

NEW AND EXPLORATORY FISHERIES

New Fisheries in the 1996/97 Season

7.1 There were seven new fisheries endorsed for the 1996/97 fishing season (SC-CAMLR-XVI, paragraphs 9.1 to 9.11, Table 1):

- (i) fishery for *M. hyadesi* notified by the Republic of Korea and UK for Subarea 48.3 (81 tonnes): there had been limited effort over a short period because of the unusually good and extended season for *Illex argentinus* in the southwest Atlantic;
- (ii) fisheries for *D. eleginoides* and *D. mawsoni* notified by Norway and South Africa for Subarea 48.6: not fished for administrative reasons;
- (iii) fisheries for *D. eleginoides* and *D. mawsoni* notified by South Africa for Division 58.4.4: not fished for administrative reasons;
- (iv) fishery for *D. eleginoides* and *D. mawsoni* notified by South Africa for Subareas 58.6 and 58.7 (total catch of 2 521 tonnes of *D. eleginoides*): this fishery operated essentially within the South African EEZ around the Prince Edward Islands;
- (v) fishery for *D. eleginoides* and *D. mawsoni* notified by New Zealand for Subareas 88.1 and 88.2 commenced in May 1997 but ice conditions greatly restricted fishing operations, and only two sets were made, resulting in a total catch of 128 kg of *D. eleginoides* in Subarea 88.1;
- (vi) fisheries for *Dissostichus* spp. in Division 58.4.3 notified by Australia (trawl) and South Africa (longline): for administrative reasons, no fishing was undertaken by South African vessels, and limited fishing by Australia on BANZARE and Elan Banks resulted in a catch of 7 kg of *D. eleginoides* on Elan Bank; and
- (vii) fishery for deepwater species not covered by Conservation Measure 109/XV and 110/XV was notified by Australia for Division 58.5.2: no catches of the intended species were made.

7.2 The Commission noted that experience in the application of the fine-scale rectangle catch provision of Conservation Measure 112/XV in 1996/97 has highlighted the need for very accurate positional information from longline vessels (SC-CAMLR-XVI, paragraph 9.74). The installation of VMS on vessels has greatly facilitated the collection of accurate positional information.

New and Exploratory Fisheries Notified for the 1997/98 Season

7.3 The Commission noted that Members had taken different approaches to notifications for new and exploratory fisheries in 1997/98. Some of the notifications for new fisheries in

1997/98 had been made for fisheries that had been new fisheries in 1996/97. In some cases, no fishing had taken place and new fisheries had been re-notified. In other cases, however, very small catches had been taken during 1996/97 and Members had either re-notified for new fisheries, or notified for exploratory fisheries. The Scientific Committee had provided advice in relation to both Conservation Measures 31/X for new fisheries and 65/XII for exploratory fisheries.

7.4 The following new fisheries were notified for the 1997/98 season:

- (i) fishery for *M. hyadesi* by the Republic of Korea and UK, under joint venture, in Subarea 48.3: a new fishery had been notified in 1996/97 and 81 tonnes were taken during the 1996/97 season;
- (ii) fishery for *D. eleginoides* by Ukraine in Division 58.4.4;
- (iii) fisheries for *Dissostichus* spp. by South Africa in Subarea 48.6 and Divisions 58.4.3 and 58.4.4: new fisheries were notified in 1996/97 for Subarea 48.6 and Division 58.4.4 but these were not fished;
- (iv) fisheries for *Dissostichus* spp. by New Zealand in Subareas 88.1 and 88.2: a new fishery was notified in 1996/97 and 0.128 tonne of *D. eleginoides* was taken in Subarea 88.1;
- (v) fishery for *Dissostichus* spp. by Norway in Subarea 48.6: a new fishery was notified in 1996/97 but it was not fished; and
- (vi) fisheries for *Dissostichus* spp. by Chile in Subareas 48.1, 48.2 and 88.3.

7.5 The Commission noted that Uruguay had submitted a preliminary notification for new fisheries for *D. eleginoides* in Subareas 48.1, 48.2 and 48.4. However, during the meeting of the Scientific Committee, Uruguay advised that this had been a notice of intent only, and that no new or exploratory fishery will be carried out during the 1997/98 season.

7.6 The following exploratory fisheries were notified for the 1997/98 season:

- (i) trawl fishery for *Dissostichus* spp. by Australia in Division 58.4.3: a new trawl fishery had been notified in 1996/97 and 0.007 tonne of *D. eleginoides* had been taken; and
- (ii) fisheries for *Dissostichus* spp. by Russia, South Africa and Ukraine in Subareas 58.6 and 58.7 outside EEZs: a new fishery had been notified in 1996/97 and 0.4 tonne of *D. eleginoides* had been taken by South Africa.

7.7 The Commission noted that France had submitted a notification for exploratory fisheries in Divisions 58.4.4, 58.5.1 and 58.5.2 and Subareas 58.6 and 58.7 (outside EEZs). This notification had arrived too late to be considered by WG-FSA. During the meeting of the Scientific Committee, France had agreed to withdraw this notification, and submit full documentation for evaluation at next year's meeting of WG-FSA.

7.8 The Delegation of Japan explained that Japan had received various requests from industry for new and exploratory fisheries for *Dissostichus* spp. in the Convention Area. However, Japan had decided not to proceed with any notification because it believed that there was insufficient information available for the expansion of fisheries on *Dissostichus* spp. It stated that whatever may be agreed on conservation measures relating to new and exploratory fisheries should not be construed as prejudicing the rights of other Members to participate in those fisheries in the future.

7.9 The European Community clarified that it too had received requests for commercial fishing. However, as a policy approach, it insisted that such projects be preceded by a survey prior to any exploratory phase.

7.10 The Scientific Committee has developed data collection plans for exploratory longline, trawl and squid jig fisheries in accordance with paragraph 2(i) of Conservation Measure 65/XII (SC-CAMLR-XVI, Annex 5, Appendix E). The Commission agreed that such plans should be applied to both new and exploratory fisheries in the Convention Area as appropriate.

Precautionary Catch Levels

7.11 Last year, the Commission agreed to a conservative approach to advising on precautionary catch limits which took into account the incomplete knowledge of areas where fishing was proposed and biology of the target species. Precautionary catch limits were derived from the estimated sustainable yields for *D. eleginoides* in Subarea 48.3 (longline fisheries) and Division 58.5.2 (trawl fisheries); the relative amount of fishable seabed in the areas where fishing was proposed (SC-CAMLR-XV, Annex 5, paragraph 4.28) was used as a discount factor.

7.12 This year, new bathymetric data prepared by the Secretariat had enabled such calculations, for each subarea and division, over three depth ranges: 0 to 600 m (possibly representative of juvenile habitat), 600 to 1 800 m (main depths fished by longline) and 500 to 1 500 m (main depths fished by trawl). Due to a general decrease in the reliability of bathymetric data south of 70°S, calculations were limited to seabed areas in the nominated depth ranges north of 70°S.

7.13 The Commission noted that New Zealand had tabled a document at the meeting of the Scientific Committee which contained alternative calculations of seabed areas for Subareas 88.1 and 88.2, including the areas south of 70°S. These calculations used the GEBCO standard International Hydrographic Organisation bathymetry data (SC-CAMLR-XVI, paragraph 9.57).

7.14 The Commission endorsed the Scientific Committee's advice that the Secretariat should undertake a comparative analysis of seabed areas calculated using Sandwell-Smith with those using GEBCO bathymetric data (including areas south of 70°S), and the request that Members should supply WG-FSA with any other relevant data (SC-CAMLR-XVI, paragraph 9.58).

7.15 The Commission reviewed the information available for new and exploratory fisheries, including:

- (i) precautionary catch limits (SC-CAMLR-XVI, Table 5);

- (ii) potential management measures for seabird by-catch (SC-CAMLR-XVI, Table 8);
- (iii) levels of unregulated fishing (SC-CAMLR-XVI, Annex 5, Appendix D);
- (iv) data collection plans (SC-CAMLR-XVI, Annex 5, Appendix E); and
- (v) allocation of catch where several Members proposed to target the same species in the same area.

7.16 The European Community recognised that the Scientific Committee had made substantial progress in developing methods for estimating precautionary catch limits for new and exploratory fisheries for *Dissostichus* spp. However, it cautioned that the catch limit recommendations were based often on the assumption that illegal and unregulated fishing activities would cease in 1998 and on extrapolations from biological information for Subarea 48.3 to some areas where there was little or no information on the stocks available.

7.17 The Delegation of Ukraine shared the concerns of the European Community.

7.18 Measures to reduce the by-catch of seabirds in longline fisheries were discussed under section 6.

7.19 The Commission agreed that the estimates of precautionary yield for *Dissostichus* spp. were the best available given the existing information. However, with the exception of Subareas 48.3, 58.6 and 58.7, and Divisions 58.5.1 and 58.5.2, there was a paucity of information on the distribution and abundance of *D. eleginoides*. Even less information was available for *D. mawsoni*.

7.20 In accepting the precautionary catch limits in Table 5 of the Scientific Committee report (SC-CAMLR-XVI) as representing the best available if based only on scientific considerations, South Africa also drew the Commission's attention to paragraphs 4.61 and 9.99 of the report which emphasise that considerations associated with paragraph 9.98 in particular do not take into account fisheries operational considerations and measures to combat unregulated fishing.

7.21 In its view the presence of responsible and regulated fisheries would serve the conservation objectives of the Convention, not only by acting as a source of essential information, but also as a physical deterrent to unregulated fishing, particularly in the waters around the Prince Edward and Crozet Islands. Simple application of the precautionary catch limits given in Table 5 would neither serve to address the very important issue of illegal fishing in the region, nor the potentially prejudicial restriction of legitimate and responsible fishing in the face of unprecedented levels of illegal fishing.

7.22 Norway noted that the notified new fishery in Subarea 48.6 would be kept within the precautionary catch limits set out in Table 5 of the report of the Scientific Committee (SC-CAMLR-XVI), and that according to Table 8 of the same report, the risk of incidental mortality of seabirds is estimated to be low in Subarea 48.6.

7.23 CCAMLR scientific observers play a significant role in ensuring the smooth flow of information and data from new and exploratory fisheries (see paragraph 8.19). The Commission agreed that there should be 100% observer coverage in all new and exploratory fisheries.

7.24 Some Members noted that the presence of legal new fishery operations in areas where large unregulated fisheries operated may act as a deterrent. This would also provide some information on the extent of unregulated fisheries.

7.25 The Commission agreed that conservation measures developed for the 1997/98 season should not form a precedent for future allocation of *Dissostichus* catches within the Convention Area.

7.26 Several delegations, including Australia, Chile, European Community, New Zealand and the USA, identified the need to rationalise the way in which new and exploratory fisheries develop. The Commission should identify a logical sequence of stages to ensure that developments in fisheries do not outstrip the Commission's ability to collect data and understand and manage fisheries.

7.27 The European Community considered that any proposal for commercial fishing in new areas or on new species should be preceded by surveys with catch levels much lower than those required for commercial fishing.

7.28 The Commission endorsed the need for a coherent approach to the development of fisheries within the Convention Area.

7.29 It also noted that the notifications for new and exploratory fisheries of Australia, Chile and South Africa included research surveys during the early phase of development. The USA proposed that new fisheries should begin with surveys and the results of such surveys should be reviewed by the Scientific Committee before commercial fishing is initiated.

7.30 The Delegation of Russia stressed that the conduct of legal commercial fishing was the only way to focus attention on the issue of acquiring the maximum possible amount of data necessary to minimise uncertainty and increase the reliability of stock assessments.

7.31 A proposal to develop a coherent framework for the development of CCAMLR fisheries was discussed under section 10.