCAMLR Secretariat took part in the work of the intersessional meeting of the Coordinating Working Party on Fisheries Statistics (CWP), held in Rome, Italy in February 1998 (CCAMLR-XVII/BG/9). The major thrust of the meeting was the identification of causes of discrepancies between agency statistics, and discussion of methods and procedures for the harmonisation of data. The Commission noted the advice of the Chairman of the Scientific Committee on the matter and discussions which were held by the Scientific Committee (SC-CAMLR-XVII, paragraphs 10.9 to 10.14). The Commission agreed that participation of CCAMLR in CWP would provide a direct input to the work of CCAMLR for a number of reasons as described in the report of the Scientific Committee.

12.31 The agenda of the 1999 meeting of CWP includes, in particular, evaluation of programs applied by different fisheries organisations in fishery statistics and statistical implications of the precautionary approach in fishery management.

##### IATTC

12.32 The CCAMLR Observer (USA) briefly described to the Commission the major results of the recent Sixth Meeting of the Inter-American Tropical Tuna Commission (IATTC). Topics covered by the meeting included the reduction of by-catch in tuna fisheries, catch limits for yellowfin tuna and discussions on the limitation of fishing capacity of tuna fleets (CCAMLR-XVII/BG/35).

##### ICCAT

12.33 The CCAMLR Observer (Spain) reported on the Fifteenth Regular Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT)

(CCAMLR-XVII/BG/46). A number of important decisions were taken by ICCAT at this meeting which are of relevance to CCAMLR's actions in respect of illegal, unregulated and unreported fishing. Among these decisions were the following:

- (i) Revised Port Inspection Scheme;
- (ii) Recommendation on Transhipments and Vessel sighting;
- (iii) Vessel Monitoring System Pilot Program;
- (iv) Prohibition of the importation of bluefin tuna from Honduras, Belize and Panama; and
- (v) the first steps for a possible cap or a reduction of the fleet capacity directed to tropical tuna.

12.34 The UK recollected that one aspect of the original proposal of exchange of information between CCAMLR and ICCAT was to obtain data on the measures of seabird by-catch mitigation that they use in the fisheries they regulate (CCAMLR-XVI, paragraph 12.1(b)), with special reference to areas under their jurisdiction in which seabirds breeding in the Convention Area are at risk. The Commission had received very detailed feedback from CCSBT, through its Ecosystem and Related Species Working Group (ERSWG), but had been less successful in obtaining information from the other tuna commissions.

12.35 Last year (CCAMLR-XVI, paragraph 12.16) Spain indicated that information from ICCAT was not yet available but that the issue would be discussed at the 1998 meeting and reported to CCAMLR. The UK enquired as to the current status of ICCAT's deliberations on this issue.

12.36 Spain indicated that ICCAT had not yet adopted any measures relating to the mitigation of seabird by-catch. However, members of ICCAT participated in work relating to the International Plan for Reducing Incidental Catch of Seabirds in Longline Fisheries, including the FAO Consultations in October 1998. The results of such consultation could be discussed at the forthcoming meeting of ICCAT. These discussions could then be reported to the Commission next year by the CCAMLR Observer.

## IWC

12.37 The CCAMLR Observer (Sweden) reported on the Fiftieth Annual Meeting of IWC (CCAMLR-XVII/BG/47).

12.38 One of the remaining elements for the Revised Management Scheme to be completed is the establishment of an International Observation Scheme, which is still being discussed within IWC.

12.39 Discussions on the future of the IWC were characterised by differing views held by members in favour of commercial whaling and those against. Compromise proposals were discussed including putting a stop to scientific whaling and permitting whaling in coastal waters for local consumption only.

12.40 The IWC reiterated the great importance it attached to cooperation with CCAMLR and it endorsed the formation of a liaison group. Further discussions of this development are given in the report of the Scientific Committee (SC-CAMLR-XVII, paragraphs 11.20 and 11.21).

12.41 Several areas, including the Southern Ocean Whale Sanctuary and exchanges between

the respective Scientific Committees, were mentioned as the Commission noted with satisfaction the cooperation being developed between the two organisations. In particular, the Commission welcomed plans of the IWC to have its observers conduct whale sightings during the CCAMLR synoptic krill survey in Area 48 during the year 2000.

## SPC

12.42 The CCAMLR Observer (France) at the South Pacific Commission (SPC), now known as the 'Pacific Community', reported on the work of this organisation (CCAMLR-XVII/BG/56).

12.43 The last regional technical meeting on fisheries was held in August 1995. The first meeting of directors of fisheries authorities in the member countries and territories will take place in 1999. In the absence of a technical meeting for three years, a seminar on fisheries resource management was held in October 1998, at the headquarters of SPC. Discussions at the seminar focused mainly on coastal fisheries in the Pacific.

12.44 The Standing Committee on Tuna and Billfish meets annually to assess the status of the resources of these highly migratory fish in the western Pacific, and to plan the scientific studies necessary for a better knowledge of such species.

## CCSBT

12.45 Japan, as CCAMLR Observer at the Fifth Annual Meeting of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), informed the Commission that the meeting was postponed and a decision as to its timing had not yet been taken.

12.46 The CCSBT Observer to CCAMLR, Mr A. Mae, distributed to the Commission an information paper describing recent activities of CCSBT (CAMLX-XVII/BG/57). In particular, this document drew the Commission's attention to the following matters related to CCAMLR:

- (i) the CCSBT affirms its desire to continue to cooperate with CCAMLR in areas of mutual interest, including the exchange of relevant data on southern bluefin tuna and ecologically related species; and
- (ii) the CCSBT would welcome any southern bluefin tuna catch and effort data collected by CCAMLR Members who are not members of CCSBT.

## Nomination of Representatives to 1998/99 Meetings of Other International Organisations

12.47 The following observers were nominated to represent CCAMLR at intersessional meetings in 1998/99:

- (i) Eleventh Special Meeting of ICCAT, 16 to 23 November, 1998, Santiago de Compostela, Spain – European Community;
- (ii) Third Session of the IOTC, 9 to 12 December, 1998, Victoria, Seychelles – Australia;
- (iii) Meeting of FAO and Non-FAO Regional Fishery Bodies, 11 and 12 February,

1999, Rome, Italy – Italy;

- (iv) Meeting of COFI 15 to 19 February, 1999, Rome, Italy – Executive Secretary;
- (v) Fifty-first Annual Meeting of IWC, 24 to 28 May 1999, Grenada, West Indies – Sweden (Prof. B. Fernholm);
- (vi) Twenty-third Antarctic Treaty Consultative Meeting, May 1999, Lima, Peru – Executive Secretary;
- (vii) Second Meeting of the Committee on Environmental Protection of the Antarctic Treaty, May 1999, Lima, Peru – Chairman of the Scientific Committee;
- (viii) Second Workshop on Antarctic Specially Protected Areas (immediately preceding ATCM-XXIII) – Chile (Dr J. Valencia);
- (ix) Secretariat of the Pacific Community (Regional Technical Meeting) (venue and dates to be determined) – France;
- (x) Inter-American Tropical Tuna Commission (venue and dates to be determined) – European Community; and
- (xi) Commission for the Conservation of Southern Bluefin Tuna (venue and dates to be determined) – Australia and Japan (for meetings in Australia and Japan respectively).