

UNITED NATIONS CONFERENCE ON STRADDLING STOCKS AND HIGHLY MIGRATORY SPECIES

13.1 The Chairman noted that Chile had requested that this item be added to the Agenda in order to obtain the Scientific Committee's advice on the possible contribution by CCAMLR to two matters under special consideration by the UN Conference, namely:

- (i) the suitability of the concepts of maximum sustainable yield and optimum sustainable yield in comparison with the approach described in Article II of the Convention; and
- (ii) the experience of CCAMLR in implementing the so-called precautionary approach in fisheries management.

13.2 The Scientific Committee noted that the task of providing the UN with technical information on MSY and the precautionary approach had been charged to FAO. Dr Marín emphasised that Chile had intended only that CCAMLR could provide a useful contribution to the international debate on this topic in the light of its unique convention, and was not seeking to advise the FAO or UN directly.

13.3 The Scientific Committee endorsed WG-FSA's comments (Annex 5, paragraphs 6.150 to 6.152) that MSY was not considered by CCAMLR to be an appropriate management objective because:

- it usually leads to highly variable catch limits from year to year which is in conflict with another frequent objective of management, the maintenance of stable catches over a number of years; and
- the MSY approach becomes hardly meaningful when biological interactions are taken into account as it is not possible to maximise the yield from both a predator and prey species simultaneously.

13.4 In this respect, Article II, as interpreted by the Scientific Committee, has an advantage over MSY in that it allows for consideration of multi species and predator-prey interactions in formulating management advice.

13.5 Mr Miller noted that the Commission's operational definitions of Article II (CCAMLR-IX, paragraph 4.17) had encouraged WG-Krill in its work on krill potential yield to include provisions for the calculation of levels of krill biomass which would allow sufficient escapement to meet the requirements of krill predators (Annex 4, paragraph 6.5). These considerations would not have been possible following a simple MSY approach (see Annex 4, paragraph 6.5).

13.6 The concept of Optimum Sustainable Yield, involving both economic and biological considerations, has not been discussed by the Scientific Committee in its sessions to date.

13.7 The Scientific Committee endorsed the deliberations of WG-FSA on the Precautionary Approach (Annex 5, paragraphs 6.153 to 6.155).

13.8 The guiding principle of a precautionary approach should be to evaluate in advance if the methods used for fisheries management are sufficient to achieve their management objectives. The Revised Management Procedure (RMP) recently developed by the Scientific Committee of the International Whaling Commission is an example of such a precautionary approach.

13.9 Dr Nomura stated that the RMP developed by the IWC is far too specialised to be applied to the management of fisheries in general.

13.10 The Scientific Committee noted that the term "precautionary approach" is also applied to management procedures which take into account uncertain or unknown effects of that management so that, on available information at least, the chances of the management objectives not being met are reduced. The Scientific Committee noted that CCAMLR has been using this principle for a number of years in its approach to management.

13.11 The Scientific Committee agreed that the best example of the use of a precautionary approach by CCAMLR was the introduction of precautionary catch limits for krill fisheries in the Convention Area to prevent uncontrolled expansion of the krill fishery. Other examples were (Annex 5, paragraphs 6.154 and 6.155):

- instituting advance notification and data requirements prior to the development of new fisheries, which led to catch and effort regulations being applied to exploratory fishing (e.g., crabs in Subarea 48.3 and *D. eleginoides* in Subarea 48.4);
- safeguarding against unknown effects of bottom trawling on mixed fish communities and benthos by prohibiting bottom trawling; and
- the practice of providing a range of management options together with an evaluation of the risks associated with these options, a format adopted by WG-FSA in the past.

13.12 Dr Yakovlev had prepared a document (in Russian) entitled "Definitions and Applicability of Various Criteria to the Management of Marine Living Resources" (SC-CAMLR-XII/BG/27). This document was not discussed. Dr Yakovlev informed the Scientific Committee that it contained an analysis of the questions discussed at the UN Conference on Straddling Fish Stocks and Highly Migratory Species and that this was applicable to the Convention Area.