

**CCAMLR-XXXIV**

**COMMISSION FOR THE CONSERVATION OF  
ANTARCTIC MARINE LIVING RESOURCES**

**REPORT OF THE THIRTY-FOURTH MEETING  
OF THE COMMISSION**

**HOBART, AUSTRALIA  
19–30 OCTOBER 2015**

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## **Abstract**

This document is the adopted record of the Thirty-fourth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources held in Hobart, Australia, from 19 to 30 October 2015. Major topics discussed at this meeting include: ongoing efforts to establish a sustainable funding base for the organisation; the status of CCAMLR-managed fisheries; the Report of the Thirty-fourth meeting of CCAMLR's Scientific Committee; illegal, unreported and unregulated fishing in the Convention Area; CCAMLR fisheries regulatory framework; vulnerable marine ecosystems and bottom fishing; the establishment of a representative system of marine protected areas in the Convention Area; assessment and avoidance of incidental mortality of Antarctic marine living resources; new and exploratory fisheries; the System of Inspection and the Scheme of International Scientific Observation; compliance with conservation measures in force, including the implementation of CCAMLR's Compliance Evaluation Procedure; review of existing conservation measures and adoption of new conservation measures; future work relating to the further development of CCAMLR's Catch Documentation Scheme and a separate process related to the Vessel Monitoring System; management under conditions of uncertainty and cooperation with other international organisations, including within the Antarctic Treaty System. The Reports of the Standing Committee on Implementation and Compliance and the Standing Committee on Administration and Finance are appended.

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**Report of the Thirty-fourth  
Meeting of the Commission**  
(Hobart, Australia, 19 to 30 October 2015)

**Opening of the meeting**

1.1 The Thirty-fourth Annual Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR-XXXIV) was held in Hobart, Tasmania, Australia, from 19 to 30 October 2015. It was chaired by Mr D. Gonchar (Russia).

1.2 The following Members of the Commission were represented: Argentina, Australia, Belgium, Chile, People's Republic of China (China), European Union (EU), France, Germany, India, Italy, Japan, Republic of Korea, Namibia, New Zealand, Norway, Poland, Russian Federation (Russia), South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland (UK), United States of America (USA) and Uruguay. Apologies were received from Brazil.

1.3 Other Contracting Parties, Bulgaria, Canada, Cook Islands, Finland, Greece, Mauritius, the Netherlands, Islamic Republic of Pakistan, Republic of Panama, Peru and Vanuatu were invited to attend the meeting as observers. Finland and the Netherlands were represented.

1.4 The Agreement on the Conservation of Albatrosses and Petrels (ACAP), the Association of Responsible Krill harvesting companies (ARK), the Antarctic and Southern Ocean Coalition (ASOC), the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the Committee for Environmental Protection (CEP), the Convention on International Trade in Endangered Species (CITES), the Coalition of Legal Toothfish Operators (COLTO), the Council of Managers of National Antarctic Programs (COMNAP), the Food and Agriculture Organization of the United Nations (FAO), the Inter-American Tropical Tuna Commission (IATTC), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Intergovernmental Oceanographic Commission (IOC), the International Union for Conservation of Nature (IUCN), the International Whaling Commission (IWC), Oceanites Inc., the Secretariat of the Regional Plan of Action to Promote Responsible Fishing Practices Including Combating IUU Fishing in South East Asia (RPOA-IUU), the Scientific Committee on Antarctic Research (SCAR), the Scientific Committee on Oceanic Research (SCOR), the South East Atlantic Fisheries Organisation (SEAFO), the South Pacific Regional Fisheries Organisation (SPRFMO), the United Nations Environment Programme (UNEP) and the Commission for the Conservation and Management of the Highly Migratory Fish Stocks of the Western and Central Pacific Ocean (WCPFC) were also invited to attend the meeting as observers. ACAP, ARK, ASOC, CCSBT, CEP, COLTO, IUCN, Oceanites Inc., SPRFMO and UNEP were represented. Apologies were received from COMNAP, FAO, ICCAT and WCPFC.

1.5 In accordance with the Commission's decision at CCAMLR-XXXIII (CCAMLR-XXXIII, paragraph 12.4), the following non-Contracting Parties (NCPs) were invited to attend CCAMLR-XXXIV as Observers: Brunei Darussalam, Colombia, Costa Rica, Dominican Republic, Ecuador, Indonesia, Islamic Republic of Iran, Libya, Malaysia, Mali,

Mexico, Mongolia, Nigeria, Philippines, Seychelles, Singapore, Tanzania, Thailand, Trinidad and Tobago, United Arab Emirates and Viet Nam. Singapore attended the meeting. Apologies were received from Philippines.

1.6 The List of Participants is given in Annex 1. The List of Documents presented to the meeting is given in Annex 2.

1.7 The Commission extended its condolences to the family and colleagues of Dr Konstantin Shust (Russia) who passed away in August 2015. Dr Shust was a dedicated and productive contributor to the work of the Commission and Scientific Committee between 1988 and 2010.

1.8 The Chair welcomed all participants to the meeting. He noted that the Commission has a significant agenda to address during its current meeting, expressing confidence that, in the cooperative spirit that characterises CCAMLR, the meeting would be productive with many positive outcomes to report at its conclusion.

1.9 The Chair introduced Her Excellency Professor the Honourable Kate Warner AM, the Governor of Tasmania, who delivered the opening address (Annex 3).

1.10 On behalf of the meeting, Argentina thanked the Governor for her stimulating address.

1.11 At the conclusion of the Governor's address the following individuals were presented with a memento acknowledging their individual contributions to CCAMLR, each covering at least 30 years: Andrew Constable, Guy Duhamel, Bo Fernholm, Karl-Hermann Kock, Doug MacClaren, Enrique Marschoff, Volker Siegel and Vasily Smirnov. The Commission joined the Chair in offering their collective congratulations to these and other dedicated professionals for their contribution to CCAMLR's development.

## **Organisation of the meeting**

### Adoption of the Agenda

2.1 The Agenda for the meeting was adopted (Annex 4).

### Status of the Convention

2.2 Australia, as Depository, reported that the status of the Convention had not changed during the last intersessional period.

### Report of the Chair

2.3 The Chair provided a brief report on the activities of the Commission during the last 12 months (Annex 5).

## Implementation and compliance

3.1 The Commission considered the report of the Standing Committee on Implementation and Compliance (SCIC) (Annex 6) presented by Mr O. Urrutia (Chile) who reminded Members that, although the report of SCIC was taken as read, Members were invited to raise any issues that required further deliberation.

### CCAMLR's Compliance Evaluation Procedure (CCEP)

3.2 The Commission noted that SCIC had considered CCAMLR's Compliance Evaluation Procedure (CCEP) and had adopted the Provisional CCAMLR Compliance Report for the Commission's endorsement (Annex 6, paragraphs 1 to 73).

3.3 The Commission endorsed the Provisional CCAMLR Compliance Report for 2015 (Annex 6, Appendix I).

3.4 The Commission endorsed SCIC's recommendation that Conservation Measure (CM) 10-10 be revised to provide for a self-assessment of compliance status and a new status of no compliance status assigned for cases of emergency (Annex 6, paragraphs 67 to 72).

### Compliance with conservation measures in force

#### Fishery notifications

3.5 The Commission noted that SCIC had considered fishery notifications for 2015/16 (Annex 6, paragraphs 74 to 79).

3.6 The Commission considered the late fishery notification submitted by South Africa for the *Koryo Maru No. 11* exploratory fisheries for *Dissostichus* spp. in Subarea 48.6 in 2015/16 (Annex 6, paragraph 75). South Africa reiterated its statement made at SCIC (Annex 6, paragraph 76) and requested the Commission to accept the notification.

3.7 Some Members thanked South Africa for the information it had provided to SCIC and the Commission that included ongoing efforts to build capacity. It was noted that South Africa was a developing country that had demonstrated commitment to ensuring compliance with CCAMLR conservation measures. China noted Article 3(3) of the Agreement for the Implementation of the Provision of the United Nations Convention on the Law of the Sea Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, highlighting that some developing countries should be supported through the implementation of management measures.

3.8 The Commission noted that South Africa's fishery notification included a joint research plan to continue research in Subarea 48.6 with Japan. Some Members highlighted that the research plan had been considered and approved by the Working Group on Statistics, Assessments and Modelling (WG-SAM) and that it was of utmost importance that the research continues in 2015/16.

3.9 The Commission considered the late research plan associated with the notification for the exploratory fisheries for *Dissostichus* spp. submitted by France for the *Saint André* for fishing in Divisions 58.4.1 and 58.4.2 in 2015/16.

3.10 The Commission noted that the research plan was submitted late by France due to confusion regarding the conflicting deadlines provided for by CM 21-02 and WG-SAM papers. France had submitted the research plan directly to WG-SAM after the deadline for fishery notifications but before the deadline for WG-SAM papers. France highlighted that this was not, in fact, a new fishery notification but a renewal of ongoing and important research that is contributing to stock assessment processes and that the vessel's activities provided a deterrent to illegal, unreported and unregulated (IUU) fishing.

3.11 Japan noted that the fishery notification included a joint research plan to continue research in Divisions 58.4.1 and 58.4.2 with Japan and that it was vital that this research continue in 2015/16.

3.12 Some Members, while expressing sympathy for South Africa's and France's positions, expressed concern at setting a precedent by permitting a vessel to fish that was subject of a late fishery notification. The USA highlighted that it was difficult to consider the various reasons given for not complying with a conservation measure and that in these cases it would be difficult to accept these notifications.

3.13 The Commission noted that the Secretariat notified Members of the deadlines for fishery notification by COMM CIRC and sent reminder emails to relevant Members but would further consider how to provide more support to Members in this regard.

3.14 Some Members noted that there should be flexibility with deadlines and that one or two days should not be considered an issue. Other Members did not agree with this position and noted that it could provide a poor precedent.

3.15 In further considering fishery notifications, the Commission agreed that CMs 21-02 and 21-03 should be revised to clarify the requirements relating to deadlines and the Secretariat's obligations in respect of processing fishery notifications for *Dissostichus* spp. and krill.

3.16 Following the consideration of CM 21-02, the fishery notifications for the *Koryo Maru No. 11* and the *Saint André* were accepted by the Commission.

3.17 France and South Africa thanked Members for their work to clarify the requirements of CM 21-02 and for accepting the fishery notifications.

3.18 The Commission noted that China had advised SCIC that it was conducting a transaction for the vessel *More Sodruzhestva* and intended to authorise that vessel for 2015/16 (Annex 6, paragraphs 82 and 83). The Commission confirmed that a Member could not authorise a vessel under CM 10-02 if it had not provided the notification for that vessel and accordingly China advised the Commission that it no longer intended to authorise the *More Sodruzhestva* for 2015/16.

## Catch Documentation Scheme (CDS)

3.19 The Commission noted SCIC's consideration of the Catch Documentation Scheme (CDS) (Annex 6, paragraphs 88 to 130).

3.20 The Commission endorsed SCIC's recommendation that a CDS Workshop, utilising an allocation of A\$134 000 from the CDS Fund, be held (Annex 6, paragraphs 91 and 92). The Commission also endorsed SCIC's recommendation that the trade data proposal (CCAMLR-XXXIV/06) be undertaken by the Secretariat with a budget of A\$15 000 funded from the CDS Fund (Annex 6, paragraphs 120 to 125).

3.21 The Commission endorsed the NCP Engagement Strategy considered by SCIC (CCAMLR-XXXIV/09, Appendix III; Annex 6, paragraphs 93 to 99) and agreed that the strategy be supported with an allocation of A\$105 000 from the CDS Fund. The three proposals had been considered, and endorsed, by SCAF (Annex 7, paragraph 29).

3.22 The Commission endorsed SCIC's recommendation that CM 10-05 be amended to provide for port-to-port dates and at-sea transshipment coordinates in the relevant section of a *Dissostichus* Catch Document (DCD) (Annex 6, paragraphs 100 to 106 and 116).

3.23 The Commission recognised that there was wide support for Australia's proposal that outlined possible options for the sale of seized IUU catch by NCPs that did not have the status of 'NCP cooperating with CCAMLR by participating in the CDS' (CCAMLR-XXXIV/BG/20; Annex 6, paragraphs 118 and 119).

3.24 The Commission noted that further to Annex 6, paragraph 119, Australia intends to develop the options further and circulate them for additional consideration by Members during the intersessional period.

3.25 Some Members considered that the action taken by Malaysia, Thailand and some other NCPs in the last year against IUU fishing vessels is to be commended and considered it timely that the Commission consider possible options by which these countries might be able to dispose of seized IUU catch within the CDS whilst these countries did not have the status of 'NCP cooperating with CCAMLR by participating in the CDS'. Members looked forward to the implementation of the NCP Engagement Strategy and agreed that it was appropriate that it focus on Southeast Asian countries in the first instance. The Commission welcomed the participation of Southeast Asian countries at the meetings of the Scientific Committee, SCIC and the Commission.

## Offal discharge

3.26 The Commission noted that SCIC had considered the reports of offal discharge in the Ross Sea (CCAMLR-XXXIV/BG/10; Annex 6, paragraphs 221 to 223). The Commission endorsed the advice of SCIC and the Scientific Committee that vessel-specific marking of hooks would assist in identifying the origin of recovered offal (Annex 6, paragraph 223; SC-CAMLR-XXXIV, paragraphs 3.86 and 3.87).

3.27 The Commission agreed that the Secretariat, in collaboration with Members, should undertake an analysis of the requirements for vessel-specific marking of hooks and report

back to CCAMLR-XXXV. The Commission also noted that the development of a template to assist Members to ensure vessels are adequately equipped to appropriately discharge offal in their pre-departure inspection of vessels (as required by CM 10-02) would be useful.

3.28 The Commission expressed concern that discharge of offal was an ongoing issue that required attention as it was clear a number of vessels are not complying with CM 26-01 (paragraph 5.27).

#### Release of untagged toothfish

3.29 The Commission noted that SCIC had considered the issue reported at CCAMLR-XXXIII in respect of the live release of untagged toothfish (CCAMLR-XXXIV/07; Annex 6, paragraphs 224 and 225; SC-CAMLR-XXXIV, paragraphs 3.84 and 3.85).

3.30 The Commission endorsed the advice to the Scientific Committee that there should be no release of live untagged toothfish (SC-CAMLR-XXXIV, paragraph 3.85) and endorsed the advice of SCIC that CMs 26-01 and 41-01 should be amended to clarify the requirements relating to the live release of toothfish (Annex 6, paragraph 225).

#### By-catch reporting

3.31 The Commission considered the inconsistent reporting of by-catch data on C1 and C2 forms and considered by the Scientific Committee as an issue regarding the implementation of Article II of the Convention (SC-CAMLR-XXXIV, paragraph 3.163).

3.32 Russia and Ukraine considered the difficulty in investigating the methodology used for by-catch data collection in all fisheries, as equipment and gear type varies between vessels.

3.33 Russia highlighted the importance of developing a detailed manual on by-catch sampling throughout CCAMLR fisheries. It noted that there should be a clear understanding on how by-catch data should be collected and reported in practice. Russia proposed that the draft manual should be submitted for consideration by WG-SAM and the Working Group on Fish Stock Assessment (WG-FSA) (paragraph 5.64).

3.34 The Commission noted the advice of SCIC and the Scientific Committee that the Flag State is responsible for reporting by-catch and that inconsistent reporting by vessels to the Flag State should be investigated, and that Flag States should ensure all reporting is consistent with relevant conservation measures.

3.35 New Zealand requested that the Scientific Committee develop a by-catch profile that may include estimates of the expected level of by-catch in each fishery in order to aid compliance practitioners.

3.36 The Commission noted the difficulty in reporting by-catch in krill fisheries due to technical issues that arise in fishery operations and varying gear configurations. It noted that the lack of sufficient capability in reporting by-catch may impact the Commission's mandate to conserve all marine living resources.

## New and revised measures

### Conservation Measure 10-04

3.37 The Commission noted SCIC's consideration of the vessel monitoring system (VMS) and the work undertaken intersessionally by the VMS Technical Working Group (TWG) (CCAMLR-XXXIV/10; Annex 6, paragraphs 146 to 157).

3.38 Many Members agreed that VMS data should be provided by vessels every hour and that this requirement be applied to all fisheries.

3.39 Some Members did not support the increase in VMS data reporting frequency and did not support the application of one-hourly reporting to krill fisheries.

3.40 It was noted by some Members that one-hourly VMS data reporting was in line with best practice of other similar organisations and that the change in VMS data reporting frequency was technologically feasible, provided greater spatial resolution of fishing vessel activities and strengthened CCAMLR's ability to effectively monitor fishing vessels in the Convention Area.

3.41 The Commission noted that the Scientific Committee had agreed that using the VMS data at appropriate resolution (at 15-minute intervals) was the best method for the data quality assurance processes (SC-CAMLR-XXXIV, paragraph 3.90). The Commission endorsed the Scientific Committee request that the Secretariat implement the VMS data quality assurance processes (SC-CAMLR-XXXIV, paragraph 3.92).

3.42 It was noted that the increase in VMS data reporting frequency to 15 minutes as recognised by the Scientific Committee was best practice for the data quality assurance process (SC-CAMLR-XXXIV, paragraphs 3.88 to 3.92) although this was not considered by the VMS TWG and was, for a number of Members, not implementable.

3.43 The Commission further considered the increase in VMS data reporting frequency and agreed that one-hourly reporting be required for finfish fishing vessels and that the VMS data reporting frequency would remain at four hours for other fishing vessels until 2019 when it would be increased to one hour.

3.44 The USA noted that 2017 was preferred for implementation of the one-hourly VMS data reporting frequency for the krill fishery.

3.45 China advised the Commission that it has adopted domestic regulations on the Chinese Antarctic krill (*Euphausia superba*) fishery with provisions that are set out in accordance with existing CCAMLR conservation measures where appropriate. While agreeing to have the hourly VMS data reporting frequency and technical requirements for automatic location communicators (ALCs) apply to the krill fishery in 2019, China also expressed the willingness to conduct intersessional consultations with regard to technical and legislative issues on a possible earlier date of application and report back to CCAMLR-XXXV.

3.46 Many Members agreed to revise CM 10-04, to require Flag States to provide VMS data to the Secretariat within one hour of receipt of the VMS data for all fisheries except for those fisheries conducted in subareas and divisions where a conservation measure for an established longline fishery for *Dissostichus* spp. was adopted at CCAMLR-XXXIII.

3.47 China noted that this was a fundamental change compared with the original requirement, and indicated that this change relates to the issue of Flag States jurisdiction. Therefore, China is not yet in a position to accept this change.

3.48 At the request of some Members, the Secretariat confirmed that all ALCs currently in use by Chinese-flagged krill vessels meet the minimum technical specifications that could not be agreed for the upcoming season.

3.49 The Commission agreed to revise CM 10-04, to require Flag States to provide VMS data to the Secretariat within one hour of receipt of the VMS data for finfish fisheries.

3.50 In adopting the revised CM 10-04, many Members expressed their disappointment that some important and necessary improvements could not be agreed; in particular, to bring the krill fishery in line with toothfish fisheries.

3.51 At the time of adoption, Norway noted that it supports increasing the frequency of VMS reporting for all fishing vessels in CCAMLR. Norwegian krill vessels already report every hour to Norwegian fishing authorities and Norway will, on a voluntary basis, make sure that the reports for the coming fishing season are forwarded to CCAMLR in line with this proposed measure.

#### Conservation Measure 10-06

3.52 The Commission noted that SCIC had considered the VMS TWG's recommendation that CM 10-06 be revised to include the transmission of false VMS data, or the failure to transmit any VMS data manually or automatically to the Flag State and/or the CCAMLR Secretariat, as grounds for inclusion of Contracting Party vessels on the Contracting Party IUU Vessel List (Annex 6, paragraphs 158 to 161).

3.53 Many Members expressed support for the proposal and noted that it was the outcome of VMS TWG's work in 2015. Some Members reiterated their position at SCIC where they had advised they could not support the proposal.

#### Conservation Measure 32-18

3.54 The Commission noted the proposal submitted by Argentina, Australia, Brazil, Chile, EU and the USA to prohibit the finning of sharks caught in the CAMLR Convention Area (CCAMLR-XXXIV/24 Rev. 1; Annex 6, paragraphs 162 to 168).

3.55 The USA introduced a proposal to prohibit the finning of sharks in the Convention Area (CCAMLR-XXXIV/24 Rev. 1). This proposal, submitted by Argentina, Australia, Brazil, Chile, EU and the USA, seeks to amend CM 32-18 (Conservation of sharks) to prohibit shark finning and require that all fins of any shark that is incidentally caught and that cannot be released alive, remain naturally attached through the point of first landing. This proposal is consistent with United Nations General Assembly (UNGA) resolutions adopted by consensus every year since 2007. This proposal was further discussed by SCIC (Annex 6, paragraphs 162 to 168).

3.56 Many Members reiterated their strong support for the proposal and thanked the proponents for their work on it.

3.57 Japan advised the Commission that it supported the conservation of sharks and prohibition of the finning of sharks. It noted, however, that an issue remained in the use of the term ‘naturally attached’. Japan highlighted that it was prepared to engage in discussions relating to technical issues associated with the term ‘naturally attached’ in appropriate fora.

#### Conservation Measure 25-02

3.58 Following SCIC’s consideration of CM 25-02 (Annex 6, paragraphs 172 and 173), the Commission agreed that CM 25-02, Annex 25-02/A, paragraph 4, be revised to read: ‘When a streamer line is fully deployed, the branched streamers shall be of sufficient length to reach the sea surface in the absence of wind and swell’.

#### Conservation Measure 10-02

3.59 Following SCIC’s consideration of CM 10-02 (Annex 6, paragraphs 185 to 188), the Commission further considered the inclusion of vessel ice-classification details in licence notifications. The Commission noted that New Zealand had worked with Members to reach a compromise on the proposal and agreed that CM 10-02, paragraph 4, include the details of vessel ice classification.

3.60 Norway thanked New Zealand for its proposal, acknowledged the importance of information sharing in relation to search and rescue (SAR) events in Antarctic waters and noted that maritime rescue coordination centres (MRCCs) may access additional information on vessels through Flag States and in some cases, using the Equasis database ([www.equasis.org](http://www.equasis.org)).

3.61 Norway considered that the regulation of vessels and safety of vessels was under the competency of the International Maritime Organization (IMO) and that IMO was working towards reducing administrative burdens on vessels and States.

3.62 Norway made the following statement:

‘We would like to thank New Zealand for their proposal. We acknowledge the importance of sharing relevant information with regard to search and rescue events in the Antarctic.

We understand that having easy access to information on ice class of vessels operating in Antarctic waters is important for New Zealand and other nations responsible for search and rescue in the CCAMLR area, and that such information might ease the coordination of rescue operations.

Today, any Antarctic search and rescue nation is able to obtain information on ice class for any vessel operating in the Antarctic, by making a request to the respective Flag State, or in many cases by doing a search through the Equasis database, which may contain information on a ship’s ice class.

For CCAMLR Members, guidelines are already in place which allow for reporting of ice class in notifications to CCAMLR – a guideline which Norway and many others follow as far as practically possible.

We have previously voiced concerns over a mandatory reporting requirement of a vessel's ice class, but are happy to go along with a strengthening of the voluntary guidelines under CM 10-02.

As a principle, regulation of vessels and safety of vessels should be in the hands of IMO.

IMO is currently working towards reducing the administrative burdens for administrations as well as the industry. It is thus important to ensure that no new requirements are introduced unless there is a compelling need.

Ice class is as far as we are aware not an ordinary reporting requirement elsewhere in the world, and no other vessels have this reporting requirement for operations in Antarctic waters.

In this context, we would draw the Commission's attention to the CCAMLR Resolution 34/XXXI (2012), and again encourage all Members to sign the Cape Town agreement to ensure the entering into force of the Torremolinos Convention – a protocol which would secure a binding regulation on safety for fishing vessels globally.

Again, we are happy to go along with a strengthening of the voluntary guidelines under CM 10-02, and appreciate New Zealand's flexibility and efforts to seek a compromise solution which takes Norway's concerns into consideration.'

3.63 The Commission acknowledged Resolution 34/XXXI regarding the safety of vessels at sea and noted Norway's encouragement that Members sign the Cape Town Agreement.

3.64 The UK thanked New Zealand for its original proposal that it fully supported and encouraged Members to provide ice-classification details in their licence notifications. The UK further noted that the responsibility for the safety of fishing vessels in the Southern Ocean does not reside with the IMO alone and that CCAMLR could address any issues relevant to meeting its objectives, including reporting on the ice classification of CCAMLR fishing vessels.

3.65 The Commission reiterated the importance of safety at sea. Many Members commented that they could not understand how such a simple provision could have become so complicated and that the provision of any information that supported an MRCC's response to SAR events should be of the utmost importance to all Members.

### Transshipping

3.66 The Commission noted SCIC's consideration of transshipping (CCAMLR-XXXIV/27; Annex 6, paragraphs 179 to 184). Many Members reiterated the need to strengthen the monitoring and control of transshipment and expressed full support for the proposal.

3.67 The USA highlighted changes made to the proposal since its introduction at SCIC, including a provision for the establishment of a Contracting Party Transshipping Vessel Register and an NCP Transshipping Vessel Record. It was noted that under the current proposal, a vessel could only tranship with another vessel that was subject to a CCAMLR conservation measure. Additionally, it was noted that the proposal provided a framework to promote the cooperation of NCPs that was similar to the framework provided to promote the cooperation of NCPs with CCAMLR by participating in the CDS (CM 10-05, Annex 10-05/C).

3.68 Many Members reiterated the need to improve the monitoring and control of transshipping and did not want to see the progress made during the intersessional period lost. In this regard, the Commission recommended that further intersessional work be undertaken and encouraged all Members with an interest in the issue to actively participate in the intersessional consideration of transshipping.

3.69 While noting its disposition to continue dialog on this issue during the intersessional period, Argentina recalled the need for any consideration of conservation measures to be made within the purview of the Convention.

#### Conservation Measure 51-06

3.70 The Commission noted that SCIC had considered a proposal from Chile and Norway to revise CM 51-06 to increase scientific observer coverage to 100% (Annex 6, paragraphs 189 to 192). The Commission noted that the Scientific Committee generally acknowledged that 100% coverage (i.e. having an observer on a vessel for all of the time that it was engaged in fishing for krill) was scientifically desirable (SC-CAMLR-XXXIV, paragraph 7.4; CCAMLR-XXXIV/BG/34 and XXXIV/35 Rev. 1). The Commission further noted that the Scientific Committee had discussed the issue of 100% observer coverage in krill fisheries (SC-CAMLR-XXXIV, paragraphs 7.4 to 7.22) but no consensus on implementation could be reached.

3.71 Norway recalled previous discussions in relation to 100% observer coverage in krill fisheries and noted that the proposal had wide support at SCIC and the full endorsement of ARK. Norway acknowledged that there were differing views in relation to 100% observer coverage in krill fisheries but expressed frustration that the proposal could not be adopted. Norway hoped it could progress the issue.

3.72 Ukraine considered that discussions on the issue of 100% observer coverage in krill fisheries were in the early stages, suggesting that Members should set benchmarks in order to gradually achieve a higher coverage rate and confirmed its commitment to undertake further work on the issue.

3.73 China indicated that CM 51-06 is due to be revised by the Commission in 2016 as specified in the conservation measure itself. China further indicated that the wording of CM 51-06 relative to observer coverage has been interpreted differently and clarification is necessary in relation to the revision of the conservation measure (paragraph 6.4).

## Resolution on vessels without nationality

3.74 The Commission agreed to Australia's proposed resolution on vessels without nationality (paragraph 8.37; see also Annex 6, paragraphs 193 and 194).

## IUU fishing

3.75 The Commission noted SCIC's consideration of IUU fishing (Annex 6, paragraphs 195 to 218) and the report of the Scientific Committee in respect of IUU fishing (SC-CAMLR-XXXIV, paragraphs 6.1 to 6.9).

3.76 Spain thanked the Secretariat, Australia and New Zealand for their important cooperation. This fact, together with review of the Spanish national legislation, made it possible to carry out Operation Sparrow as reflected in the report of SCIC (CCAMLR-XXXIV/BG/46). Spain reflected on the importance of market control through the adoption of the FAO Agreement on Port State Measures and noted the importance of collaboration with the civil society and NGOs specialised in protecting the marine environment.

3.77 The Commission endorsed the recommendation of the Scientific Committee that CCAMLR-XXXIV/37 should form the basis for development and production of a more thorough 'IUU Fishing Report', similar to the Fishery Reports, that could be updated annually (SC-CAMLR-XXXIV, paragraphs 6.4 and 6.5).

3.78 The Commission also endorsed the recommendation of the Scientific Committee that the Secretariat produce a form (or forms) to record IUU-related information (e.g. specifications of recovered gear, the species- and size-compositions of observed IUU catches, etc.) that could be used to estimate IUU catches and the compositions of these catches (SC-CAMLR-XXXIV, paragraph 6.9). The Secretariat undertook to engage with Members during the next intersessional period on the design of the form.

## IUU Vessel Lists

3.79 The Commission noted that SCIC had agreed that there was no Contracting Party IUU Vessel List for 2015/16 and that no new vessels had been proposed for inclusion on the NCP-IUU Vessel List for 2015/16 (Annex 6, paragraphs 219 and 220). The Commission noted that SCIC had recommended the IUU-listed vessel *Thunder* be removed from the NCP-IUU Vessel List as the vessel sank in the Sao Tome and Principe exclusive economic zone (EEZ). The Commission subsequently adopted the NCP-IUU Vessel List for 2015/16 (Annex 6, Appendix II).

## Russian scientific observers

3.80 The Commission noted that SCIC had considered the investigation concerning Russian scientific observers who reported data consistent with the anomalous catch data reported by the Korean-flagged vessels, the *Insung No. 7*, *Insung No. 2* and *Insung No. 22* (Annex 6,

paragraphs 249 to 258). The Commission noted that the outcomes reported in COMM CIRC 15/104 and SC CIRC 15/60 were incomplete and lacked sufficient detail. Russia agreed to complete a further detailed investigation report once information it will formally request from the Republic of Korea is provided.

#### Research fishing in Subarea 48.5

3.81 The Commission noted that SCIC and the Scientific Committee had further considered the research fishing undertaken by the Russian-flagged vessel *Yantar 35* in the Weddell Sea (Subarea 48.5) in 2012/13 and 2013/14 (Annex 6, paragraphs 231 to 240; SC-CAMLR-XXXIV, paragraphs 3.268 and 3.287).

3.82 The Commission noted that the outcomes reported in COMM CIRC 15/101 were incomplete and lacked sufficient detail.

3.83 Many Members expressed concern that the vessels *Yantar 31* and *Yantar 33* are from the same fishing company and had been notified to fish in 2015/16.

3.84 Russia emphasised that in accordance with international law there exists a genuine link between the State and the vessel, not the vessel owner. Russia underlined that the vessels *Yantar 31* and *Yantar 33* have been notified in the Ross Sea and not in Subarea 48.5.

3.85 Russia noted the serious concerns raised and documented at SCIC regarding the investigation into the activities of the Russian-flagged vessel *Yantar 35*.

3.86 Russia reiterated the commitment outlined at CCAMLR-XXXIII and COMM CIRC 15/101 to provide timely and detailed information of the process, findings and outcome of the investigations into the activities of the *Yantar 35* in terms of compliance with CCAMLR conservation measures in accordance to its national legislation.

3.87 Russia agreed to provide this information as a paper to the Commission within 180 days of the close of CCAMLR-XXXIV, to allow sufficient time for intersessional review and consideration by SCIC. If Russia was unable to meet the deadline, Russia agreed to inform the Commission within the same 180 days deadline of the reasons of the delay, the status of the investigation and the expected date for its completion.

3.88 New Zealand made the following statement:

‘New Zealand thanked the Russian Delegation for providing clarification regarding the SCIC report. New Zealand recalled that this information was requested for discussion at this year’s meeting. It was well below the expectations of the New Zealand Delegation that the information requested for consideration at SCIC was not provided for this year, and will now not be received for a further six months. Further, last year the Scientific Committee requested that a full analysis of the data from *Yantar 35* be presented to WG-SAM. The analysis presented to WG-SAM by the Russian Federation this year was incomplete and, as a result WG-SAM and the Scientific Committee were unable to complete their review of the new proposal for research in the Weddell Sea. This analysis needs to be completed and presented to WG-SAM next

year. Based on the discussions at the Scientific Committee and Commission this year, it should include all data collected by the *Yantar 35* throughout the Convention Area. Once that investigation is complete and reviewed by WG-SAM and the Scientific Committee, only then can Members consider how we can progress future research in the Weddell Sea. New Zealand emphasised that the first step on the pathway to the Commission being able to consider future Russian research in this area is entirely in the hands of the Russian Federation.’

3.89 If the information requested for both investigations is not provided comprehensively, New Zealand would be forced to consider additional options for next year’s meeting. This statement was endorsed by Australia, Norway, UK and the USA.

3.90 The Commission noted that all data from the vessel *Yantar 35* remain under quarantine while the issue is being fully investigated.

## **Administration and finance**

4.1 The Commission endorsed the report of the Standing Committee on Administration and Finance (SCAF) presented by the Vice-Chair of SCAF, Mr S. Davidson (UK), appended as Annex 7.

4.2 The Commission accepted the financial statements as presented in CCAMLR-XXXIV/03, and approved the appointment of the Australian National Audit Office as auditor for the 2015 and 2016 Annual Financial Statements.

4.3 The Commission noted the Executive Secretary’s Report, which contained the first-year implementation report for the Secretariat’s Strategic Plan 2015–2018 and the fourth-year implementation report for the Secretariat’s Staffing and Salary Strategy. The Commission supported SCAF’s congratulations and thanks to the Secretariat on the quality and scope of its work (Annex 7, paragraphs 4 to 6).

4.4 The Commission congratulated SCAF on reaching consensus with regard to krill fishery notification fees for the 2016/17 and 2017/18 fishing seasons, enabling the budget for 2016 and the forward estimate for 2017 to be approved as submitted (paragraphs 12.5 and 12.6). In reaching consensus on this matter, the Commission noted that:

- (i) notification fees will apply as described in Annex 7, paragraph 22
- (ii) for the purposes of the 2016 Budget to be adopted under Item 11 at this meeting, and the Forecast Budget for 2017 to be prepared in June 2016, a notification fee of A\$13 800 will apply to krill fisheries notifications
- (iii) the notification fee for new and exploratory toothfish fisheries remains unchanged for next year
- (iv) as a result, there will be no increase in Member contributions for the 2016 Budget and 2017 Forecast Budget, as originally forecast by the Secretariat

- (v) the matter of notification fees will be the subject of detailed consideration in the Intersessional Correspondence Group for Sustainable Finance (ICG-SF) during the next intersessional period with the outcomes to be considered at CCAMLR-XXXV
- (vi) the outcomes of the Commission's consideration of the work of the ICG-SF will be reflected in the 2017 Budget adopted by CCAMLR-XXXV.

4.5 The Commission endorsed the work of the ICG-SF, noting its valuable work over the past four years, with broad engagement from many Members. It endorsed the recommendation from SCAF that it should continue its work in the next intersessional period to include, but not be limited to:

- (i) update terms of reference for the ICG consistent with recommendations from the first Performance Review
- (ii) economic valuation of Antarctic marine living resources starting with those species harvested in CCAMLR-regulated fisheries
- (iii) options for cost recovery for CCAMLR services
- (iv) consolidation of Special Funds
- (v) review components of notification fees
- (vi) option to hold working group meetings in Hobart
- (vii) review Secretariat costs
- (viii) review formula for Member contributions
- (ix) how SCAF interacts with the Commission – alternative structures and review or possible streamlining of financial reporting
- (x) a revised presentation of future budgets to show more clearly how surpluses/deficits are brought forward with the aim of better balancing the budget in an annual or other defined period in the future
- (xi) further consideration of the draft Guiding Principles.

4.6 The Commission considered the budget for 2016, approved under Item 11, noting the total General Fund expenditure of A\$4 656 000 and income of A\$4 483 000. The Commission approved the deficit for 2016 of A\$173 000 being funded from the reserves of the General Fund.

4.7 The Commission noted that Member contributions for 2016 and 2017 would be maintained at the 2014 and 2015 level.

4.8 The Commission expressed its appreciation to Mr Davidson for chairing a challenging meeting and thanked Mr A. Lluberias (Uruguay) for agreeing to Chair SCAF in 2016.

4.9 The Commission thanked the retiring Finance and Administration Manager, Mr Ed Kremzer, for his long service to the organisation.

## **Report of the Scientific Committee**

5.1 The Scientific Committee Chair, Dr C. Jones (USA), presented the report of the Scientific Committee (SC-CAMLR-XXXIV). He thanked all Members who sent scientists to participate in the deliberations of the Scientific Committee and its specialist working groups. The Commission noted the Scientific Committee's advice, recommendations and identification of research and data requirements, and thanked the Chair and the many scientists who had contributed to positive outcomes of the meeting. The Commission also thanked Dr Jones for four years of service as Chair of the Scientific Committee and welcomed Dr M. Belchier (UK) as the incoming Chair.

### Harvested species

#### Krill resources

5.2 The Commission considered the deliberations of the Scientific Committee on krill resources noting catches in the current fishing season. As of 16 September 2015, the catch from Subarea 48.1, which was closed on 28 May 2015, was 153 946 tonnes (99% of the 155 000 tonne limit), from Subarea 48.2 it was 17 100 tonnes, and the catch from Subarea 48.3 was 54 364 tonnes. The catches in Subareas 48.2 and 48.3 were 6% and 19% of the respective catch limits for those subareas (SC-CAMLR-XXXIV, paragraphs 3.1 and 3.2).

5.3 The Commission noted the advice of the Scientific Committee regarding the Krill Fishery Report and thanked the Secretariat for preparing this useful summary of the available data. With respect to the spatial resolution of data published in the maps summarising the krill fishery catches (SC-CAMLR-XXXIV, paragraph 3.3), the Commission recalled that in 2011, in response to a request from the Scientific Committee for guidance on the publication of maps showing fine-scale distribution of fisheries data (SC-CAMLR-XXX, paragraphs 3.51 to 3.53), it agreed that, while there is a desire for transparency, the publication of data showing the detailed location of fishing data should be examined on a case-by-case basis to ensure that there is no potential for use of the data by IUU fishing operators (CCAMLR-XXX, paragraph 4.40). Noting that there is no evidence of IUU fishing in the krill fishery, the Commission supported the publication of maps in the Krill Fishery Report, with a maximum spatial resolution of  $1^{\circ} \times 1^{\circ}$  over 10 years. The Commission requested the Secretariat to prepare maps for publication in the Krill Fishery Report noting the requirement for maximum resolution and appropriate cartographic projection.

5.4 The Commission reiterated its agreed position that, for any toothfish fisheries where there is the ongoing threat of IUU fishing activity, data in any form that would assist with locating areas of high catch rates should not be made available in the public domain until the spatial resolution of such data, including maps, had been approved by the Commission.

5.5 The Commission noted that notifications for the krill fisheries in 2015/16 included notifications from seven Members and a total of 18 vessels. It endorsed the advice of the Scientific Committee in relation to the information provided in the fishing notifications (SC-CAMLR-XXXIV, paragraph 3.8) that:

- (i) Members provide details of the vessel's daily processing capacity of green weight in addition to the expected level of catch (SC-CAMLR-XXXIV, Annex 6, paragraph 2.22)
- (ii) the net information listed in SC-CAMLR-XXXIV, Annex 6, paragraphs 2.23(i) to (vii) was essential in developing estimates of stock assessment parameters
- (iii) the notification pro forma in CM 21-03, Annex 21-03/A, be revised and that the parameter listed in the net configuration table be replaced with the parameters above (SC-CAMLR-XXXIV, Annex 6, paragraph 2.24)
- (iv) information on fishing gears and exclusion devices was important in developing estimates of total removals from krill fisheries and estimating stock assessment parameters (SC-CAMLR-XXXIV, Annex 6, paragraph 2.25).

5.6 The Commission noted the continued effort to understand krill biology, ecology and management by Members through a variety of activities (SC-CAMLR-XXXIV, paragraph 3.9). It also noted that recent studies in the Antarctic Peninsula region have shown that krill biomass is highly concentrated in Bransfield Strait during winter, an area that is becoming ice-free more frequently, increasing krill availability to autumn and winter fisheries. The Commission agreed that these environmental changes highlight the importance of considering climate change in providing advice to the Commission on the future spatial distribution of the fishery (paragraphs 7.10 and 7.11).

5.7 The Commission endorsed the advice from the Scientific Committee that the available indices of krill biomass in Area 48 show no evidence of a systematic change in krill biomass since 2000 (SC-CAMLR-XXXIV, paragraph 3.13). The Scientific Committee further noted that, as the trigger level is less than 2% of krill biomass estimated in any year between 2000 and 2011, the current trigger level is appropriate for achieving the Commission's Article II objectives for the krill stock at the area scale (SC-CAMLR-XXXIV, Annex 6, paragraph 2.101), but is not intended to manage localised fishery impacts on krill predators.

5.8 The Commission agreed that time series of krill biomass estimates are invaluable and would grow in importance with increased length of the time series and encouraged the maintenance of these time series as they are critical to its work (SC-CAMLR-XXXIV, paragraph 3.15).

5.9 The Commission noted the advice provided by the Scientific Committee that current levels of catch are not observed to cause a trend in krill biomass and that comparison of catch and catch limits to krill biomass indices are useful for providing advice. However, if catches at the subarea trigger level were to be taken in a few small-scale management units (SSMUs), the Commission's objectives may not be achieved (SC-CAMLR-XXXIV, paragraph 3.16).

5.10 The Commission noted discussions in the Scientific Committee concerning proposals to modify the subarea-specific catch limits and the allocation of the trigger level between subareas (SC-CAMLR-XXXIV, paragraphs 3.18 to 3.21) and welcomed the willingness of Members to continue to examine these options.

5.11 The Commission endorsed the recommendations of the Scientific Committee on the current spatial distribution of the trigger level in CM 51-07 as well advice that future revisions of CM 51-07 should consider how the fishery is arranged within subareas in order to avoid impacts on predators within some SSMU-scale areas (SC-CAMLR-XXXIV, paragraphs 3.26 and 3.29).

5.12 The Commission endorsed the Scientific Committee's advice on the importance of facilitating fisheries-based research that contributes towards the development of feedback management (FBM), including fishery acoustics to help monitoring seasonal and monthly cycles in krill biomass (SC-CAMLR-XXXIV, paragraphs 3.28 to 3.30). The Commission also endorsed the advice of the Scientific Committee on the importance of the use of CCAMLR Ecosystem Monitoring Program (CEMP) indices, fishery performance indices and data collected as part of the CCAMLR Scheme of International Scientific Observation (SISO) in the development of FBM (SC-CAMLR-XXXIV, paragraph 3.31).

5.13 The Commission noted that the Scientific Committee was making progress towards the implementation of stage 2 of FBM and endorsed the advice of the Scientific Committee that the implementation of all stage 2 approaches would need to be reviewed after a trial period. If the approaches are not successful, the risks to achieving the objectives in Article II could be minimised by maintaining the subarea catch limits currently established in CM 51-07, and that implementing an FBM approach in one subarea might have implications for management of the krill fishery in other subareas (SC-CAMLR-XXXIV, paragraphs 3.42 to 3.61).

5.14 The Commission agreed that interactions with the fishing industry are essential for the development and implementation of FBM for krill (SC-CAMLR-XXXIV, paragraph 3.62), noting the successful completion of a workshop that was organised by Norway on 24 October 2015 at the CCAMLR Secretariat (CCAMLR-XXXIV/BG/47).

5.15 The Commission noted the outcome of discussions in relation to proposals that were submitted to the CEMP Special Fund, including the recommendation that three of these proposals demonstrated a clear fit to objectives and were allocated funding from the CEMP Special Fund (SC-CAMLR-XXXIV, paragraphs 3.72 to 3.78).

#### Fish resources

5.16 In 2014/15, 13 Members fished for toothfish (Patagonian toothfish (*Dissostichus eleginoides*) and/or Antarctic toothfish (*D. mawsoni*)) in Subareas 48.3, 48.4, 48.6, 58.6, 58.7, 88.1 and 88.2 and Divisions 58.4.1, 58.4.2, 58.4.3a, 58.5.1 and 58.5.2. Members also conducted research fishing for *Dissostichus* spp. in the closed area of Subarea 48.2, while planned research fishing in Division 58.4.4b had not taken place as of 16 September 2015.

The reported total catch of *Dissostichus* spp. to 16 September 2015 was 12 133 tonnes (SC-CAMLR-XXXIV/BG/01). In comparison, the total reported catch of toothfish in 2013/14 was 11 590 tonnes (SC-CAMLR-XXXIV/BG/01).

5.17 As catch limits were reached, the Secretariat closed the fisheries this season for *Dissostichus* spp. in Subarea 48.4 on 22 April, Subarea 48.6 on 10 March, Subarea 88.1 on 1 February and Subarea 88.2 on 14 February 2015. There were also closures at the small-scale research unit (SSRU) level in Subareas 88.1 and 88.2 (see also CCAMLR-XXXIV/BG/02).

5.18 Up to 16 September 2015, one Member (UK) targeted mackerel icefish (*Chamsocephalus gunnari*) in Subarea 48.3 (SC-CAMLR-XXXIV/BG/01).

5.19 The Commission endorsed the advice of the Scientific Committee on catch limits for *C. gunnari* in Subarea 48.3 in 2015/16 and 2016/17 and Division 58.5.2 in 2015/16 (SC-CAMLR-XXXIV, paragraphs 3.103 and 3.108).

5.20 The Commission endorsed the Scientific Committee's advice to perform assessments on a biennial cycle and on catch limits in 2015/16 for the fisheries for *D. eleginoides* in Subarea 48.4 and Division 58.5.2 (SC-CAMLR-XXXIV, paragraphs 3.115, 3.116, 3.154 and 3.155).

5.21 The Commission endorsed the Scientific Committee's advice on catch limits in 2015/16 and 2016/17 for the fishery for *D. eleginoides* in Subarea 48.3 and in 2015/16 for the fishery for *D. mawsoni* in Subarea 48.4 (SC-CAMLR-XXXIV, paragraphs 3.124 and 3.133).

5.22 The Commission noted the advice of the Scientific Committee in respect to the fishery for *D. eleginoides* in the French EEZ of Kerguelen Islands in Division 58.5.1, which indicated that the catch limit set for 2015/16 by France of 5 300 tonnes satisfied the CCAMLR decision rules (SC-CAMLR-XXXIV, paragraphs 3.139 and 3.140). As there was no new information available on the state of fish stocks in Division 58.5.1 outside areas of national jurisdiction, the prohibition of directed fishing for *D. eleginoides*, described in CM 32-02, will remain in force.

5.23 The Commission noted the advice from the Scientific Committee that the catch limit set for 2015/16 by France of 1 000 tonnes satisfied the CCAMLR decision rules in the fishery for *D. eleginoides* at Crozet Islands (Subarea 58.6 inside the French EEZ) (SC-CAMLR-XXXIV, paragraphs 3.144 and 3.145). As there was no new information available on the state of fish stocks in Subarea 58.6 outside areas of national jurisdiction, the prohibition of directed fishing for *D. eleginoides*, described in CM 32-02, will remain in force.

5.24 The Commission noted that no new information was available on the state of fish stocks in Subareas 58.6 and 58.7 and Division 58.4.4 outside areas of national jurisdiction. The Commission agreed to carry forward the prohibition of directed fishing for *D. eleginoides* in Subareas 58.6 and 58.7 and Division 58.4.4a outside areas of national jurisdiction and in Division 58.4.4b.

5.25 The Commission endorsed the advice of the Scientific Committee that, in respect of the collection of biological and tagging data, all toothfish, regardless of size, should be treated in the same way and that there should be no release of any untagged toothfish (SC-CAMLR-XXXIV, paragraph 3.85).

5.26 The Commission noted the discussion in the Scientific Committee regarding the repeated occurrence of offal discharge in the Ross Sea fishery despite this practice being prohibited. The Commission recalled that some of the offal reported this year contained hooks and noted the suggestion of the introduction of vessel-specific marking of hooks (paragraph 3.27; SC-CAMLR-XXXIV, paragraphs 3.86 and 3.87).

5.27 The Commission noted that the implementation of a Convention Area-wide hook-marking scheme may be technically complex and requested that the Secretariat lead an intersessional process to examine the feasibility of such a scheme, as well as other potential solutions for monitoring the discharge of offal (e.g. video monitoring) and provide a report to be considered in 2016 by WG-FSA and the Scientific Committee (paragraphs 3.27 and 3.28).

5.28 The Commission endorsed the advice of the Scientific Committee that it was vital that the locations of where catches were made are accurate and that the Secretariat should implement the data quality assurance processes to improve the utility of the VMS data for the Commission (SC-CAMLR-XXXIV, paragraphs 3.90 to 3.92). Further discussion on VMS data, including the appropriate time interval for transmission of VMS data, are presented in Agenda Item 3 (paragraphs 3.37 to 3.51).

#### Exploratory finfish fisheries and research in data-poor fisheries and closed fisheries

5.29 The Commission considered the deliberations of the Scientific Committee (SC-CAMLR-XXXIV, paragraphs 3.172 to 3.291) noting that exploratory longline fisheries for *Dissostichus* spp. were conducted in Subareas 48.6, 88.1 and 88.2 and Divisions 58.4.1, 58.4.2 and 58.4.3a in 2014/15 and notifications for those same fisheries for *Dissostichus* spp. were submitted in accordance with CM 21-02 for 2015/16. There were also research proposals to undertake research fishing in closed Subareas 48.2, 48.5 and 88.3 in 2015/16 submitted in accordance with CM 24-01 (SC-CAMLR-XXXIV, paragraphs 3.157 to 3.173).

5.30 The Commission endorsed the advice from the Scientific Committee that there was the potential for large overruns in SSRUs with small catch limits if all the vessels that had notified to fish in that area entered the fishery and agreed that, while it was evident that an excess capacity of notified vessels could impact the management of the fishery, there was no evidence to consider this as an issue that was a threat to conservation objectives (SC-CAMLR-XXXIV, paragraphs 3.175 to 3.177).

5.31 The Commission requested the Secretariat to continue to provide an assessment of capacity metrics and requested WG-SAM and the Scientific Committee to provide analytical advice on how such metrics could be developed for use by CCAMLR to reduce the likelihood of overruns in the future.

5.32 The Commission endorsed the advice of the Scientific Committee in relation to the assessment of toothfish in the Ross Sea region, including the approach taken with respect to the use of quarantined data in providing advice for the 2015 stock assessment. The Commission adopted a catch limit for *Dissostichus* spp. in Subarea 88.1 and SSRUs 882A–B of 2 870 tonnes for 2015/16 and 2016/17.

5.33 The Commission noted the discussions of the Scientific Committee on notifications for proposed research activities to be undertaken in the Ross Sea region (SC-CAMLR-XXXIV, paragraphs 3.187 to 3.194).

5.34 The Commission endorsed the recommendation that the Ross Sea shelf survey go ahead with a catch limit of 40 tonnes for 2015/16 and 2016/17, and that, as in previous years, the catch could be taken from the catch limit for SSRUs 881J and L (SC-CAMLR-XXXIV, paragraph 3.190).

5.35 The Commission endorsed the proposal for a winter survey in SSRUs 881B–C for which a catch limit of 100 tonnes (~3 100 fish) would be sufficient to conduct the research and that this catch limit for the survey should be allocated from the total Ross Sea yield (SC-CAMLR-XXXIV, paragraphs 3.191 and 3.192).

5.36 The Commission noted the discussion of the Scientific Committee on proposed research fishing in SSRUs 882A–B north (SC-CAMLR-XXXIV, paragraphs 3.198 to 3.221). The Commission noted the recommendation of the Scientific Committee that the second year of the survey in the northern part of SSRUs 882A–B north proceed using the design that is described in SC-CAMLR-XXXIV, paragraph 3.203.

5.37 Russia stated that it does not support conducting stage 2 of the survey in the northern part of SSRUs 882A–B because catches taken by New Zealand, Norway and the UK during stage 1 have high levels of catch-per-unit-effort (CPUE), in terms of both per thousand hooks and per 1 km of mainline. It noted that large catches were taken at great depths (1 900 m and greater) beyond the main range of *D. mawsoni*.

5.38 Russia stated that in its view, during the intersessional period an analysis should be conducted of data obtained from the survey carried out in the northern part of SSRUs 882A–B, and of data obtained during fishing operations in Subareas 88.1 and 88.2. The results of such an analysis should be reviewed at WG-SAM-16. The analysis should focus on (SC-CAMLR-XXXIV, paragraph 3.200):

- (i) reconciliation of VMS data with reported catch location data
- (ii) the relationship between hauling speed and the number of fish caught per unit effort
- (iii) the relationship between hauling duration and catch.

Russia did not support conducting stage 2 of the survey until the above questions are addressed.

5.39 New Zealand, Norway and the UK noted with concern and disappointment that Russia have attempted to block the second year of a survey in SSRUs 882A–B north in which they had participated in 2014/15. They noted that Russia was included as an extra Member in good faith during discussions at CCAMLR-XXXIII, when its proposal for a survey in the south of SSRU 882A had not been approved.

5.40 The Commission noted that results of the survey, including an analysis of CPUE variability, were presented to WG-SAM-15 and WG-FSA-15, where it was noted that some of the catch rates were high, but similar to those observed in the adjacent SSRU 881C. During

this survey in SSRU 882A–B north there was a range of catch rates including high and low catch rates, unlike other subareas where survey data has been quarantined following investigation, where catch rates were all high. Toothfish were large in the survey and adjacent areas, consistent with the hypothetical life history of toothfish in the Ross Sea region.

5.41 As stated at the Scientific Committee and SCIC, New Zealand, Norway and the UK affirmed that they will conduct an analysis of survey CPUE variability, haul duration and haul speed and include a comparison with all exploratory fisheries and closed areas. They also agreed that they would review the VMS data from the survey. New Zealand, Norway and the UK invited any other interested Member to participate in this review; the results of which would be presented in detail to WG-SAM-16 and WG-FSA-16.

5.42 New Zealand made the following statement:

‘New Zealand advised that the results of small group discussions with Members who have notified to fish in Statistical Subareas 88.1 and 88.2 in the 2015/16 season, to resolve differing views as to whether the second year of the two-year research survey in SSRUs 882A–B (provided for in CM 41-10) can continue. Norway is unable to participate in the second year of the survey. The Russian vessel originally designated for the survey is also unable to participate. New Zealand and the United Kingdom remain committed to research in this area in order to improve our understanding of toothfish life history and to provide the necessary data to enable the opening of closed SSRUs. We would have been very happy to work with Russia and Australia to complete the second year of the survey using replacement vessels. Regrettably we have been unable to achieve that outcome, as Russia has taken the view that the second year of the survey should not proceed, and is not willing to work with its fellow proponents to maintain a four-vessel survey. CM 41-10 remains in force, and New Zealand and the United Kingdom therefore would have been justified in continuing with the survey in the 2015/16 season. On reflection, however, we have concluded that continuing the survey with only two vessels would limit our ability to meet the survey’s specific objectives. We stand firmly behind the integrity of the research conducted by our vessels in the first year, and will be undertaking analyses on the high CPUE data reported for consideration at WG-FSA-15, with results to be reported to WG-SAM-16. As we have noted previously, any amendment to CM 41-10 would have to be by consensus. It is our preference to amend the measure by removing the provisions relating to the survey (paragraphs 2 and 4, the third sentence in paragraph 7, and Annex B). It is also our preference to return the research catch limit of 200 tonnes of *Dissostichus* spp. to the catch limit for Statistical Subarea 88.1 specified in CM 41-09. New Zealand intends to pursue further multi-Member research fishing in SSRUs 882A–B north in future, and will be seeking the support and cooperation of interested members for such research.’

5.43 The UK made the following statement:

‘The United Kingdom agrees with the statement made by New Zealand. We are committed to undertaking research in the CCAMLR area and have conducted multi-Member research over many years, with a record which speaks for itself. We find it both surprising and troubling that there is a Member who, for no logical, scientific or legal reason is attempting to block the continuation of a research program of which they are part. This raises some interesting questions on the track records of Members

engaging in multi-Member surveys that were agreed by all Members in good faith. The UK believes this was a collective approach to developing the fishery in Subarea 88.2. This research is vital and needs to continue before we can discuss and agree how to move forward with establishing any fishery or altering catch limits in this subarea.

We request CM 41-10 to remain unchanged as we consider this to be a benchmark for research surveys which can be utilised when members are ready to move forward with this work. CM 41-10 is legally sound and we see no reason to change or amend it. Whilst we believe that the legal basis exists for us to continue with this research work, CCAMLR is based on consensus and good will between Contracting Parties and Russia has made its position clear that they are withdrawing their consensus for this research to continue. We are sympathetic to the proposal from New Zealand to move the catch reserved for research back to CM 41-09, although this is not our preferred option. I cannot express quite how disappointed we are in these current developments.

With reference to the transfer of the research catch to CM 41-09, we reluctantly agree to the proposal from New Zealand to transfer the 200 tonnes of research limit previously agreed for the survey in SSRUs 882A–B north, back to Conservation Measure 41-09, we note that it appeared that the objective of Russia in blocking the research survey had always been to transfer this research catch limit back to the commercial fishery.’

5.44 Norway made the following statement:

‘Norway agrees with the positions of both New Zealand and the UK – we were part of the establishment of the four-country survey in Subarea 88.2 as a two year research program. Norway is saddened by the lost effort expended in the survey last year when Australia has a boat that is ready and willing to replace the Norwegian vessel in this effort and proceeding with the survey with the replacement vessel would have been our preference.’

5.45 Russia recalled that WG-FSA-15 approved the Russian proposal to conduct a survey in SSRU 882A south and stated that this survey shares objectives with the survey in SSRUs 882A–B. WG-FSA-15 also indicated that the proposed survey is designed to address priority research objectives that are commensurate with the objectives determined for the proposed special research zone (SRZ) in the revised proposal for a marine protected area (MPA) in the Ross Sea Region (CCAMLR-XXXIV/29; SC-CAMLR-XXXIV/BG/31) (SC-CAMLR-XXXIV, Annex 7, paragraph 4.113). Russia emphasised that these papers (CCAMLR-XXXIV/29; SC-CAMLR-XXXIV/BG/31) do not contain a monitoring program for the southern Ross Sea, a time-frame for conducting the research or a list of participants. In addition, the papers do not mention the impossibility of carrying out research in SSRU 882A before the establishment of an MPA. There is currently only one research program in the south of SSRU 882A, i.e. the program developed and presented by Russia which: (i) provides for the collection of more data than does the CCAMLR data collection plan for the Ross Sea (WG-FSA-14/40); (ii) includes the participation of an international observer; (iii) does not stop other vessels from taking part in surveys in the south of SSRU 882A. Russia stressed that the proposed survey, to be carried out alongside the survey in the north of SSRU 882A, will provide information on the distribution and migration of toothfish in SSRU 882A in relation to the remaining stock in the Ross Sea.

5.46 The USA noted it had a number of comments on the Russian proposal for research fishing in SSRU 882A south. The USA stated that the area in which Russia proposes to fish is within the proposed Ross Sea Region MPA (RSRMPA). That MPA has been the subject of considerable review by the Scientific Committee and by this Commission and contemplates a long-term, carefully considered manner of scientific research including within SSRU 882A south. The USA clarified that with New Zealand, the proposed RSRMPA had been revised this year to address Members' interests in conducting research fishing in this area. The USA noted that the RSRMPA provides the appropriate architecture for proceeding with long-term ecosystem-focused marine science in this area, as contrasted with a short-term plan, offered by one country, which would be commercially focused. The USA requested that Russia join in establishing the MPA, to provide a comprehensive solution to promoting science. The USA noted that in that context, it would be pleased to find a compromise with respect to the more limited objectives Russia seeks for research fishing in SSRU 882A south, but absent that, as the Scientific Committee has discussed, the USA noted some serious downsides in this proposal that recommend against its acceptance by the Commission. The USA noted that the proponent has a troubled track record when it comes to conducting and completing promised research fishing, and thus it cannot be known if that which has been promised in this case will actually come about. In cases when a Member's track record with respect to research fishing is troubled, the USA believed it is especially unwise to prioritise research by that single Member. The USA stated its view that Members with troubled track records should participate in multi-Member research plans, as contemplated in the proposed MPA, so that conduct and completion of the research does not solely depend on the follow-through of that Member. The USA stated that under the circumstances, it does not support the proposal by Russia and made two points. First, when Members have acted in good faith to develop and propose MPAs or other approaches to management and research, and those proposals have been discussed by the Scientific Committee, endorsement of an unrelated plan for research fishing by the Scientific Committee or its working groups does not compel the Commission to endorse the unrelated plan for research fishing. Second, instances like with SSRU 882A south must be assessed by the Commission as a whole, and until there is a willingness to take the extensive work on the RSRMPA into account, and thus to negotiate on the details of the proposed MPA in good faith, the USA did not intend to negotiate on the details of unrelated research fishing in SSRU 882A south.

5.47 The Commission noted the discussion on proposals to change the boundaries of Subarea 88.1 to align those boundaries in a way that was consistent with the definition of the stock (SC-CAMLR-XXXIV, paragraphs 3.212 to 3.217) and on assigning research catch limits to vessels undertaking research fishing in SSRUs of Subareas 88.1 and 88.2 that are closed to fishing. The Commission agreed that both proposals would benefit from continued discussion through the intersessional period and encouraged all interested Members to engage by means of an e-group.

5.48 The Commission recalled the advice of the Scientific Committee on the two-year catch limits and data collection plan for SSRUs 882C–H (SC-CAMLR-XXXIII, paragraphs 3.173 and 3.174). It noted that the Scientific Committee agreed that it had no further advice this year (SC-CAMLR-XXXIV, paragraph 3.197) and, accordingly, agreed that catch limits and the data collection plans should remain unchanged for 2015/16.

5.49 The Commission agreed that the catch limits for Subarea 48.6 remain unchanged in 2015/16. The Commission agreed that the boundaries of research block 486\_4 be revised to

include the proposed extension (SC-CAMLR-XXXIV, Annex 7, paragraph 5.61) and exclude the area of Astrid Ridge north of latitude 68°20'S in the research block (SC-CAMLR-XXXIV, paragraphs 3.236 to 3.240).

5.50 The Commission noted that Australia, France, Japan, Republic of Korea and Spain all notified one vessel to fish in Divisions 58.4.1 and 58.4.2 in 2015/16 and endorsed the catch limits and mechanisms for a Member-specific research catch allocation that would apply to research in these divisions in 2015/16 (SC-CAMLR-XXXIV, paragraphs 3.241 to 3.246). The Commission congratulated the Members involved in coordinating the proposed research for these divisions and agreed that the specific mechanism for the coordination of other multi-Member research would need to be on a case-specific basis.

5.51 The Commission noted that one vessel from France and one from Japan notified their intention to participate in the exploratory fishery for *Dissostichus* spp. in Division 58.4.3a in 2015/16 and endorsed the advice of the Scientific Committee that the catch limit remain unchanged at 32 tonnes for 2015/16 (SC-CAMLR-XXXIV, paragraph 3.251).

5.52 The Commission noted the planned toothfish research fishing in Subarea 48.2 by Chile and Ukraine and the scientific benefits of having more than one vessel participating in the research. The Commission endorsed the recommendation to retain the research catch limit of 75 tonnes for 2015/16 with a tagging rate of 5 fish per tonne for all research fishing in the subarea, as well as the proposed mechanisms for Member-specific research catch allocation that would apply to research in this subarea in 2015/16 (SC-CAMLR-XXXIV, paragraphs 3.252 to 3.264).

5.53 The Commission noted that one vessel from France and one from Japan planned to conduct research fishing on *Dissostichus* spp. in Division 58.4.4b in 2015/16 and endorsed the advice of the Scientific Committee that the catch limit should remain unchanged at 25 tonnes in research block 5844b\_1 and 35 tonnes in research block 5844b\_2 for 2015/16.

5.54 The Commission noted that one vessel from the Republic of Korea planned to conduct research fishing on *Dissostichus* spp. in Subarea 88.3 in 2015/16 and endorsed the advice of the Scientific Committee on the priorities for conducting research in individual research blocks. Associated catch limits of 31 tonnes in research block 883\_3, 52 tonnes in research block 883\_4, 38 tonnes in research block 883\_5, 21 tonnes in research block 883\_1 and 29 tonnes in research block 883\_2 were endorsed by the Commission for those research blocks.

5.55 The Commission noted the discussion of the Scientific Committee on a revised Russian research plan to undertake research for *Dissostichus* spp. in Subarea 48.5 (Weddell Sea) from 2015/16 to 2019/20 (SC-CAMLR-XXXIV, paragraphs 3.268 to 3.287) and noted that the Scientific Committee was unable to provide advice regarding this Russian research proposal to undertake research in Subarea 48.5 in 2015/16.

5.56 Russia recalled the Scientific Committee recommendation that a future Russian research program in the Weddell Sea would need to be consistent with the original research objectives approved in 2012 (SC-CAMLR-XXXIII, paragraph 3.233) and that WG-FSA-15/29 presented the original research program in the Weddell Sea adopted by the Scientific Committee in 2012 (WG-FSA-12/12; SC-CAMLR-XXXI, paragraph 9.16) with some revisions to incorporate the comments of WG-SAM-15 (SC-CAMLR-XXXIV, Annex 5,

paragraph 4.13). It was also noted that the proposal fully meets the requirements of CMs 21-01, 21-02 and 41-01 and that the catch limit for the Russian research proposal in Subarea 48.5 was adopted by the Commission in 2012 (CCAMLR-XXXI, paragraph 5.42). Russia noted that the Scientific Committee agreed that there should be a separation of the matter concerning the analysis of quarantined data collected in the Weddell Sea in 2012/13 and 2013/14 and a review of the research proposal for Subarea 48.5. Russia highlighted that implementation of the Russian plan would make it possible to obtain information essential both for planning an MPA in the Weddell Sea, and for objective assessment of stock status and rational fishing, refining and validating data obtained earlier (SC-CAMLR-XXXIV, paragraph 3.287). Russia did not support the Scientific Committee's decision on its research program in the Weddell Sea.

5.57 There was no consensus for the research in Subarea 48.5 in 2015/16 to proceed (see also paragraphs 3.81 to 3.90).

5.58 The Commission agreed that references to Member- or vessel-specific catch limits in exploratory and/or research fisheries should be considered in the context of the level of catch required by participants where research objectives are shared. Furthermore, it noted that there needs to be a clear distinction between this process of research coordination and the allocation of quota for economic advantage of a Member, or group of Members, as such an allocation process would be contradictory to the spirit of the Convention and the Antarctic Treaty System within which the Convention is such an important element.

5.59 The Commission noted that in some areas where research had been proposed, research catch limits had not been taken due to operational issues. It agreed that, where Members had proposed research across multiple areas in Subareas 48.6 and 58.4, priority should be given to research fishing in Subarea 48.6 to ensure that data necessary to perform an integrated assessment is collected in a timely manner.

#### Assessment and avoidance of incidental mortality

5.60 The Commission agreed to consider all aspects of non-target catch under this agenda item, noting that it had previously been limited to marine mammal and seabird interaction.

#### Fish and invertebrate by-catch

5.61 The Commission noted the discussion of the Scientific Committee on the reporting of by-catch in CCAMLR fisheries and agreed that accurate by-catch data are fundamental to the Scientific Committee and the Commission in achieving the objectives of Article II of the Convention. The Commission noted the concern expressed by the Scientific Committee that vessels from some Flag States reported a by-catch rate that was 50% lower than others, apparently associated with whether the task of recording by-catch data was allocated to the crew or to scientific observers (SC-CAMLR-XXXIV, paragraph 3.163).

5.62 The Commission encouraged Members to respond to circulars that contain requests for information on how C1 and C2 data is collected, noting that this information was essential to the work of CCAMLR in assessing the impact of fishing on by-caught species (SC-CAMLR-XXXIV, paragraph 3.161).

5.63 In considering the advice from the Scientific Committee on inconsistent reporting of C1 and C2 data, and tasking of scientific observers, the Commission recognised that a consistent approach to the reporting of such data is required and recommended the development of a unified methodology to ensure that the data are suitable for the Commission to adequately address the objectives of Article II of the Convention (paragraph 3.33; SC-CAMLR-XXXIV, paragraph 3.166).

5.64 Russia highlighted the importance of developing a detailed manual on by-catch sampling throughout CCAMLR fisheries. It noted that there should be a clear understanding on how by-catch data should be collected and reported in practice. Russia proposed that the draft manual should be submitted for consideration by WG-SAM and WG-FSA.

5.65 The Commission endorsed the advice of the Scientific Committee in respect of by-catch in Division 58.5.2, including the assessments of unicorn icefish (*Channichthys rhinoceratus*) and *Macrourus caml*.

5.66 The Commission endorsed the advice that the definition of a single longline is one piece of fishing gear (regardless of how contiguous sections of that gear are connected) with the recommendations for changes to CM 33-02 (SC-CAMLR-XXXIV, paragraphs 3.168 and 3.171).

#### Seabirds and marine mammals

5.67 The Commission noted the discussion of the Scientific Committee in respect of the incidental mortality of seabirds and marine mammals and welcomed the news that the number of seabird by-catch mortalities in 2014/15 was the lowest recorded since the beginning of seabird by-catch observations in the Convention Area (SC-CAMLR-XXXIV, paragraph 4.1).

5.68 The Commission endorsed the proposal to trial a season extension at the beginning and end of the fishing season in Division 58.5.2, noting the recommendation to avoid daylight setting should other mitigation methods not be successful in the season extension period (SC-CAMLR-XXXIV, paragraphs 4.3 and 4.4).

#### Marine debris

5.69 The Commission noted the discussion of man-made marine debris, including the issue of marking hooks with vessel-specific identification marks to trace the provenance of hooks found in seabird colonies (SC-CAMLR-XXXIV, paragraphs 4.5 to 4.7; see also paragraphs 3.26 and 3.27).

#### Bottom fishing and vulnerable marine ecosystems

5.70 The Commission noted the Scientific Committee's discussions on bottom fishing and vulnerable marine ecosystems (VMEs) regarding the method described in WG-FSA-15/62 Rev. 1 for rapidly undertaking assessments of the interactions of fishing with ecological

features of importance to CCAMLR. It also noted that the method might be useful for rapid assessments such as for ‘status of the ecosystem reports’, for possible use in the krill fishery, or for use in the assessment of MPAs and for use in providing advice relevant to management and review of MPAs (SC-CAMLR-XXXIV, paragraph 5.1).

## Marine protected areas

5.71 The Commission noted the progress made by the Scientific Committee towards a representative system of MPAs within the Convention Area as set out in SC-CAMLR-XXXIV, paragraphs 5.5 to 5.30. In particular, the Commission noted the preparatory work, including both national and international workshops, for the spatial planning of MPAs in Domain 1 (Western Antarctic Peninsula–South Scotia Arc) to further progress the MPA development process.

5.72 The Commission noted that Argentina and Chile hope to prepare further MPA planning documents for Domain 1 for consideration at WG-EMM-16 and an MPA proposal in 2017 (SC-CAMLR-XXXIV, paragraph 5.7).

5.73 The EU introduced CCAMLR-XXXIV/BG/37 by recalling that a representative system of MPAs in the Convention Area was an important priority for the EU and invited Germany to present the project and next steps.

5.74 Germany expressed its gratitude for the very positive reception by CCAMLR Members of the scientific background documents submitted in support of the development of a Weddell Sea MPA. This reception provides the basis for Germany to extend efforts to present a proposal for a Weddell Sea MPA to CCAMLR in 2016.

5.75 Germany advised the Commission that its motivation for presenting the reflection paper CCAMLR-XXXIV/BG/37 is to summarise for the Commission the analyses carried out so far and its first thoughts on likely MPA structures. In conjunction with the data analysis, draft conservation objectives on the basis of CM 91-04 have been jointly developed with experts from CCAMLR Members. These draft objectives were discussed in detail during the second international workshop in Berlin, Germany, in April 2015 and are provided in CCAMLR-XXXIV/BG/37, Annex 1.

5.76 Germany reiterated that the scientific analyses carried out so far had identified several distinct priority areas that could directly contribute to achieving the conservation objectives of an MPA:

- the southeastern and southern continental shelf and slope where particular features such as sponge communities and fish nest sites are situated
- further to the north, three equally distinct priority areas, characterised by peculiar ecosystems, were identified with special living conditions and rare faunal compositions: an area adjacent to the Antarctic Peninsula, a deep-sea site and the Maude Rise plateau.

5.77 Furthermore, Germany has developed first concepts for MPA management and given first thoughts to research and monitoring provisions, noting that it was important that these

should be as specific and applicable as possible. Germany emphasised that it would very much appreciate feedback from all Members on its reflection paper in order that the development of the Weddell Sea MPA can be a common CCAMLR endeavour. In that regard Germany looked forward to receiving such input by the end of January 2016, either via the Weddell Sea MPA e-group, or by any other line of communication.

5.78 Russia noted the improvements in the proposal for an MPA in the Weddell Sea. However, some issues remain. It expressed the following concerns:

- (i) MPA boundaries should be established in compliance with sea-ice conditions for vessel navigation being a fundamental factor for the successful completion of assigned research tasks in designated areas. Analyses undertaken on seasonal and interannual dynamics of ice conditions in the Weddell Sea from 2003 to 2014 give some grounds for doubt in relation to an MPA in the Weddell Sea (SC-CAMLR-XXXIV/08)
- (ii) available data on biodiversity in candidate areas to be afforded protection have revealed that there are some fish resources that could be rationally exploited (SC-CAMLR-XXXIV/09); firstly, data on the state of toothfish as an important component of the ecosystem and exploratory fishery would be considered
- (iii) there is no information on by whom, when and how the expensive, systematic research in the MPA would be carried out.

Russia stated that at this time it was therefore not able to support Germany's draft proposal.

5.79 The Commission welcomed the progress that has been made on MPA planning work within the Weddell Sea planning region and noted the endorsement of the Scientific Committee that the work that had been undertaken constituted reference material for the Weddell Sea planning domain and could be placed on the CCAMLR website following the procedure set out in SC-CAMLR-XXXIV/01 (SC-CAMLR-XXXIV, paragraphs 5.28 to 5.30). The Commission encouraged the development of a full MPA proposal in accordance with CM 91-04.

5.80 The Commission also noted the discussion of the Scientific Committee on approaches to:

- (i) MPA planning in the boundary region between Domains 1 and 3 (SC-CAMLR-XXXIV, paragraphs 5.24 and 5.25)
- (ii) the consideration of sea-ice over the past 16 years within and surrounding the boundaries of the proposed Ross Sea SRZ in Domain 8 of the proposed RSRMPA (SC-CAMLR-XXXIV, paragraphs 5.26 and 5.27).

5.81 The Commission endorsed the approach to archiving of background information and data layers used in MPA planning processes on the CCAMLR website (SC-CAMLR-XXXIV, paragraphs 5.28 to 5.30). This endorsement does not include publishing information on the status of MPAs and general background in the public domain, as proposed in SC-CAMLR-XXXIV, paragraph 5.28(i).

5.82 China considered that properly communicating the status of MPAs and general background information is of importance and requested that, where information was to be published in the public domain on the CCAMLR website, this should properly reflect the discussions of the Scientific Committee and Commission and that this be circulated to all Members to ensure that all views are appropriately reflected prior to posting on the website. The USA, however, noted that any process of review of website material by Members would need to be discussed by the Commission.

5.83 The Commission recognised that the content of the CCAMLR website should be clear and impartial and that, should any Member feel that website content on issues such as MPAs does not reflect a balanced view, then such concerns should be communicated to the Secretariat in order that those issues can be addressed. The Executive Secretary reiterated that the Secretariat strives to ensure that information on the website is balanced and that there has only been a single occasion when a Member has requested content to be modified.

5.84 In response to a question by China in respect of a statement on the website on the proportion of the high seas that are currently in MPAs, the Commission recalled the preambular paragraph in CM 91-04 'Recalling the Scientific Committee's advice that the whole Convention Area is equivalent to an IUCN Category IV MPA, but there are areas within the Convention Area that require further special consideration in a representative system of MPAs'.

5.85 China noted that the size of the Convention Area is more than 30 million km<sup>2</sup> and equivalent to almost 10% of the global ocean size. It also noted that the advice of the Scientific Committee on the Convention Area was recalled and adopted in the preamble of CM 91-04 by the Commission and should be a reference for the implementation and interpretation of that conservation measure.

5.86 Many Members noted that, while the Convention Area may have certain characteristics of IUCN's category IV, it is not managed as such and is not recognised by the IUCN as an MPA. It is therefore not appropriate to classify the area as an MPA with IUCN classification.

5.87 The IUCN made the following statement:

'IUCN undertook a review of whether the whole CAMLR area is the equivalent to a Category IV MPA. There is an information paper available which we can distribute. The main conclusion from our review is that IUCN does not consider the whole CCAMLR management area to be a Category IV MPA. We would be happy to discuss our paper and its implications with delegates.'

5.88 The Commission noted that CM 91-04 provides the framework for the Commission's consideration of MPAs, not IUCN's classification or the regulation or categorisation by other bodies.

5.89 Argentina noted in respect of data submissions from SCAR referred to in SC-CAMLR-XXXIV, paragraph 5.30(vii), that it had corresponded twice with SCAR to advise of the need to use appropriate nomenclature when referring to areas that were the subject of sovereignty disputes. Despite continued requests by Argentina for all scientific information and inputs to be objective and impartial on this issue, as have also been reiterated

to SCAR at ATCM and COMNAP, Argentina continues to have serious concerns. Argentina cannot accept that the data referred to in SC-CAMLR-XXXIV, paragraph 5.30(vii) be considered until its concern is addressed.

5.90 The UK stated that it did not consider it appropriate for CCAMLR to change the way it handles matters of nomenclature and indicated that it would respond in more detail in a later statement.

#### Climate change

5.91 The Commission endorsed the Scientific Committee's advice that it is vital to factor climate change considerations into its work to ensure that scientific studies are designed, and a time series built, to serve a scientific basis for long-term analysis supporting the implementation of CCAMLR management approaches, including FBM for krill (SC-CAMLR-XXXIV, paragraphs 8.1 to 8.22).

5.92 The Commission noted the consideration by the Scientific Committee of a resolution concerning climate change implication statements (CCAMLR-XXXIV/08) that urges all Members to include, where practicable, statements about the implications of a changing climate (SC-CAMLR-XXXIV, paragraphs 8.5 to 8.7). The Commission agreed that this issue would be considered under Item 7.

#### Scientific research exemption

5.93 The Commission endorsed the advice of the Scientific Committee in respect of the proposals for research fishing in Subareas 48.1 and 48.2 and on the Kerguelen Plateau, other than those on toothfish that are considered in paragraphs 5.29 to 5.35 (SC-CAMLR-XXXIV, paragraphs 9.1 to 9.3).

#### Capacity building

5.94 The Commission endorsed the advice of the Scientific Committee in relation to capacity building, including through the CCAMLR Scientific Scholarship Scheme and the invitation of Observers and experts to the meetings of the Scientific Committee and its working groups (SC-CAMLR-XXXIV, paragraphs 13.10 to 13.16).

5.95 The Commission noted that Ms Fokje Schaafsma from the EU was selected to receive a CCAMLR scientific scholarship in 2015/16 (SC-CAMLR-XXXIV, paragraph 13.10).

### **CCAMLR Scheme of International Scientific Observation**

6.1 The Commission considered issues regarding SISO which are detailed in SC-CAMLR-XXXIV, paragraphs 7.1 to 7.31.

6.2 The Commission considered proposed amendments to CM 51-06 by Chile and Norway (CCAMLR-XXXIV/35 Rev. 1) and Ukraine (CCAMLR-XXXIV/BG/34) to increase the level of observer coverage in the krill fishery to 100%. Many Members expressed support for an increase to 100% observer coverage and noted that there was general acknowledgement from the Scientific Committee that 100% coverage was scientifically desirable (SC-CAMLR-XXXIII, paragraph 7.16), that scientific observers also assist in providing data for compliance-related issues and having 100% observer coverage would progress the development for krill FBM. However, other Members did not support the increase in coverage. China noted that the wording of CM 51-06 can lead to confusion over what constitutes observer coverage and that paragraph 6 states that the Commission will review this issue in 2016 after a review of observer coverage by WG-SAM and WG-EMM.

6.3 The Commission noted the discussion by the Scientific Committee on the observer coverage in the krill fishery (SC-CAMLR-XXXIV, paragraphs 7.4 to 7.19). The Commission agreed that there was a need to improve the quality of data provided by scientific observers in the krill fishery, particularly for stock assessment and by-catch monitoring. It endorsed the establishment of a working group focused on SISO to review and recommend sampling schemes and levels of coverage for finfish by-catch, address data quality issues and clarify the objectives of the observer data collection. The working group should take into account increasing evidence of recent change in fishing patterns due to changing ice patterns, and the rapidly changing nature of this fishery, including issues on between-vessel comparison, krill length frequency and fish by-catch across season in the area.

6.4 China stated that it is not in principle against increasing observer coverage in the krill fishery, and is prepared to consider this issue in connection with next year's scheduled review of CM 51-06 (paragraph 3.73). China and Norway stated that they are willing to work with all other Members on the analysis of existing data and suggested that the observer coverage issue be considered by WG-EMM-16. China and Norway welcomed the WG-EMM recommendations for the review of the conservation measure during the 2016 Commission meeting.

6.5 The Commission endorsed the Scientific Committee recommendations in SC-CAMLR-XXXIV, Annex 7, paragraphs 7.3 and 7.5, for the Secretariat to develop and moderate an open e-group to collate and distribute improved training and field identification materials for by-catch taxa.

6.6 The Commission noted the Scientific Committee discussion in relation to the Technical Peer Review Group (TPRG) conclusions on the submission of the Australian observer program for the CCAMLR Observer Training Program Accreditation Scheme (COTPAS) accreditation, and endorsed the formation of the Accreditation Review Panel to review the Australian COTPAS position.

6.7 Russia stated that it supports the exchange of experience and information related to the observer scheme on a voluntary basis. However, Russia drew attention to the fact that there is still a lack of clarity about how, under the proposed centralised COTPAS, the provisions of Article XXIV of the Convention, where 'each Member of the Commission may appoint observers' will be met. Russia stated its position in respect of this uncertainty at the previous meeting of the Scientific Committee (SC-CAMLR-XXXIII, paragraph 7.9).

## **Impacts of climate change on the conservation of Antarctic marine living resources**

7.1 The EU invited the UK to introduce CCAMLR-XXXIV/21 which proposed that the Commission adopt a conservation measure to promote and facilitate scientific research in newly exposed marine areas following ice-shelf retreat or collapse around the Antarctic Peninsula. The proposed conservation measures would establish special areas for scientific study in newly exposed ice-free marine areas, with a designated 10-year study period during which time there would be a moratorium on non-scientific fishing activities (CCAMLR-XXXIV/21, Annex A).

7.2 The Commission thanked the proponents for the paper and noted some points that required further clarity, such as the definition of a catastrophic collapse and non-scientific fishing activities. Some further inquiries were made regarding the 10-year time period and how this would be applied given that it could take time for the scientific surveys to be designed and funded.

7.3 Notwithstanding the minor points of clarification, many Members supported this proposal and suggested the draft conservation measure be referred to the conservation measures drafting group.

7.4 Russia requested that exact coordinates of the special research area be provided and expressed that it could not support this proposal until it had the opportunity to comment on the coordinates and proposed locations for the research.

7.5 The UK responded that highly resolved spatial data from the SCAR Antarctic Digital Database can be used for the definition of current ice-shelf margins and as a baseline for measurement of future change. The UK demonstrated the extent of these data to interested Members and noted that they could be made available through the CCAMLR GIS. It further noted that specific locations for special areas for scientific study would be determined on an individual basis, using the criteria set out in the draft conservation measure.

7.6 The EU advised that it was delighted to see broad support for the proposal in CCAMLR-XXXIV/21, both in the Scientific Committee and the Commission, but informed the Commission that, following discussions with interested Members, the proposal was not yet ready for adoption. The EU further noted that it would work on this intersessionally, especially with those countries that had shown an interest in the proposal.

7.7 The UK also thanked Members for their largely positive response to the proposal for designating special areas for scientific study in areas exposed by ice-shelf collapse and retreat (CCAMLR-XXXIV/21). It appreciated the constructive input received, but was disappointed that, despite the extensive support, the Commission was unable to reach consensus on progressing the agreement of a conservation measure this year (CCAMLR-XXXIV/21, Annex A).

7.8 The UK recalled that this proposal had its roots in a recommendation from the Antarctic Treaty Meeting of Experts on Climate Change in 2010, and also that there has been strong support for the scientific basis of the proposal from the Scientific Committee this year (SC-CAMLR-XXXIV, paragraphs 8.14 to 8.22) and also in 2012 (SC-CAMLR-XXXI, paragraphs 5.42 and 5.56). The proposed special areas for scientific study were agreed by

most Members to be an appropriate and practicable response to a very real and important issue. The UK was, therefore, surprised and disheartened that this well-supported and significant opportunity to facilitate scientific study had not been taken.

7.9 In the absence of agreement on the proposed conservation measure this year, the UK encouraged Members to continue to focus attention on newly exposed benthic habitats as areas of outstanding opportunity for scientific research. The UK again thanked all those Members who engaged in very positive discussions on the proposal and hoped that the issue of how to take practical measures to facilitate scientific study in these areas will remain under consideration as part of the Commission's ongoing discussions on climate change.

7.10 The EU introduced its paper on the precautionary seasonal restrictions for krill in Area 48 (CCAMLR-XXXIV/22). This working paper introduced a draft conservation measure to implement seasonal closures during the brood and crèche breeding periods of krill-dependent penguins. This measure would offer a minimal level of protection for penguins during critical periods of their breeding cycle. The EU believed that this is necessary because recent, regional, rapid climate change has led to changes in the extent and duration of seasonal sea-ice which has facilitated changes in krill fishing areas, particularly in the west Antarctic Peninsula region. Continued reductions in sea-ice will lead to changes in the extent and characteristics of current marine habitats, including those used by krill and its predators. Adoption of this conservation measure would, therefore, provide protection by reducing the effects of multiple stressors, whilst ongoing work continues to develop a new, more comprehensive, krill management strategy.

7.11 The Commission thanked the EU for this paper and, following the advice of SC-CAMLR-XXXIV, paragraph 3.60, requested that it be submitted to WG-EMM-16 for further consideration.

7.12 The Commission thanked Australia and Norway for the proposal to establish an ICG to consider approaches for appropriately integrating climate change into the work of CCAMLR (CCAMLR-XXXIV/31). The Commission endorsed the formation of the ICG and adopted terms of reference for this group which are at Annex 8.

7.13 The Commission considered the proposal by Norway and the UK to introduce a non-binding resolution that Members include statements on implications of climate change in all scientific documents that contributed to the work of CCAMLR where practicable and such information exists (CCAMLR-XXXIV/08). The proponents of the proposal considered this to be a useful way to gather information on this issue to inform the work of the Commission.

7.14 China recognised the importance for the Commission to consider the impact of climate change, and considered that a statement on the implications of climate change may be ambiguous and lack scientific support, then recalled the suggestions made by Chinese representative in the Scientific Committee (SC-CAMLR-XXXIV, paragraph 8.7). China further suggested that such a resolution should urge the Scientific Committee to develop guidance on the collection of the scientific data for observation and monitoring of the implication of climate change (e.g. ocean acidification, ocean warming, regional decline of ice), including a standard analysis method for the assessment of such data. China further encouraged all Members to contribute scientific data for analysis in the Scientific Committee and for consideration in the Commission, in accordance with the guidance after its adoption in the Commission.

7.15 Norway and the UK, in conjunction with many other Members, expressed their concern that some Members were not willing to support this small step towards: (i) recognising the impact of climate change on the Southern Ocean ecosystem; and (ii) gathering information to aid the Commission with its future deliberations on this issue. It was also noted by these Members that the issue of climate change has been recognised by key conservation organisations, such as the IUCN, as one of the biggest threats to conservation and natural resource management.

7.16 ASOC made the following statement:

‘ASOC is pleased to see efforts in line with Resolution 30/XXVIII to operationalise consideration of climate change in CCAMLR’s decision-making such as this proposal to establish an ICG to consider how to integrate climate change in the work and decision-making of CCAMLR. We support and acknowledge the other initiatives related to climate change, including: the proposal to establish special areas for scientific study of newly exposed areas from ice-shelf retreat or collapse; and the proposal to include a climate change implications statement within papers submitted to CCAMLR meetings where it is relevant. ASOC encourages Member support and participation in these initiatives.’

## **Conservation measures**

### Schedule of conservation measures

8.1 The conservation measures drafting group had met extensively during the meeting to consider and prepare conservation measures and resolutions for the Commission’s consideration. The Commission expressed its appreciation to Ms G. Slocum (Australia) for chairing this drafting group.

8.2 The Commission’s consideration of revised and new conservation measures and resolutions, and related matters, is reported in this section. Conservation measures and resolutions adopted at CCAMLR-XXXIV will be published in the *Schedule of Conservation Measures in Force 2015/16*.

8.3 The Commission noted that the following conservation measures<sup>1</sup> will lapse on 30 November 2015: 32-09 (2014), 33-02 (2014), 33-03 (2014), 41-01 (2014), 41-02 (2014), 41-03 (2014), 41-04 (2014), 41-05 (2014), 41-06 (2014), 41-07 (2014), 41-08 (2014), 41-09 (2014), 41-11 (2014), 42-01 (2014), 42-02 (2014) and 51-04 (2014).

8.4 The Commission agreed that the following conservation measures and resolutions will remain in force in 2015/16:

#### Measures on compliance

10-01 (2014), 10-06 (2008), 10-07 (2009), 10-08 (2009) and 10-09 (2011).

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<sup>1</sup> Reservation to these measures are given in the *Schedule of Conservation Measures in Force*.

#### Measures on general fishery matters

21-01 (2010), 22-01 (1986), 22-02 (1984), 22-03 (1990), 22-04 (2010), 22-05 (2008), 22-07 (2013), 22-08 (2009), 22-09 (2012), 23-01 (2005), 23-02 (1993), 23-03 (1991), 23-04 (2000), 23-05 (2000), 23-06 (2012), 23-07 (2012), 24-01 (2013), 24-02 (2014) and 25-03 (2011).

#### Measures on fishery regulations

31-01 (1986), 31-02 (2007), 32-01 (2001), 32-02 (2012), 32-18 (2006), 33-01 (1995), 51-01 (2010), 51-02 (2008), 51-03 (2008), 51-06 (2014) and 51-07 (2014).

#### Measures on protected areas

91-01 (2004), 91-02 (2012), 91-03 (2009) and 91-04 (2011).

#### Resolutions

7/IX, 10/XII, 14/XIX, 15/XXII, 16/XIX, 17/XX, 18/XXI, 19/XXI, 20/XXII, 22/XXV, 23/XXIII, 25/XXV, 27/XXVII, 28/XXVII, 29/XXVIII, 30/XXVIII, 31/XXVIII, 32/XXIX, 33/XXX and 34/XXXI.

8.5 The Commission adopted the following revised and new conservation measures and new resolution:

#### Revised measures on compliance (see paragraphs 8.6 to 8.12)

10-02 (2015), 10-03 (2015), 10-04 (2015), 10-05 (2015) and 10-10 (2015).

#### Revised measures on general fishery matters (see paragraphs 8.13 to 8.18)

21-02 (2015), 21-03 (2015), 22-06 (2015), 25-02 (2015) and 26-01 (2015).

#### Revised measures on fishery regulations (see paragraph 8.19)

41-10 (2015).

#### New measures on fishery regulations (see paragraphs 8.20 to 8.36)

32-09 (2015), 33-02 (2015), 33-03 (2015), 41-01 (2015), 41-02 (2015), 41-03 (2015), 41-04 (2015), 41-05 (2015), 41-06 (2015), 41-07 (2015), 41-08 (2015), 41-09 (2015), 41-11 (2015), 42-01 (2015), 42-02 (2015) and 51-04 (2015).

#### New resolution (see paragraph 8.37)

35/XXXIV.

### Revised conservation measures

#### Compliance

##### Vessel licencing

8.6 The Commission endorsed the advice of SCIC to revise CM 10-02 to include vessel ice classification details in licence notifications (paragraph 3.59; see also Annex 6, paragraphs 185 to 188). In addition, as a consequential change resulting from the revision of CM 10-04, the Commission agreed to amend CM 10-02, paragraph 3(xii) to ensure the requirements relating to VMS details were consistent between the conservation measures. CM 10-02 (2015) was revised and adopted.

### Port inspections

8.7 As a consequential change resulting from the revision of CM 10-04, the Commission agreed to amend CM 10-03, Annex 10-03/A, to include a place for port inspectors to record the details of seals on ALCs if applicable. CM 10-03 (2015) was revised and adopted.

### Vessel monitoring system

8.8 The Commission endorsed the advice of SCIC to revise CM 10-04 to include minimum standards for ALCs, and that ALCs be required to meet these minimum standards. The Commission also endorsed most of the VMS TWG's recommendations for amendment of CM 10-04. These recommendations included definitions for VMS terms and their consistent use in CM 10-04 (paragraphs 3.37 to 3.53).

8.9 While most Members agreed that one-hour polling would be appropriate for all fisheries, no consensus was reached to increase the polling frequency for non-fisheries for the upcoming season. The Commission agreed to revise CM 10-04 to require one-hourly VMS data reporting frequency for all finfish fisheries and four-hourly for all other fisheries until 1 December 2019 when one-hourly reporting will be required in all fisheries.

8.10 The Commission agreed to revise CM 10-04 to require Flag States to provide VMS data to the Secretariat within one hour of receipt of the VMS data for those exploratory longline fisheries subject to conservation measures adopted at CCAMLR-XXXIII. CM 10-04 was also revised to permit a Flag State to authorise a vessel to directly report VMS data to the Secretariat in lieu of indirectly reporting under CM 10-04, paragraph 11. CM 10-04 (2015) was revised and adopted.

### Catch Documentation Scheme

8.11 The Commission endorsed the advice of SCIC to revise CM 10-05 to provide for port-to-port dates and at-sea transshipment coordinates in the relevant section of a DCD (paragraphs 3.66 to 3.69 and Annex 6, paragraphs 100 to 106 and 116). CM 10-05 (2015) was revised and adopted.

### Compliance Evaluation Procedure

8.12 The Commission endorsed the advice of SCIC to revise CM 10-10 to provide for a self-assessment of compliance status, extraordinary circumstances including force majeure, and a distinction between administrative issues and issues of serious non-compliance (paragraphs 3.2 to 3.4 and Annex 6, paragraphs 67 to 72). CM 10-10 (2015) was revised and adopted.

## General fishery matters

### Fishery notifications

8.13 The Commission agreed to revise CMs 21-02 and 21-03 to clarify the requirements relating to deadlines and the Secretariat's obligations in respect of processing notifications for exploratory fisheries and krill fisheries respectively. The Commission also agreed that an editorial change be made to CM 21-02, paragraph 11, so that it referenced paragraph 7(i) of CM 22-06.

8.14 The Commission also agreed to revise CM 21-03, Annex 21-03/A, to improve the provision of net configuration details in krill fishery notifications (SC-CAMLR-XXXIV, paragraph 3.8).

8.15 CMs 21-02 (2015) and 21-03 (2015) were revised and adopted.

### Bottom fishing

8.16 The Commission endorsed SCIC's advice to revise CM 22-06 to allow Members to be exempt from submitting the preliminary assessment (Annex 22-06/A) if the relevant information had been submitted for a prior fishing season, and the vessel's gear configuration had not changed and would continue to apply in the upcoming fishing season (Annex 6, paragraphs 169 and 170). CM 22-06 (2015) was revised and adopted.

### Incidental mortality of seabirds in the course of longline fishing

8.17 The Commission noted the differences in the translation of CM 25-02, Annex 25-02/A, paragraph 4, which had been identified by SCIC (Annex 6, paragraphs 172 and 173). This matter was further discussed, and the Commission agreed to revise that paragraph to read as follows: 'When a streamer line is fully deployed, the branched streamers shall be of sufficient length to reach the sea surface in the absence of wind and swell'. CM 25-02 (2015) was revised and adopted.

### Environmental protection

8.18 The Commission endorsed SCIC's advice to revise CM 26-01, paragraph 7, in order to include a reference to requirements provided in CM 41-01, paragraph 7 (Annex 6, paragraphs 224 and 225). CM 26-01 (2015) was revised and adopted.

### Fishery regulations

8.19 The Commission revised the fishery and research limits in the exploratory fishery for *Dissostichus* spp. in Subarea 88.2 in 2014/15 and 2015/16 (CM 41-10, see paragraphs 8.29 to 8.32).

## New conservation measures and fishery limits for 2015/16

### General fishery matters

#### Fishing seasons, closed areas and prohibition of fishing

8.20 The Commission carried forward the prohibition of directed fishing for *Dissostichus* spp. except in accordance with specific conservation measures (CM 32-09) and agreed to continue the application of that prohibition in Subarea 48.5 in 2015/16. CM 32-09 (2015) was adopted.

#### By-catch limits

8.21 The Commission endorsed the advice of the Scientific Committee and agreed to revise the by-catch limits and move-on rule in Division 58.5.2 in 2015/16 (SC-CAMLR-XXXIV, paragraphs 3.168 and 3.171) as follows:

- (i) revision of the move-on trigger limit for *C. rhinocerotus* from 2 tonnes to 5 tonnes
- (ii) revision of the move-on trigger limit for all *Macrourus* spp. combined from 2 tonnes to 3 tonnes
- (iii) revision of the by-catch limit for *C. rhinocerotus* to a maximum of 1 663 tonnes per season
- (iv) introduction of by-catch limits of 409 tonnes for *Macrourus caml* and Whitson's grenadier (*M. whitsoni*) combined, and 360 tonnes for bigeye grenadier (*M. holotrachys*) and ridge-scaled grenadier (*M. carinatus*) combined
- (v) clarification that, for the purposes of this conservation measure and the longline fishery, each haul applies to a single longline regardless of how contiguous sections of gear are connected.

Other provisions of this measure were carried forward and CM 33-02 (2015) was adopted.

8.22 The Commission agreed to carry forward the by-catch limits for exploratory fisheries in 2015/16, noting consequential changes to by-catch limits (Annex 33-03/A and associated footnotes) following the revision of the catch limits for *Dissostichus* spp. in exploratory fisheries in 2015/16. CM 33-03 (2015) was adopted.

#### Toothfish

8.23 The Commission endorsed the advice of the Scientific Committee and agreed to revise the limits on the fishery for *D. eleginoides* in Subarea 48.3, recalling that *D. eleginoides* is subject to a biennial stock assessment and the catch limit applies to each season in 2015/16 and 2016/17 (SC-CAMLR-XXXIV, paragraph 3.133). The Commission also revised the by-catch limits for macrourids and skates which are set at 5% of the catch limit for

*D. eleginoides* (Table 1), and agreed that the longline fishery would be open from 16 April to 14 September in each season and the pot fishery would remain open through each season. Other elements regulating this fishery were carried forward and CM 41-02 (2015) was adopted.

8.24 The Commission revised the catch limits for *D. eleginoides* and *D. mawsoni* in the fishery for *Dissostichus* spp. in Subarea 48.4, noting that *D. eleginoides* is subject to a biennial stock assessment and the catch limit for this species applies to each season in 2015/16 and 2016/17 (SC-CAMLR-XXXIV, paragraphs 3.115, 3.116 and 3.124; see also Table 1). The Commission also revised the by-catch limits for macrourids and skates which are set at a fixed proportion of the catch limit for *Dissostichus* spp. (16% and 5% respectively, Table 1). Other elements regulating this fishery were carried forward and CM 41-03 (2015) was adopted.

8.25 The Commission endorsed the advice of the Scientific Committee and agreed to revise the limits on the fishery for *D. eleginoides* in Division 58.5.2, noting that *D. eleginoides* is subject to a biennial stock assessment and the catch limit applies to each season in 2015/16 and 2016/17 (SC-CAMLR-XXXIV, paragraphs 3.154 and 3.155; see also Table 1). The Commission also endorsed a season-extension trial at the beginning and end of each season (SC-CAMLR-XXXIV, paragraph 4.3). Other elements regulating this fishery were carried forward and CM 41-08 (2015) was adopted.

8.26 The Commission endorsed the Scientific Committee's advice on the general requirements for exploratory fisheries for *Dissostichus* spp. This advice included a clarification that all toothfish, regardless of size, should be treated in the same way (i.e. there should be no release of live untagged fish), including in respect of collection of biological and tagging data (paragraph 5.25; SC-CAMLR-XXXIV, paragraph 3.85).

8.27 The Commission considered the arrangements for research fishing in data-poor exploratory fisheries for *Dissostichus* spp. in Subarea 48.6 and Divisions 58.4.1, 58.4.2 and 58.4.3a in 2015/16, and endorsed the Scientific Committee's advice on:

- (i) catch limits (Table 2)
- (ii) allocation of research (SC-CAMLR-XXXIV, paragraphs 3.240, 3.245, 3.246 and 3.251, Tables 1 and 2)
- (iii) revision to the boundaries of research block 486\_4 in Subarea 48.6 (SC-CAMLR-XXXIV, paragraph 3.239).

8.28 The Commission also noted that Spain would not conduct a depletion experiment in Division 58.4.2 in 2015/16.

8.29 The Commission also agreed to the catch limits and vessel access in the exploratory fisheries for *Dissostichus* spp. in Subareas 88.1 and 88.2 (Tables 2 and 3). The Commission noted that the fishery in Subarea 88.1 is subject to a biennial stock assessment and the catch limit for *Dissostichus* spp. in that fishery applies to each season in 2015/16 and 2016/17 (SC-CAMLR-XXXIV, paragraphs 3.183 and 3.186).

8.30 The Commission recalled the agreement reached in 2014 to conduct a two-year, multi-Member research survey in SSRUs 882A–B (north) under CM 41-10 (2014). The results of

the first year of the survey had been considered by the Scientific Committee and advice had been provided for 2015/16 (SC-CAMLR-XXXIV, paragraphs 2.11, 2.12, 3.156 and 3.195 to 3.203). The Commission also noted that the Scientific Committee had considered a proposal from Russia to carry out a research program in SSRU 882A (south) between 2015 and 2018 (SC-CAMLR-XXXIV, paragraphs 3.204 to 3.221). These proposals were further discussed under Item 5 (paragraphs 5.36 to 5.46). The Commission was unable to reach consensus on conducting the proposed surveys in SSRUs 882A–B (north) and SSRU 882A (south) in 2015/16.

8.31 The Commission noted that the catch limits for *Dissostichus* spp. in Subarea 88.1 took into account surveys agreed for Subarea 88.1 and proposed surveys for SSRUs 882A–B. The Commission agreed to the following research allocation in 2015/16:

- (i) a research catch limit for the Ross Sea shelf survey with core strata in SSRUs 881J–L – 40 tonnes which was deducted from the combined catch limit in SSRUs 881J–L (SC-CAMLR-XXXIV, paragraph 3.190)
- (ii) a research catch limit for the Ross Sea winter survey in SSRUs 881B–C – 100 tonnes (SC-CAMLR-XXXIV, paragraph 3.191) which was deducted from the catch limit in Subarea 88.1, and proportionally across all SSRUs with catch limits.

8.32 The Commission recalled that the catch limits agreed in 2014 for the exploratory fishery for *Dissostichus* spp. in SSRUs 882C–H applied to 2014/15 and 2015/16 (CCAMLR-XXXIII, paragraph 5.39).

8.33 The Commission adopted the following conservation measures:

- CM 41-01 (2015) – general measure for exploratory fisheries for *Dissostichus* spp.
- CM 41-04 (2015) – exploratory fishery for *Dissostichus* spp. in Subarea 48.6
- CM 41-05 (2015) – exploratory fishery for *Dissostichus* spp. in Division 58.4.2
- CM 41-06 (2015) – exploratory fishery for *Dissostichus* spp. in Division 58.4.3a
- CM 41-07 (2015) – exploratory fishery for *Dissostichus* spp. in Division 58.4.3b
- CM 41-09 (2015) – exploratory fishery for *Dissostichus* spp. in Subarea 88.1
- CM 41-10 (2015) – exploratory fishery for *Dissostichus* spp. in Subarea 88.2
- CM 41-11 (2015) – exploratory fishery for *Dissostichus* spp. in Division 58.4.1.

8.34 These conservation measures included the following limits and requirements:

- (i) all exploratory fisheries for *Dissostichus* spp. in 2015/16 were limited to vessels using longlines only
- (ii) the general limits and measures for by-catch and move-on rules provided in CM 33-03 apply
- (iii) the data collection and research plans and tagging protocols provided in CMs 21-02, 24-01 and 41-01 apply
- (iv) a prohibition of fishing in the defined areas for the registered VMEs (CM 22-09)
- (v) the requirements for environmental protection provided in CMs 22-06, 22-07, 22-08 and 26-01 apply.

## Icefish

8.35 The Commission endorsed the Scientific Committee's advice on the limits for the established fisheries for *C. gunnari* in Subarea 48.3 and Division 58.5.2 in 2015/16 and 2016/17 (SC-CAMLR-XXXIV, paragraphs 3.103 and 3.108). The limits in these fisheries in 2015/16 are summarised in Table 1, and the Commission agreed to also include the catch limit for *C. gunnari* in 2016/17 in CM 42-01. Other elements regulating these fisheries were carried forward, and CMs 42-01 (2015) and 42-02 (2015) were adopted.

## Krill

8.36 The Commission noted that no notifications had been made for exploratory fisheries for *E. superba* in 2015/16. However, the requirements of the general measure for exploratory fisheries for *E. superba* were carried forward to 2015/16 in order to provide guidance to Members who may wish to notify for these exploratory fisheries. In doing so, the Commission also aligned the requirement for net configuration details specified in CM 21-03 (paragraph 8.14). CM 51-04 (2015) was adopted.

## New resolution on vessels without nationality

8.37 The Commission expressed its concern that vessels without nationality continue to operate in the Convention Area, and that those vessels operate without governance and oversight. Further, the Commission recognised that fishing in the Convention Area by vessels without nationality undermines the objective of the Convention and effectiveness of the conservation measures adopted by the Commission (paragraph 3.74 and Annex 6, paragraphs 193 and 194). The Commission adopted Resolution 35/XXXIV to encourage Members, Contracting Parties and NCPs to take actions to deter the operation of vessels without nationality in the Convention Area.

## Intersessional correspondence group on climate change

8.38 The Commission established an ICG to provide the Scientific Committee and the Commission with information, advice and recommendations necessary to appropriately integrate the impacts of climate change into the work of the Commission. The Commission adopted the terms of reference of the ICG (Annex 8) and tasked the ICG to consider issues and actions within the competence of the Commission related to the impacts of climate change on Antarctic marine living resources.

## Other matters

8.39 The USA provided an overview of the latest draft of the proposal to improve monitoring and control of transshipments (CM 10-09), noting that the lack of effective monitoring and control of transshipment activity leaves the Commission and Scientific

Committee and working groups without data that could be used to verify overall fishing effort and catch levels. The USA also noted that the lack of transparency associated with transshipments and IUU fishing represents a serious threat to conservation and management of Antarctic marine living resources. The USA had revised the proposal tabled to the meeting based on the concerns from some Members during the meeting. The latest draft would not require any changes to CM 10-02, but would, instead, establish in CM 10-09 both a Contracting Party Transshipment Vessel Record and an NCP Transshipment Vessel Record. Transshipments would be limited to only the vessels on these records or licensed under CM 10-02. Requiring that transshipments only occur with a vessel in one of these categories would allow the Commission and its Members to clearly track which vessels may engage in transshipments and would ensure that transshipments are only occurring with vessels subject to CCAMLR requirements. NCPs would be able to apply for a status of an NCP cooperating with CCAMLR in the monitoring and control of transshipments through a process that is similar to the process for NCP cooperation with CCAMLR by participating in the CDS (CM 10-05, Annex 10-05/C). Requests for cooperating NCP status would be considered at the annual CCAMLR meeting and those NCPs with cooperating status could update the Transshipment Vessel Record regularly. The USA looked forward to continuing work with Members on this issue during the intersessional period.

8.40 Australia advised the Commission that any fishing or fisheries research activities in that part of Divisions 58.4.3a, 58.4.3b and 58.5.2 that constitutes the Australian EEZ around the Australian Territory of Heard Island and McDonald Islands must have the prior approval of Australian authorities. The Australian EEZ extends up to 200 n miles from the Territory. Unauthorised or illegal fishing in these waters is a serious offence under Australian law. Australia seeks the assistance of other CCAMLR Members in ensuring their nationals and vessels are aware of the limits of the Australian EEZ and the need for prior permission to fish there. Australia has implemented strict controls to ensure that fishing in its EEZ occurs only on a sustainable basis. Presently, fishing concessions are fully subscribed and no further concessions for legal fishing in the EEZ are available. Australian legislation provides for large penalties for illegal fishing in Australia's EEZ, including the immediate forfeiture of foreign vessels found engaged in such activities. Any enquiries about fishing in the Australian EEZ should be made initially to the Australian Fisheries Management Authority.

## Proposals for new conservation measures

### Marine protected areas

8.41 New Zealand and the USA introduced a revised proposal to establish an RSRMPA (CCAMLR-XXXIV/29 Rev. 1). First submitted to the Commission in 2012 and subsequently revised in 2013 and 2014, the proposal seeks to establish an RSRMPA to conserve marine living resources, maintain ecosystem structure and function, protect vital ecosystem processes and areas of ecological significance and promote scientific research including through the establishment of reference areas. Taking careful consideration of discussions by the Scientific Committee and the Commission and feedback from Members, the proposal's key revisions included a reduction in the size of the general protection zone (GPZ) in the northwestern area, and an expansion of the SRZ into SSRU 882A.

8.42 Australia, EU and France introduced a revised proposal to establish a representative system of MPAs in the East Antarctica Planning Domain (EARSMPA) (CCAMLR-XXXIV/30). The revised proposal represents three years of work by the Commission, and reflects changes made as a result of input from all Members, and the proponents extended their appreciation for the ongoing engagement of Members throughout this development. The specific changes to the proposal, as submitted to this year's meeting, reflect the paper on current thinking submitted in 2014 (CCAMLR-XXXIII/BG/40) as well as other helpful suggestions Members have made during the intersessional period. In particular, the revised proposal has:

- (i) strengthened adaptive management provisions
- (ii) simplified, clarified and strengthened the intention for research and monitoring to contribute to the adaptive approach of the MPAs
- (iii) clarified procedures and responsibilities, including the roles of the Commission and Scientific Committee in determining when activities need to be managed
- (iv) reduced the number of proposed areas from four to three by removing the proposed MPA covering Gunnerus Ridge.

8.43 The proponents stated that the proposed EARSMPA provides a responsive and innovative approach to the conservation of the unique and diverse marine ecosystems of the region and CCAMLR's unique management arrangements. Each MPA is designed to achieve objectives for the unique conservation and scientific features of the biogeographic provinces they represent. Each MPA is positioned to provide valuable information on the effects of climate change, and reference areas to better manage the region consistent with Article II. Each MPA is designed to achieve conservation outcomes while allowing for fishing and research activities. Further, this is, and always has been, an ecosystem-based multiple-use proposal where it is possible to conduct fishing and research activities which would not impact on the objectives of the EARSMPA. The proponents had worked over the past three years to refine the proposal to take account of Members' views, and significant concessions have been made. The proponents recognised that there are some key elements of the proposal which some Members may wish to discuss further, and invited all Members to work with them to refine the proposal. They considered that the best way to do this is to work together on the proposal in the conservation measures drafting group in order to make progress on this important proposal.

8.44 The Commission discussed the MPA proposals during the first week of the meeting in order to receive substantive reactions and feedback from Members and determine the work plan at the meeting. During this discussion, the proponents of the EARSMPA proposal and the RSRMPA proposal reiterated the steps undertaken to complete the revised proposals, including extensive consultation with all Members. The proponents reaffirmed their collective view that both proposals were ready to be sent to the conservation measures drafting group for detailed technical consideration and final improvements.

8.45 The Commission thanked the proponents for the vast amount of work that had gone into the development of each MPA proposal.

8.46 Most Members agreed that the revised proposals had addressed the concerns expressed by Members at previous meetings, and that each proposal was consistent with the framework established in CM 91-04. They also noted that MPAs provided an important conservation and management tool, and both proposals included multiple-use areas where fishing was permitted. These Members agreed that both proposals were ready to be sent to the drafting group for detailed consideration and development.

8.47 Russia thanked the proponents of both MPA proposals for their continued dialogue and development of these proposals. In relation to the RSRMPA proposal, Russia reiterated its main areas of concerns in relation to:

- (i) the boundaries that correspond to the objectives of the MPA
- (ii) the period of designation for the MPA
- (iii) the catch limit for toothfish in the SRZ.

8.48 Russia thanked the proponents for addressing the boundary issue in their revised proposal. However, Russia stated that the period of designation (paragraph 8.47ii) had not been adequately addressed, and the fixed allocation (13%; refer to CCAMLR-XXXIV/29 Rev. 1, paragraph 9) for the catch limit in SRZ (paragraph 8.47iii) may lead to overcrowding on the fishing ground and increased navigation risks during periods of heavy sea-ice.

8.49 Russia also stated that it held similar concerns with the boundaries and period of designation for the proposed EARSMPA (paragraph 8.70).

8.50 China thanked the proponents of both MPA proposals for their continuous efforts in taking into account Members' comments and suggestions. Communications and discussions were helpful to better understand and consider both MPA proposals further. China reiterated its support for establishing MPAs in accordance with international law and on the basis of scientific evidence, with the aim of enhancing the conservation of Antarctic marine living resources. It noted that there were some general and substantial issues raised by Members from both the legal and scientific perspectives, which included, but were not limited to:

- (i) the identification of objectives of each MPA
- (ii) appropriate ways to achieve conservation including rational use
- (iii) facilitation of scientific research activities
- (iv) details on the management, research and monitoring plans
- (v) period of designation of each MPA and follow-up arrangements upon expiration
- (vi) representativeness of each MPA to the Antarctic marine ecosystem.

8.51 China had studied the revised proposals on the establishment of an RSRMPA and an EARSMPA, and was pleased to see positive revisions. However, China stated that its major concerns have not been addressed by the proponents. In view of this and other Members' views on the two MPA proposals, China considered that it was not appropriate to move the two proposals to the conservation measures drafting group during this meeting. China advised that more discussions and further revisions on the proposals were needed, and stated that it would continue to join discussions of the two MPA proposals with the spirit of cooperation, and wished to work with other Members to achieve the objectives of the Convention.

8.52 ASOC recalled the Commission's decision in 2009 to establish a representative system of MPAs in the Convention Area by 2012. ASOC stated that the two MPA proposals have

been discussed in detail since 2011, and the science supporting these proposals has been well established after many successive years of consideration by the Scientific Committee. Both proposals are consistent with the conservation objectives of the Convention and both allow for some level of fishing. ASOC was disappointed that the revised proposed areas have been reduced significantly in size after four consecutive meetings of this Commission, and each proposal included fixed term limits as a further compromise, when most MPAs worldwide are permanently established. Designating MPAs would reaffirm CCAMLR as a precautionary conservation convention based on the ecosystem approach. It would also enhance the status of Antarctica as a natural reserve devoted to peace and science that is fundamental to the Antarctic Treaty System to which CCAMLR belongs. ASOC urged all Members to continue working towards establishing a representative system of MPAs, and to commit to moving both MPA proposals forward.

8.53 The Commission also considered an updated proposal for a voluntary standardised procedure to establish MPAs in accordance with CM 91-04 (Japanese MPA checklist) (CCAMLR-XXXIV/19). In 2014, the Commission agreed that such guidelines could contribute to a better understanding of the issues associated with its work in designating MPAs (CCAMLR-XXXIII, paragraph 5.79).

8.54 Japan introduced the updated MPA checklist (CCAMLR-XXXIV/19) and thanked Members for contributing to its development during the intersessional period. The checklist was intended to provide voluntary guidelines to streamline and facilitate the Commission's discussion of future proposals for MPAs. Japan stated that the main purpose of the checklist was to assist proponents in developing MPA proposals which were consistent with CM 91-04, and to assist Members to review and discuss each proposal, including detailed scientific aspects, in a consistent manner. Japan reiterated that it had no intention of applying the checklist to the standing MPA proposals.

8.55 The Commission thanked Japan for this initiative, and agreed that this checklist could be a non-binding working document and could provide voluntary guidelines consistent with the Convention and CM 91-04 for an MPA proponent. The Commission encouraged Members to provide final comments to Japan by 30 April 2016 with a view to post the checklist as an informal document on the password-protected section of the CCAMLR website, together with MPA reference material, in mid-2016.

8.56 The Commission also considered progress in the development of a proposal for a Weddell Sea MPA (WSMPA) (CCAMLR-XXXIV/BG/37). The reflection paper was introduced by the EU which thanked Germany for leading this development.

8.57 Germany outlined the work carried out since 2013 in order to prepare the scientific basis for the development of a WSMPA. This work had included international expert workshops in 2014 and 2015, and consideration of significant contributions by Members, as well as the advice from the Scientific Committee and WG-EMM. The Weddell Sea planning area includes MPA Planning Domain 3 and part of Domain 4, and six priority areas have been identified to achieve the conservation objectives and provide targeted, practical and feasible protection.

8.58 Germany stated that the reflection paper (CCAMLR-XXXIV/BG/37) incorporated the recommendations made by WG-EMM-15, such as the visualisation of the spatial inter-correlation of conservation objectives and the addition of an initial cost layer in the analysis.

Other recommendations, such as the addition of data layers on seabirds and integration of the boundary region between Planning Domains 1 and 3, would be further developed and reported to WG-EMM-16 (see paragraphs 5.73 to 5.79). The proponents reiterated their desire for feedback on CCAMLR-XXXIV/BG/37 in order that the range of views may be taken into account in the preparation of a proposal in 2016.

8.59 The Commission thanked the proponents for continuing to develop the WSMMPA proposal, and looked forward to considering the final proposal for the establishment of a WSMMPA in 2016.

8.60 Members agreed that this proposal represented another important step in developing a representative system of MPAs in the Convention Area. The proponents were encouraged to continue developing the proposal, including further work on the overlap with Planning Domain 1 along the Antarctic Peninsula, and to further consider the potential role of fishing vessels as platforms for conducting research in the Weddell Sea.

8.61 Chile, referring to the planning of a future MPA in Domain 1, outlined the significant efforts required to develop the scientific work required to support the development of a representative system of MPAs. The lack of progress in the adoption of the MPA proposals currently tabled for consideration by the Commission negatively impacts on the new proposals that are in the planning stage.

8.62 Russia thanked the proponents of the WSMMPA proposal and recalled previous discussion at SC-CAMLR-XXXIII (SC-CAMLR-XXXIII, paragraphs 5.18 to 5.30). Russia was closely collaborating with Germany in the research and analyses to develop the necessary documentation for a WSMMPA proposal in accordance with CM 91-04. Russia further noted the importance of cooperation between Members in the implementation and operationalisation of a WSMMPA and looked forward to continuing engagement.

8.63 The proponents thanked all Members for their contributions to this work and agreed to continue developing the proposal during the intersessional period.

8.64 The Commission noted four background papers (CCAMLR-XXXIV/BG/22, BG/31, BG/32 and BG/33) which had been submitted by Russia. Russia advised that these papers had been discussed previously, and were submitted to this meeting for information.

8.65 The Commission returned to the EARSMPA proposal and the RSRMPA proposal and discussed substantive issues which, in the view of some Members, had not been adequately developed in these proposals.

8.66 The proponents of the EARSMPA proposal invited substantive comments on five key components of their proposal, and indicated that they would provide a response once all comments from Members had been received and considered.

8.67 The first component of the proposal is management of activities (CCAMLR-XXXIV/30, Attachment A, paragraphs 2bis, 6 and Annex A). The proponents noted that the proposal allows for fishing and research activities to occur, consistent with other conservation measures. Any further restrictions on activities can only be put in place with the agreement of the Commission. The Management Plan provides, in full, the processes for managing activities. It can be amended at any time.

8.68 No comments were made by Members on management of activities.

8.69 The second component of the proposal is the objectives (CCAMLR-XXXIV/30, paragraphs 3 and 4). The proponents noted that the general objectives in the measure come from CM 91-04. The specific objectives flow from the general objectives. The three MPAs in the proposal are special areas for conservation and science. They represent the unique provinces in the region. They are also important reference areas from which comparisons can be made with areas adjacent to the MPAs. Their sizes relate to the scale of ecological processes in the region. The following comments were made with respect to objectives.

8.70 Russia reiterated its view that individual objectives can only be achieved through specific activities and specific timelines, and the achievement of the overall objective will require a clear understanding of the interrelationship of individual objectives and the activities required for their implementation. In addition, Russia stated that the achievement of conservation objectives across a representative system of MPAs will require approaches which were specific to each planning domain, and which would depend on the identification, or absence thereof, of fishery impacts and conservation threats.

8.71 China reiterated its concerns in relation to scientific and legal aspects of the proposals, and agreed with Russia's concerns about achieving the stated conservation objectives, and further requested the proponents to provide specific description of the objectives and criteria used to measure whether certain activities are contrary to the objectives in the light of the principles set out in the Convention. China stated that the research and monitoring plans should develop scientifically interpretable and measureable criteria that can be used to evaluate whether, and to what extent, the objectives of the MPA will be achieved.

8.72 Japan stated that the adaptive approach highlighted in the preamble of the EARSMPA proposal required further strengthening and emphasis in the research and monitoring plan. The adaptive approach is essential in order to maintain MPAs in a state that enables the optimal achievement of their objectives over time. This approach should form the backbone of research and monitoring plans. Japan also stated that each plan should have arrangements to ensure research and monitoring activities to be conducted and be open to all Members.

8.73 The third component of the proposal is the research and monitoring plan (CCAMLR-XXXIV/30, Attachment A, paragraph 9 and Annex B). The proponents indicated that the proposal now has firm commitments to the scientific questions that need to be addressed in a research and monitoring plan, and a commitment for the plan to be submitted to the Commission within three years. The proponents also noted that research and monitoring is open to all Members and that data from the plan will be available to all Members. The following comments were made on the research and monitoring plan.

8.74 China shared Japan's view that research and monitoring plans must be open to all Members, and must elaborate structured, quantitative approaches which covered all stated objectives. Such plans and priority elements must include description of (i) the types of data required for collection and subsequent submission to the Secretariat, (ii) standard, quantitative methods for analysis, and (iii) the baseline data used in reference areas. Biodiversity and other objectives of the MPA should be further specified to allow the quantifiable analysis.

8.75 Russia supported the views of Japan and China (paragraph 8.74) and requested further information on the consequences of not conducting, or not completing, aspects of the research

and monitoring plans. Russia was also concerned about the cost of conducting research in support of the EARSMPA, and the feasibility of Members being able to conduct coordinated long-term research.

8.76 The fourth and fifth components of the proposal are review and duration (CCAMLR-XXXIV/30, paragraphs 11 and 12). The proponents noted that the review process provides for updating the MPAs at any time new information becomes available. They also noted that a minimum period of designation needs to be consistent with Article II and proportionate to the requirements of the objectives. A process is needed to enable the Commission to have a discussion about reasons why an MPA should cease. The following comments were made with respect to review and duration.

8.77 China recalled the Commission's principles of conservation described in Article II which aimed to prevent changes or minimise the risk of changes in the marine ecosystem which are not potentially reversible over two or three decades. China stated that the period of designation of an MPA must be commensurate with conservation objectives and be of a duration of no longer than 20 years. Further, when the period of designation of a MPA expired, the designation may only be extended by consensus and the MPA would cease in the absence of such consensus.

8.78 Japan reiterated the importance of a definite period of designation in view of climate change and associated dynamic changes which are occurring in the Antarctic marine ecosystem. The impact of these changes on conservation objectives and MPAs must be monitored and reviewed, and a specified termination date for a period of designation would provide an incentive to update and revitalise the effectiveness of MPA measures.

8.79 The UK stated that the period of designation of MPAs must be consistent with the conservation objectives. While Article II considered reversibility over two or three decades, a longer term of designation may be required to achieve specific conservation objectives. Consideration of appropriate periods of designation may only be finalised at the point of agreeing each conservation measure.

8.80 Sweden supported the view of the UK and emphasised the need for period of designations commensurate with conservation objectives.

8.81 China and Russia agreed that management plans may only be used to manage human activities in MPAs, and cannot be used to manage natural processes and changes. Further, the Commission is already managing such risks through the development and implementation of relevant conservation measures.

8.82 The proponents of the RSRMPA proposal (CCAMLR-XXXIV/29 Rev. 1) recalled the history of this proposal, referred to key supporting papers that explain the proposal and its scientific basis, and further responded to four main issues which had been raised earlier in the meeting as summarised below:

- (i) Conservation objectives – The proponents explained that the MPA had been designed to achieve a suite of objectives. Information on the objectives and how they apply to the various zones of the MPA was detailed in CCAMLR-XXXII/BG/40 Rev. 1. These objectives have been revised over time based on specific advice from the Scientific Committee and Members. For the proposal

tabled to the meeting, objectives were revised to reflect specific advice from Members. The specific objective that relates to reference areas now clarified that the expanded SRZ aims to contribute to *D. mawsoni* science and the related stock assessment, and that MPA areas other than the SRZ may also serve as reference areas. The specific objective relating to representative protection had been updated to further highlight that representative protection is generally intended for data-poor areas. The proponents noted that to achieve some objectives, some areas of the MPA would need to be no-take.

- (ii) SRZ – The SRZ takes into account advice from the Scientific Committee and the interests expressed by other Members in research fishing in the southeastern Ross Sea region. In particular, the proposal expands the initial area into the southeastern continental slope responding to the Scientific Committee’s agreement on the importance of research fishing in this location (SC-CAMLR-XXXII, paragraph 3.76(iv)b). The proposed management arrangements for the SRZ have also been revised to deliver on both the scientific research objectives and the protection objectives for this area. To ensure flexibility and provide for any uncertainty, the management plan includes a mechanism to provide for evaluation of the SRZ at least every five years to ensure objectives are being met and the best scientific evidence is taken into account.
- (iii) Review – The proponents indicated that the reporting, review and the period of designation sections of the proposed conservation measure had been revised and updated over time to reflect Member input and advice from the Scientific Committee and Members, while remaining consistent with CM 91-04. The proponents noted the varying views on the issues of duration and a hard-stop versus soft-stop for the MPA, which would need to be negotiated at the end of the process. The proponents highlighted the background paper provided to this meeting, CCAMLR-XXXIV/BG/39, which further described the reporting, review and period of designation elements and how they interrelate, in addition to posing specific questions that could facilitate the review of the MPA.
- (iv) Opening of areas currently closed to fishing – The proponents reaffirmed that, when the MPA enters into force, the Commission, upon advice from the Scientific Committee and WG-FSA, would amend relevant conservation measures for the Ross Sea toothfish fishery such that fishing displaced by this MPA would be redistributed to areas outside the MPA in the Ross Sea Region, including areas that currently have a zero catch limit. This process will ensure that all CCAMLR Members will be involved in the work plan to develop new SSRU boundaries, to better spread fishing effort and collect necessary data, and that this work will be based on a scientific approach.

8.83 Russia reiterated its concern in relation to the RSRMPA proposal (paragraphs 8.47 to 8.49), including the proposed SRZ. These concerns included the catch limits placed on the SRZ which, in combination with extensive seasonal sea-ice, may lead to congestion on the fishing grounds, increased risk of overfishing and greater navigation hazards. In addition, restricting research fishing to the SRZ would limit the acquisition of information on the life cycle of toothfish and the recapture of tagged individuals in the no-take GPZ.

8.84 The proponents referred Members to SC-CAMLR-XXXIV/BG/31, presented to the Scientific Committee, which provides a characterisation of sea-ice in the SRZ of the proposed MPA. This paper assessed historical fishing activity within this area, noting that while some fishing in the SRZ was carried out in nine of the last 10 years, it is unlikely that full access will be available every year. The paper concluded that the main influence of sea-ice on achieving the proposed objectives of the SRZ pertains to the deployment and subsequent recovery of tagged fish to examine movements and estimate exploitation rate within the SRZ. However, the paper also highlighted the potential for the use of monitoring methods that do not rely on the fishery for tag recovery, such as pop-off satellite transmitters.

8.85 The proponents acknowledged that while access to the SRZ will be challenging for fishing and research vessels, the area has been accessible in most years, and considered that the proposed structured fishing within the expanded SRZ will maintain the integrity and continuity of the toothfish tagging program; ensure contrasting local exploitation rates between lighter and more heavily fished locations to better understand the ecosystem effects of fishing and climate change; and better understand toothfish distribution and movements with potential implications for stock assessment. As currently closed SSRUs would be opened outside the MPA, this will assist with redistributing fishing effort. Additionally, spatial population modelling approaches that have been used to inform the stock assessment process for the Ross Sea fishery will be useful for ensuring adequate spatial distribution of fishing effort with the redrawing of SSRU boundaries following the MPA proposal being agreed.

8.86 In relation to the level of catch proposed within the SRZ, the proponents explained the objective was to provide for a contrasting exploitation rate between areas of the slope within the MPA and outside the MPA. The increase from 10 percent in the original SRZ to 13 percent in the expanded SRZ is consistent with the proportional increase in seabed area at depths between 500 and 2 500 m that is covered by the expanded SRZ. In response to the comment on uncertainty in relation to the life cycle of toothfish, the proponents agreed that there are uncertainties, and noted that these are highlighted as key components of the draft research and monitoring plan for the proposed RSRMPA. Scientific research relating to this is specifically noted in Annex C, paragraph 3, of the amended draft conservation measure (CCAMLR-XXXIV/29 Rev. 1). The evaluation mechanism for the SRZ in the management plan also provides an additional tool to respond to uncertainties.

8.87 China stated that the concerns on the EARSMPAs are also relevant to the proposed RSRMPA, and further argued that the proposed management measures are not proportionate to the perceived ecosystem threats. The fishery in Ross Sea for toothfish was very well managed by the Commission and subject to extensive research and conservation measures. As a result, China stated that the risk of overfishing is an elusive threat, and the use of large no-take GPZ was not warranted. China also questioned the rationale and feasibility for the reference area, in that the fishing data on the widely distributed and highly migratory species like toothfish obtained in the areas of different oceanographic, chemical or ecological environment is not comparable.

8.88 China reiterated its concerns about research and monitoring plans (paragraphs 8.71 and 8.74), and emphasised the need to clearly define the questions being addressed by the plans, and the quantitative analyses required to evaluate each plan. Further, the plans should not restrict scientific research activities, and should facilitate the regular collection of data and reporting of analyses. China stated that the MPA checklist (paragraph 8.54) would assist with developing a better understanding of the issues associated with each MPA proposal.

8.89 Russia supported China and stated that the research and monitoring plans must clearly define the criteria used in evaluating each conservation objective and the associated quantitative analyses.

8.90 Russia also reiterated its view, first presented in 2013 (SC-CAMLR-IM-I), that the fishery for toothfish is limited to a short season each year, and approximately 70% of the Ross Sea area is already closed to fishing. The fishery is also limited to a narrow depth range and a large area of the Ross Sea is not suitable to fishing for toothfish. The proposed limits in the SRZ and GPZ will impose further restrictions on fishing, and the proposed opening of SSRUs currently closed to fishing will require detailed consideration by the Scientific Committee. Such consideration would need to include evaluating the impact of the RSRMPA proposal on the fishery's stock assessment and management.

8.91 The proponents agreed that the opening of currently closed SSRUs is a complex issue and that there will be considerable work required by the Scientific Committee and WG-FSA to redesign the SSRUs and to consider the redistribution of catch across the Ross Sea Region outside the boundaries of the MPA. It had already been agreed at this meeting that the boundary of Subarea 88.1 and the opening of closed areas will be discussed intersessionally, and this will provide useful information to assist the process referred to in the preamble of the draft conservation measure for the RSRMPA. Considerable scientific research and development has taken place that will also assist with this process, including the development of spatial population modelling approaches, spatial ice summaries, data from the toothfish tagging program and from other research undertaken in the region. The proponents agreed that aspects such as the risks associated with spatial change in the SSRU boundaries and the catch limit will need to be carefully considered during this process. They also recalled the advice from the 2013 Scientific Committee meeting (SC-CAMLR-XXXII, paragraph 5.45).

8.92 Belgium thanked the proponents of the RSRMPA proposal for all the hard work they have put into developing a proposal which was based on the best available science and was fully in line with both CM 91-04 and the objectives of the Convention. This proposal has also been positively assessed by the Scientific Committee. Belgium thanked Members for their broad support for the current proposal, as well as for the discussion during the meeting. Belgium also expressed its hope to resolve the outstanding issues in the near future. The Ross Sea is one of the last pristine marine areas in the world. Belgium stated that the establishment of a large GPZ with a no-take management was the correct approach to conserve this unique marine ecosystem in the future.

8.93 ASOC expressed its appreciation for the efforts of MPA proponents in all domains as well as the Members that have expressed support for the MPA proposals tabled at this meeting. After four years of discussing these proposals, ASOC was encouraged that some reasonably concrete concerns were shared in relation to the proposed EARSMPA and the RSRMPA. ASOC encouraged Members to continue to bring their positions and proposed solutions to discussions in order to achieve consensus. Reflecting on two specific issues brought up by Members, ASOC recalled that set expiration dates or 'sunset clauses' are not included in international agreements regarding MPAs as they prevent meeting long-term conservation objectives. ASOC also recalled that no-take areas provide essential reference areas where the effects of climate change can be differentiated from the effects of natural variability and human activities.

8.94 Following further consultation amongst Members, the Commission returned to the EARSMPA proposal and the RSRMPA proposal to consider possible further progress at the meeting.

8.95 The proponents of the EARSMPA made the following statement:

‘Thank you to all Members for their comments on the East Antarctic MPA proposal. From our perspective, the comments fall broadly under three components.

There are a number of aspects of comments that we can accommodate. There are a number of other issues that are clearly going to require more discussion during this CCAMLR meeting and we are committed to working together. We see that there are clear linkages between the different components of our measure and that these need to be discussed as components of a whole package. We remain committed to making progress at this year’s meeting and want to work with you in the margins of this meeting.

#### Objectives

We understand the need for clear linkages between objectives, management and research and monitoring. We also understand that a number of Members would like to see greater specificity in the objectives. However, as we have said before, this is a multiple-use proposal that seeks to apply current practices in CCAMLR for managing fisheries. Greater specificity could be achieved through including closed areas in the proposal, however, this is counter to the basis of the multiple-use basis of this MPA proposal.

#### Research and monitoring plan

In developing this proposal we have taken care to ensure that the proposal is consistent with CM 91-04. For example, CM 91-04 only requires the priority elements for a research and monitoring plan. The EARSMPA proposal is consistent with this approach. As we have indicated before, we consider it is important for all Members to contribute with Australia, France and the EU to the development of the research and monitoring plan. We heard yesterday that a linkage between research and monitoring and an adaptive approach is important. We agree this is an important element to try and incorporate into the measure and consider that it should be possible to do so through some simple drafting adjustments. We also heard that it is not enough for the draft conservation measure to encourage research and monitoring. Rather, research and monitoring should be an integral part of the EARSMPA. That is, research and monitoring has to occur within the EARSMPA. We agree with this. As we have said before, and consistent with the Antarctic Treaty, the EARSMPA does not seek to impede scientific research and data exchange. Rather, as the proponents of this proposal we are seeking to encourage collaborative research in the EARSMPA. Australia, France and several other Members already undertake research in this region. We are committed to continuing to undertake research and monitoring and are very keen to work with others in this regard.

## Duration

We recognise that there is a diversity of views on the appropriate duration of a marine protected area. As other Members know, our preference is for an indefinite duration. But we have heard clearly the preference by some Members for a cessation/end date and recognise that we will need to find resolution on this issue. As part of the discussions on the East Antarctica proposal, we are looking to discuss all parts of this proposal, and duration is a part of this discussion. We recognise that a resolution will be required on the question of duration, which is acceptable to all Members. However, in order to finalise discussions on this issue, we will need to consider duration as an element of a whole package. Just to remind Members again, there are several review mechanisms in the proposal related to the EARSMPA as a whole, the management plan and the research and monitoring plan. Notwithstanding this, the conservation measure itself can be reviewed at any time, and in fact each year if it is the desire of the Commission. This is consistent with our current practice for reviewing conservation measures.

## Conclusion

So, in summary, we have greatly appreciated the input provided by Members during this year's meeting. We sincerely believe that the differences between us are now increasingly clearly understood, and that those differences are narrowing. We are committed to finding a solution to the remaining outstanding issues, but we will need the active engagement of all Members to bridge the remaining gaps.'

8.96 Russia stated that it would continue substantive discussion in order to reach resolution of the remaining differences in opinion, and stated that agreement on the EARSMPA could only be reached by resolving these differences.

8.97 China identified three remaining and substantive concerns:

- (i) The objectives of proposed MPAs must be in line with the objective of the Convention, as set out in Article II, and should focus on Antarctic marine living resources.
- (ii) The proposals must not prejudice the freedom of scientific research as set out by international law, including the UN Convention on the Law of the Sea and the Antarctic Treaty. A general scientific research other than research fishing is beyond the scope of conservation measures of CCAMLR.
- (iii) The proposals must not restrict the rational use of Antarctic marine living resources, and must allow reasonable levels of fishing. Any restriction on fishing activities must have sufficient legal and scientific basis.

8.98 With respect to the objectives of the proposed RSRMPA, the proponents also stated that the size of the GPZ was not a conservation objective per se. Rather, the size of the GPZ was the outcome of the planning process and was in proportion to the identified conservation threats (see SC-CAMLR-XXXIII/BG/23 Rev. 1). The proponents also clarified that while directed fishing would be prohibited in the GPZ, research fishing pursuant to CM 24-01 and consistent with the specific objectives of the MPA would be permitted. The SRZ would be

established in order to compare lightly fished areas in the SRZ with the main fishing ground of the Ross Sea toothfish fishery to the northwest of the SRZ (see SC-CAMLR-IM-I/08 and SC-CAMLR-XXXIII/BG/23 Rev. 1). The objectives for the SRZ had also been expanded to accommodate Members' interests in understanding toothfish movement and distribution throughout the Ross Sea region.

8.99 With respect to the development of a research and monitoring plan for the RSRMPA, the proponents noted their intention to build on the draft plan that has already been developed (SC-CAMLR-IM-I/BG/03 Rev. 1). The proponents intend that all Members would be involved in the development of a final research and monitoring plan and expect to revise the draft accordingly, including by considering points within the MPA checklist.

8.100 Russia made the following statement:

'While realising the importance of having a process for establishing MPAs, Russia is in favour of a scientifically grounded approach to such establishment, whereby subjective assessments would be minimised. Russia has indicated on a number of occasions that the development of MPAs must include periods of designation for each MPA, the development of research and monitoring programs with time frames for conducting this research and an indication of by which states this will be done, and measures relating to responsibility for breaching MPA regulations. Such MPA documentation must also include criteria for assessing the performance of MPA programs and the extent to which they achieve their stated objectives. It should be noted that an examination of the revised proposals for RSRMPA and the EARSMPA put forward for adoption at CCAMLR-XXXIV leads us to conclude that the majority of their provisions still do not take into account comments by Russia made at the CCAMLR meeting in Bremerhaven and included in that meeting's report (this primarily related to Russia's proposals for the opening up of areas previously closed to fishing alongside the establishment of MPAs). Based on the aforesaid, it must be pointed out that the current lack of sufficient scientific data and the substantive remarks made by Russia and outlined above, make it impossible to agree with these proposals to establish MPAs until the relevant comments have been addressed.'

8.101 China reiterated its concern that proposals must not prejudice the freedom on scientific research as set out by international law and the Antarctic Treaty, where research includes scientific activities other than research fishing.

8.102 The proponents of the RSRMPA proposal stated that the intention of the proposal was not to restrict scientific research, and that the concerns expressed by China and Russia on this issue may be accommodated with further revision.

8.103 Norway made the following statement:

'Norway reiterates its support for both MPAs under consideration. We are pleased that Members with remaining issues continue to engage in discussion and look to future progress. But – we are somewhat surprised by some of the rather extreme opinions expressed today regarding unwillingness to accept restrictions on science activities or fishing activities in areas that are considered by most to be worthy of special protection. Such opinions negate the possibilities for CCAMLR to be "pre-emptive" in ensuring conservation objectives. This is not in keeping with the conservation mandate

of CCAMLR as many Members see it. We see it as a possibility that conservation alone can dictate some of our decisions. But – that said – we also note that closed areas can actually promote adjacent stock improvements.’

8.104 The UK made the following statement:

‘It is hard to find new ways to express the disappointment of my delegation. For the fourth year, we still find ourselves with “substantive” and “fundamental” differences on MPAs, yet we have all made previous commitments to develop a representative system. The UK is a committed Antarctic Treaty Party, and we are also a fishing nation. We work hard with our industry and other stakeholders to develop an approach to CCAMLR which reflects the Convention’s objectives and, in particular, to deliver conservation of the South Ocean – conservation is, after all, what is in the title of the Convention. Earlier this afternoon, we had a useful discussion about how we can enhance the working methods of CCAMLR to address urgent and emerging challenges, such as climate change. It is illogical that the MPA proposals end up in the same pattern year after year – that is that the proposals are introduced and a few more questions and a few more issues are raised – but we do not hear any constructive proposals on how exactly to move the MPAs forward. This is not a pattern that is helping us to find common ground, nor is it leading us towards consensus. Yet finding common ground and building consensus is the spirit of the Antarctic Treaty. CCAMLR needs to get back to its roots.’

8.105 Germany made the following statement:

‘Again, we are very disappointed that there is no agreement on any MPA. However, I would like to thank the proponents of both MPA proposals on the Ross Sea and East Antarctica. We definitely acknowledge how much effort they have put in these proposals, and we also acknowledge that many CCAMLR Members have engaged in constructive discussions. Germany is very sorry not to have a blueprint, a real example for the future proposal for a Weddell Sea MPA now. In addition, please let me ask one question: If the international community has committed to set aside 10% of the oceans for marine protected areas until 2020, and we are now in 2015, when do you think we should start?’

8.106 ASOC made the following statement:

‘ASOC recalled any harvesting within the Convention Area must be done in compliance with the objectives of the Convention and several important conservation principles per Article II.3(iii). ASOC also noted Article IX.2(g) allows CCAMLR to agree to conservation measures that designate open and closed areas, regions or sub-regions for purposes of scientific study or conservation, including special areas for protection and scientific study. ASOC also re-emphasised CCAMLR’s own commitment to creating a representative system of MPAs and voiced their disappointment with the limited progress to deliver this important element of conservation, which is the main objective of the Convention.’

8.107 The proponents of the RSRMPA proposal made the following statement:

‘The USA and New Zealand have been working on the proposed measure for the Ross Sea MPA for more than five years. During that time we have listened carefully to the views of Members and the advice of the Scientific Committee; and, over time and through the submission of a number of revisions, we have taken into account those views and made the proposal increasingly more acceptable to a broad range of Members. Prior to this meeting, we presented a revision that took into account the views of certain key Members. And at this meeting, we are pleased that we are able to submit another revision, this time to meet the concerns of a particular Member (CCAMLR-XXXIV/29 Rev. 1).

We want to thank China for its constructive approach in working with us on this revision. It is only with China’s spirit of cooperation that we have been able to take this important step today.

In this revision, we have tried to develop creative solutions to accommodate Members’ interests. In doing this we realised it would be important to identify an objective that goes beyond the objectives already included in our proposal. We believe that all Members have an interest in research on krill, and there are opportunities for krill-related research in the Ross Sea region that go beyond those already envisioned in our proposal. Thus, we are proposing a new Krill Research Zone (KRZ) that greatly expands the scope of the proposed MPA. This is the most substantial change in this revision.

The objective for the KRZ is to promote research and scientific understanding of krill in the northwestern Ross Sea region. This new objective is reflected as specific objective 11 in the revised proposal. More specifically, we envision a program to investigate life-history hypotheses, biological parameters and variations in the biomass and production of Antarctic krill. The KRZ occurs in an area where there has been historic krill fishing, and the objective for the KRZ can be achieved without compromising achievement of the 10 other objectives we have already proposed, particularly without compromising achievement of the objectives in the proposed General Protection Zone (GPZ). The KRZ is west of the main GPZ. We envision that Members may fish for Antarctic krill within the KRZ in accordance with Conservation Measure 51-04 and the specific objectives of the MPA listed in paragraph 3 of our draft conservation measure. Under this revision, we have also proposed that Members would be able to fish for Antarctic krill in the Special Research Zone. The advantage of this approach is that CM 51-04 already includes research plans that we have adopted previously. We can leverage the research plans in CM 51-04 to kick off research in the KRZ.

On duration, the revised proposal now acknowledges that there will need to be consensus from the CCAMLR Membership to continue the marine protected area. In recognition that the final decision on this issue remains for all CCAMLR Members to agree in the final negotiation, as does the decision on the number of years the MPA will be in force, these points remain in square brackets.

We do not intend to seek negotiation on this proposal now. We believe this revision takes us very close to consensus. We look forward to engaging with Members on the

revisions we have made, both intersessionally and at the next meeting, as well as receiving further consideration by the Scientific Committee and the Commission. We sincerely hope that other Members will also be forthcoming with any specific concerns so that these can also be addressed.'

8.108 China made the following statement:

'China would like to thank the United States and New Zealand for presenting a revised version of the Ross Sea Region MPA Proposal. We appreciate their continuous endeavours in accommodating comments and suggestions from other Members. China has made clear its basic positions on the issue of MPA in previous meetings. In general, China is supportive to establish an MPA in accordance with the international law and on the basis of scientific evidence, with the aim at enhancing the conservation of Antarctic marine living resources. We would like to take this opportunity to reiterate our positions as follows:

- The objectives of an MPA in the Convention Area shall be consistent with the objective and relevant principles set out in the Convention.
- The establishment of an MPA shall be without any prejudice of freedom of scientific research in the Antarctica.
- The establishment of an MPA shall reflect the rational use of the marine living resources, and strike a balance between the rational use and the protection of marine living resources.
- The research and monitoring plan and its priority elements shall be operational so as to ensure effective assessment of the performance of an MPA.
- The period of an MPA should be reasonable and the extension of the period of an MPA should be decided by consensus.

We notice that the revised version of the proposal made by the USA and New Zealand reflects in principle the main concerns of China. Accordingly, China would like to be supportive to the revised proposal. We think it can form a basis for further consideration. China would like to work together with all Members to consider the Ross Sea MPA proposal in coming days.'

8.109 Russia thanked the proponents of the RSRMPA proposal for the revision and for accommodating many of the issues raised during the meeting. Russia reiterated the need for further consultations in order to reach consensus on the remaining issues related to boundaries, period of designation and the research and monitoring plan. Russia looked forward to further discussion during the intersessional period.

8.110 Members thanked the proponents of the RSRMPA proposal and China for the revised proposal. CCAMLR-XXXIV/29 Rev. 1 had addressed many of the issues discussed at the meeting, and the revision was a significant step forward in the development of a representative system of MPAs. Members expressed hope that further intersessional consultations would lead to the establishment of the RSRMPA.

8.111 Australia made the following statement:

‘Australia is pleased to see the significant steps made towards a Ross Sea Region MPA and we commend the proponents and other Members for this progress. We hope that this is now setting us on a path to establishing MPAs and look forward to making progress on this MPA during the coming year. We note that the revisions made to the Ross Sea Region MPA proposal are appropriately designed around the unique nature of that region and the specific requirements for its conservation. We are supportive of these changes, particularly on the basis that, as envisioned in CM 91-04, MPA proposals should be developed with unique circumstances and requirements in mind. We look forward to the progress being made on this important MPA being a catalyst for progress on the East Antarctic MPA proposal.

Turning to the East Antarctica proposal, Australia and our co-proponents appreciate the specific feedback we have received on the East Antarctic MPA proposal. We now have a better understanding of specific issues as we outlined in our intervention earlier this week. Nevertheless, we are disappointed that we have not been able to make more progress on the East Antarctic MPAs this year. We believe that specific comments on the text are the way to resolve the outstanding issues, and we look forward to active engagement from Members in the intersessional period. As noted earlier, we see the progress that has been made in the 11th hour of this meeting on the Ross Sea MPA as a very positive sign of what can be achieved with our MPA proposal. We now believe there is a very real possibility that CCAMLR will signal its global leadership in marine stewardship and fulfil its commitment to establish an extensive network of Antarctic MPAs at its 35th meeting.’

8.112 Norway made the following statement:

‘Our hope is that continued discussions, this coming year will ultimately lead us to achieving the MPA network that the Commission envisaged for us, when Conservation Measure 91-04 was put in force back in 2011. We will be pleased to engage with other Members in discussion over this next year regarding these new developments on the Ross Sea MPA to reach consensus.’

8.113 The USA made the following statement:

‘The USA noted that there have been a number of constructive discussions at this meeting that have resulted in the tabling of this revised proposal today. The United States noted its appreciation for China’s engagement and support for this revised proposal, which brings CCAMLR much closer to being able to establish an MPA in the Ross Sea. The United States noted its encouragement with this progress in that it is a testament to what can be accomplished when Members are committed to work together and find balanced solutions to complex issues. The United States noted its appreciation for the continued strong support of the vast majority of other Members to move the proposal to the drafting stage during this meeting, and hoped that this can be achieved next year, with the support of all Members.

The USA highlighted that the Ross Sea proposal is underpinned by decades of research and years of scientific analysis; it has been reviewed and re-reviewed by the Scientific Committee, with the conclusion that the proposal is based on the best

available science. The proposal is also consistent with Conservation Measure 91-04. The specific conservation and scientific objectives in the proposal are consistent with the precautionary approach to marine living resource management, for which this Commission is internationally recognised. These objectives are also consistent with the Commission's endorsement of the development of a system of Antarctic MPAs, with the aim of conserving marine biodiversity in the Convention Area.

The USA stated that is particularly mindful that this is the fifth meeting of the Commission and Scientific Committee where specific, mature and well-supported proposals for MPAs have been tabled and extensively discussed, yet the Commission has not been able to achieve the agreed goal of establishing a representative network of marine protected areas within the Convention Area. The United States asked all Members to cooperate to reach this goal. Taking stock of the evident progress we have been able to make at this meeting, the United States noted its renewed sense of optimism and asked that all Members work together to establish MPAs next year.'

8.114 The EU made the following statement:

'Further to our previous statements during this meeting, the EU would like to recall that CM 91-04 adopted in 2011 reflects that CCAMLR as a whole agreed to develop a representative system of Marine Protected Areas. We welcome the strong efforts by the Ross Sea proponents to bring that proposal closer to adoption we hope this will serve as a catalyst for other MPA proposals as well.

The World Summit on Sustainable Development in 2002 set the objective to achieve a representative network of MPAs by 2012. There is also the Aichi target 11 established in 2010 in Nagoya under the Convention for Biological Diversity that establishes a clear objective which is that by 2020 "10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes".

All these commitments were very recently re-endorsed by the UN General Assembly on 25 September 2015, where all CCAMLR Members took part, when it adopted the Sustainable Development goals. The commitment is included in Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development. And the associated target is 14.5: "By 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on the best available scientific information".

CCAMLR Members have invested considerable resources in developing and improving the MPA proposals for this year's meeting. We would like to encourage those Members to continue to develop MPA proposals. Despite continuing reservations from some Members on the proposals on the table, every single Member that has taken the floor supports the establishment of MPAs. Therefore it would be very important that these Members join our efforts with proactive and concrete proposals to achieve CCAMLR's objective of a representative system of MPAs.'

8.115 France made the following statement:

‘The French Delegation is pleased to see that the USA and New Zealand have come to an agreement with China to work on a revised version of the Ross Sea MPA proposal. Admittedly there is still work to be done on the precise wording of this proposal, but it is indeed a success. We would like to thank China and applaud its constructive efforts. This great country has shown its commitment to contributing to the conservation of a unique and fragile area of unspoiled nature, far from its borders, which plays an essential role in maintaining the large-scale ecological balance of our planet. The greatness of a State rests on its being able to see beyond its immediate national interests, to work towards the common interests of all mankind, and to preserve our planet which we know to be in danger. This positive step forward rekindles hope in the hearts of the proponents of the proposed MPA for East Antarctica, Australia, France and the European Union, who since 2012 have made considerable efforts to engage in constructive dialogue with all CCAMLR Member States. We would like to thank all delegations who have worked with us to refine this proposal. And of course we want to continue our dialogue with China so as to come to an agreement in the near future. France would like to take this opportunity to acknowledge the enormous amount of work done by Germany on an MPA proposal for the Weddell Sea, and we hope that next year we will be able to work on an actual draft text. France also commends the international cooperation shown by Argentina and Chile in preparing a draft MPA for the Antarctic Peninsula. Mr Chairman and esteemed colleagues, today we are at a turning point. All CCAMLR Members except one have a shared vision of our collective responsibility as enshrined in Article II of the Convention, that is, the conservation of the marine resources of the Southern Ocean. We call on all Members of our organisation to take their share of responsibility to achieve this objective, for our own sake and for that of future generations.’

8.116 Germany made the following statement:

‘Germany fully supports the comments stated by the EU and France. We fully share their views on the development of Marine Protected Areas. Germany would like to thank the United States and New Zealand, as well as China, for their efforts to progress in the Ross Sea MPA proposal. Of course there is more work to do intersessionally, but this development gives hope for the advancement of further proposals on marine protected areas.’

8.117 The UK echoed the statement from Germany.

8.118 Belgium made the following statement:

‘Belgium, being one of the member states of the European Union, fully supports the statements just made by the EU, France, Germany and the UK. Belgium would like to reiterate its firm commitment to:

- the CAMLR Convention, in which the importance of safeguarding the environment and protecting the integrity of the ecosystem of the seas surrounding Antarctica is fully recognised

- CM 91-04. Our framework for the establishment of a network of MPAs based on the best available scientific evidence. Something the proponents of the MPA proposals under discussion have been duly doing.

We have been working many years on the current MPA proposals and we believe the time has come to walk our talk. Therefore, we warmly welcome the efforts made to introduce a revised Ross Sea MPA proposal this morning and we are ready to engage constructively in future discussions of this new proposal. We sincerely hope that intersessionally we will, collectively, be able to make the necessary progress on the MPA proposals on the table in order to reach consensus on both of them next year.'

8.119 Sweden made the following statement:

'The administrative boundaries of CCAMLR are fisheries boundaries and not based on the ecological conditions and the need for ecosystem-based management. Overall, CCAMLR has departed from its conservation mandate and geared towards fisheries management. This trend is worrying and short-sighted. Overfishing is one of the main reasons for the decline in ocean health, and CCAMLR is embarking on a trend that so many countries have been down already. The failure by CCAMLR to work in a reasonable consensus manner is worrying. In the extreme, any nation could paralyse the working of the Commission, by, for example, blocking all forms of fishing in any part of the CCAMLR area. What is the way forward?

Time-bound MPAs are generally considered suboptimal. Slow-growing sponge beds and other sensitive habitats can take decades, if not centuries, to recover from even one fishing event. The benefits from MPAs are many and have been widely described by the proponents. Even if fishing is your main objective, setting aside more than 30% of the management area makes sense to give the ecosystem a chance to reproduce and recover. Big old fecund females (BOFFs) are often the key actors in rebuilding stocks, something that has been demonstrated in many different parts of the world. Giving them a home is an important benefit of a large MPA. The categorisation of the entire CCAMLR area as an IUCN Category IV is misleading as pointed out by the IUCN in this meeting. Instead, we should with urgency develop true conservation measures across the CCAMLR area.

Let me end on a personal note by saying that during my 30 years of following the work of the Commission I have been proud to be part of this organisation that has done so much good. I do not want to have to look my grandchildren in the eyes and tell them that wrecking the Southern Ocean happened on my watch. We are assaulting the world oceans in so many ways, climate change, overfishing and pollution to name a few. Let us all work together for a bright future for our ocean, before it is irreversibly lost. Antarctica needs the network of MPAs now!'

8.120 South Africa made the following statement:

'This delegation has always supported establishment of the network of MPAs in Antarctic in line with the Johannesburg Plan of Implementation (WSSD), provided concerns of other Member States were taken into consideration. We are pleased that

this now happens to be the case, we wish to join other delegations in congratulating the USA and New Zealand on their revised proposal which we understand still needs further discussions during the intersessional period.’

8.121 New Zealand made the following statement:

‘This year, we have again heard broad support from Members for the Ross Sea Region MPA. Yet we have also heard that there is again no consensus to move to drafting committee. However, we welcome the constructive engagement by China and its willingness to express its remaining concerns with the proposal. We understand these concerns have now been addressed.

We are delighted to have been able to make substantive progress and look forward to further consideration by the Scientific Committee and the Commission, of the revisions we have made to address these concerns. We sincerely hope that other Members will also be forthcoming with any specific concerns so that these can also be addressed.

We would like to voice our support again for the establishment of all marine protected area proposals currently under consideration. We thank all those Members who have engaged in a constructive way to work towards the Commission’s commitment to the establishment of marine protected areas in the Convention Area and are committed to continuing discussions intersessionally and at next year’s meetings on MPA proposals. We hope it will be possible to reach agreement on the RSRMPA and the EARSMPA at the next meeting.’

8.122 ASOC made the following statement:

‘ASOC aligned themselves with the remarks from Sweden. They recognised the enormous investment of time and resources on the MPA issue and the willingness of proponents to respond to other Members’ concerns and congratulated the efforts by China, USA and New Zealand to work cooperatively. ASOC reaffirmed their hope that Members continue to work on all MPA proposals during the intersessional period with an aim to reach full consensus next year as discussions have been prolonged and have taken many years. ASOC noted the designation of MPA proposals in a timely manner will assist with scientific research on climate change and fisheries. ASOC further stated they look forward to the point when CCAMLR, with the support of ALL of its Members, adopts a system of meaningful protected areas to contribute to the conservation objectives of the Convention.’

## **Implementation of Convention objectives**

### **CCAMLR Symposium**

9.1 At CCAMLR-XXXIII the Commission endorsed a proposal by Australia, Chile and the USA to hold a second CCAMLR Symposium to mark the 35th anniversary of the signing of the Convention (CCAMLR-XXXIII, paragraph 8.9). The symposium objectives included to review the work undertaken by the Commission over several decades and to exchange views regarding the future challenges of the Commission. The symposium was held a decade after the Valdivia Symposium (Chile, April 2005).

9.2 The second symposium took place from 5 to 8 May 2015 in Santiago, Chile. It included participants from 16 Members of the Commission, three observers and the CCAMLR Secretariat. Following the Chatham House Rule, participants acted in their capacity as individuals with knowledge and experience of CCAMLR rather than as representatives of national governments. The outcomes generated from discussion across six thematic sessions, and the identification of key issues in the form of questions for the Commission, are presented in CCAMLR-XXXIV/28 Rev. 2.

9.3 Chile invited the Commission to consider potential priorities and the questions included among the symposium outcomes, suggesting an initial focus may consider climate change, the relationship between the Commission and Scientific Committee, and the possible value of a road map reflecting strategic priorities for the next five years. In addition, the Commission was invited to consider efforts to manage the delicate balance between conservation and rational use. Confirming the critical need to achieve a shared understanding among all Members relating to a balance between biodiversity conservation and rational use, other issues identified included maritime safety and the relationship between CCAMLR and other organisations with related interests. In noting that CCAMLR is an integral part of the Antarctic Treaty System, with associated obligations to cooperate, Chile had presented the outcomes to CCAMLR-XXXIV on behalf of symposium participants as a contribution to the Commission's consideration of future priorities.

9.4 Symposium participants reported to CCAMLR-XXXIV that the symposium had provided a valuable opportunity to discuss a variety of occasionally divergent views in a relaxed atmosphere. It was noted that discussions under Item 7 at CCAMLR-XXXIV were directly related to one of the priority issues identified at the symposium concerning the integration of climate change in the work of CCAMLR. Other issues considered to warrant increased focus included scientific research and the ongoing threats posed by IUU fishing.

9.5 Some Members considered that CCAMLR has an opportunity to re-establish itself as an organisation that sets global benchmarks in relation to key issues addressed in other similar multilateral arrangements such as the balance between sustainable use and marine resource conservation and the integration of climate change considerations in the scientific work of the organisation and decision-making. Several Members, noting that the symposium provided a starting point for further discussions, proposed that the symposium outcomes had the potential to inform a proposed second performance review should that be approved by the Commission.

9.6 Noting that there has been an increase in the number and complexity of issues that the Commission and Scientific Committee has been compelled to address, Australia introduced CCAMLR-XXXIV/18. Drawing on discussions at the symposium, Australia invited the Commission to consider ways to more effectively plan and organise the work of the Commission, including the possibility of undertaking a priority-setting exercise for consideration at next year's meeting. While consensus could not be reached on the recommendations, many Members recognised the importance of planning the work of the Commission with a strategic focus.

9.7 Some Members suggested that the Scientific Committee also consider its priorities and agreed that the second performance review, when it is undertaken, is an opportunity to consider priority-setting options. The Commission noted the time and resources required to agree to priorities in an environment where Members have different expectations. There was also a view that there is no reason why CCAMLR cannot examine its methods of work in an

effort to achieve improved efficiency at any time, noting that the Scientific Committee was currently promoting increased intersessional communications involving working group conveners, the Scientific Committee Chair and the Secretariat.

9.8 The Commission agreed the matter of priority-setting be kept open for consideration at future meetings.

9.9 Also, as a result of discussion during the symposium relating to the benefits for CCAMLR to have an ongoing dialog with relevant States that manage toothfish fisheries outside the Convention Area, Australia presented CCAMLR-XXXIV/BG/19 on the toothfish fishery at Macquarie Island. The paper was noted by the Commission.

9.10 ASOC presented CCAMLR-XXXIV/BG/25 on implementation of Article II, noting that closing areas to fishing was necessary to differentiate between the effects of fishing and climate change and to reduce uncertainty over whether marine living resources are being managed in accordance with Article II. ASOC also presented CCAMLR-XXXIV/BG/26 containing a compendium of papers that revisit CCAMLR's implementation of the precautionary and ecosystem approaches. ASOC recalled earlier decisions to place key reference documents such as those included in the compendium in the public domain on the CCAMLR website. ASOC hoped these documents would support CCAMLR's ongoing efforts to effectively implement the Convention and inform its strategic discussions. The Commission thanked ASOC for these useful background documents.

#### Regulatory framework

9.11 The Commission welcomed CCAMLR-XXXIV/17 Rev. 1 by the Chair of the Scientific Committee in response to a request from CCAMLR-XXXIII (CCAMLR-XXXIII, paragraph 5.37). The paper reviewed the CCAMLR regulatory framework as it is currently applied and:

- (i) noted that the nomenclature and working 'status' of individual fisheries and the regulatory framework have become somewhat disconnected
- (ii) recommended that the Scientific Committee and Commission review the current status and nomenclature of exploratory and closed fisheries, with a view to realign these fisheries and their status within the context of the regulatory framework
- (iii) noted that this would require review of relevant conservation measures to determine their information requirements, as well as the process for obtaining that information, for all fisheries targeting toothfish that are not established fisheries
- (iv) recommended simplification and harmonisation of fishery terminology and nomenclature with the existing regulatory framework, including decoupling the research plan pro forma from CM 24-01 (Annex 21-01/A, format 2) and annexing it to CM 41-01, which, if endorsed, would require a change in the status of some fisheries from 'closed' to 'exploratory' and new or revised

conservation measures that may include a specific research catch limit for those areas where research on toothfish is conducted but there is no catch limit specified in an existing conservation measure.

9.12 The UK thanked the Chair of the Scientific Committee for his thorough review and suggested that research plans could be appended to the relevant conservation measures for those areas where a conservation measure already exists. Where there is no current conservation measure, a new approach may be required. The UK also suggested that a more structured approach would assist in broader discussions concerning management approaches in particular areas, in addition to providing an opportunity to ensure that requirements, including in respect to data reporting, by-catch mitigation and observers, are linked to research proposals.

9.13 Australia noted the discussion on this matter in the Scientific Committee (SC-CAMLR-XXXIV, paragraphs 3.223 and 3.228) and agreed that all research plans for toothfish in exploratory fisheries, data-poor fisheries and closed fisheries have the same objectives – to develop exploratory fisheries and that this was the conclusion in the original discussion in the Commission on this matter in 1998. Australia also supported the proposal from the UK that research proposals be incorporated in the respective conservation measures for these fisheries and requested that the Secretariat work with Members to clarify the current status and nomenclature of exploratory and closed fisheries.

9.14 China suggested that a glossary of terms that describes the nomenclature and terminology would be beneficial in establishing a common understanding among Members. China also suggested that a mechanism or procedure, utilising the agreed terminology, be established to support the revision and adoption of conservation measures, noting that this would be particularly useful for Members for which English is not their first language.

9.15 The USA thanked the Chair of the Scientific Committee for completing this review, which clearly demonstrates that the categorisation of fisheries is complex and confusing and requires further discussion. Regarding the recommendation to move Annex A from CM 24-01 to CM 41-01, the USA indicated that in order not to leave a gap in CM 24-01, something similar to Annex A should remain in CM 24-01. Regarding the recommendation to adopt a catch threshold that would trigger the change of status of a fishery from closed to exploratory, the USA did not think this would be appropriate unless the Scientific Committee advises that:

- (i) the status of the stock in the closed area has actually changed in a way that that an exploratory fishery is sustainable, or
- (ii) an exploratory fishery can lead to an assessment of stock status.

9.16 With respect to the recommendation to review current status and nomenclature of exploratory and closed fisheries, the USA recommended improved accounting and a clear description that provides easy reference to the reasons that some fisheries were closed and an explanation for the catch limits that have been agreed by the Commission for research fishing in these areas. In the view of the USA, it would be useful to establish a conservation measure, or measures, for research fishing not already included within other conservation measures rather than including research fishing only in report text. The USA also noted that

the Commission may want to re-evaluate the application of exemptions from conservation measures relating to by-catch, incidental mortality, scientific observation, etc. to research fishing in which the catch limits are similar to those in exploratory fisheries.

9.17 Russia expressed appreciation for the detailed analysis presented in the paper and the options that had been offered for the consideration of the Commission. Russia recommended that the position of delegations suggesting further work be taken into account, including with respect to proposed changes to CM 24-01 regarding research in closed areas. Russia suggested that it is time to convene a workshop to provide an opportunity for more detailed consideration with focus on (i) how the status of some fisheries should be changed and which of new/revised conservation measure(s) would be required; (ii) which of ensuing consequences for CCAMLR fisheries would be provided by streamlining fishery status. The report of this workshop should be presented for consideration by WG-EMM and WG-FSA.

9.18 In supporting the views of other Members that the issues raised in the paper warranted detailed consideration by the Commission, Ukraine suggested that there is a need to take into account the nuances that distinguish research fishing and exploratory fishing. Ukraine advised that research fishing aims to collect data and that, once an understanding of the status of resources has been achieved, a strategy for managing harvest and levels of removals can be implemented.

9.19 Sweden noted that CCAMLR-XXXIV/17 Rev. 1 concluded that only about half of the Members notifying to undertake exploratory fisheries in the Convention Area include any reference to dependent and related species, or other ecosystem considerations despite the fact that CM 21-02 requires notifying Members to provide as much of this information as possible. Sweden noted that the paper suggests that, in order to address these issues, it would be valuable to undertake a review of notifications from Members intending to participate in exploratory fisheries to determine the extent the requirements set out in CM 21-02, paragraphs 1(ii)(b) and 6(d), are met and how analysis from this data has been brought forward. Sweden recommended increased involvement of ecologists in the development of notifications.

9.20 At the invitation of the Chair, the Chair of the Scientific Committee suggested that, with respect to the current exploratory fishery in Subarea 88.1 in which the catch limit is based on a fully integrated assessment, it would be possible for interested Members to draft a proposal for a new conservation measure to more appropriately reflect the status of this fishery while incorporating elements from existing measures such as the notification process. He also noted that the suggestion of a workshop, possibly in the margins of Scientific Committee working group meetings in 2016, would provide an opportunity to advance discussions on matters raised, including the suggestion for the preparation of a glossary of terms.

9.21 The Commission requested the Secretariat work with Members in the intersessional period to table proposals for how new conservation measures may be developed or existing measures revised for all activities targeting toothfish, to ensure they are consistent with CCAMLR's regulatory framework. The review should include revisions to Tables 1 and 2 in the context of the revised formats for catch limits used by the Scientific Committee.

## Performance review

9.22 The EU introduced a proposal for undertaking a second performance review (PR2) by CCAMLR (CCAMLR-XXXIV/20). The EU noted that, in accordance with the commitment undertaken at CCAMLR-XXXIII (CCAMLR-XXXIII, paragraph 8.15), the EU had circulated draft terms of reference early in 2015 for consideration by Members (refer to COMM CIRC 15/23). The draft terms of reference were refined on the basis of numerous comments that were received in response to that CIRC. The draft terms of reference for PR2 seek to build on the outcome of PR1 by focusing on progress in implementing the recommendations from PR1 and issues from PR1 which have not yet been completely addressed by the Commission or the Scientific Committee. The proposal by the EU included suggestions regarding the composition of the review panel. The EU was also supportive of the outcomes of the CCAMLR symposium in Chile providing a sound basis for the work of PR2.

9.23 Some Members raised the following issues related to performance review: the working relationship between the Commission and the Scientific Committee, the relationship between CCAMLR and other institutions sharing similar interests, financial aspects of the review, appropriate time interval between two performance reviews, the potential role of the Secretariat, the role of the Commission in agreeing to the terms of reference for a review, the relationship between the terms of reference and the objectives of the Convention, and options for the structure of the review, including a focus on thematic areas such as science, compliance, data availability and sharing, the regulatory framework, the implementation of Article II, MPAs and climate change.

9.24 In agreeing that periodic independent reviews can be beneficial, particularly in terms of identifying emerging issues requiring the attention of the organisation, some Members suggested that, if the Commission agrees to a PR2, it should have a narrow focus, relative to PR1. They suggested that there should be less emphasis on in-depth analysis of PR1, including an assessment of the ongoing relevance of any recommendations that remain largely unaddressed from PR1. Other Members noted the recommendations in the first performance review were still relevant, some had still to be implemented and that it would be important for PR2 to include these in its considerations.

9.25 Several Members expressed disappointment that, despite the discussion that had occurred at previous meetings regarding a second performance review, and the concerted efforts to engage all Members in intersessional discussions since CCAMLR-XXXIII, new issues were only being raised at this time. Some Members were of the view that this creates significant inefficiencies and leads to poor meeting outcomes.

9.26 The Commission agreed that intersessional work would continue with all Members to refine the terms of reference for further consideration at CCAMLR-XXXV.

9.27 ASOC advised the Commission that it was disappointed at the lack of progress with setting a time for a second performance review advising that it remained supportive of ongoing efforts to strengthen CCAMLR. ASOC considered that the priorities for a second performance review should include the matters of climate change and MPAs.

## **Cooperation with the Antarctic Treaty System and international organisations**

### Cooperation with the Antarctic Treaty System

#### Cooperation with Antarctic Treaty Consultative Parties

10.1 The Executive Secretary introduced a summary report of ATCM XXXVIII in Sofia, Bulgaria, which he had observed on behalf of the Commission (CCAMLR-XXXIV/BG/09), advising that the dates and venue for ATCM XXXIX and CEP XIX will now be 23 May to 1 June 2016, in Santiago, Chile. He noted that COMNAP was organising a workshop on search and rescue in the margins of ATCM XXXIX. The Commission also noted that a Joint CEP–SC–CAMLR Workshop was scheduled for Punta Arenas, Chile, immediately before the ATCM. The Commission agreed that the Executive Secretary again observe the ATCM and that the Chair of the Scientific Committee and the Secretariat’s Science Manager attend the CEP. It was agreed that the Chair of the Scientific Committee’s attendance at both the Joint CEP–SC–CAMLR Workshop and the CEP would be supported from the Commission’s budget.

#### Cooperation with SCAR

10.2 The Commission welcomed the report of SCAR that had been presented to the Scientific Committee (SC-CAMLR-XXXIV, paragraphs 10.5 and 10.6) (see also paragraph 5.89).

#### Reports of observers from international organisations

##### ARK

10.3 The ARK Observer made the following statement:

‘ARK thanks the Commission for the invitation to the 2015 meeting of CCAMLR.

The aim of ARK is to assist the krill fishing industry to work with CCAMLR to ensure the sustainable management of the fishery.

ARK noted the concerns that have been raised in the Scientific Committee and the Commission on the reporting of by-catch in the krill fishery. We have examined the relevant conservation measure (that is CM 23-06) and the C1 form and noted that CM 23-06, paragraph 6, requires each Contracting Party to complete the CCAMLR fine-scale catch and effort data form (trawl fisheries Form C1). On the C1 form itself it simply states that “Guidelines for submitting these data are given in Conservation Measures 23-04 and 23-06 (where applicable)” but there are no guidelines in CM 23-06, and CM 23-04 does not apply to krill. In the C1 form there are a number of fields that are not relevant to the krill fishery and indeed the part of the form for reporting by-catch refers to “Number without tags” and we feel that this may contribute to the apparent confusion and discrepancies in the reporting of by-catch in the krill fishery.

Indeed, we recognise that the discrepancy between the frequency of occurrence of fish by-catch in the C1 and the observer data but suggest that this may well be inevitable given the different level of detail that can be applied to the analysis of by-catch. However, we would hope that we can consider these differences as complementary rather than contradictory information on fish by-catch in the krill fishery.

Given the current situation we propose to work with Members and the Secretariat to develop a krill-fishery specific catch reporting form with a full set of operational instructions for the completion of that form that can be implemented on fishing vessels in order that we can ensure that all catch and by-catch data are submitted with the level of detail required by the Commission.

ARK representatives travelled to China to meet with Chinese krill fishing companies and scientists in Qingdao in September 2015. The meeting explored ways to enhance communication between ARK and Chinese krill fishing and scientific interests. ARK thanks the Chinese delegates facilitating the meeting.

Useful discussions were held on topics including scientific observer coverage, the use of fishing vessels to conduct science for CCAMLR, the value of ARK's contribution to CCAMLR, and the continued sustainable use of the krill resource.

ARK has proposed a workshop to be held in 2016 that brings together CCAMLR scientists and fishing operators to discuss issues related to the implementation of feedback management.

The Scientific Committee has endorsed holding this workshop which will be held in conjunction with the 2016 meeting of WG-EMM. The agenda will be developed with the assistance of the Convener of WG-EMM.

The Workshop on Feedback Management that was held on 24 October 2015 was useful in defining questions that might be addressed in next year's meeting.

ARK thanks CCAMLR for the opportunity to observe during the 2015 annual meetings of the Scientific Committee and Commission and looks forward to working with CCAMLR in the intersessional period.'

10.4 Norway thanked ARK for its work and supported ARK helping the Secretariat to improve by-catch reporting.

10.5 China extended its appreciation to ARK for visiting Qingdao, noting that the visit was very worthwhile.

#### COLTO

10.6 The COLTO Observer made the following statement:

'COLTO is grateful to again be an observer at the CCAMLR meeting.

We would like to draw attention to our three papers submitted this year, which were SC-CAMLR-XXXIV/BG/20 on the results of our industry and science workshop; SC-CAMLR-XXXIV/BG/12 on estimating IUU catches in the Convention Area; and a joint paper with ASOC on collaborating to eliminate IUU fishing, CCAMLR-XXXIV/BG/23. In that joint paper, I would like to draw attention to the many CCAMLR Members, States and organisations that have contributed positively towards eliminating IUU fishing over the past year.

COLTO would like to congratulate and recognise everyone involved in combating IUU activities in the past year, including particularly those from: Australia, Cabo Verde, Canada, the CCAMLR Secretariat, Chile, Equatorial Guinea, the European Commission, France, Indonesia, Germany, the INTERPOL Environmental Crime Unit, Project Scale, Malaysia, Mauritius, Namibia, New Zealand, Nigeria, Norway, Peru, Republic of Korea, Sao Tome and Principe, the Sea Shepherd Conservation Society's Operation Icefish, Singapore, South Africa, Spain, Uruguay, United Kingdom and the United States of America.

In addition, we would like to thank the many other CCAMLR Members who have been involved over many years towards the elimination of IUU toothfish fishing.

It is a remarkable list of States, organisations, agencies and individuals who are committed to ensure sustainable, healthy toothfish fisheries in CCAMLR, without the scourge of IUU fishing.'

#### Oceanites Inc.

10.7 Oceanites Inc. was introduced as a new Observer to CCAMLR and gave a brief outline of the organisation, thanked the Commission for the invitation to be an Observer, and stated that it was looking forward to working with CCAMLR.

#### ASOC

10.8 ASOC noted that it had submitted seven background papers that are relevant to the work of the Commission including on MPAs, krill fisheries management, climate change, IUU fishing and vessel safety. ASOC reported that over the intersessional period, it had worked to build support for MPAs in a number of CCAMLR Member countries with MPA-focused work through the Antarctic Ocean Alliance. It has participated in the Polar Code development process to advocate for strict environmental rules that would protect the Antarctic environment. ASOC also noted that its member organisations have also done important work supporting research on penguin populations in the Antarctic Peninsula and helping to fund a documentary about Antarctic research.

10.9 ASOC additionally noted that it was collaborating with COLTO to seek ways to support CCAMLR's fight against IUU fishing and had participated in the development of the Antarctic Wildlife Research Fund to increase funding for Antarctic research.

10.10 ASOC also highlighted its background papers on CCAMLR's approach to management and its implementation of Article II respectively, which both emphasise CCAMLR's conservation obligations. ASOC stated that it was concerned and disappointed that CCAMLR has not been able to make progress on a number of conservation issues, including MPAs. ASOC stressed that CCAMLR had a responsibility to ensure that the objectives of the Convention are met. ASOC hoped that CCAMLR Members would honour the Convention and truly work to protect Antarctic ecosystems rather than working to protect fishing opportunities.

## ACAP

10.11 The ACAP Observer made the following statement:

'ACAP would like to congratulate CCAMLR Members on their achievement in catching the lowest number of seabirds ever recorded in the Convention Area this past season. This very low level of seabird by-catch is a reflection of CCAMLR's continued excellence in high-seas fisheries management. This outcome could not have been achieved without the high levels of observer coverage provided in CCAMLR fisheries. Unfortunately, this high level of observer coverage is not replicated in adjacent high-seas fisheries and, consequently, it has not been possible to gauge the success of seabird conservation measures in these fisheries. ACAP continues to work with these organisations on the implementation of their seabird conservation measures and would strongly encourage CCAMLR Members who are members of these adjacent Commissions to seek higher levels of observer coverage and monitoring within these fisheries.

At the 5th Session of the Meeting of the Parties held in May this year, ACAP Parties approved the renewal of the MoU with CCAMLR, noting the ongoing benefits of the MoU in facilitating cooperation between our two organisations. ACAP looks forward to continuing its close relationship with CCAMLR in order that we may support each other in achieving the objectives of our respective Agreements.'

10.12 The Secretariat noted the consideration of renewal of the memorandum of understanding (MoU) between ACAP and CCAMLR (CCAMLR-XXXIV/13). The Commission endorsed the renewal of the MoU between ACAP and CCAMLR.

10.13 The Executive Secretary informed the meeting of the announcement by Mr W. Papworth of his retirement from ACAP and thanked him for the cooperation between ACAP and CCAMLR and between the respective Secretariats.

Reports from CCAMLR representatives at meetings of international organisations

10.14 The Commission noted the following background papers tabled by a number of delegations and the Executive Secretary, summarising the main outcomes of meetings of other organisations of interest to CCAMLR:

- CCAMLR-XXXIV/BG/06 – Report from the CCAMLR Observer to the Annual Meeting of the Inter American Tropical Tuna Commission (IATTC), Guayaquil, Ecuador, 22 June to 3 July 2015 (EU).
- CCAMLR-XXXIV/BG/07 – Report from the CCAMLR Observer to the International Commission for the Conservation of Atlantic Tunas (ICCAT) Annual Meeting, Genova, Italy, 10 to 17 November 2014 (EU).
- CCAMLR-XXXIV/BG/08 – Report from the CCAMLR Observer to the Indian Ocean Tuna Commission (IOTC) Annual Meeting, Busan, Republic of Korea, 24 April to 1 May 2015 (EU).
- CCAMLR-XXXIV/BG/14 – Report of the CCAMLR Observer to the Fifth Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels (ACAP), Santa Cruz de Tenerife, Spain, 4 to 8 May 2015 (Australia).
- CCAMLR-XXXIV/BG/15 – Report from the CCAMLR Observer to the Second Meeting of the Parties of the Southern Indian Ocean Fisheries Agreement (SIOFA), Flic en Flac, Mauritius, 17 to 20 March 2015 (Australia).
- CCAMLR-XXXIV/BG/38 – Report from the CCAMLR Observer to the Eleventh Meeting of the Commission for the Conservation and Management of Highly Migratory Fish Stock in the Western and Central Pacific Ocean (WCPFC), Apia, Samoa, 1 to 5 December 2014 (USA).
- CCAMLR-XXXIV/BG/43 – Report from the CCAMLR Observer to the 37th Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO), Halifax, Canada, 21 to 25 September 2015 (Norway).
- CCAMLR-XXXIV/BG/44 – Report from the CCAMLR Observer to the 2014 Annual Meeting of the North East Atlantic Fisheries Commission (NEAFC), London, UK, 10 to 14 November 2014 (Norway).
- CCAMLR-XXXIV/BG/45 – Report from the CCAMLR Observer to the 2014 Annual Meeting of the South East Atlantic Fisheries Organisation (SEAFO), Windhoek, Namibia, 1 to 5 December 2014 (Namibia).

10.15 Australia submitted the following background paper during the Commission meeting due to the timing of the SIOFA meeting:

- CCAMLR-XXXIV/BG/48 – Report from the CCAMLR Observer to the Extraordinary Meeting of the Parties of the Southern Indian Ocean Fisheries Agreement (SIOFA), Brussels, Belgium, 12 to 16 October 2015 (Australia).

10.16 The Chair introduced CCAMLR-XXXIV/BG/13 and invited nominations for CCAMLR Observers to these meetings (Table 4).

## Cooperation with RFMOs

### Commission for the Conservation of Southern Bluefin Tuna

10.17 The Commission noted that the Commission for the Conservation of Southern Bluefin Tuna had agreed to the renewal of the MoU with CCAMLR at its annual session in the Republic of Korea in October 2015. The CAMLR Commission endorsed the MoU appended to CCAMLR-XXXIV/12.

### Western and Central Pacific Fisheries Commission

10.18 The Executive Secretary recalled that the MoU with WCPFC was renewed in 2012.

### South Pacific Regional Fisheries Organisation

10.19 The Secretariat tabled a proposal to establish an MoU with SPRFMO presented in CCAMLR-XXXIV/16 Rev. 1. Noting that the next opportunity for SPRFMO to consider the draft MoU would be at its next annual meeting in January 2016 in Chile, the Commission endorsed the draft MoU, as amended, and agreed that it be conveyed to SPRFMO for its consideration.

## **2016 budget and forecast budget for 2017**

11.1 The Commission approved the budget for 2016, as considered in paragraph 4.6, and noted the forecast budget for 2017, as presented in Annex 7, Appendices II and III respectively.

11.2 The Commission approved the level of Member contributions for 2016 and 2017, noting that they remained at the 2014 and 2015 level, as presented in Annex 7, Appendix IV.

11.3 The Commission congratulated the Chair of SCAF for the successful conclusion of this item.

## **Other business**

### Statements made by Argentina and the UK

12.1 Argentina made the following statement:

‘Argentina recalls that the Malvinas, South Georgias and South Sandwich Islands and the surrounding maritime areas are an integral part of the Argentine national territory, and that, being under illegal British occupation, are subject to a sovereignty dispute between the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland that is recognised by the United Nations. Therefore, Argentina rejects

any reference to those islands as being a separate entity from its national territory, thus giving them an international status that they do not have. In light of the above, Argentina reiterates that in Statistical Subareas 48.2, 48.3 and 48.4 only the multilateral scheme of the Convention is legally applicable. Moreover, Argentina recalls that the following actions are illegal and consequently, invalid: those activities carried out in the CCAMLR area by vessels registered in, or operating having its base in, the Malvinas, South Georgias and South Sandwich Islands, or flagged to alleged British authorities thereof which Argentina does not recognise; as well as: port inspections and inspections at sea carried out by such alleged authorities, the issuance of, as well the clearing of, catch documents by such alleged authorities, the imposition by them of fishing licences or sanctions, the imposition of either a British scientific observer or of an observer designated with British conformity on other Member vessels operating in the CCAMLR area as well as any other unilateral action taken by the abovementioned colonial authorities in those territories.'

## 12.2 The UK made the following statement:

'In response to Argentina's statement, the UK reiterates that it has no doubts about its sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and their surrounding maritime areas, as is well known to all delegates. In that regard, the UK has no doubt about the right of the Government of the Falkland Islands to operate a shipping register for UK-flagged vessels. As the UK has stated on previous occasions, the at-sea and port inspections undertaken by the authorities of the respective governments of the UK's Overseas Territories of South Georgia and the South Sandwich Islands and the Falkland Islands were conducted pursuant to the UK's obligations under CCAMLR conservation measures and were reported to the Commission as such. Furthermore, the UK has the right to undertake inspections within those of its jurisdictional waters that lie within Subareas 48.2, 48.3 and 48.4 in the way that it sees fit. In addition, the UK remains committed to the implementation of the Systems of Observation and Inspection of CCAMLR and its record of doing so is clearly apparent in this Commission. As we have stated in the past, the UK firmly rejects Argentina's characterisation of the UK's interpretation of the Convention and the Chairman's Statement. The text of the 1980 Chairman's Statement is, in its paragraph 5, unambiguous. It relates to unanimity in relation to the existence of state sovereignty, not unanimity as to which state is sovereign. The UK will continue to implement CCAMLR provisions in a constructive way, in due recognition of that interpretation of the 1980 statement. The UK has also been very clear in the past on its position in relation to nomenclature. As we have stated earlier in this meeting, CCAMLR is an independent Institution. We therefore see no virtue, or relevance, in following practice adopted elsewhere in relation to nomenclature for the Falkland Islands. The existing practice of using the accepted English language toponym of the 'Falkland Islands' in English language texts, including on the CCAMLR website should be maintained. The UK Delegation recognises, however that in other language texts, the toponym in normal usage in that language may be used. The UK would reiterate its views expressed previously that it remains wholly committed to the principles and objectives of CCAMLR. It intends to ensure that the highest standards of fisheries management as well as appropriate spatial and temporal marine protection will be implemented in its jurisdictional waters – through licensing and inspections, and also through the imposition of legislation and tough management measures that

are in line with, and back up, the provisions of CCAMLR. The declaration, in 2012, of a sustainable-use Marine Protected Area around South Georgia and the South Sandwich Islands and its ongoing management and monitoring, is a further demonstration of these commitments, and sets a global example for sustainable marine management.’

12.3 Argentina made the following statement:

‘Argentina rejects the statement made by the UK and reiterates its position that is well known by all Members. Furthermore, Argentina wishes to respond to the unfortunate introduction of new points in the dispute in the statement made by the UK, such as a questionable criterion for the use of nomenclature, a striking interpretation of the Statement by the Chairman of 1980, and the reference to an alleged MPA within CCAMLR, which was duly rejected by the Argentine Republic.’

12.4 The UK reserved its position.

#### Krill notifications

12.5 China sought clarification on the issue of the application of notification fees for krill fishing for the 2015/16 season whereby notifications were submitted on a subarea basis (Subareas 48.1, 48.2, 48.3 and 48.4). China requested that consideration be given to krill fishers being able to fish all four subareas when they only notified to fish in a particular subarea; this being consistent with the decision to apply such an arrangement for 2016/17.

12.6 The Commission reaffirmed the SCAF recommendation that notification fees per area will apply from 2016/17 (Annex 7, paragraph 22) and that for the 2015/16 season the existing arrangement, where fishing is confined to subareas that were notified for each vessel, will apply.

#### **Next meeting**

##### Election of officers

13.1 The Commission elected Germany to the position of Vice-Chair for the 2016 and 2017 meetings.

13.2 The Commission endorsed the current Chair of SCIC, Mr Urrutia, to remain in the role for 2016.

13.3 The Commission elected a new Chair of SCAF from Uruguay (Mr Lluberás).

##### Invitation of Observers

13.4 The Commission will invite the following to attend the Thirty-fifth Meeting of the Commission as Observers:

- non-Member Contracting Parties – Bulgaria, Canada, Cook Islands, Finland, Greece, Mauritius, Netherlands, Islamic Republic of Pakistan, Republic of Panama, Peru and Vanuatu
- NCPs participating in the CDS who are involved in harvesting or landing and/or trade of toothfish – Seychelles
- NCPs not participating in the CDS but possibly involved in harvesting, landing and/or trade of toothfish – Brunei Darussalam, Colombia, Costa Rica, Dominican Republic, Ecuador, Indonesia, Islamic Republic of Iran, Libya, Malaysia, Mali, Mexico, Mongolia, Nigeria, Philippines, Singapore, Tanzania, Thailand, Trinidad and Tobago, United Arab Emirates and Viet Nam.

13.5 The Executive Secretary advised the Commission that a list of NCPs to be invited to CCAMLR-XXXV will be circulated to Members for comment prior to meeting invitations being issued in July 2016.

13.6 The following intergovernmental organisations will be invited to attend CCAMLR-XXXV as Observers: ACAP, CCSBT, CEP, CITES, COMNAP, FAO, IATTC, ICCAT, IOC, IUCN, IWC, RPOA-IUU, SCAR, SCOR, SEAFO, SIOFA, UNEP and WCPFC.

13.7 The following non-governmental organisations will be invited: ARK, ASOC, COLTO and Oceanites Inc.

13.8 The Commission did not endorse the invitation of the New Zealand High Seas Fisheries Group Inc. to CCAMLR-XXXV.

#### Date and location of the next meeting

13.9 The Commission agreed that its Thirty-fifth Meeting will be held at the CCAMLR Headquarters building (181 Macquarie Street) in Hobart from 17 to 28 October 2016. Heads of Delegations were requested to be in Hobart for a meeting in the afternoon of 16 October 2016.

13.10 The Commission noted that the Thirty-fifth Meeting of the Scientific Committee will be held in Hobart from 17 to 21 October 2016.

### **Report of the Thirty-fourth Meeting of the Commission**

14.1 The report of the Thirty-fourth Meeting of the Commission was adopted.

#### **Close of the meeting**

15.1 Prior to closing the meeting, the Chair presented Genevieve Tanner with a small gift commemorating 32 years of support to CCAMLR meetings firstly with the Secretariat and more recently as a member of the ARK delegation. The Chair also acknowledged the

contributions of Fausto Lopez-Crozet (Argentina) and Olivier Guyonvarch (France), both of whom would not be returning to CCAMLRL next year. He wished them both well with their new diplomatic postings for their respective countries. He also thanked Mr Kremzer for his 11 years of service to CCAMLRL in his role as Finance and Administration Manager at the Secretariat and wished him well in his retirement.

15.2 The Executive Secretary thanked the Chair for the professional way in which he had prepared, and then managed, the meeting. He also thanked all Secretariat staff, contractors, interns and casual staff for their preparation, professional and technical support to the meeting.

15.3 The Chair declared CCAMLRL-XXXIV closed.

Table 1: Season catch limits (tonnes) for target and by-catch species in finfish fisheries in Subareas 48.3 and 48.4 and Division 58.5.2 in 2015/16, and 2016/17 where applicable. MA – management area; ✓ – applicable.

Fishery for *Dissostichus eleginoides* in Subarea 48.3 (2015/16 and 2016/17)

Fishery area	Target species	By-catch species		
	<i>D. eleginoides</i>	Macrourids	Rajids	Move-on rule
MA A	0			
MA B	825	-	-	✓
MA C	1925	-	-	✓
Whole fishery	2750	138	138	✓

Fishery for *Dissostichus eleginoides* in Division 58.5.2 (2015/16 and 2016/17)

Fishery area	Target species	By-catch species	Move-on rule
	<i>D. eleginoides</i>		
Whole fishery	3405	Refer CM 33-02	✓

Fishery for *Dissostichus* spp. in Subarea 48.4 (*D. eleginoides*: 2015/16 and 2016/17; *D. mawsoni*: 2015/16 only)

Fishery area	Target species	By-catch species		
	<i>Dissostichus</i> spp.	Macrourids	Rajids	Move-on rule
Whole fishery	<i>D. eleginoides</i> 47	13.8	4.3	✓
	<i>D. mawsoni</i> 39			

Fishery for *Chamsocephalus gunnari* in Subarea 48.3 (2015/16 and 2016/17)

Fishery area	Target species	By-catch species	Move-on rule
	<i>C. gunnari</i>		
Whole fishery	3461 (2015/16) 2074 (2016/17)	Refer CM 33-01	✓

Fishery for *Chamsocephalus gunnari* in Division 58.5.2 (2015/16 only)

Fishery area	Target species	By-catch species	Move-on rule
	<i>C. gunnari</i>		
Whole fishery	482	Refer CM 33-02	✓

Table 2: Catch limits (tonnes) for target and by-catch species in exploratory fisheries for *Dissostichus* spp. in 2015/16, and 2016/17 where applicable. By-catch limits in accordance with CM 33-03. SSRU – small-scale research unit; research blocks in parenthesis; ✓ – applicable.

Exploratory fishery for *Dissostichus* spp. in Subarea 48.6 (2015/16 only)

Fishery area	Target species		By-catch species			
	<i>Dissostichus</i> spp.		Macrourids	Rajids	Other species	Move-on rule
North of 60°S	<i>D. eleginoides</i>	28	32	50	40	✓
SSRUs A, G (486_1, 486_2)	<i>D. mawsoni</i>	170				
South of 60°S		190			40	✓
SSRUs B, C (486_5)		50	54	50	20	✓
SSRU D (486_3)		100			20	✓
SSRU E (486_4)		0				
SSRU F						
Whole fishery		538	86	100	120	✓

Exploratory fishery for *Dissostichus* spp. in Division 58.4.1 (2015/16 only)

Fishery area	Target species		By-catch species			
	<i>Dissostichus</i> spp.		Macrourids	Rajids	Other species	Move-on rule
SSRUs A, B, F		0				
SSRU C (incl. 5841_1, 5842_2)		203 <sup>1,2</sup>	-	-	20	✓
SSRU D		42 <sup>1</sup>	-	-	20	✓
SSRU E (5841_3, 5841_4)		246	-	-	20	✓
SSRU G (incl. 5841_5)		127 <sup>1,3</sup>	-	-	20	✓
SSRU H		42 <sup>1</sup>	-	-	20	✓
Whole fishery		660	105	50	100	✓

<sup>1</sup> Includes 42 tonnes for a depletion experiment.

<sup>2</sup> Includes 40 tonnes for a stratified survey.

<sup>3</sup> Includes 50 tonnes for a stratified survey.

Exploratory fishery for *Dissostichus* spp. in Division 58.4.2 (2015/16 only)

Fishery area	Target species		By-catch species			
	<i>Dissostichus</i> spp.		Macrourids	Rajids	Other species	Move-on rule
SSRU A		30*				
SSRUs B, C, D		0				
SSRU E (including 5842_1)		35	-	-	20	✓
Whole fishery		35	20	50	20	✓

\* No fishing will take place in SSRU A in 2015/16.

Exploratory fishery for *Dissostichus* spp. in Division 58.4.3a (2015/16 only)

Fishery area	Target species		By-catch species			
	<i>Dissostichus</i> spp.		Macrourids	Rajids	Other species	Move-on rule
Whole fishery (5843a_1)		32	26	50	20	✓

(continued)

Table 2 (continued)

Exploratory fishery for *Dissostichus* spp. in Division 58.4.3b (2015/16 only)

Fishery area	Target species	By-catch species			Move-on rule
	<i>Dissostichus</i> spp.	Macrourids	Rajids	Other species	
Whole fishery	0				

Exploratory fishery for *Dissostichus* spp. in Subarea 88.1 (2015/16 and 2016/17)

Fishery area	Target species	By-catch species			Move-on rule
	<i>Dissostichus</i> spp.	Macrourids	Rajids	Other species	
SSRUs A, D, E, F, M	0				
SSRUs B, C, G	360	40	50	60	✓
SSRUs H, I, K	2050	320	105	60	✓
SSRUs J, L	320	70	50	40	✓
Whole fishery	2870*	430	143	160	✓

\* Includes 140 tonnes for research surveys (Ross Sea survey: 40 tonnes; winter survey: 100 tonnes).

Exploratory fishery for *Dissostichus* spp. in Subarea 88.2 (2015/16)

Fishery area	Target species	By-catch species			Move-on rule
	<i>Dissostichus</i> spp.	Macrourids	Rajids	Other species	
SSRUs A, B, C, I	0				
SSRUs D, E, F, G (882_1–882_4)	419*	67	50	100	✓
SSRU H	200	32	50	20	✓
Whole fishery	619	99	50	120	✓

\* Overall limit, with no more than 200 tonnes in each research block.

Table 3: Access (Members and vessels) in exploratory fisheries for *Dissostichus* spp. in 2015/16.

Member and vessel name	Subarea/division where fishing has been notified					
	88.1	88.2	58.4.3a	48.6	58.4.1	58.4.2
Australia						
<i>Antarctic Chieftain</i>	✓	✓			✓	✓
France						
<i>Saint André</i>			✓		✓	✓
Japan						
<i>Shinsei Maru No. 3</i>	✓		✓	✓	✓	✓
Korea, Republic of						
<i>Kingstar</i>					✓	✓
<i>Kostar</i>	✓	✓				
<i>Sunstar</i>	✓	✓				
New Zealand						
<i>Janas</i>	✓	✓				
<i>San Aotea II</i>	✓	✓				
<i>San Aspiring</i>	✓	✓				
Russia						
<i>Palmer</i>	✓	✓				
<i>Yantar 31</i>	✓	✓				
<i>Yantar 33</i>	✓	✓				
South Africa						
<i>Koryo Maru No. 11</i>				✓		
Spain						
<i>Tronio</i>	✓	✓			✓	✓
<i>Yanque</i>	✓	✓				
Ukraine						
<i>Koreiz</i>	✓	✓				
<i>Simeiz</i>	✓	✓				
United Kingdom						
<i>Argos Froyanes</i>	✓	✓				
<i>Argos Georgia</i>	✓	✓				
Total Members	8	7	2	2	5	5
Total vessels	16	15	2	2	5	5

Table 4: List of meetings of organisations or arrangements in 2016 with nominated observers for the Commission.

Entity	Dates (where available)	Venue (where available)	Observer
The Agreement for the Conservation of Albatrosses and Petrels (ACAP) MoP	Second quarter 2018	Date and venue to be confirmed	
The Antarctic Treaty Consultative Meeting (ATCM)	23 May to 1 June 2016	Santiago, Chile	Executive Secretary
The Food and Agriculture Organization of the United Nations (FAO) COFI	11 to 15 July 2016	Date and venue to be confirmed	Executive Secretary
The Commission for the Conservation of Southern Bluefin Tuna (CCSBT)	October 2016	Date and venue to be confirmed	Australia
The Inter-American Tropical Tuna Commission (IATTC)		Date and venue to be confirmed	USA
The International Commission for the Conservation of Atlantic Tunas (ICCAT)	10 to 17 November 2015	St Julians, Malta	EU
The Intergovernmental Oceanographic Commission (IOC)	6 to 10 June 2016	Paris, France	France
The Indian Ocean Tuna Commission (IOTC)	May 2016	La Reunion, France	EU
The World Conservation Union (IUCN)	1 to 10 September 2016	Hawaii, USA	
The International Whaling Commission (IWC)	20 to 28 October 2016	Portoroz, Slovenia	Japan
The Northwest Atlantic Fisheries Organization (NAFO)	19 to 23 September 2016 (tentative)	Halifax, Nova Scotia, Canada	Norway
The North East Atlantic Fisheries Commission (NEAFC)	9 to 14 November 2015	London, UK	Norway
The South East Atlantic Fisheries Organisation (SEAFO)	30 November to 4 December 2015	Swakopmund, Namibia	Namibia
The Southern Indian Ocean Fisheries Agreement (SIOFA)	June 2016	La Reunion	Australia
The South Pacific Regional Fisheries Management Organisation (SPRFMO)	25 to 29 January 2016	Valdivia, Chile	Chile
The United Nations Environment Programme (UNEP)	19 January 2016	Nairobi, Kenya	
The Commission for the Conservation and Management of the Highly Migratory Fish Stocks of the Western and Central Pacific Ocean (WCPFC)	3 to 8 December 2015	Bali, Indonesia	Republic of Korea



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Ms Rebeca Paredes-Nieto  
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Ms Ludmila Stern  
Mr Philippe Tanguy  
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- SC-CAMLR-XXXIV/12 Proposal by the Russian Federation for the provision of resources to conduct research in SSRUs of Subareas 88.1 and 88.2 that are closed to fishing  
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- SC-CAMLR-XXXIV/13 Scientific background document in support of the development of a CCAMLR MPA in the Weddell Sea (Antarctica) – Version 2015  
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- SC-CAMLR-XXXIV/14 Priorities of the Working Groups and Subgroup for the next four years  
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- SC-CAMLR-XXXIV/BG/01 Catches in the Convention Area in 2013/14 and 2014/15  
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- SC-CAMLR-XXXIV/BG/02 Formulaire de soumission des évaluations préliminaires du risque d'impact négatif significatif des activités de pêche de fond proposées sur les écosystèmes marins vulnérables  
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[Preliminary assessment of the potential for proposed bottom-fishing activities to have significant adverse impacts on vulnerable marine ecosystems]  
Делегация Украины  
[Delegation of Ukraine]

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SC-CAMLR-XXXIV/BG/17	Scientific background document in support of the development of a CCAMLR MPA in the Weddell Sea (Antarctica) – Version 2015 – Part C: Data analysis and MPA scenario development Delegation of Germany
SC-CAMLR-XXXIV/BG/18 Rev. 1	The Scientific Committee on Antarctic Research (SCAR) Annual Report 2014/2015 Submitted by SCAR
SC-CAMLR-XXXIV/BG/19	Potential for using CCAMLR VMS data for compliance analysis and data quality assurance Secretariat
SC-CAMLR-XXXIV/BG/20	COLTO and Science Workshop Submitted by COLTO
SC-CAMLR-XXXIV/BG/21	Krill Fishery Report 2015 Secretariat
SC-CAMLR-XXXIV/BG/22	2018 International Conference on Assessing Status and Trends of Habitats, Key Species and Ecosystems in the Southern Ocean, Hobart, Tasmania, Australia Delegation of Australia
SC-CAMLR-XXXIV/BG/23	CCAMLR Observer Training Program Accreditation Scheme (COTPAS) Technical Peer Review Group (TPRG) comments on the Australian Observer Program Submission for COTPAS Accreditation Chair of the Scientific Committee
SC-CAMLR-XXXIV/BG/24	GEF proposal – progress report 2 Secretariat

- SC-CAMLR-XXXIV/BG/25 Update on the ABNJ Deep Seas Project  
FAO and CCAMLR Secretariats
- SC-CAMLR-XXXIV/BG/26 Calendar of meetings of relevance to the Scientific  
Committee in 2015/16  
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- SC-CAMLR-XXXIV/BG/27 Marine debris and entanglements at Bird Island and King  
Edward Point, South Georgia, Signy Island, South Orkneys  
and Goudier Island, Antarctic Peninsula 2014–2015  
Delegation of the United Kingdom
- SC-CAMLR-XXXIV/BG/28 The Chinese national scientific observer program for the  
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2009/10 to 2014/15  
Delegation of the People’s Republic of China
- SC-CAMLR-XXXIV/BG/29 Strengthening the joint work of the CEP and SC-CAMLR  
on climate change  
Submitted by ASOC
- SC-CAMLR-XXXIV/BG/30 Early announcement of the Third International Krill  
Symposium  
Secretariat
- SC-CAMLR-XXXIV/BG/31 Sea ice characterisation of the proposed Ross Sea region  
Marine Protected Area Special Research Zone  
S. Parker, S. Hoyle, S. Hanchet and R.J.C. Currey (New  
Zealand)
- SC-CAMLR-XXXIV/BG/32 Observer’s Report for the 2015 Annual Meeting of the  
Scientific Committee of the International Whaling  
Commission  
(San Diego, CA, USA, 22 May to 3 June 2015)  
CCAMLR Observer (R. Currey, New Zealand)
- SC-CAMLR-XXXIV/BG/33 Joint SC-CAMLR and SC-IWC Workshop, its format and  
draft Terms of Reference  
Co-conveners of the Joint SC-CAMLR and SC-IWC  
Workshop
- SC-CAMLR-XXXIV/BG/34 Antarctic sea ice losses drive gains in benthic carbon  
drawdown  
Delegation of the UK  
*Current Biology*, 25, R1–R3 (2015)

- SC-CAMLR-XXXIV/BG/35 Report to the Scientific Committee of CCAMLR by the Association of Responsible Krill Harvesting Companies (ARK)  
Submitted by ARK
- SC-CAMLR-XXXIV/BG/36 Proposal for exploratory bottom longlining for toothfish by New Zealand vessels outside the bottom lining footprint during 2016 and 2017: Description of proposed activities and impact assessment (as submitted to the 3rd Meeting of the Scientific Committee of the South Pacific Regional Fisheries Management Organisation (SPRFMO), Port Vila, Vanuatu, 28 September to 3 October 2015, Document SC-03-DW-01\_rev2)  
Delegation of New Zealand

**Opening address by the Governor of Tasmania, Her Excellency  
Professor the Honourable Kate Warner AM**



**Opening address by the Governor of Tasmania, Her Excellency  
Professor the Honourable Kate Warner AM**

‘Mr Chairman, Your Excellencies, Distinguished Delegates, Ladies and Gentlemen. Welcome to Hobart and to the 34th regular meetings of the Commission and Scientific Committee.

Mr Chairman, this is the first occasion on which I have had the honour of welcoming representatives from CCAMLR Members and other participants to the annual meeting of CCAMLR here in Hobart. I was advised of this possibility during a visit to the Secretariat in February this year, at the invitation of your Executive Secretary, Andrew Wright. At that time this room was a vast empty space. I have been looking forward to seeing it full of representatives from CCAMLR Members ever since. What a difference it makes having you all in here.

During that visit, I had a valuable opportunity to sit down with Drew and the Secretariat’s staff to learn about the history of CCAMLR and the way the Commission has successfully overcome a range of challenges during its 35 years. It was a pleasure to observe the enthusiasm and passion that all staff have for their work at the Secretariat. I was told that CCAMLR Members demonstrate a similar passion for the work of the Commission. Surely this is one of the key features of this organisation and one that contributes to its international recognition as a leading multilateral conservation institution.

I am a Tasmanian (I even took some exams in this very building when it was still The Hutchins School) and have a long association with the University of Tasmania, including as Dean of the Law Faculty and Director of the Tasmanian Law Reform Institute prior to becoming Governor in December 2014. In addition to the University’s teaching and research on Antarctic affairs, Hobart hosts a significant number of national and international institutions and programs dedicated to the Antarctic and its surrounding waters. As Governor, I have met and learned from many talented and dedicated professionals working in and around the frozen continent. In all these discussions, CCAMLR is regularly mentioned as an organisation of international significance and one that Hobart is extremely proud to host. This simply underscores the honour for me to be invited to open your 2015 meeting today.

I regularly keep an eye out for media coverage of CCAMLR and fishing in the Southern Ocean. In the lead-up to this meeting I also spent some time looking at the CCAMLR website and Facebook page. The website provides a significant amount of useful and relevant information and the information provided for a wider audience on the Facebook page was also valuable for me. Please keep up the good work in spreading this type of information as it is of obvious value to a wide audience including the general public.

A number of items caught my particular interest. The issue of marine protected areas is one that CCAMLR has had on its agenda for some time – at least 10 years I believe? I can well understand that the prospect of identifying and agreeing relatively large areas of the Convention Area for protection requires very careful consideration, significant scientific information and a substantial amount of detail on monitoring and management. I also appreciate the value in establishing reference areas so that we can monitor change that might be taking place in the Southern Ocean ecosystem in isolation from direct human activity.

I hope that at this meeting you are able to successfully advance some of these issues and that the international community, which is watching CCAMLR intently, can see positive progress towards the resolution of current differences amongst Members.

The issue that certainly attracted a great deal of media attention in last 10 months has been illegal, unregulated and unreported fishing. I note that the New Zealand frigate, the HMNZS Wellington was actively engaged in surveillance activities in Antarctic waters, providing it with an opportunity to observe, at very close quarters, the active and illegal fishing operations of a number of IUU fishing vessels. This was particularly relevant to me as I had had the opportunity to meet with the captain and crew of the Wellington during their visit to Hobart prior to their journey south in January.

I followed the subsequent press reports of the encounters with the IUU vessels, the related long pursuit of the IUU-listed vessel Thunder into the Atlantic by the Sea Shepherd vessel Bob Barker and the subsequent sinking of the Thunder. The detention of two IUU-listed vessels, in Thailand and Malaysia, a consequence of close working relations between several CCAMLR Members, Thai, Malaysian and Interpol officials rounded out an extremely successful year in efforts to combat IUU fishing operators. I would like to believe the reports that this effort has effectively rid the Convention Area of IUU fishing vessels. Whether the case or not, we need to remain vigilant because the illegal spoils from Antarctic waters will appeal to many who would seek to operate outside CCAMLR's established regulatory framework for quick monetary gain well into the future.

Finally, I understand that many CCAMLR Members were able to participate in a symposium held in Santiago, Chile, in May to commemorate CCAMLR's 35th anniversary. Congratulations on reaching such a milestone! CCAMLR-XXXIV will provide an opportunity for all Members to consider the issues discussed in Santiago and perhaps take some of those outcomes into account when considering future priorities for the organisation.

I know that in the past two weeks some of you have been involved in a scientific working group meeting here in Hobart in preparation for the meeting of the Scientific Committee which also commences its deliberations today. My welcome may be a little late for those of you who have been involved but I want to take this opportunity to reaffirm how pleased the people of Tasmania are to have you all here again for the annual session of CCAMLR meetings. Over the last 35 years they have become an important feature in Hobart's annual calendar of events.

Mr Chairman, I congratulate you on your appointment and I extend a special welcome to you on the occasion of your first meeting as Chair of the Commission.

Distinguished delegates, ladies and gentlemen, I look forward to discussing progress with you this evening when I have the pleasure of hosting you at Government House. I now leave you to commence your important work at this, the 34th meeting of CCAMLR.

Thank you.'

**Agenda for the Thirty-fourth Meeting of the Commission**



**Agenda for the Thirty-fourth Meeting  
of the Commission for the Conservation  
of Antarctic Marine Living Resources**

1. Opening of meeting
2. Organisation of meeting
  - 2.1 Adoption of agenda
  - 2.2 Chair's Report
3. Implementation and compliance
  - 3.1 Review of compliance- and implementation-related measures and policies
    - 3.1.1 CCAMLR compliance evaluation procedure (CCEP)
    - 3.1.2 Compliance with conservation measures in force
      - 3.1.2.1 Catch Documentation Scheme (CDS)
      - 3.1.2.2 System of Inspection
      - 3.1.2.3 Vessel Monitoring System (VMS)
    - 3.1.3 Proposals for new and revised measures
  - 3.2 IUU fishing in the Convention Area
    - 3.2.1 Current level of IUU fishing
    - 3.2.2 IUU Vessel Lists
  - 3.3 Advice from the Scientific Committee to SCIC
  - 3.4 Other SCIC business
4. Administration and Finance
  - 4.1 Annual Financial Statements
    - 4.1.1 Examination of Audited Financial Statements for 2014
    - 4.1.2 Appointment of auditor
  - 4.2 Secretariat matters
    - 4.2.1 Executive Secretary's Report
  - 4.3 Report of the CCAMLR Intersessional Correspondence Group on Sustainable Financing
  - 4.4 Budgets
    - 4.4.1 Review of 2015 Budget
    - 4.4.2 Draft Budget for 2016
    - 4.4.3 Forecast Budget for 2017

5. Report of the Scientific Committee
  - 5.1 Advice from the Scientific Committee
  - 5.2 Harvested species
    - 5.2.1 Krill resources
    - 5.2.2 Fish resources
    - 5.2.3 New and exploratory finfish fisheries
  - 5.3 Assessment and avoidance of incidental mortality
  - 5.4 Bottom fishing and vulnerable marine ecosystems
  - 5.5 Marine Protected Areas
  - 5.6 Climate change
  - 5.7 Scientific research under Conservation Measure 24-01
  - 5.8 Capacity building
6. CCAMLR Scheme of International Scientific Observation
7. Impacts of climate change on the conservation of Antarctic marine living resources
8. Conservation measures
  - 8.1 Review of existing measures
  - 8.2 Consideration of new measures and other conservation requirements
9. Implementation of Convention objectives
10. Cooperation with the Antarctic Treaty System and international organisations
  - 10.1 Cooperation with the Antarctic Treaty System
    - 10.1.1 Cooperation with Antarctic Treaty Consultative Parties
  - 10.2 Cooperation with international organisations
    - 10.2.1 Cooperation with SCAR
    - 10.2.2 Reports of observers from international organisations
    - 10.2.3 Reports from CCAMLR representatives at meetings of international organisations in the previous intersessional period and nominations of representatives to forthcoming meetings of relevant international organisations
    - 10.2.4 Cooperation with RFMOs
11. 2016 budget and forecast budget for 2017
12. Other business
13. Next meeting
  - 13.1 Election of officers
  - 13.2 Invitation of observers
  - 13.3 Date and location
14. Report of Thirty-fourth Meeting of Commission
15. Close of meeting.

**Summary of activities of the Commission during the  
2014/15 intersessional period – Report of the Chair**



## **Summary of activities of the Commission during the 2014/15 intersessional period – Report of the Chair**

### **Membership**

1. Australia will report on the Status of the Convention.

### **Intersessional meetings**

2. The Subgroup on Acoustic Survey and Analysis Methods (SG-ASAM) met in Busan, Republic of Korea, in March 2015 and the meetings of the Working Group on Statistics Assessment and Modelling (WG-SAM) and Working Group on Ecosystem Monitoring and Management (WG-EMM) took place at Warsaw, Poland, in June/July 2015. On behalf of participants, the Chair joins the Secretariat in expressing gratitude to the hosts of these meetings for their expert support and facilities. The Working Group on Fish Stock Assessment (WG-FSA) was hosted at the CCAMLR Headquarters in October.

### **CCAMLR-regulated fisheries**

3. To date in the 2014/15 season (1 December 2014 to 30 November 2015), CCAMLR Members have participated in fisheries targeting icefish, toothfish and krill (see SC-CAMLR-XXXIV/BG/01). Fourteen Members fished: Australia, Chile, People's Republic of China, France, Japan, Republic of Korea, New Zealand, Norway, Russian Federation, South Africa, Spain, UK, Ukraine and Uruguay.

4. As of 16 September 2015, Members reported a total of 221 048 tonnes of krill, 12 133 tonnes of toothfish and 293 tonnes of icefish from the Convention Area. Catches are summarised in SC-CAMLR-XXXIV/BG/01. A number of other species have been taken as by-catch.

5. The Secretariat monitored all CCAMLR fisheries using catch and effort reports and notifications of vessel movements to advise Members and vessels of fishery closures. To date during the 2014/15, management areas in five fisheries have been closed by the Secretariat as a result of reported catches approaching the relevant catch limits. In mid-September 2015, fishing was still in progress in some fisheries and some closure forecasts remain under review.

### **CCAMLR System of Inspection and Scheme of International Scientific Observation (SISO)**

6. To date, a total of 153 inspectors have been designated by Australia, Chile, France, New Zealand and the UK. Sixteen at-sea inspections were reported to have been conducted by New Zealand and UK-designated inspectors in Subareas 48.1, 48.3 and 88.1. The outcomes of these inspections will be considered through the Compliance Evaluation Procedure (1 August 2014 – 31 July 2015) at CCAMLR-XXXIV.

7. A total of 87 port inspections were reported to have been conducted by Australia, Chile, France, Republic of Korea, Mauritius, New Zealand, South Africa, UK and Uruguay to date.

8. By mid-September, 59<sup>1</sup> scientific observers, appointed in accordance with the CCAMLR Scheme of International Scientific Observation (SISO), were deployed in CCAMLR fisheries; 47 on longline vessels, 1 on a trawl vessel fishing for icefish and 11 on vessels fishing for krill. Of these 59 deployments, 43 were international observers and 16 were national observers. Overall, the deployment of observers in 2014/15 involved 14 Receiving Members (i.e. Members with a SISO-appointed observer on their vessel) and 7 Designating Members (i.e. Members who provided SISO-appointed observers with a different nationality to the vessel's Flag State).

### **Catch Documentation Scheme (CDS) for *Dissostichus* spp.**

9. CCAMLR's CDS is designed to track *Dissostichus* spp. from the point of landing throughout the trade cycle and seeks to encompass all *Dissostichus* spp. caught and traded by participating States.

10. Since its implementation in 2000, the CDS has expanded to include 30 Contracting Parties and non-Contracting Parties with (NCPs) 57 CDS Contact Officers currently authorised by participating States for 2015.

11. As of mid-September 2015, the CDS database contained 66 461 catch, export and re-export documents.

12. Non-Contracting Parties identified through the CDS to possibly be involved in the harvest and/or trade of toothfish but not cooperating with CCAMLR by participating in the CDS in 2015 include: Brunei Darussalam, Colombia, Cuba, Dominican Republic, Mexico, Malaysia, Philippines, Thailand, Trinidad and Tobago, United Arab Emirates and Viet Nam.

13. During the year, CCAMLR formally approached non-Contracting Parties that may be involved in the harvest and/or trade of toothfish but not cooperating with CCAMLR to seek their cooperation and to provide data regarding the trade of toothfish. In 2014/15, no response was received to CCAMLR's correspondence.

14. The CDS Implementation Panel and the Secretariat worked during 2015 to meet the requirements of the Terms of Reference adopted by SCIC at its 2014 meeting (CCAMLR-XXXIII, Annex 6, Appendix 2) for the continued review of the CDS, including:

- (i) implementing the 2014 recommendations
- (ii) developing a scope of work to document the current e-CDS and for the upgrade of the current e-CDS
- (iii) further consideration of the 2015 recommendations

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<sup>1</sup> Observers that began their deployment after 1 December 2014. Does not include observers deployed by France as CCAMLR does not receive French observer notifications.

- (iv) drafting the NCP Engagement Strategy
- (v) finalising the e-CDS User Guide.

## **VMS**

15. All vessels licensed to fish in the CAMLR Convention Area are required to regularly report positions through their vessel monitoring system (VMS) to their Flag State Fisheries Monitoring Centre (Conservation Measure (CM) 10-04). Most vessels report voluntarily to the Secretariat's VMS in near real-time. In addition, a number of vessels that catch toothfish outside the Convention Area also voluntarily report to CCAMLR. In 2014/15, 44 vessels operating inside the Convention Area and 208 vessels operating outside it, reported to CCAMLR's VMS.

16. Full implementation of new VMS software, THEMIS Viewer, was completed in March 2015.

17. The VMS Technical Working Group (VMS TWG) continued its work in 2015 to review and revise CM 10-04, including the development of a new annex to describe minimum standards for Automatic Location Communicators (ALCs).

18. The project to use satellite imagery to supplement other methods for detecting possible illegal, unreported and unregulated (IUU) fishing, adopted at CCAMLR-XXXIII (CCAMLR-XXXIII, Annex 6, paragraphs 259 to 265), was scoped, planned and commenced by the Secretariat, France and the service provider Collecte Localisation Satellites (CLS). The project will be ongoing until March 2016 and the outcomes will be reported to CCAMLR-XXXV.

19. The search and rescue (SAR) Arrangement between the Secretariat and the five Maritime Rescue Coordination Centres (MRCCs), adopted at CCAMLR-XXXIII, was implemented during 2015. It included the signing of the Arrangement with the five MRCCs and development and implementation of the online VMS data request facility.

## **Illegal unreported and unregulated (IUU) fishing**

20. There have been no new vessels proposed for inclusion on the NCP-IUU Vessel List for 2015/16 and no new vessels proposed for inclusion on the Contracting Party-IUU Vessel List for 2015/16. No vessels have had information submitted in respect to their possible removal from the NCP-IUU Vessel List.

21. The Secretariat wrote to the Flag States of vessels included on the NCP-IUU Vessel List and sighted during 2014/15. Only Nigeria formally replied to the Secretariat's correspondence (COMM CIRC 15/34). Additional information is contained in CCAMLR-XXXIV/37.

## **Commission representation at meetings of other organisations**

22. The Commission was represented at meetings of the following international organisations and programs in 2014/15: ACAP, ATCM, CCSBT, IATTC, ICCAT, IOC, IOTC, IWC, NAFO, NEAFC, SEAFO, SIOFA, SPRFMO and WCPFC. CCAMLR-XXXIV will consider reports from the CCAMLR Observers at these meetings under Agenda Item 10.

## **Secretariat**

23. The Secretariat continued to provide quarterly financial and investment reports to Members. Throughout the year support was provided to the Intersessional Contact Group – Sustainable Financing which made limited progress on further consideration of alternative income sources and opportunities for further cost reductions. SCAF will consider the work of the ICG during 2014/15 (see CCAMLR-XXXIV/15).

24. A report on the first year of implementation for the Strategic Plan (2015–2018), and its associated Staffing and Salary Strategy, will also be considered by SCAF (CCAMLR-XXXIV/14). During 2013/14 the Secretariat's focus was on the redevelopment of the website. During the last 12 months the emphasis has been on the application of best-practice in data management to CCAMLR data. The objective is to deliver improved quality of CCAMLR-data and a more efficient and secure system for contributing to, and accessing, CCAMLR data.

**Report of the Standing Committee on  
Implementation and Compliance (SCIC)**



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## **Report of the Standing Committee on Implementation and Compliance (SCIC)**

### **Implementation and Compliance**

#### Compliance Evaluation Procedure

1. SCIC recalled that at CCAMLR-XXXI, the Commission adopted Conservation Measure (CM) 10-10 for the implementation of CCAMLR's Compliance Evaluation Procedure (CCEP). It was agreed that CCEP would use information provided to the Secretariat, as required under the Convention, conservation measures and other available information, such as from the Scheme of Scientific Observation (SISO) and the System of Inspection. It was noted that CCEP would provide an opportunity for Members to comment on implementation and compliance with CCAMLR conservation measures (CCAMLR-XXXI, paragraph 7.26).
2. SCIC considered the Secretariat's report on the third year of implementation of CCEP, including the Summary CCAMLR Compliance Report for 2015 (CCAMLR-XXXIV/36). SCIC noted that the CCAMLR Compliance Reports for 2013 and 2014 were available on the CCAMLR website.
3. SCIC noted that the CCEP covered the period from 1 August 2014 to 31 July 2015 and summarised, where applicable, data relating to issues identified by the Secretariat in relation to Members' implementation of the conservation measures included in CM 10-10, Annex 10-10/A.
4. In accordance with CM 10-10, paragraph 1(i), the Secretariat prepared Draft CCAMLR Compliance Reports for Australia, Chile, China, Republic of Korea, New Zealand, Norway, Russia, South Africa and Uruguay.
5. SCIC noted with concern that China, Russia and South Africa did not provide additional information in response to their Draft CCAMLR Compliance Reports as required by CM 10-10, paragraphs 1(iii) and (iv). SCIC recalled that it is essential that replies are provided within the deadlines in order to assist with the deliberations of SCIC.
6. SCIC considered the Summary CCAMLR Compliance Report and other information in developing the Provisional CCAMLR Compliance Report. SCIC recalled that in accordance with CM 10-10, paragraph 3(ii), it will adopt by consensus a Provisional CCAMLR Compliance Report. This report shall include an assessment of compliance status, in accordance with CM 10-10, Annex 10-10/B, as well as recommendations on remedial action, the amendment to conservation measures, priority obligations and other responsive action.

#### Provisional CCAMLR Compliance Report

7. Russia was invited to comment on the implementation of CM 10-01 in regard to the fishing vessel *Yantar 31* which was reported to have vessel markings on the side of the vessel

not at a minimum of 1 m in height as required by Annex 10-01/A, paragraph 1(iii). Russia noted that the measure had not yet entered into force at the time of the reported incident. Russia further explained that adverse weather conditions had prevented the master of the vessel altering the markings to be in compliance with the measure.

8. SCIC agreed that this reported instance relating to Russia's implementation of CM 10-01 should be categorised as partially compliant.

9. Chile was invited to comment on the implementation of CM 10-03, relating to three incidences of vessels not being inspected within 48 hours of entry to port. Chile reported that in two of those cases the inspections occurred in compliance with CM 10-03. Chile informed SCIC that in the case of the third incident, the fishing vessel *Kostar*, the inspection was not done within the required time frame because of the shortage of inspection staff during a particularly busy period.

10. SCIC noted that in relation to the implementation of CM 10-03, the first two incidences should be categorised as compliant because the inspections had been conducted within 48 hours of when authorities had access to the vessels. SCIC agreed that the third case, involving the fishing vessel *Kostar*, should be categorised as partially compliant.

11. Uruguay was invited to comment on the implementation of CM 10-03, relating to one incident of a vessel not being inspected within 48 hours of entry to port. Uruguay informed SCIC that, in the case of the fishing vessel *Yantar 35*, the inspection was not done within 48 hours of entry to port due to operational reasons relating to the Port Authority. Uruguay raised issues of interpretation of 'entry to port' and operational difficulties arising from the high workload in the Montevideo port.

12. SCIC agreed that, while understanding the reasons expressed by Uruguay, the incident warranted a classification of partial compliance with CM 10-03. Subsequent discussion related to the interpretation of 'entry to port', with some Members raising operational impediments to the implementation of CM 10-03 faced in several Port States that experience high volumes of ship traffic.

13. South Africa was invited to explain the lack of inspection reports relating to CM 10-03. South Africa informed SCIC that, in the case of the fishing vessel *Shinsei Maru No. 3*, the inspection reports were not submitted to the Secretariat due to administrative oversights. South Africa explained that operational issues in Cape Town port due to construction work and staffing problems were reasons for the oversight in both cases. South Africa informed SCIC that they had recently employed extra inspection officers to manage the workload and to avoid non-compliance with CM 10-03. The Secretariat noted that South Africa submitted the reports on 21 October 2015.

14. SCIC, while understanding the operational and administrative problems expressed by South Africa, classified both incidents as partially compliant.

15. Chile, South Africa and Uruguay expressed concern that adhering to the 48-hour time deadline for inspections may be unrealistic during busy periods in Port States.

16. The Republic of Korea was invited to comment on the implementation of CM 10-03 in relation to one incident of not providing the outcome of the inspection conducted on the *Yantar 31* within 30 days of the inspection. Korea reported that an administrative oversight in regards to the fishing vessel *Yantar 31* has resulted in delayed submission of the inspection

report to the CCAMLR Secretariat. It was noted that the inspection had occurred within 48 hours of entry to port and that Korea had strengthened its commitment to CM 10-03, assuring SCIC that this oversight will not recur.

17. SCIC agreed that the Republic of Korea's implementation of CM 10-03 in relation to this incident be classified as partially compliant.

18. New Zealand was invited to comment on the implementation of CM 10-03 concerning one incident of a vessel which was not inspected within 48 hours of entry to port. New Zealand reported that a breakdown in communication had occurred between coordinating departments and the inspection had therefore not taken place within the 48-hour time frame. New Zealand apologised for the oversight.

19. SCIC classified New Zealand's implementation of CM 10-03 in relation to this incident as partially compliant.

20. Uruguay was invited to comment on the implementation of CM 10-03 relating to one incident of a vessel not being inspected within 48 hours of entry to port. Uruguay reported that, according to the records of the port authority, the inspection of the fishing vessel *Tronio* was carried out within 48 hours, with the inspection reports and documentation lodged with the Secretariat.

21. SCIC classified Uruguay's implementation of CM 10-03 as compliant.

22. Uruguay was invited to comment on the implementation of CM 10-03 relating to one incident of a vessel, *La Manche*, not being inspected within 48 hours of entry to port. Uruguay stressed that this incident was due to operational difficulties. The EU and the USA noted that, given all the relevant facts, there was no issue with non-compliance.

23. SCIC noted that CM 10-03 did not apply to this particular incident.

24. Russia was invited to comment on two issues relating to the implementation of CM 10-09 which concerned the transport vessel *Tambov* which was reported to have transhipped fuel with the fishing vessels *Long Da* and *Fu Rong Hai* without submitting a transshipment notification. Russia reported that CM 10-09 was not applicable to this situation as the *Tambov* was a transport vessel (CM 10-09, paragraph 2, footnote).

25. SCIC noted that CM 10-09 did not apply to this particular incident. Some Members expressed the view that the notification requirements of CM 10-09 only applied to fishing vessels. SCIC agreed that this ambiguity highlighted the need to review the measure.

26. Norway was invited to comment on the implementation of CM 23-06 relating to two incidences of a vessel not reporting any by-catch in their catch and effort data, whereas observer data reported by-catch being present in 60% of hauls sampled. CM 23-06, paragraph 6, requires that, at the end of each month, each Contracting Party shall obtain from each of its vessels the haul-by-haul data required to complete the CCAMLR fine-scale catch and effort data form (CM 23-04). CM 23-04, paragraph 3, requires that the catch of all target and by-catch species be reported by species. Norway reported that the vessel owner and the captain were of the understanding that the extensive sampling and recording procedure conducted by the observer was sufficient for the report according to CM 23-06 and that this by-catch was being reported through the observer. Norway reported that the procedures had changed and the by-catch is now reported directly by the vessel.

27. SCIC classified Norway's implementation of CM 23-06 as non-compliant with no further action required.

28. Australia was invited to comment on the implementation of CM 25-02 relating to one incident of an observer reporting that, while most of the fishing vessel *Isla Eden*'s branched streamers did reach the sea surface, some had broken off due to general wear and tear. Australia reported that an inquiry had determined that between the two streamer lines, most of the branched streamers reached the sea surface. Australia noted that the deployment of the two streamer lines exceeded the requirement of CM 25-02 that one streamer line be deployed. Australia noted that the word 'should' in the third sentence of paragraph 4 of Annex 25-02/A suggested that the requirement that branched streamers reach the sea surface was not mandatory.

29. SCIC noted that Australia's implementation of CM 25-02 was partially compliant. SCIC also noted that the translations between the English and other languages of CM 25-02, Annex 25-02/A, paragraph 4, could result in different interpretations of the requirements. SCIC agreed to discuss the matter further under 'Proposals for new and revised measures'.

30. Norway was invited to comment on the implementation CM 25-03 relating to one incident involving the fishing vessel *Saga Sea*, which was reported to rarely conduct the required net cleaning prior to shooting its net. Norway reported that the vessel has technology that automatically cleans the net continuously and that the experience of the crew was that there is nil or very little residue of krill inside the net after haul back. The vessel owner and the captain were of the understanding that this was adequate to fulfil the intention of CM 25-03. On the basis of the comments from the observer, the vessel owner will now review the procedures in dialogue with the Norwegian Directorate of Fisheries. Norway noted that, in the past, such technologies have been acknowledged in the Scientific Committee as sufficiently self-cleaning.

31. SCIC noted that Norway's implementation of CM 25-03 was compliant.

32. Australia was invited to comment on the implementation of CM 26-01 relating to an observer report that sewage was discharged from the vessel *Antarctic Chieftain*, while the vessel was stuck in ice between 5 and 14 February 2015. Australia reported that the safety of the crew and the observers were of paramount importance. All efforts focused on ensuring the vessel could be freed of the ice. Australia understood that a decision was taken by the vessel operator to discharge sewage in response to concerns about the capacity of sewage tanks and possible health risks for those on board. All efforts were taken to minimise the volume of the discharge and to minimise any potential environmental and health impacts.

33. SCIC noted that, due to safety of life at sea priorities, Australia's implementation of CM 26-01, in this particular instance, should be reported as being compliant.

34. Chile was invited to comment on the implementation of CM 26-01, concerning two incidences where an observer reported that the fishing vessel *Betanzos* had discharged organic waste without any maceration or screening in Subareas 48.1 and 48.2. Chile noted that action had been taken in relation to this incident, and was working to prevent further incidents in the future.

35. SCIC classified Chile's implementation of CM 26-01 as non-compliant. SCIC noted action already taken.

36. China was invited to comment on the implementation of CM 26-01 relating to one occasion involving the fishing vessel *Long Teng* which was observed from another vessel discarding substantial quantities of krill while retrieving its net. China reported that the net had torn and leaked the krill upon retrieval. China submitted a report on the incident to the Secretariat during the meeting.

37. SCIC noted that the incident was an accident which was classified as compliant with no further action required. Some Members raised the issue of distinguishing between intentional acts in the CCAMLR Compliance Report with those that could reasonably be described as accidents.

38. The Republic of Korea was invited to comment on the implementation of CM 26-01 relating to five incidences on four different vessels where observers reported that vessels had discharged organic matter, but there was no place in the report for the observer to note whether the organic matter had been macerated through screens. Korea reported that in the case of the fishing vessels *Sejong*, *Kostar*, *Sunstar* and *Hong Jin No. 701*, the information contained in the observer reports was incomplete and inconsistent with other observations, and the compliance was confirmed by the relevant observers. Therefore, Korea asked SCIC to consider these matters as compliant.

39. SCIC noted that in the case of the fishing vessels *Sejong*, *Kostar*, *Sunstar* and *Hong Jin No. 701*, due to subsequent information received from the Republic of Korea and verified by the observer, Korea's implementation of CM 26-01 was classified as compliant with no further action required.

40. The Republic of Korea reported that in the case of the fishing vessel *Sejong* discarding krill, the implementation of CM 26-01 was a possible case of non-compliance. Korea affirmed its full commitment to full compliance with all binding measures and recommendations by regional fishery management organisations (RFMOs) and CCAMLR. Korea stated it is now poised to become one of the leading countries in the fight against illegal, unreported and unregulated (IUU) fishing. In the case of the *Sejong*, Korea stated that it had conducted a thorough investigation and initiated criminal proceedings against the operator of the vessel. This investigation is ongoing.

41. SCIC noted that in the case of the fishing vessel *Sejong* regarding discards of krill, the implementation of CM 26-01 was a case of non-compliance and no further action was required.

42. Norway was invited to comment on the implementation of CM 26-01 concerning one occasion of an observer reporting that the fishing vessel *Antarctic Sea* had spilled 50 litres of oil from a broken hydraulic pipe. Norway reported that the hydraulic pipe had broken during harvesting operations. Norway noted that despite the best efforts of the crew, the spill was unable to be contained. The vessel owner is reviewing the incident to prevent similar incidents in the future.

43. SCIC classified Norway's implementation of CM 26-01 in regard to the *Antarctic Sea* as non-compliant with no further action required.

44. Russia was invited to comment on the implementation of CM 26-01, concerning two incidences of discharge of organic waste in Subareas 88.1 and 88.2 from the fishing vessel *Yantar 35*. Russia reported that the investigation was under way and that there was nothing

further to report at the time of the meeting. SCIC agreed that this was a case in which ‘additional information’ was required. Russia agreed to provide a report to the Secretariat once the investigation is complete.

45. South Africa was invited to comment on the implementation of CM 41-01 concerning a report by an on-board observer regarding poor tagging behaviour by the crew, including incorrect recording of tagging positions, and that there was a lack of instruction provided in relation to sampling VMEs and errors in the sampling buckets used to record VME benthos. South Africa reported that the main issue was one of non-cooperation between the second mate of the vessel and the observer, the result of which was the removal of the second mate of the vessel.

46. SCIC requested more information in relation to this incident. SCIC noted the seriousness of any possible interruption to the work of the observers on board fishing vessels. South Africa clarified that the issue was not one of intimidation or harassment as understood by some Members, but one of non-cooperation. South Africa emphasised its commitment to upholding domestic and international labour laws. South Africa committed to providing a report to the Secretariat within 30 days of 30 October 2015.

47. The annual Provisional CCAMLR Compliance Report is in Appendix I.

#### Conservation Measure 10-01

48. SCIC noted that one Member had an issue reported in the Summary CCAMLR Compliance Report in relation to the implementation of CM 10-01. The detail of this issue is included in the Provisional CCAMLR Compliance Report.

#### Conservation Measure 10-03

49. SCIC noted that five Members had issues reported in the Summary CCAMLR Compliance Report in relation to the implementation of CM 10-03. The details of these issues are included in the Provisional CCAMLR Compliance Report.

#### Conservation Measure 10-09

50. SCIC considered the issues reported in the Summary CCAMLR Compliance Report in relation to the implementation of CM 10-09 for one Member. The details of these issues are included in the Provisional CCAMLR Compliance Report.

#### Conservation Measure 23-06

51. SCIC considered the issues reported in the Summary CCAMLR Compliance Report in relation to the implementation of CM 23-06 for one Member. The details of these issues are included in the Provisional CCAMLR Compliance Report.

#### Conservation Measure 25-02

52. SCIC considered the issues reported in the Summary CCAMLR Compliance Report in relation to the implementation of CM 25-02 for one Member. The details of these issues are included in the Provisional CCAMLR Compliance Report.

#### Conservation Measure 26-01

53. SCIC noted that four Members had issues reported in the Summary CCAMLR Compliance Report in relation to the implementation of CM 26-01. The details of these issues are included in the Provisional CCAMLR Compliance Report.

#### Issues outstanding from CCAMLR-XXXIII

54. SCIC considered a number of outstanding matters identified during the consideration of the Compliance Evaluation Procedure in 2014 (CCAMLR-XXXIV/36 Rev. 2).

55. At CCAMLR-XXXIII, SCIC agreed that two events reported relating to Chile's implementation of CM 25-02 should be categorised as non-compliant, and that further information was required from Chile in the form of the outcome of Chile's investigation (CCAMLR-XXXIII, Annex 6, paragraphs 13 to 16). Chile provided this information in COMM CIRCs 15/88 and 15/99.

56. Argentina thanked Chile for both of its notes that were circulated to Members regarding the situation of the vessel *Antarctic Bay*. Argentina recalled its well-known position regarding the alleged adoption of unilateral measures in Subarea 48.3, where only the CCAMLR multilateral regime is applicable according to the Statement by the Chairman of the Conference of 1980. Argentina further stated that it would refer to the matter at a later point during the Commission plenary meeting.

57. The UK thanked Chile for its actions in relation to the fishing vessel *Antarctic Bay* and for the comprehensive information provided. The UK also stated that it rejected the intervention from Argentina in relation to the regulatory regimes in Subarea 48.3 and confirmed that it would also respond substantively during the Commission meeting.

58. At CCAMLR-XXXIII, SCIC agreed that an instance relating to South Africa's implementation of CM 10-03 was non-compliant and that further action was required. South Africa was invited to provide a report to be submitted intersessionally to explain the actions taken to remedy this case in the short term (CCAMLR-XXXIII, Annex 6, paragraphs 56 to 58).

59. South Africa submitted a report regarding its implementation of CM 10-03 on 21 October 2015. South Africa noted that 150 contract workers had been appointed to assist specifically with commercial data monitoring in their ports, with additional personnel to be appointed in April 2016. South Africa affirmed their commitment to comply with all applicable conservation measures.

60. At CCAMLR-XXXIII, SCIC agreed that an instance relating to the implementation of CM 10-04 by Ukraine was non-compliant and requested Ukraine to submit a report to the Secretariat within 90 days (CCAMLR-XXXIII, Annex 6, paragraphs 64 to 66).

61. Ukraine reported that it was having difficulty with this investigation due to losing contact with the operator and owner of the vessel due to the licence not being renewed. Ukraine committed to supplying the Secretariat with a report regarding this matter within 30 days of 30 October 2015.

62. At CCAMLR-XXXIII, SCIC agreed that an instance relating to Uruguay's implementation of CM 10-03 was non-compliant, with further information required. Uruguay agreed to provide a detailed report to the Secretariat within 90 days (CCAMLR-XXXIII, Annex 6, paragraphs 72 and 73). Uruguay provided this information in COMM CIRC 14/113.

63. SCIC considered Uruguay's paper (CCAMLR-XXXIV/01) that reported on the port inspection of the *Hong Jin No. 701*.

64. SCIC considered the summary of port inspections provided by the Secretariat (CCAMLR-XXXIV/36 Rev. 2, paragraph 37) as requested by Uruguay (CCAMLR-XXXIII, Annex 6, paragraph 69). Uruguay noted that the concept of the summary of port inspections was a useful method for reviewing the administrative requirements of the implementation of conservation measures, particularly in the context of serious contraventions.

#### Issues with measures

65. In compiling information for Draft CCAMLR Compliance Reports, the Secretariat identified a range of issues relating to the implementation of the conservation measures included in CM 10-10 that may benefit from further review by SCIC (CM 10-10, paragraph 5).

#### Conservation Measure 10-03

66. SCIC noted that there is currently no mechanism in place for the Secretariat to determine if a Member has inspection obligations for vessels carrying other marine species caught inside the Convention Area and entering its ports (CCAMLR-XXXIV/36 Rev. 2, paragraph 39).

#### Conservation Measure 10-10

67. SCIC noted that some issues identified by the Secretariat in relation to Members' implementation of conservation measures are not contained in Annex 10-10/A and, therefore, cannot be reported and considered under CCAMLR's Compliance Evaluation Procedure (CCAMLR-XXXIV/36 Rev. 2, paragraph 40).

68. Chile noted that the Summary CCAMLR Compliance Report did not appear to be providing a general overview of compliance issues, nor did the current report give an indication whether the system was functioning effectively.

69. The UK suggested that SCIC consider modifying CM 10-10 to encourage Members to self-assess the compliance status for each compliance issue, in completing the Additional information column in the Draft Compliance Report. SCIC agreed that such an approach may expedite SCIC's preparation of the Provisional Compliance Report, and agreed to consider amending CM 10-10.

70. SCIC also agreed that the interpretation of CM 10-10, Annex 10-10/B, as applied to all cases of possible non-compliance, should be that of objective responsibility. Extraordinary circumstances, including force majeure, should be taken into account in exceptional and appropriate cases.

71. Some Members noted that CM 10-10, Annex 10-10/B 'Compliance status categories', should be further refined to ensure proper application of the categories. The USA noted the difficulties in applying categories in response to incidences of force majeure. SCIC agreed that timely responses by the Flag State to compliance issues identified in the Draft Compliance Report were essential for SCIC to consider matters in an effective manner.

72. The USA suggested that revisions to CM 10-10, Annex 10-10/B, should be considered, noting that for cases deemed force majeure, that a 'no compliance status assigned' category could be added. Japan stated that the terms and explanations used should be kept as much as possible in order to prevent confusion in developing the process. Chile suggested that administrative errors leading to compliance issues should be distinguished from more substantive and serious non-compliance incidents. The EU agreed with this suggestion.

73. SCIC adopted the Provisional CCAMLR Compliance Report for the Commission's consideration (Appendix I), and also recommended the Commission consider amending CM 10-10 in light of the above discussion.

#### Compliance with conservation measures in force

74. SCIC considered the Secretariat's paper (CCAMLR-XXXIV/BG/03) summarising all fishery notifications for toothfish and krill fisheries for 2015/16 submitted by Members.

75. SCIC noted that all Members submitted exploratory fishery notifications by the deadline of 1 June 2015, except for South Africa that submitted a fishery notification via email for the *Koryo Maru No. 11* for Subarea 48.6 on 4 June 2015.

76. South Africa explained that a number of difficulties existed within the department responsible for fishery notifications and asked that SCIC kindly consider accepting the notification for the *Koryo Maru No. 11*. The consideration of this notification was deferred to the Commission.

77. SCIC noted that for exploratory fishery notifications for fisheries in Divisions 58.4.1, 58.4.2, 58.4.3a and Subarea 48.6, research plans were required to be submitted by Members directly to the Working Group on Statistics, Assessments and Modelling (WG-SAM) and in

the format prescribed in CM 24-01, Annex 24-01/A, format 2. The research plans were submitted to WG-SAM by the exploratory fishery notification deadline of 1 June 2015, except for:

- (i) France that submitted two notifications for the *Saint André* for Divisions 58.4.1 and 58.4.2 on 1 June 2015 and submitted research plans to WG-SAM on 6 June 2015
- (ii) Chile that submitted a fishery notification for the *Globalpesca II* for Subarea 48.6 on 1 June 2015. The fishery notification provided for the *Globalpesca II* included a research plan (in Spanish) in the required documentation (fisheries operation plan) section of the online notification process. The research plan was not submitted directly to WG-SAM and, as a result, WG-SAM did not consider the research plan.

78. Chile explained that there had been a change in institutions dealing with notifications in Chile that resulted in the late submission of the research plan and that the vessel had been subsequently withdrawn from the fishery for the 2015/16 season.

79. France reported that its notification was submitted in due time pursuant to CM 21-02, but a misunderstanding due to different deadlines for the submission of research plans set in CM 21-02 and by WG-SAM has led France to prepare and submit research plans according to the WG-SAM deadline. When this administrative mistake was discovered, France submitted its research plan immediately. France noted that this research fishing activity is intended to be conducted, as in previous years, in cooperation with another Member, and should contribute to a better assessment of fish stocks. France made clear it does not intend to make a precedent of this case and regrets this administrative error. Several Members expressed their understanding, but the consideration of this notification was deferred to the Commission.

80. SCIC considered the UK's paper (CCAMLR-XXXIV/BG/05) in regards to the insurance of the IUU-listed vessel FV *Thunder*. SCIC noted that the UK had undertaken an investigation that followed up on evidence that linked the FV *Thunder* to an insurance company in the UK. It was noted that the insurance company involved in some aspects of insurance coverage of the FV *Thunder* were unaware of IUU legislation and the status of the vessel in CCAMLR and other regional fisheries bodies. SCIC noted the UK's efforts to promote greater understanding of CM 10-08 within its insurance market.

81. Members thanked the UK and congratulated it for its efforts in bringing CM 10-08 to the attention of insurance companies and other potential beneficiaries of IUU fishing activities.

82. China advised SCIC that it had tried to provide a notification for the vessel *More Sodruzhestva* but, due to software issues, it had been unable to do so. SCIC noted that Ukraine had provided a notification for the vessel but that China was conducting a transaction for the vessel and intended to authorise it for the 2015/16 season. Many Members noted that a Member could not authorise a vessel under CM 10-02 if it had not provided the notification for that vessel. In effect, the notification remained with the Member; it did not go with a vessel.

83. The Secretariat indicated that the online notification did permit a Member to notify a vessel flying the flag of another Member as permitted by CM 21-02 and that a vessel could be notified by two Members as in the case of the *Viktoryia* which was notified by both China and Russia.

84. SCIC considered the Secretariat's paper (CCAMLR-XXXIV/07) that reported on the extent of the live release of untagged toothfish considered by the Scientific Committee in 2014 (SC-CAMLR-XXXIII, Annex 7, paragraph 5.42).

85. SCIC noted that from the available data for the period from 2006 to 2015, 20 vessels reported the live release of toothfish across all exploratory fisheries. SCIC agreed that, given the release of live and untagged toothfish occurred across all exploratory fisheries and by a number of vessels, that there is a need to clarify the applicable conservation measures (CM 41-01, Annex 41-01/C, paragraph 2(ii); CM 26-01, paragraphs 6 and 7 and CM 22-07). SCIC recommended that CMs 26-01 and 41-01 be amended in this regard.

86. SCIC noted the investigation of the discharge of offal into the Ross Sea (CCAMLR-XXXIV/BG/10). SCIC recalled that the Secretariat undertook an analysis of the information provided by New Zealand in COMM CIRCs 15/15 and 13/09, along with vessel monitoring system (VMS) records, CCAMLR observer reports and other relevant information to further investigate the discharge of offal in Subarea 88.1. The Secretariat stated the investigation was inconclusive. However, SCIC noted that ancillary information on the specific nature of the offal, and on the particular vessels identified, may be helpful to refine the outcomes of the analysis.

87. New Zealand and the UK supported further discussion of preventative measures to avoid any further instances of offal discharge.

#### Catch Documentation Scheme (CDS)

##### Independent review

88. SCIC recalled that at CCAMLR-XXXIII, the Catch Documentation Scheme (CDS) Review Panel reported on the results of its intersessional work reviewing the implementation, operation and objectives of the CDS and CM 10-05 (CCAMLR-XXXIII, Annex 6, paragraphs 148 to 165). The Commission agreed to establish a CDS Implementation Panel to further consider implementation of the CDS Review Panel's recommendations (CCAMLR-XXXIII, paragraphs 3.22 to 3.26).

89. SCIC considered the CDS Implementation Panel's paper (CCAMLR-XXXIV/09) that reports on the progress made throughout 2015 on the work outlined in the terms of reference adopted at CCAMLR-XXXIII (CCAMLR-XXXIII, Annex 6, Appendix II).

90. SCIC noted that the Secretariat had progressed several recommendations adopted at CCAMLR-XXXIII, including: work towards a new e-CDS platform; presenting CDS data by both *Dissostichus* species separately in the *Statistical Bulletin*; developing a process to reconcile CDS and catch and effort data; and further analysis of toothfish trade data.

91. SCIC recalled that a number of recommendations adopted at CCAMLR-XXXIII required a new e-CDS platform for implementation (CCAMLR-XXXIII, Annex 6, Appendix II, Attachment A). In considering the need for a new e-CDS platform, SCIC noted that a Hobart-based IT development consultant had been tasked by the Secretariat to document the functional specifications of the current e-CDS. SCIC noted that the CDS Implementation Panel had reviewed the functional specifications, and that this review was available upon request to Members.

92. SCIC noted that the next step in developing a new e-CDS platform was the development of the functional specifications describing the requirements of the new e-CDS. In considering this issue, it was agreed that the development of these functional specifications would be greatly enhanced with the active involvement of CDS Contact Officers, e-CDS users, industry and the CDS Implementation Panel in a workshop proposed for 2016. Noting SCIC's support for this proposal, the CDS Fund Panel subsequently agreed that A\$105 000 be provided from the CDS Fund to support this initiative.

#### NCP Engagement Strategy

93. SCIC agreed to support the non-Contracting Party (NCP) Engagement Strategy proposed in CCAMLR-XXXIV/09 (Appendix III), noting that an objective of the engagement strategy is to promote cooperation between CCAMLR and NCPs in respect of the voluntary implementation of the CDS. The NCP Engagement Strategy includes a priority list of NCPs identified through CDS and trade data as involved in the trade of *Dissostichus* spp., a contact list relative to these NCPs expanded to include trade agency contacts, and a list of trade flows between Cooperating Parties and NCPs to encourage assistance with NCP engagement and capacity building.

94. Australia suggested that correspondence with NCPs incorporate recognition of past positive action taken against IUU activity, and in support of the work of the Commission, referencing the recent detainment of the IUU vessel FV *Perlon* by Malaysian authorities and their seizure of the vessel's catch and their taking of prosecution action.

95. SCIC noted that the priority list was predominantly based on the CDS, where the destination of each export detailed on the *Dissostichus* Export Document (DED) allows identification of NCPs that have received *Dissostichus* spp. products.

96. Several Members suggested expansion of the priority list of NCPs to include all 24 countries identified in CCAMLR-XXXIII/BG/41, while noting the priority list may change as the analysis on the trade data is progressed.

97. The USA, supported by several Members, suggested that the Southeast Asian region be the priority focus area for engagement. These countries have been identified both in the CDS, and within the United Nations (UN) Comtrade data, as being active in the trade of toothfish.

98. Australia detailed previous experiences with NCP engagement where it had provided CDS experts to assist in training on the implementation of CDS requirements and preparation of CDS material.

99. Members deferred discussion regarding the possibility of supporting NCP attendance at CCAMLR meetings to a future review of the NCP Engagement Strategy following discussions from the proposed workshop.

#### Amendments to CM 10-05

100. SCIC discussed those recommendations relating to CM 10-05 presented at CCAMLR-XXXIII that require further consideration, including the recommendation to require port-to-port reporting and reconciliation of CDS and VMS data.

101. The USA informed SCIC that it already requires port-to-port reporting as a pre-approval process for accepting *Dissostichus* spp. imports and a number of vessels consequently already implement this type of reporting.

102. Japan suggested that it would be more appropriate to retain information of fishing dates for catch on *Dissostichus* catch documents (DCDs), while also introducing information of port-to-port.

103. Several Members supported port-to-port reporting as it allows for increased verification within the CDS, noting that it will be subject to domestic legislation.

104. Russia asked for clarification on the issue of port-to-port reporting in cases where a vessel is issued a license to fish in the CCAMLR area while at sea and prior to entering the Convention Area. It was clarified that the port-to-port requirement would be in respect of the Flag State, not the Secretariat, noting that some market States require reconciliation of CDS documents with port-to-port VMS.

105. SCIC discussed the implications of requiring port-to-port VMS on different conservation measures such as CM 10-02, to ensure Flag States only license a vessel that has committed to providing VMS data from port-to-port, as well as CM 10-04 in regard to VMS requirements.

106. Argentina noted that CM 10-04 refers to VMS activities within the Convention Area and that amending the measure to require VMS reporting outside the Convention Area was beyond the application of the Convention.

107. SCIC discussed the recommendation, first considered at CCAMLR-XXXIII, to expand general access and auditability of the CDS to allow CDS Contact Officers to amend CDS data. It was proposed that any changes would be visible to any State with a role in the issuing of the amended document.

108. Several Members expressed concern in regard to how amendments may be tracked and the type of information that could be amended. SCIC agreed that the details of access and auditability should be further discussed in the proposed workshop for CDS Contact Officers, together with current efforts to migrate the CDS to a more user-friendly system.

109. SCIC also discussed the recommendation considered at CCAMLR-XXXIII to amend CM 10-05 to enable electronic transfer of documents between CDS officers and vessel masters or authorised representatives for increased efficiency in completion of a DCD.

110. Members discussed the proposed amendment to CM 10-05 that would enable the completion of sections 4, 5 and 6 of the DCD electronically by ‘the vessel master or authorised representative’ and whether this should be restricted to the vessel master who is responsible for completion of the catch-related sections.

111. SCIC noted that the amendment provides an option for each Flag State to enable this type of electronic transmission for vessel masters or authorised representatives, if they choose, and therefore agreed to maintain the amendment to include both vessel master and authorised representative.

112. SCIC agreed to establish a link between port inspections (CM 10-03) and DCDs (CM 10-05) to be implemented through the CCAMLR website and potentially through the e-CDS.

113. Argentina suggested that CM 10-03 should be taken into account when drafting the recommendation. Argentina noted that some port inspections are not reported to the Secretariat. In these cases, the relevant authorities archive the port inspections and make them available upon request.

114. New Zealand added that other documents considered useful by Members, such as observed discharge forms, should also be linked and suggested having ‘reports and any other associated documents’ included with the amendment.

115. SCIC discussed a proposal to record fish size categories, or conversion factors, in CDS documents.

116. SCIC discussed a proposal to record coordinates for transshipments (in Section 8) in CDS documents, suggesting that recording the location of transshipment would ensure that the movement of all fish is transparent and traceable, as well as to assist in the monitoring of *Dissostichus* spp. catch. SCIC agreed to this proposal.

#### Specially Validated DCDs

117. SCIC recalled the discussion at CCAMLR-XXXIII noting that Specially Validated *Dissostichus* Catch Documents (SVDCDs) were issued in the same way as all other DCDs and that there was a need to differentiate between the two. It had been proposed that the CDS Implementation Panel review this in 2015 (CCAMLR-XXXIII, Annex 6, paragraph 160).

118. SCIC considered Australia’s paper (CCAMLR-XXXIV/BG/20) in support of the NCP Engagement Strategy, setting out possible options for the sale of seized IUU catch by NCPs. Referring to the action taken by Malaysia in 2015 in respect of the IUU-listed vessel *Perlon*, Australia said it considered that it was timely for the Commission to consider introducing greater flexibility into CM 10-05. The options presented for consideration included amending CM 10-05 to enable a DCD to be issued in exceptional circumstances where the catch had been seized by an NCP that did not yet have the status of an NCP cooperating with CCAMLR by participating in the CDS. Australia said that the options were not mutually exclusive and it did not seek to favour one option over the other.

119. While recognising the risks associated with each of the options, SCIC considered this an important issue that could be addressed during the intersessional period with a possible proposal for consideration at CCAMLR-XXXV.

#### Trade data analysis proposal

120. SCIC recalled that at CCAMLR-XXXIII, the Commission considered the Secretariat's paper (CCAMLR-XXXIII/BG/14 Rev. 2) analysing the international trade of *Dissostichus* spp. using UN Comtrade data (CCAMLR-XXXIII, paragraphs 167 to 171). The paper provided an overview of global trade dynamics, highlighting product value and volume trends, while also indicating inconsistencies with trade data and underlining concerns with using the Harmonized System (HS) of coding to identify products in trade.

121. It was recommended that further work continue in order to resolve data inconsistencies and to establish validity of the UN Comtrade data (CCAMLR-XXXIII, Annex 6, paragraphs 166 to 171).

122. SCIC considered the proposal by the Secretariat (CCAMLR-XXXIV/06) to undertake a further analysis of UN Comtrade data and to utilise FAO trade data (GLOBEFISH) in order to assess the utility of these sources. The research would focus on a comparison of trade and CDS data, potentially leading to a data quality assurance review and established data quality benchmarks.

123. SCIC noted the difficulty in establishing accuracy with trade data and queried the costs and benefits associated with such an initiative. It was noted that GLOBEFISH is widely regarded to be the best available tool to reconcile apparent trade differences that may be generated by IUU catch entering the global market. In considering that the CDS only captures legally caught fish, examination of non-CCAMLR trade datasets may reveal large anomalies requiring investigation.

124. Following confirmation that a request for funding amounting to A\$15 000 would be endorsed by the CDS Fund Panel, SCIC approved the trade analysis proposal.

125. Consideration of appointing a trade and market specialist to the Secretariat was deferred pending a review of the outcomes of the trade analysis proposal with GLOBEFISH at CCAMLR-XXXV.

#### Implementation and operation of CDS

126. SCIC reviewed the operation of CCAMLR's CDS in 2014/15 (CCAMLR-XXXIV/BG/41).

127. SCIC noted that the Seychelles is currently the only NCP with the status of NCP cooperating with CCAMLR by participating in the CDS and that Singapore is currently the only NCP cooperating with CCAMLR by monitoring toothfish trade through limited access to e-CDS.

128. SCIC noted that the number of NCPs that may be involved in the harvest and/or trade of *Dissostichus* spp. while not cooperating with CCAMLR by participating in the CDS continues to increase, and that as of September 2015, 24 NCPs have been identified over the last five years to be possibly involved in the harvest and/or trade of *Dissostichus* spp. while not cooperating with CCAMLR by participating in the CDS.

129. SCIC noted that no responses were received from NCPs intersessionally in regard to communications and outreach from the Secretariat. SCIC extended its appreciation to Singapore for its cooperation with CCAMLR and several Members offered assistance with outreach to various NCPs. This included the USA in regard to Peru.

130. In relation to the CDS implementation in the Hong Kong Special Administrative Region (HKSAR) of China, China made the following statement:

‘The CAMLR Convention has not been applied to HKSAR yet and therefore the HKSAR Government has no legal obligation to implement the CDS at this stage.

China recognises the important role the CDS plays in combating IUU fishing and with that, the HKSAR Government is now conducting preparatory work and drafting of a new piece of legislation for implementation of the CAMLR Convention in HKSAR, including the CDS and other conservation measures that are relevant to HKSAR.

Meanwhile, the HKSAR Government will continue to monitor the trade statistics of toothfish that imported into and re-exported through HKSAR and welcome the CCAMLR Secretariat and Contracting Parties of the CAMLR Convention to provide, through appropriate channels, information on associated trading of IUU catch of toothfish, so as to facilitate the tracking down of suspected IUU fish catch that landed in or transhipped through HKSAR. The HKSAR Government would provide necessary assistance and take follow up action under existing framework.

China thanks the CCAMLR Secretariat and Australia for their delivery of capacity-building CDS training to the HKSAR Government.’

### System of Inspection

131. SCIC welcomed New Zealand’s submission on the monitoring, control and surveillance activities New Zealand undertook during 2014/15 (CCAMLR-XXXIV/BG/21). SCIC noted that New Zealand had undertaken naval patrols in CCAMLR Subareas 88.1 and 88.2 and Division 58.4.1 during the 2014/15 austral summer to detect and deter IUU fishing (CCAMLR-XXXIV/32) and to monitor compliance by the licensed fishing vessels. It was noted that only one issue of non-compliance was identified by New Zealand and that this related to the vessel markings. New Zealand thanked the Secretariat for its support throughout the patrol season. Australia also reported that it had undertaken one Southern Ocean patrol with France with an Australian vessel in the 2014/15 period.

132. SCIC thanked New Zealand for its monitoring, control and surveillance activities and noted that these activities were essential in CCAMLR’s ongoing efforts to prevent IUU fishing. Members were encouraged to undertake similar activities when the opportunity to do so presented itself.

## Vessel Monitoring System (VMS)

133. SCIC considered the Secretariat's report on the implementation and operation of CCAMLR's VMS (CCAMLR-XXXIV/BG/36). SCIC noted that during 2014/15, 44 vessels operating inside the Convention Area and 208 vessels operating outside the Convention Area reported VMS data to CCAMLR.

134. SCIC noted that following the recommendation of the VMS Technical Working Groups at CCAMLR-XXXIII (CCAMLR-XXXIII, Annex 6, paragraphs 200 to 205), the Secretariat had configured and implemented new internally hosted software, THEMIS Viewer, provided by Collecte Localisation Satellites (CLS) to support CCAMLR's VMS. SCIC noted that there had been no disruption to CCAMLR's VMS during the implementation of THEMIS Viewer.

135. SCIC welcomed the Secretariat's plan to fully assess THEMIS Viewer's functionality in 2016 and to develop a structured web-based process for Members to notify VMS details to the Secretariat.

136. SCIC considered the work undertaken during 2014 by the Secretariat and the five CCAMLR Members that have Maritime Rescue Coordination Centres (MRCCs) responsibilities (Argentina, Australia, Chile, New Zealand and South Africa) in the signing and implementation of the SAR Arrangement adopted at CCAMLR-XXXIII (CCAMLR XXXIII/01 Rev. 1 and CCAMLR-XXXIII, Annex 6, paragraphs 196 to 199).

137. SCIC noted all five MRCCs had signed the SAR Arrangement with the Secretariat, and that the Secretariat had developed and implemented an automated process for the timely release of VMS data to support a SAR response consistent with the provisions of the SAR Arrangement.

## Radar satellite imagery project

138. SCIC considered a progress report regarding the trial to assess the use of satellites to detect IUU fishing implemented by the Secretariat and France, with funding support from the EU, and approved at CCAMLR-XXXIII (CCAMLR-XXXIII/07; CCAMLR-XXXIII, paragraphs 3.87 to 3.90)

139. SCIC noted that the acquisition of radar satellite imagery to detect vessels during a five-month period in areas of interest had commenced in September and that any vessel detections will be fused with declarative data such as VMS and automatic identification system (AIS) data. SCIC noted that a full report of the project will be provided by the Secretariat intersessionally and at CCAMLR-XXXV.

140. SCIC thanked the Secretariat, the EU and France for their efforts in developing this project and in the progress made to develop and utilise VMS in this manner.

141. SCIC confirmed that the confidentiality rules that apply to CCAMLR VMS data also apply to this project.

142. SCIC also agreed that a Commission Circular would be the most appropriate course of action if IUU fishing activity were detected during the trial.

## VMS data algorithms

143. SCIC considered the Secretariat's paper (SC-CAMLR-XXXIV/BG/19) regarding the development of data checking/processing algorithms to routinely compare the catch location and time reported in the catch data and the VMS data as requested by the Commission at CCAMLR-XXXIII (CCAMLR-XXXIII, paragraph 5.19).

144. SCIC noted that CCAMLR has historically focused on VMS data acquisition, ensuring that vessels fulfil their requirements to transmit VMS data (CM 10-04, paragraph 1) rather than undertake analysis of the actual quality of VMS data provided. SCIC noted that CM 10-04 currently does not provide for the use of VMS data for scientific purposes and that the Working Group on Fish Stock Assessment (WG-FSA) requested that SCIC consider this need (SC-CAMLR-XXXIV, Annex 7, paragraphs 3.30 to 3.32).

145. SCIC noted that the current requirement of CM 10-04 for vessels to report VMS data every four hours based on a vessel travelling at 10 n miles per hour may provide a circle with a radius of up to 20 n miles where a reported catch location would be expected to have VMS data. SCIC was advised that WG-FSA agreed that if VMS data was reported every hour, the radius would be decreased to 5 n miles and that this would greatly improve the usefulness of VMS data to corroborate reported catch locations (SC-CAMLR-XXXIV, Annex 7, paragraphs 3.30 to 3.32). SCIC noted that WG-FSA had recommended that VMS data be reported by vessels every 15 minutes, as this was considered best practice and would greatly facilitate the Working Group's work (SC-CAMLR-XXXIV, Annex 7, paragraph 3.32). Real time reporting of this data would not be required for scientific analysis.

## Proposals for new and revised measures

### Conservation Measure 10-04

146. SCIC recalled that at CCAMLR-XXXIII, the VMS Technical Working Group (TWG) had commenced a review of CM 10-04 (CCAMLR-XXXIII/BG/07; CCAMLR-XXXIII, Annex 6, paragraph 208). It was agreed at the time that the VMS TWG should continue its consideration of CM 10-04 during 2015 (CCAMLR-XXXIII, Annex 6, paragraph 209).

147. SCIC considered the second year of review of CM 10-04 undertaken by the VMS TWG (CCAMLR-XXXIV/10). SCIC noted that the VMS TWG recommended that CM 10-04 be revised to include minimum standards for Automatic Location Communicators (ALCs) and that ALCs be required to meet these minimum standards. The VMS TWG also recommended that CM 10-04 be revised to include definitions for VMS terms and that these terms be used consistently in CM 10-04, that vessels be required to report VMS data every hour to their Flag State and/or the Secretariat, and the VMS data be forwarded from Flag States to the Secretariat every hour.

148. SCIC expressed appreciation to the VMS TWG for its work during the intersessional period and welcomed the general direction of the recommendations made by the VMS TWG.

149. Some Members, while expressing general support for the proposal, disagreed that the reporting frequency of VMS data from vessels needed to be reduced from the current four hours. Some Members further noted that not all fisheries should be treated the same in relation to VMS and consideration be given to this issue.

150. SCIC was notified that the Scientific Committee recognised the importance of the development of data quality assurance processes. This included advice and agreement on the best practice of VMS polling frequency of 15 minutes. The Scientific Committee informed SCIC that the data collected at 15-minute intervals would not be used in real time.

151. Many Members supported the change to polling frequency as it has a strong scientific and compliance justification. The EU noted that the Scientific Committee advice indicated no technical obstacles to implementing such a polling frequency.

152. SCIC acknowledged the importance of data collection indicating the origin of catches. Some Members sought further scientific advice from the Scientific Committee on the contribution of data collection to scientific research (see 'Advice from the Scientific Committee' below).

153. Some Members indicated assessments should be conducted on the effectiveness of the existing conservation measures before any revision to conservation measures, and that fishing vessels are valuable platforms for research into Antarctic marine living resources. Those Members noted concerns that changes to VMS frequency would potentially place an unreasonable burden on fishing vessel operators and Flag States. Some Members noted that an increase in VMS frequency would not lead to a greater burden as, for the most part, VMS data processes are automated.

154. Japan noted concerns that an increase of VMS frequency caused an increased amount of data to be reported to the Flag States, which would place technical and budgetary difficulties in maintenance of its database. Argentina noted that they had consulted with their technical experts on the changes, and reported that moving the frequency to 1 hour would not make any difference to their operations, however 15-minute intervals would be problematic both legally and technically. France reported that French technical experts indicated a 1-hour frequency would be acceptable. Uruguay noted that they believed 1-hour frequency would be reasonable.

155. Russia also questioned the need for sealing all ALC components as proposed in CM 10-04, Annex 10-04/C, paragraph 14, and highlighted that it was only necessary that the ALC itself was duly protected by a seal.

156. Russia suggested that the Secretariat compile a list of similar provisions from RFMOs in order for Members to consider wider practice.

157. Whilst consensus could not be reached on the VMS polling frequency, some technical details and reporting frequency requirements, other proposed revisions to CM 10-04 were agreed and SCIC recommended the Commission revise this conservation measure.

#### Conservation Measure 10-06

158. SCIC considered the VMS TWG's recommendation that CM 10-06 should be revised to include the transmission of false VMS data or the failure to transmit any VMS data manually or automatically to the Flag-State and/or the CCAMLR Secretariat as grounds for inclusion of Contracting Party vessels on the Contracting Party IUU Vessel List (CCAMLR-XXXIV/10, paragraph 17).

159. New Zealand, supported by other Members, recommended that the revision refer to intentionally falsified VMS data or the intentional failure to transmit VMS data.

160. China indicated that VMS compliance issues have already been evaluated under CM 10-10 and was concerned about the necessity of this revision and therefore could not support the recommendation.

161. SCIC deferred the proposal to be considered by the Commission.

#### Conservation Measure 32-18

162. SCIC considered the proposal submitted by Argentina, Australia, Brazil, Chile, EU and the USA to prohibit the finning of sharks caught in the CAMLR Convention Area (CCAMLR-XXXIV/24 Rev. 1). The paper proposed an amendment to CM 32-18 to require that fins of sharks caught incidentally, and that cannot be released alive, remain naturally attached to the point of first landing.

163. The USA noted that the prohibition of finning of any incidentally caught sharks was an important step for the Commission and one that is consistent with the United Nations General Assembly (UNGA) sustainable fisheries resolution, FAO's International Plan of Action for Sharks, and is consistent with recent measures adopted by RFMOs such as ICCAT, IATTC, IOTC and WCPFC. Requiring all incidentally caught sharks that had been retained to be landed, with their fins naturally attached, would not only prevent the wasteful practice of finning, but would also maximise the enforceability of a finning prohibition and allow for more accurate collection of data on sharks that are landed.

164. Many Members thanked the proponents of the proposal and expressed their full and strong support for the amendment to CM 32-18. They recognised that the proposal promotes the conservation of sharks, was consistent with many Members' domestic policies, fills a gap in the existing conservation measure, and was indeed consistent with UNGA sustainable fisheries resolution.

165. Japan stated that it supported the prohibition of finning. On the other hand, Japan pointed that the proposal further required all shark fins possessed, retained or transhipped were attached naturally to its carcass, which were difficult to accept on the general operational aspect.

166. While noting the difficulties expressed by Japan, the Republic of Korea suggested that, if the ultimate objective is to protect and conserve shark species in the Convention Area, a 'no retention' policy could be considered in the future.

167. China maintained its position from CCAMLR-XXXIII, stating that such a proposal is beyond conservation of Antarctic marine living resources.

168. Many Members expressed disappointment that again, CCAMLR could not adopt the proposed changes to CM 32-18 to prohibit the finning of sharks in the Convention Area. The proposal was deferred for consideration by the Commission.

#### Conservation Measure 22-06

169. SCIC considered the USA's proposal to revise the assessment of bottom fishing procedure in CM 22-06 (CCAMLR-XXXIV/26). The USA proposed that CM 22-06 be amended to allow Members whose vessels and associated gear configurations notified under CM 21-02, to be exempt from submitting the preliminary assessment based on the pro forma in Annex A if the information had been submitted for a prior fishing season, the associated gear configuration had not changed and would continue to apply in the upcoming fishing season.

170. SCIC thanked the USA for its proposal and recommended that CM 22-06 be revised.

171. SCIC noted that the paragraph reference for preliminary assessments in CM 21-02, paragraph 11, was incorrect and recommended that it be amended to reference CM 22-06, paragraph 7(i).

#### Conservation Measure 25-02

172. SCIC further considered the differences in the translation of CM 25-02 (Annex A, paragraph 4) in which the English language version states 'When a streamer line is fully deployed, the branched streamers should reach the sea surface in the absence of wind and swell' while the Spanish language version states 'When a streamer line is fully deployed, the branched streamers shall reach the sea surface in the absence of wind and swell'. China indicated that Article 33 of the Vienna Convention of the Law of Treaties is relevant in this respect.

173. SCIC noted the importance of having consistent language in conservation measures. Consensus could not be reached to change the English language version to 'shall' in light of concerns expressed by one Member. SCIC referred to the Commission.

#### Conservation Measures 10-02, 10-05 and 10-09

174. SCIC considered the US proposal to improve the recording of transshipment information on a DCD (CCAMLR-XXXIV/25). Acknowledging the CDS Review Panel's recommendation that transshipment documentation needs to reflect operational reality by associating each transshipment with the original DCD that should record the total amount of catch by the vessel to which the DCD related.

175. It was noted that while the proposed changes to a DCD may not be accommodated in the current e-CDS, it was important for CCAMLR to make steps to better trace any transshipping of toothfish.

176. Ukraine noted that a vessel may enter port and not unload, or may unload portions of catch in a number of ports and/or tranship and that the CDS must be able to accommodate this.

177. Japan noted that the e-CDS User Manual should be considered for revision in connection with consideration of the revision of CM 10-05.

178. Many Members welcomed the proposal, however, the USA withdrew CCAMLR-XXXIV/25 from consideration, deciding that the CDS Review Panel would be a more appropriate forum in which to discuss these improvements to the CDS.

179. SCIC noted the proposal by the USA to strengthen the monitoring and control of transshipment (CCAMLR-XXXIV/27). The submission proposed an amendment to CM 10-02 and CM 10-09 to clarify that those Contracting Party vessels engaged in transshipment activities within the Convention Area, or of marine living resources harvested within the Convention Area and transhipped outside the Convention Area, must be licensed in accordance with CM 10-02. The USA further proposed amendments to CM 10-09, including establishment of a procedure regarding cooperation with CCAMLR by NCPs involved in transshipment along with an NCP Transshipment Vessel Record. NCPs cooperating with CCAMLR in the monitoring and control of transshipments would be required to fulfil advance notification, reporting and other requirements.

180. While many Members thanked the USA for its proposal and generally welcomed the concept of strengthening the monitoring and control of transshipments, several concerns were raised as to the scope of the proposal.

181. Argentina expressed its disappointment that its opinions provided in the Transshipping e-Group were not reflected in the proposal. Some Members indicated it had serious reservations about the proposal, noting that the amendments to CMs 10-02 and 10-09 appeared even to be amendments to the Convention, creating obligations beyond the Convention Area, as well as for NCPs. The USA noted that some comments from e-group members had mistakenly been excluded from the proposal.

182. China was concerned with the potential implications of the proposed conservation measures beyond the Convention Area. Therefore China could not accept the proposal for krill fisheries.

183. New Zealand fully supported the proposal and emphasised the importance of regulating tranship vessels that are involved fishing activities in the Convention Area. Australia and the EU encouraged further discussion and suggested similar models from RFMOs regarding monitoring and control of transshipments.

184. The USA revised its proposal to address the comments of Members. However, consensus could not be reached and SCIC deferred the proposal to be considered by the Commission.

#### Conservation Measure 10-02

185. SCIC considered New Zealand's proposal to amend CM 10-02 to require fishing vessel's ice classification be provided in a Member's licence notification to the Secretariat (CCAMLR-XXXIV/33). It was noted that this proposal would assist MRCCs in obtaining information for pre-season planning, and to take into account as part of the response for any SAR event. Further, this information could assist to inform the second phase of the International Maritime Organization (IMO) Polar Code, which could extend to fishing vessels.

186. Members widely supported the proposal.

187. Norway noted that two concerns regarding the proposed amendment to CM 10-02 requiring the mandatory reporting of vessel ice classification to CCAMLR remain unresolved. Firstly, Norway considered that the principal regulation and safety of vessels should be managed by IMO itself, as CCAMLR may not be the appropriate organisation to manage vessel safety regulations. Secondly, Norway underlined the importance of not cutting across the ongoing work in IMO related to the implementation of the Polar Code.

188. Other Members did not consider there was any concern with how the proposal relates to the work of the IMO and expressed regret that they were unable to discuss this issue in a comprehensive manner. The matter was deferred to the Commission.

#### Conservation Measure 51-06

189. SCIC considered the proposal from Chile and Norway to modify CM 51-06 to increase scientific observation coverage in krill fisheries (CCAMLR-XXXIV/35 Rev. 1). Chile and Norway highlighted the importance of the Secretariat's report to the Working Group on Ecosystems Monitoring and Management (WG-EMM) that indicated information collected by scientific observers has been valuable for the work of the Working Group (WG-EMM-14/58). With the Association of Responsible Krill Harvesting Companies (ARK), Chile and Norway proposed that 100% coverage by scientific observers on krill fishing vessels would improve the estimations of biomass removed from stock and improve the recording of by-catch.

190. Many Members fully supported this proposal and some noted that 100% observer coverage was important in supporting CCAMLR's effort to develop a feedback management system for krill fisheries. Japan sought scientific advice as to whether 100% observer coverage is indispensable for the development of the feedback management system (FBM); the Scientific Committee Chair advised SCIC that this topic had not been raised at the meeting of Scientific Committee.

191. The Scientific Committee Chair reported to SCIC that there was no new advice on this matter and referred to SC-CAMLR-XXXIII, paragraphs 7.15 to 7.18. He indicated that this issue was on the agenda of the Scientific Committee 2015 meeting.

192. No firm agreement could be reached and the proposal was deferred for consideration by the Commission.

#### Draft resolution on vessels without nationality

193. SCIC discussed a proposal by Australia tabled at the meeting for a draft resolution on vessels without nationality. Australia noted that stateless vessels operate without effective governance and oversight and contribute significantly to the issue of IUU fishing. Australia noted that some Members wanted some further clarity on the link between stateless vessels and IUU and the type of actions that could be used to prevent such fishing. Australia noted that there were a number of actions available to combat IUU fishing, including working collaboratively with Contracting and non-Contracting Parties, taking action against nationals that operate these vessels, using ports to limit services and access to markets, amongst others. Australia noted that discussions thus far have been fruitful.

194. SCIC deferred the proposal to be considered by the Commission.

#### Current level of IUU fishing

195. SCIC welcomed the efforts of Members to combat IUU fishing in the Convention Area reported by France (CCAMLR-XXXIV/23), Australia (CCAMLR-XXXIV/BG/16), New Zealand (CCAMLR-XXXIV/32) and Spain (CCAMLR-XXXIV/BG/46).

196. France reminded SCIC of the ongoing joint surveillance arrangement between Australia and France. France reported on the commissioning of two new French patrol vessels in 2017, advising that these vessels will complement the efforts of other Members to improve monitoring of the high seas areas in the Convention Area.

197. France reported that in the French exclusive economic zones (EEZs) (Statistical Division 58.5.1 and Subarea 58.6) no observations of IUU fishing activities had been detected for the 2014/15 fishing season. France noted, however, that unidentified fishing gear had been found inside the Kerguelen EEZ by a licensed fishing vessel in December 2014.

198. France also reported on the six-month pilot initiative between France and the Secretariat, funded by the EU with an in-kind contribution from France, to pilot the use of satellite surveillance in the Convention Area (CCAMLR-XXXIV/23). France's in-kind contribution includes analysis of satellite images and the use of the Kerguelen transmission station to receive and transmit satellite imagery data. France thanked the EU for its financial contribution to support the project.

199. Members thanked France for its continued efforts to detect, prevent and eliminate IUU fishing in the Convention Area. Members highlighted the French and Australian joint surveillance arrangement as an excellent example of Member cooperation.

200. Australia reported that the estimate of IUU catch of *Dissostichus eleginoides* in the period from 1 December 2014 to 30 November 2015 in Australia's EEZ was 0–50 tonnes (CCAMLR-XXXIV/BG/16). While reporting no detection of IUU fishing vessels in the Heard and McDonald Island EEZ, SCIC noted that there was a possibility that IUU fishing vessels may have made occasional forays into the EEZ.

201. SCIC considered Australia's report on its actions and regional cooperation to combat IUU activities during the 2014/15 fishing season (CCAMLR-XXXIV/BG/17). These actions included the boarding of three NCP-IUU listed vessels, the FV *Kunlun*, FV *Perlon*, and more recently, the FV *Viking*, and pursuant to Article 110 of UNCLOS.

202. Australia reported that its actions through the Regional Plan of Action to Promote Responsible Fishing Practices Including Combatting IUU Fishing (RPOA-IUU) have included the provision of aerial surveillance information and assistance in port inspections. Its actions also included supporting recent Interpol efforts in combatting IUU fishing activities as part of international collaboration. SCIC noted Australia's ongoing support of the RPOA-IUU.

203. Australia stated that as a result of its boarding of the IUU fishing vessel *Kunlun*, it had undertaken an analysis of information obtained from the vessel. Australia's conclusions,

based on its analysis, included that: combined international efforts effectively shortened the vessel's fishing campaign in the Convention Area in 2014/15: the majority of the catch was taken off the Antarctic coast not far from Australia's Mawson Research Station in Division 58.4.2; the vessel spent three weeks' fishing for a total catch of 181 tonnes (processed weight); and that it is likely that the data obtained was a sample of fishing activity of the *Kunlun* and two other IUU-listed vessels. Australia stated that the analysis was based on incomplete data and that its conclusions should be treated with caution (CCAMLR-XXXIV/BG/18).

204. Members thanked Australia for its efforts in combatting IUU fishing in the Convention Area. Members congratulated Australia and other participants for increasing cooperation and success under the RPOA-IUU.

205. SCIC noted New Zealand's paper (CCAMLR-XXXIV/32) that reported on IUU fishing activities in the Convention Area. SCIC considered the gaps identified by New Zealand in relation to IUU fishing monitoring, control and surveillance efforts. To respond to these gaps, New Zealand suggested encouraging key port states to ratify the FAO Port States Measures Agreement, increasing NCP involvement in the CDS, greater sharing of distribution network intelligence, the broadening of CM 10-08 to include reference to IUU distribution networks and, import states taking action to ensure legitimate toothfish importations.

206. Members congratulated New Zealand for its efforts, and encouraged further discussion of how best to address the identified gaps in monitoring, control and surveillance efforts. Some Members emphasised the importance of implementing Port State measures.

207. South Africa informed SCIC that its Government had received approval to accede to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. SCIC noted that South Africa had not yet deposited its instrument but that this process was under way.

208. SCIC noted Spain's discussion of its commitment to preventing IUU fishing activity in the Convention Area (CCAMLR-XXXIV/BG/46). Spain informed SCIC that the research carried out during the past two years by the General Secretariat of Fisheries, and international collaboration, has allowed linking Spanish citizens with shipping companies located in third countries. These screen companies have been linked, in recent years, with the management of different vessels with IUU activities in the CAMLR Convention Area. This, coupled with the deep changes in national legislation, has facilitated the actions carried out during 2015 in relation to the fight against IUU fishing in order to, among other things, eliminate any space of impunity for operators linked to this activity. In this context Spain launched SPARROW Operations I and II, which have led to a search of the headquarters from which companies domiciled in third countries and listed as ship owning companies were managed.

209. The SPARROW I operation resulted in the seizure of 3 000 documents. After analysing them, the responsibility would fall on seven Spanish citizens, who had allegedly managed and operated the ships: *Kunlun*, *Zemour 1*, *Zemour 2* and *Baiyandiang*, through screen companies domiciled in third countries. The disciplinary procedure has been initiated on 17 June for a total of 19 very serious offenses, which are individually punishable with fines of up to €600 000, and penalties of disqualification of fishing activities. In addition, in the coming months, it is scheduled that it will open disciplinary procedures against 50 Spanish crew of these vessels.

210. On the other hand, in relation to Operation SPARROW II, at the moment they are analysing more than 9 000 seized documents relating to other vessels identified as IUU vessels.

211. SCIC noted the progress with the ongoing investigation, which had led to the identification of Spanish and Chilean nationals involved in IUU fishing operations, and trade-related mechanisms to prevent IUU fishing products entering the market.

212. Members thanked Spain for its efforts and commitment to preventing IUU fishing. Members looked forward to learning of the outcomes of future work of Operation Sparrow including in respect to the beneficial owners of IUU fishing vessels.

213. SCIC noted that taking action against beneficial owners has been a particularly challenging issue and it was encouraging to see outcomes in this regard.

214. SCIC welcomed the Coalition of Legal Toothfish Operators (COLTO) data on the estimates of IUU toothfish catches in the 2014/15 fishing season (CCAMLR-XXXIV/BG/12). COLTO congratulated all members of SCIC for the successes over the past year at eliminating the last vestiges of IUU toothfish fishing from high seas areas in CCAMLR. They noted the combined collaborative efforts of industry, non-governmental organisations (NGOs), states, and international agencies during the year had provided much improved information on catch rates. COLTO informed SCIC that the range for the total estimated IUU toothfish catch was between 1 264 to 1 500 tonnes in the 2014/15 season. COLTO noted the estimates did not include ‘ghost fishing’ by gillnets, which are the gear type being used by IUU fishers. To ensure the estimates were precautionary, COLTO had attributed significant additional catch to two of the IUU fishing vessels, where direct unloading had not been sighted. COLTO noted that these levels were substantially lower than previous years.

215. The Antarctic and Southern Ocean Coalition (ASOC) and COLTO jointly commended the cooperation involved in recent Southern Ocean IUU fishing-related activities (CCAMLR-XXXIV/BG/23). ASOC and COLTO suggested additional ways that CCAMLR could enhance its ability to prevent IUU fishing and ensure compliance with CCAMLR conservation measures. These included: the development of enhanced procedures for tracking vessel movements, implementation of a modern, flexible and traceable CDS, adoption of additional measures for overseeing transshipments, participation in satellite enforcement initiatives, intensification of action on nationals of CCAMLR Members potentially involved in IUU fishing and improvements in the effectiveness of the IUU vessel lists. ASOC and COLTO noted the benefits of improved VMS, CDS and transshipment oversight could be very substantial, both by providing data important to CCAMLR’s work and by ensuring that fishing continues to be consistent with the objectives of the Convention.

216. SCIC considered the Secretariat’s paper (CCAMLR-XXXIV/37) that summarised the information received by the Secretariat about IUU fishing activity from October 2014 to August 2015.

217. SCIC noted the Secretariat’s discussions with Interpol regarding five NCP-IUU-listed vessels *Thunder*, *Kunlun*, *Yongding*, *Songhua* and *Snake*, who have been issued with Interpol Purple Notices. The Secretariat reported that it is currently liaising with Spanish authorities about the investigation of IUU activities of vessels operating in the Convention Area that have, or had, a relationship to Vidal Armadores.

218. SCIC considered the results from Contracting Party sightings, scientific observers, routine surveillance by Members and AIS information of IUU vessel activities reported under CMs 10-02, Annex 10-02/A and 10-07, paragraph 6. This information suggests that IUU vessels have been targeting the same locations in Subarea 48.6 and Division 58.4.1 for many years. SCIC noted that an NGO had also reported sightings of IUU-listed vessels in Division 58.4.1.

#### IUU Vessel Lists

219. SCIC noted that no new vessels had been proposed for inclusion in either the Contracting Party IUU Vessel List or the NCP-IUU Vessel List for 2015/16 (Appendix II).

220. SCIC noted that the IUU-listed vessel *Thunder* was reported to have sunk on 6 April 2015 in the Sao Tome and Principe EEZ and should be removed from the NCP-IUU Vessel List.

#### Advice from the Scientific Committee

##### Offal discharge

221. SCIC noted the advice of the Scientific Committee in respect of CCAMLR-XXXIV/BG/10 regarding the reports of offal discharge in the Ross Sea. SCIC noted that the discharge of offal presents a risk to dependent species, particularly when hooks are contained in the offal. SCIC noted that the Scientific Committee (SC-CAMLR-XXXIV, paragraphs 3.86 and 3.87) recommended that labelled or distinguishable hooks would provide a mechanism by which discharged offal could be identified back to a particular vessel.

222. New Zealand noted that offal discarding has been a prevalent issue over the last five years and supported a proposal to make hooks identifiable in order to verify origin of offal. New Zealand indicated that according to CM 10-02, Flag States are responsible for carrying out pre-season inspections to ensure vessels are adequately equipped to prevent offal discharge, and suggested that development of a template for pre-trip inspections, to be completed by the Flag State, should be considered.

223. The UK also expressed agreement with the proposal to label hooks for identification, and asked whether the Secretariat could provide further details on how such a scheme might work in practice.

##### Release of live untagged toothfish

224. SCIC noted the advice of the Scientific Committee in respect of the live release of untagged toothfish. SCIC noted that all toothfish that are released should be tagged regardless of size to avoid introducing bias into biomass estimates.

225. SCIC agreed that CMs 26-01 and 41-01 should be amended to ensure clarity regarding the requirements relating to the live release of toothfish.

## By-catch reporting

226. SCIC considered the inconsistent reporting of by-catch data on C2 forms reported at WG-FSA-15 (SC-CAMLR-XXXIV, Annex 7, paragraphs 8.1 to 8.8) and considered by the Scientific Committee as an issue regarding the implementation of CM 23-04.
227. Russia and Ukraine considered the difficulty in investigating the methodology used for by-catch data collection in all fisheries as equipment and gear type varies between vessels.
228. SCIC noted that it is clear that the Flag State is responsible for by-catch reporting and that inconsistent reporting by vessels to the Flag State should be investigated, and that Flag States should ensure all reporting is consistent with relevant conservation measures.
229. New Zealand requested that the Scientific Committee develop a by-catch profile that may include estimates of the expected level of by-catch in each fishery in order to aid compliance practitioners.
230. SCIC considered the difficulty in reporting all by-catch in krill fisheries due to technical issues that arise in fishery operations and varying gear configurations, noting that the lack of sufficient capability may impact the Commission's mandate to conserve all marine living resources.

## Research fishing activities undertaken by Russia in Subarea 48.5

231. At CCAMLR-XXXIII, SCIC considered the advice of the Scientific Committee in relation to the research fishing undertaken by the Russian-flagged vessel *Yantar 35* in the Weddell Sea in 2013/14 (CCAMLR-XXXIII, Annex 6, paragraphs 97 to 104) and agreed that it was inappropriate for research fishing to be undertaken under this plan for the 2014/15 season.
232. Russia had committed to investigating the data relating to the issue with the results presented at the conclusion of the investigation to WG-SAM, WG-FSA, the Scientific Committee, SCIC and the Commission (CCAMLR-XXXIII paragraphs 3.12 to 3.15).
233. At CCAMLR-XXXIV, the Scientific Committee reported to SCIC that it has sought further analysis and explanation of the VMS-derived vessel track data presented in WG-SAM-15/22 (Figure 7), that showed inconsistencies between vessel reported fishing locations and vessel movements within research blocks.
234. SCIC noted that due to these inconsistencies, the data associated with *Yantar 35* in the Weddell Sea for the 2012/13 and 2013/14 seasons remains under quarantine while the investigation is still pending.
235. A number of Members suggested assessing the surrounding CCAMLR areas for VMS track lines relating to the *Yantar 35* during the 2013/14 season to assist in clarification of vessel patterns. Several Members noted that a higher frequency in VMS reporting would be beneficial in considering similar events that may occur in the future.

236. The EU recalled that Russia had committed to submit a report regarding its investigation at CCAMLR-XXXIII, and that no information has been received by SCIC to date. Several Members expressed serious concern that Russia was not fulfilling its commitment to conduct the investigation and report its findings to SCIC.

237. Members sought clarification from Russia regarding when a compliance evaluation report on the investigation findings would be submitted to SCIC for consideration.

238. Russia informed Members regarding results of the investigation (refer to COMM CIRC 15/101) and that it will prepare additional information concerning this issue. Russia noted that national legislation would determine the dissemination of the investigation outcomes.

239. The EU queried about the shared ownership, crew and captain between the *Yantar 35* and the other *Yantar* vessels that had submitted fishery notifications for 2015/16. The EU was not satisfied with explanations provided by Russia regarding the granting of licences to *Yantar 31* and *Yantar 33* for the 2015/16 fishing seasons and was therefore unable to agree to the notifications for those vessels. Russia emphasised that in accordance with International law there exists a genuine link between the State and the vessel, not the vessel owner. Russia stated that the position of the EU has a discriminatory nature of blocking the adoption of the recommendation of SCIC in relation to Russian notifications for participation in exploratory fisheries submitted in accordance with CM 21-02, and in compliance with other relevant CCAMLR conservation measures. In this connection, Russia reserved its position on CCAMLR-XXXIV/BG/03.

240. Members deferred this matter to the Commission as consensus on fisheries notifications for the *Yantar 31* and *Yantar 33* could not be reached. Members noted that SCIC must be consistent, and therefore SCIC deferred all fisheries notifications for 2015/16 season to the Commission.

#### Conversion factors

241. SCIC noted that the Scientific Committee had agreed to collect detailed information regarding cuts made to fish in order to refine estimates of conversion factors and understand how fish are processed, to ultimately improve accuracy in green weight conversion.

#### High CPUE

242. Russia sought clarification from the Scientific Committee in relation to the analysis of the high CPUE data reported from Subarea 88.2 SSRUs A–B north.

243. The Scientific Committee noted that New Zealand and the UK had agreed to undertake analyses on the high CPUE data reported from SSRUs 882A–B north and considered at WG-FSA-15 (SC-CAMLR-XXXIV, Annex 7, paragraphs 4.100 to 4.107) with results to be reported to WG-SAM-16. The analysis will aim to reconcile VMS and catch data along with the various gear configurations used by vessels.

244. Russia expressed concern that the situation with abnormal high CPUE was a subject of detailed investigations by the Scientific Committee and SCIC in previous years.

#### Other SCIC business

245. ASOC reported on the progress at the IMO on the adoption of a Polar Code for shipping in polar waters (CCAMLR-XXXIV/BG/24), including the initial steps for a second phase on work that will address fishing vessels and other vessels not currently covered by the Code. Some Members urged CCAMLR to support the work of the IMO on phase II of the Polar Code, in particular on the inclusion of fishing vessels.

246. SCIC noted that IMO Members had agreed to gather information on incidents involving non-SOLAS ships in polar waters to be considered at the May 2016 meeting of the IMO's Maritime Safety Committee (MSC) to assist in assessing the potential scope of the Polar Code to these vessels, and that the IMO encouraged international organisations such as CCAMLR to provide this information.

247. SCIC noted that the timescale for the development of a Polar Code for fishing vessels had yet to be agreed and ASOC encouraged CCAMLR Members to introduce important priority measures to improve the safety of vessels operating in the Antarctic waters, including requirements for ice strengthening, training of fishing vessel crews and environmental response.

248. SCIC welcomed ASOC's paper and noted the importance of safety at sea, an issue of key importance to CCAMLR.

#### Results of the investigation of Russian observers on board the three *Insung* vessels in the CCAMLR area

249. SCIC considered Russia's agreement to undertake an investigation under CM 10-08 of Russian observers who reported data consistent with the anomalous catch data reported by the *Insung No. 2*, *Insung No. 7* and *Insung No. 22* and report back to the Secretariat in a timely manner. A number of Members requested detailed information from Russia regarding the outcome of this investigation (CCAMLR-XXXIII, paragraph 3.21).

250. Russia informed SCIC that it had circulated the outcome of the investigation through a letter to the Secretariat on 16 October 2015 which was circulated as COMM CIRC 15/104 and SC CIRC 15/61.

251. Noting the brevity of the information provided by Russia in this COMM CIRC, Members requested more detail regarding the investigation undertaken and data resources utilised. Additionally, Members noted Russia's statement that the outcome of their investigation had indicated that no discrepancies between C2 and observer data had occurred.

252. Russia informed Members that they had utilised the data provided to them from the Republic of Korea alongside conducting interviews with Russian observers, resulting in the conclusion that there was no link found between the vessel owner and the actions of the Russian observer.

253. The Republic of Korea stated that they had conducted an objective investigation reviewing C2 data provided by the Insung vessels and concluded that C2 data was exactly the same as the data provided by the observer. Korea recalled that they had agreed to quarantine the data based on the investigative findings and imposed sanctions on the Korean observers to ensure maintenance of veracious and independent scientific data collection (SC-CAMLR-XXXIII, paragraph 3.68).

254. SCIC considered that two Member States had different conclusions regarding similar investigations. A number of Members further considered that the report circulated by Russia had not adequately addressed the questions raised by Members and requested that further investigation and analysis be undertaken and reported back to Commission.

255. The Republic of Korea agreed to provide any relevant materials available to it, in addition to the material it has already provided that Russia requested, to assist in its investigation, noting that it would be more appropriate if Russia requested Korea to provide relevant materials available to it that accommodate their needs for their investigations.

256. Russia stated that they would again inform the Secretariat in a timely manner as agreed previously at CCAMLR-XXXIII once the Republic of Korea provides the relevant requested materials. Korea noted the burden should not be unduly shifted to Korea which had already fulfilled its obligations.

257. Many Members expressed their appreciation to the Republic of Korea for the way in which they have handled the Insung investigations. Those Members also thanked Korea for its willingness to provide any information requested. In addition, those Members noted that the Korean investigations provided a good benchmark for such investigations.

258. The EU requested that Russia provide the information regarding the investigation status within 90 days of 30 October 2015.

## CCAMLR Compliance Report

## Conservation Measure 10-01

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Russian Federation	<i>Yantar 31</i>	19 Jan 2015	The vessel was inspected by New Zealand on 1 December 2014 in Subarea 88.1. It was reported that the vessel markings on the side of the vessel were not a minimum of 1 metre in height as required by Annex A, paragraph 1(iii).	Nil response		Further action required (paragraphs 7 and 8)	Partially compliant

## Conservation Measure 10-03

Chile	<i>Kostar</i>	15 May 2015	The vessel arrived in Punta Arenas on 07 May 2015 and was inspected by Chile on 12 May 2015. Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.	FV <i>Kostar</i> arrived from international waters (Divisions 41.3.1 and 41.3.2). Docked on Prat port on 10 May 2015 at 11:45 h for sealing of storage facilities but due to port congestion had to leave the dock and relocate to dock B. Catalina ASMAR, to begin disembarking on 11 May 2015. It was inspected on 12 May.	01 Sep 2015	(paragraphs 9 and 10)	Compliant
Chile	<i>Sunstar</i>	14 Jul 2015	The vessel arrived in Punta Arenas on 22 June 2015 and was inspected by Chile on 26 June 2015. Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.	FV <i>Sunstar</i> , coming from international waters (Division 41.3.1), accessed port on 23 June 2015. It was sealed by the certifying company and disembarked at 16:00 h.  The first inspection began on 24 June 2015 at 09:30 h. The vessel presented unloading problems when it was heeling. Due to safety reasons, all unloading manoeuvres were suspended. An effort was made to inspect as much as possible, with a photographic record of the situation.	01 Sep 2015	(paragraphs 9 and 10)	Compliant

(continued)

Conservation Measure 10-03 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status										
Chile (continued)	<i>Sunstar</i> (continued)			The inspection was finished 26 June 2015 in ASMAR shipyard where the document inspection was done. To standardise the inspection, all documents were registered on that date. This situation was registered in the Port State report.													
Chile	<i>Kostar</i>	10 Mar 2015	The vessel arrived in Punta Arenas on 18 February 2015 and was inspected by Chile on 24 February 2015. Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.	All vessel inspections coming from CCAMLR area are done in Punta Arenas port, subject to weather conditions.  The vessel did not reach port on 18 February because the dock was full. It docked on 20 February (which is registered in the inspection report done by our inspectors) for disembarking. Inspection was not done in the established timeframe because office was short on personnel and there was a high demand for inspection due to many foreign vessels arriving on the same period.	01 Sep 2015	No action required (paragraphs 9 and 10)	Partially compliant										
Korea, Republic of	<i>Yantar 31</i>	29 Jul 2015	One vessel was reported through the Catch Documentation Scheme (CDS) to have landed <i>Dissostichus</i> spp. on one occasion in port in Korea. No inspection report was received by the Secretariat in respect of this landing as required by paragraph 8.	The inspection report was timely drafted, but the submission to the CCAMLR Secretariat was delayed due to an administrative oversight. The report was sent to the Secretariat on 6 August 2015.	06 Aug 2015	No action required (paragraphs 11 and 12)	Partially compliant										
			<table border="1"> <thead> <tr> <th>Vessel</th> <th>Flag</th> <th>Area(s) fished</th> <th>Port</th> <th>Landing date</th> </tr> </thead> <tbody> <tr> <td><i>Yantar 31</i></td> <td>RUS</td> <td>88.1, 88.2</td> <td>Busan</td> <td>16 Mar 2015</td> </tr> </tbody> </table>	Vessel	Flag	Area(s) fished	Port	Landing date	<i>Yantar 31</i>	RUS	88.1, 88.2	Busan	16 Mar 2015				
Vessel	Flag	Area(s) fished	Port	Landing date													
<i>Yantar 31</i>	RUS	88.1, 88.2	Busan	16 Mar 2015													
New Zealand	<i>Seljevaer</i>	05 Mar 2015	The vessel arrived in Lyttelton on 16 February 2015 and was inspected by New Zealand on 02 March 2015. Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.	New Zealand apologises for this oversight and non-compliance with CM 10-03, this resulted from a breakdown in communication between the coordinating departments involved with the inspection of foreign fishing vessels.	04 Sep 2015	No action required (paragraphs 18 and 19)	Partially compliant										

(continued)

Conservation Measure 10-03 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status															
South Africa	<i>Shinsei Maru No. 3</i>	29 Jul 2015	One vessel was reported through the Catch Documentation Scheme (CDS) to have landed <i>Dissostichus</i> spp. on two occasions in port in South Africa. No inspection reports were received by the Secretariat in respect of these landings as required by paragraph 8.	Nil response		No action required (paragraphs 13 and 14)	Non-compliant															
			<table border="1"> <thead> <tr> <th>Vessel</th> <th>Flag</th> <th>Area(s) fished</th> <th>Port</th> <th>Landing date</th> </tr> </thead> <tbody> <tr> <td><i>Shinsei Maru No. 3</i></td> <td>JPN</td> <td>58.44, 58.4.3a</td> <td>Cape Town</td> <td>08 Oct 2014</td> </tr> <tr> <td><i>Shinsei Maru No. 3</i></td> <td>JPN</td> <td>47.4</td> <td>Cape Town</td> <td>09 Jan 2015</td> </tr> </tbody> </table>	Vessel	Flag	Area(s) fished	Port	Landing date	<i>Shinsei Maru No. 3</i>	JPN	58.44, 58.4.3a	Cape Town	08 Oct 2014	<i>Shinsei Maru No. 3</i>	JPN	47.4	Cape Town	09 Jan 2015				
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<i>Shinsei Maru No. 3</i>	JPN	47.4	Cape Town	09 Jan 2015																		
Uruguay	<i>Yantar 35</i>	12 Mar 2015	The vessel arrived in Montevideo on 27 February 2015 and was inspected by Uruguay on 4 March 2015. Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.	<p>This vessel entered port on 27 February 2015, and changed dock a number of times for operational reasons relating to the Port Authority up until 03 March 2015. On that date it docked on the unloading bay, the inspection was carried out on 04 March 2015 and the vessel left port on 06 March 2015. The date to be considered as that of ‘entry to port’ must in all cases be the date on which the vessel to be inspected is legally and physically available to the Fisheries Authority staff that carries out the actual inspection.</p> <p>On the above-mentioned dates the vessel was ‘moving’ within the port while waiting to be assigned an appropriate location for the inspection. While under this ‘moving’ status, the national regulations do not consider it legally available for inspection.</p>	27 Aug 2015	(paragraphs 11 and 12)	Compliant															

(continued)

Conservation Measure 10-03 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Uruguay	<i>La Manche</i>	17 Dec 2014	The vessel arrived in Montevideo on 15 September 2014 and was inspected by Uruguay on 28 October 2014. Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.	This transport vessel carrying a shipload of krill caught by the krill-fishing vessels <i>Saga Sea</i> and <i>Antarctic Sea</i> arrived in the Transfer Zone of the port of Montevideo on 15 September 2014 and waited for the arrival of the corresponding general-purpose container vessel, which is when the Agency submitted the documents relative to the shipment. Its entry to port was scheduled for 28 October 2014, and for that reason the Fisheries Authority carried out the documentary inspection on that date. For operational reasons it only entered port on 03 November, and transferred the containers to the transport vessel and exited port on 06 November 2014.	27 Aug 2015	(paragraphs 22 and 23)	Compliant
Uruguay	<i>Tronio</i>	17 Dec 2014	The vessel arrived in Montevideo on 04 September 2014 and was inspected by Uruguay on 11 September 2014. Paragraph 5 requires an inspection to be conducted within 48 hours of port entry.	According to the records of the Port Authority, this vessel entered port on 10 September 2014, the inspection was carried out on 11 September 2014 and exited port on 13 September 2014.	27 Aug 2015	(paragraphs 20 and 21)	Compliant

Conservation Measure 10-09

Russian Federation	<i>Tambov</i>	24 Jul 2015	The vessel transhipped krill and fuel with the <i>Fu Rong Hai</i> on 27 July 2015 in Subarea 48.3 without submitting a transshipment notification. Paragraph 2 requires each Contracting Party as a Flag State to notify.	Nil response		(paragraphs 24 and 25)	Compliant
Russian Federation	<i>Tambov</i>	27 Jul 2015	The vessel transhipped fuel with the <i>Long Da</i> on 29 July 2015 in Subarea 48.3 without submitting a transshipment notification. Paragraph 2 requires each Contracting Party as a Flag State to notify.	Nil response		(paragraphs 24 and 25)	Compliant

(continued)

Conservation Measure 23-06

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Norway	<i>Saga Sea</i>	05 Aug 2015	<p>The vessel did not report any by-catch in their catch and effort data. Observer data reports by-catch in 60% of hauls sampled.</p> <p>Paragraph 6 requires that at the end of each month, each Contracting Party shall obtain from each of its vessels the haul-by-haul data required to complete the CCAMLR fine scale catch and effort data form (trawl fisheries Form C1) (CM 23-04).</p> <p>CM 23-04, paragraph 3, requires that the catch of all target and by-catch species be reported by species.</p>	<p>The following procedures for recording and reporting of by-catch have been implemented on board the vessel: The crew collects bigger fish from the factory conveyor belt (i.e. icefish). These are given to the observer, who weighs and registers them. Since 2010, by-catch of juvenile and adult fish has been extracted from the factory conveyor belt by the processors and given to the observer for CCAMLR biometric recording on a 24 hour basis. Additionally, the observer has also conducted two to four 25 kg by-catch sampling of live krill from the trawl deck during random ‘haul units’ (i.e. two hour trawl periods).The observer makes his own samples directly from the de-watering units and registers what he finds. He does not give these numbers to the vessel crew.</p> <p>The vessel owner and the captain were of the understanding that the extensive sampling and recording procedure conducted by the observer was sufficient for the report according to CM 23-06, and that this by-catch was being reported through the observer. However, the procedures are now changed, and the by-catch is reported (directly) by the vessel.</p>	04 Sep 2015	No action required (paragraphs 26 and 27)	Non-compliant
Norway	<i>Antarctic Sea</i>	05 Aug 2015	<p>The vessel did not report any by-catch in their catch and effort data. Observer data reports by-catch in 60% of hauls sampled.</p>	<p>The following procedures for recording and reporting of by-catch have been implemented on board the vessel:</p> <p>The crew collects bigger fish from the factory conveyor belt (i.e. icefish). These are given to the observer, who weighs and registers them.</p>	04 Sep 2015	No action required (paragraphs 26 and 27)	Non-compliant

(continued)

Conservation Measure 23-06 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Norway (continued)	<i>Antarctic Sea</i> (continued)		<p>Paragraph 6 requires that at the end of each month, each Contracting Party shall obtain from each of its vessels the haul-by-haul data required to complete the CCAMLR fine-scale catch and effort data form (trawl fisheries Form C1) (CM 23-04).</p> <p>CM 23-04, paragraph 3, requires that the catch of all target and by-catch species be reported by species.</p>	<p>Since 2010, by-catch of juvenile and adult fish has been extracted from the factory conveyor belt by the processors and given to the observer for CCAMLR biometric recording on a 24 hour basis. Additionally, the observer has also conducted two to four 25 kg by-catch sampling of live krill from the trawl deck during random 'haul units' (i.e. two hour trawl periods). The observer makes his own samples directly from the de-watering units and registers what he finds. He does not give these numbers to the vessel crew.</p> <p>The vessel owner and the captain were of the understanding that the extensive sampling and recording procedure conducted by the observer was sufficient for the report according to CM 23-06, and that this by-catch was being reported through the observer. However, the procedures are now changed, and the by-catch is reported (directly) by the vessel.</p>			

Conservation Measure 25-02

Australia	<i>Isla Eden</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Division 58.5.2 between 09 September and 21 November 2014.</p> <p>The observer reported that some of the vessel's streamers did not reach the sea surface as the ends had broken off due to general wear and tear.</p>	<p>Australia has investigated the reported incident and provides the following comments.</p> <p>CM 25-02/A, paragraph 4 states 'When a streamer line is fully deployed, the branched streamers should reach the sea surface in the absence of wind and swell.'</p>	04 Sep 2015	No action required (paragraphs 28 and 29)	Partially compliant
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(continued)

Conservation Measure 25-02 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Australia (continued)	<i>Isla Eden</i> (continued)		Annex 25-02/A, paragraph 8 requires that streamers reach the sea surface.	<p>The observer report notes that while most of the streamers reached the sea surface, ‘some’ had broken off due to general wear and tear.</p> <p>The vessel has since replaced the two streamer lines.</p> <p>Australia requires operators to deploy two streamer lines at all times in Statistical Division 58.5.2.</p> <p>Australian authorities have undertaken an inquiry into the reported incident and have determined that between the two streamer lines, most of the branched streamers reached the sea surface.</p> <p>Noting the points above, Australia considers that this is not a case of non-compliance and Australia will not be pursuing any further action.</p>			

Conservation Measure 25-03

Norway	<i>Saga Sea</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for krill fishing in Subareas 48.1 and 48.2 between 12 December 2014 and 21 March 2015.</p> <p>The observer reported that the vessel rarely conducted net cleaning prior to shooting the net.</p> <p>In accordance with paragraph 4, nets should be cleaned prior to shooting to remove items that might attract birds.</p>	<p>Due to the Eco-Harvesting technology, which continuously pumps the krill, the crew has experienced that there is none or very little residue of krill inside the net after haul back.</p> <p>The vessel owner and the captain were of the understanding that this was adequate to fulfil the intention of CM 25-03.</p> <p>On the basis of the comments from the observer, the vessel owner will now review the procedures in dialogue with the Norwegian Directorate of Fisheries.</p>	04 Sep 2015	(paragraphs 30 and 31)	Compliant
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(continued)

Conservation Measure 26-01

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Australia	<i>Antarctic Chieftain</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subarea 88.2 between 28 November 2014 and 03 March 2015.</p> <p>The observer reported that sewage was discharged from the vessel while the vessel was stuck in ice between 05 February and 14 February 2015.</p> <p>Paragraph 5(v) prohibits the discharge of sewage within 12 nautical miles of land or ice shelves.</p>	<p>Australia has investigated the reported incident and provides the following comments.</p> <p>The FV <i>Antarctic Chieftain</i> became trapped in ice for nine days due to inclement weather. The vessel had 26 people on board.</p> <p>For Australia the safety of the crew and the observers was of paramount importance. All efforts focused on ensuring the vessel could be freed of ice and got underway as soon as possible. Australia understands that a decision was taken by the vessel operator to discharge sewage in response to concerns about the capacity of sewage tanks and possible health risks for those on board. All efforts were taken to minimise the volume of the discharge and to minimise any potential environmental and health impacts.</p> <p>Australian authorities have investigated the issue and have determined that the actions of the vessel operator were reasonable due to extenuating circumstances. No further action will be taken in regards to this incident.</p>	04 Sep 2015	(paragraphs 32 and 33)	Compliant
Chile	<i>Betanzos</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subarea 48.1 between 27 March and 02 June 2015.</p> <p>The observer reported that the vessel discharged organic waste. Organic waste is reported to have been discharged without any maceration or screening in Subarea 48.1.</p>	Nil response		No action required (paragraphs 34 and 35)	Non-compliant

(continued)

Conservation Measure 26-01 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Chile (continued)	<i>Betanzos</i> (continued)		Paragraph 5(iii) prohibits the discharge of food wastes not capable of passing through a screen with openings no greater than 25 mm.				
Chile	<i>Betanzos</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for krill fishing in Subareas 48.1 and 48.2 between 21 January and 23 March 2015.</p> <p>The observer reported that the vessel discharged organic waste. Organic waste is reported to have been discharged without any maceration or screening in Subareas 48.1 and 48.2.</p> <p>Paragraph 5(iii) prohibits the discharge of food wastes not capable of passing through a screen with openings no greater than 25 mm.</p>	Nil response		No action required (paragraphs 34 and 35)	Non-compliant
China	<i>Long Teng</i>	04 Aug 2015	<p>Observer data was received for one cruise for the vessel <i>Saga Sea</i> under the Scheme of International Scientific Observation for krill fishing in Subarea 48.1 between 17 March and 26 May 2015.</p> <p>The observer on the vessel <i>Saga Sea</i> reported that the vessel <i>Long Teng</i> was observed operating in the same area during the beginning of April and was observed discarding substantial quantities of krill while retrieving its trawl.</p> <p>Paragraph 6(ii) prohibits the discharge of discards south of 60°S.</p>	Nil response		(paragraphs 36 and 37)	Compliant

(continued)

Conservation Measure 26-01 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Korea, Republic of	<i>Hong Jin</i> <i>No. 701</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subarea 88.1 between 06 November 2014 and 02 March 2015.</p> <p>The observer reported that the vessel occasionally discharged organic waste in Subarea 88.1. The observer did not note if the organic waste was macerated or screened.</p> <p>Paragraph 5(iii) prohibits the discharge of food wastes not capable of passing through a screen with openings no greater than 25 mm.</p>	<p>The observer on board the FV <i>Hong Jin No. 701</i> during the fishing season 2014/15 confirmed that the vessel complied with CM 26-01 and explained that he did not specify this confirmation in section 10 of the observer report due to an oversight. After the trip, he sent a letter confirming the compliance of the vessel with CM 26-01 to the operator and said that he would also send a revised cruise report to the CCAMLR Secretariat. More detailed explanations have been provided in the attachments. Also, the vessel has a food disposer (grinder) on board the vessel, which was delivered to the vessel's port of call (the port of Montevideo) in September 2013 and has been carried on board the <i>Hong Jin No. 701</i> during the 2014/15 fishing season. All food waste is collected inside the disposer, and non-grindable items such as bones are retained on board in a separate container and the grindables are processed in the machine, which breaks down the waste to be in almost a liquid form (less than 25 mm). Even the food waste ground to the size of less than 25 mm is retained on board in most cases.</p> <p>Attachment 1. Cruise report (Rus)</p> <p>Attachment 2. Cruise report (Eng)</p> <p>Attachment 3. Photo of grinder and explanations about the observer's report</p> <p>Attachment 4. Observer's compliance confirmation email</p>	04 Sep 2015	(paragraphs 38 and 39)	Compliant

(continued)

Conservation Measure 26-01 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Korea, Republic of (continued)	<i>Hong Jin</i> <i>No. 701</i> (continued)			Attachment 5. Waste disposer purchase receipt  Attachment 6. Loading license for the waste disposer (grinder).			
Korea, Republic of	<i>Sejong</i>	04 Aug 2015	Observer data was received for one cruise under the Scheme of International Scientific Observation for krill fishing in Subareas 48.1, 48.2 and 48.3 between 05 March and 13 October 2014.  The observer reported that the vessel discharged organic waste in Subarea 48.1.  The observer did not note if the organic waste was macerated or screened.  Paragraph 5(iii) prohibits the discharge of food wastes not capable of passing through a screen with openings no greater than 25 mm.	In the 2013/14 fishing season, the <i>Sejong</i> retained food waste unscreenable through a strainer with openings of less than 25 mm on board. The retained waste on board was delivered to a waste disposer in Cape Town, South Africa, in October 2014, which is supported by documentary evidence.  In the 2014/15 fishing season, the <i>Sejong</i> transhipped all sorts of wastes to a carrier vessel when transhipping its catches, so that the carrier vessel could take the waste to a port for disposal. The transhipment of waste was also documented by Mate Receipt with the signatures of the captains of the fishing and carrier vessels. This document maintained on board. Further information will be provided in a timely manner.	04 Sep 2015	(paragraphs 38 and 39)	Compliant
Korea, Republic of	<i>Kostar</i>	04 Aug 2015	Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subareas 88.1 and 88.2 between 12 November 2014 and 20 February 2015.  The observer reported that the vessel occasionally discharged organic waste. The observer did not note if the organic waste was macerated or screened.  Paragraph 5(iii) prohibits the discharge of food wastes not capable of passing through a screen with openings no greater than 25 mm.	The report of the observer who was on board the <i>Kostar</i> during the 2014/15 fishing season has a footnote confirming the vessel's compliance with CM 26-01. As indicated in the observer's report, the <i>Kostar</i> complied with the measure. The food waste containers on board the vessel have a strainer fixed on top with openings less than 25 mm (please refer to attached photo). In the area south of 60°S, organic matters not screened through the strainer are stored in the freezer, and only food waste less than 25 mm and screened through the strainer is discharged at sea.	04 Sep 2015	(paragraphs 38 and 39)	Compliant

(continued)

Conservation Measure 26-01 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Korea, Republic of (continued)	<i>Kostar</i> (continued)			<p>The operator requires that all its vessels operating in the Southern Ocean fully comply with CM 26-01, prohibiting the discharge of food waste 25 mm or larger in the area south of 60°S and bring all wastes on board back to the land after the trip. However, some port authorities do not allow organic waste to be landed at their ports, and in those cases the wastes are disposed outside the area south of 60°S in accordance with the MARPOL protocol. As documentary evidence for the compliance, attached to this response are the observer's report and email confirming that the vessel indeed complied with CM 26-01.</p> <p>Attachment 1. Cruise report</p> <p>Attachment 2. Waste disposal process photos.</p>			
Korea, Republic of	<i>Sejong</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for krill fishing in Subareas 48.1, 48.2 and 48.3 between 05 March and 13 October 2014.</p> <p>The observer reported that the vessel discharged offal in Subarea 48.1.</p> <p>Paragraph 6(i) prohibits the discharge of offal south of 60°S.</p>	<p>The initial findings show that the vessel did not discharge offal, since the whole krills are either frozen as whole round products or boiled products, or processed into krill meal. Considering the nature of krill operation and processing, no 'offal' can be left as by-product. Further information will be provided in a timely manner.</p>	04 Sep 2015	(paragraphs 38 and 39)	Compliant
Korea, Republic of	<i>Sejong</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for krill fishing in Subareas 48.1, 48.2 and 48.3 between 05 March and 13 October 2014.</p>	<p>Krill on board the <i>Sejong</i> are processed as whole round products or boiled products and some krill are processed as meal products or peeled products.</p>	04 Sep 2015	No action required (paragraphs 40 and 41)	Non-compliant

(continued)

Conservation Measure 26-01 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Korea, Republic of (continued)	<i>Sejong</i> (continued)		<p>The observer reported that the vessel discarded krill in Subarea 48.1.</p> <p>Paragraph 6(iii) prohibits the discharge of discards south of 60°S.</p>	<p>When processing whole round products, krill hauled from fish pond get into the pan, and the portions fallen off from the conveyor belt get into another conveyor belt for reprocessing. After that, the krill flatways are arranged into the iron pan, during which some krill can get off the conveyor. The portion fallen off the conveyor also gets reprocessed in the meal making machine in the lower deck of the processing room. As such, all krill are either processed or reprocessed through a systemic cycle and no krill seems to have been discarded. Further information in this regard will be provided in a timely manner.</p>			
Korea, Republic of	<i>Sunstar</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subareas 88.1 and 88.2 between 14 November 2014 and 22 February 2015.</p> <p>The observer reported that the vessel occasionally discharged organic waste. The observer did not note if the organic waste was macerated or screened.</p> <p>Paragraph 5(iii) prohibits the discharge of food wastes not capable of passing through a screen with openings no greater than 25 mm.</p>	<p>The FV <i>Kostar</i> complied with the measure as follows: the food waste containers on board the vessel have a strainer fixed on top with openings less than 25 mm (please refer to attached photo). In the area south of 60°S, organic matters not screened through the strainer are stored in the freezer, and only food waste less than 25 mm and screened through the strainer is disposed at sea. The operator requires that all its vessels operating in the Southern Ocean fully comply with CM 26-01, prohibiting the disposal of food waste 25mm or larger in the area south of 60°S and bring all wastes on board back to the land after the trip. However, some port authorities do not allow organic waste to be landed at their ports, and in those cases the wastes are disposed outside the area south of 60°S in accordance with the MARPOL protocol.</p>	04 Sep 2015	(paragraphs 38 and 39)	Compliant

(continued)

Conservation Measure 26-01 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Korea, Republic of (continued)	<i>Sunstar</i> (continued)			<p>As documentary evidence for the compliance, attached to this response are the observer's report and email confirming that the vessel indeed complied with CM 26-01.</p> <p>Attachment 1. Cruise report</p> <p>Attachment 2. Observer's compliance confirmation email</p> <p>Attachment 3. Waste disposal process photos.</p>			
Norway	<i>Antarctic Sea</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for krill fishing in Subareas 48.1 and 48.2 between 30 December 2014 and 24 March 2015.</p> <p>The observer reported that approximately 50 litres of oil was spilled by the vessel from a broken hydraulic pipe.</p> <p>Paragraph 5(i) prohibits the discharge of oil or fuel products or oily residues into the sea south of 60°S.</p>	<p>During harvesting operations, a hydraulic pipe broke on the port side Gilson winch. The pumps were immediately stopped, and the vessel was tilted to starboard side to avoid spillage into the sea. The crew was notified to start immediate clean-up and minimise the damage.</p> <p>However, the crew was not able to contain all the spillage. The <i>Antarctic Sea</i> has an open deck which demands scuppers to be open at all times allowing seawater that sometimes comes on deck to be discarded from the deck. The crew estimated that about 50 litres was spilled into the sea. The spillage was contained and stopped, and there was no danger for further oil spills.</p> <p>The observer was immediately informed, and the captain noted the event in his logbook.</p> <p>The vessel owner will go through the incident to see if anything can be done to prevent similar incidents in the future.</p>	04 Sep 2015	No action required (paragraphs 42 to 43)	Non-compliant

(continued)

Conservation Measure 26-01 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
Russian Federation	<i>Yantar 35</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subareas 88.1 and 88.2 between 02 November 2014 and 27 February 2015.</p> <p>The observer reported that the vessel occasionally discharged organic waste. All organic waste is reported to have been discharged without any maceration or screening.</p> <p>Paragraph 5(iii) prohibits the discharge of food wastes not capable of passing through a screen with openings no greater than 25 mm.</p>	Nil response		Further action required (paragraph 44)	Non-compliant
Russian Federation	<i>Yantar 35</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subareas 88.1 and 88.2 between 02 November 2014 and 27 February 2015.</p> <p>The observer reported that the vessel used plastic packaging bands to secure bait boxes.</p> <p>Paragraph 1 prohibits the use of plastic packaging bands to secure bait boxes.</p>	Nil response		Further action required (paragraph 44)	Non-compliant

Conservation Measure 41-01

South Africa	<i>Koryo Maru No. 11</i>	04 Aug 2015	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subarea 48.6 between 12 December 2014 and 26 March 2015.</p>	Nil response		Further action required (paragraphs 45 and 46)	Partially compliant
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(continued)

Conservation Measure 41-01 (continued)

Country	Vessel	Recorded date	Implementation summary – Secretariat	Response – Member	Response date	SCIC response	Status
South Africa (continued)	<i>Koryo Maru</i> <i>No. 11</i> (continued)		The observer reported poor tagging behaviour by the crew including incorrect recording of tagging positions and that there was a lack of instruction provided in relation to sampling VMEs and errors in the sampling buckets used to record VME benthos.				

## Non-Contracting Party IUU Vessel List

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Aldabra</i>		7424891	5VAA2	• Fishing 58.4.4b (10 Nov 2006)	2007	• Cecibell Securities • Farway Shipping
<i>Amorinn</i>		7036345	5VAN9	• Sighted 58.5.1 (11 Oct 2003) • Sighted 58.4.2 (23 Jan 2004)	2003	• Infitco Ltd (Ocean Star Maritime Co.) • Seric Business S.A.
<i>Baroon</i>	Tanzania, United Republic of	9037537	5IM376	• Fishing 58.4.1 (19 Mar 2007) • Sighted 88.1 (15 Jan 2008) • Sighted 57 (19 Dec 2010) • Sighted 57 (05 Oct 2012) • Sighted 57 (24 Mar 2013) • Sighted 57 (03 Sep 2013) • Sighted 57 (19 Nov 2013) • Sighted 57 (14 Feb 2014)	2007	• Punta Brava Fishing S.A. • Vero Shipping Corporation
<i>Challenge</i>		6622642	HO5381	• Sighted 58.4.3b (14 Feb 2006) • Sighted 58.4.3b (22 May 2006) • Sighted 58.4.3b (10 Dec 2006) • Sighted 58.4.3b (08 Feb 2008)	2006	• Prion Ltd • Vidal Armadores S.A. • Mar de Neptuno S.A. • Advantage Company S.A. • Argibay Perez J.A.
<i>Good Hope</i>	Nigeria	7020126	5NMU	• Resupplying IUU vessels 51 (09 Feb 2007)	2007	• Sharks Investments AVV • Port Plus Ltd
<i>Heavy Sea</i>		7322926	3ENF8	• Sighted 58.5.1 (03 Feb 2004) • Fishing 57 (29 Jul 2005)	2004	• C & S Fisheries S.A. • Muner S.A. • Meteroros Shipping • Meteora Shipping Inc. • Barroso Fish S.A.

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Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Itziar II</i>	Nigeria	6803961	5NTV3	<ul style="list-style-type: none"><li>• Undocumented landing Singapore (24 Sep 2002)</li><li>• Fishing 58.4.3b (22 Apr 2004)</li><li>• Sighted 58.4.3b (02 Jul 2006)</li><li>• Sighted 58.4.3b (24 Nov 2006)</li><li>• Sighted 58.4.3b (25 Jan 2007)</li><li>• Sighted 58.4.3b (07 Jan 2008)</li><li>• Fishing 58.5.1 (28 Feb 2008)</li><li>• Sighted 58.5.1 (01 Apr 2008)</li><li>• Sighted 88.2 (16 Dec 2009)</li></ul>	2003	<ul style="list-style-type: none"><li>• Monteco Shipping</li><li>• Transglobe Investments Ltd</li><li>• Capensis</li></ul>
<i>Koosha 4</i>	Iran, Islamic Republic of	7905443	9BQK	<ul style="list-style-type: none"><li>• Sighted 58.4.1 (20 Jan 2011)</li><li>• Sighted 58.4.1 (15 Feb 2011)</li></ul>	2011	<ul style="list-style-type: none"><li>• Pars Paya Seyd Industrial Fish</li></ul>
<i>Kumlun</i>		7322897	3CAG	<ul style="list-style-type: none"><li>• Sighted 58.5.2 (31 Jan 2004)</li><li>• Sighted 58.5.1 (10 May 2006)</li><li>• Sighted 58.4.1 (21 Jan 2010)</li><li>• Sighted 58.4.1 (13 Feb 2011)</li><li>• Towing <i>Baiyangdian 57</i> (01 Apr 2012)</li><li>• Sighted 58.6 (01 Jul 2012)</li><li>• Sighted 58.4.2 (28 Jan 2013)</li><li>• Sighted 57 (10 Mar 2013)</li><li>• Fishing 58.5.1 (13 May 2013)</li><li>• Sighted 57 (07 Sep 2013)</li><li>• Sighted 58.4.1 (30 Mar 2014)</li><li>• Sighted 57 (14 Apr 2014)</li><li>• Sighted 57 (14 Dec 2014)</li><li>• Hauling 5841H (07 Jan 2015)</li><li>• Sighted 58.4.1 (11 Jan 2015)</li><li>• Sighting 57 (26 Feb 2015)</li></ul>	2003	<ul style="list-style-type: none"><li>• Navalmar S.A.</li><li>• Meteora Development Inc</li><li>• Vidal Armadores S.A.</li><li>• Rajan Corporation</li><li>• Rep Line Ventures S.A.</li><li>• Stanley Management Inc</li></ul>
<i>Limpopo</i>		7388267		<ul style="list-style-type: none"><li>• Fishing 58.5.2 (21 Sep 2003)</li><li>• Sighted 58.5.1 (03 Dec 2003)</li><li>• Fishing 58.4.3b (23 Feb 2005)</li><li>• Fishing 58.4.3b (14 Dec 2005)</li><li>• Sighted 58.4.3b (25 Jan 2007)</li></ul>	2003	<ul style="list-style-type: none"><li>• Grupo Oya Perez (Kang Brothers)</li><li>• Lena Enterprises Ltd</li><li>• Alos Company Ghana Ltd</li></ul>

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Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Perlon</i>		5062479	5NTV21	<ul style="list-style-type: none"><li>• Sighted 58.5.1 (03 Dec 2002)</li><li>• Sighted 58.5.1 (04 Jun 2003)</li><li>• Sighted 58.4.2 (22 Jan 2004)</li><li>• Sighted 58.4.3b (11 Dec 2005)</li><li>• Fishing 58.4.1 (26 Jan 2006)</li><li>• Sighted 58.4.3b (07 Dec 2006)</li><li>• Sighted 58.4.1 (30 Dec 2006)</li><li>• Sighted 58.4.1 (16 Dec 2008)</li><li>• Gear sighted (10 Feb 2009)</li><li>• Fishing 58.5.1 (08 Jun 2010)</li><li>• Sighted 51 (10 Feb 2012)</li><li>• Sighted 57 (20 Jul 2014)</li><li>• Sighted, boarded 57 (22 Apr 2015)</li></ul>	2003	<ul style="list-style-type: none"><li>• Vakin S.A.</li><li>• Jose Lorenzo SL</li><li>• Americagalaica S.A.</li></ul>
<i>Ray</i>		6607666	V3RB2	<ul style="list-style-type: none"><li>• Fishing 58.4.3b (23 May 2006)</li><li>• Fishing 58.4.2 (18 Feb 2007)</li><li>• Fishing 58.4.3b (24 Mar 2007)</li><li>• Fishing 58.4.3b (12 Jan 2008)</li><li>• Fishing 58.4.3b (09 Jan 2009)</li><li>• Fishing 58.4.3b (20 Jan 2009)</li></ul>	2006	<ul style="list-style-type: none"><li>• Arniston Fish Processors Pty Ltd</li><li>• Vidal Armadores S.A.</li><li>• Nalanza S.A.</li><li>• Argibay Perez J.A.</li><li>• Belfast Global S.A.</li></ul>
<i>Tchaw</i>		6818930		<ul style="list-style-type: none"><li>• Fishing 58.4.3b (25 Feb 2005)</li><li>• Fishing 58.4.4a (02 Aug 2005)</li><li>• Sighted 58.4.3b (11 Dec 2005)</li><li>• Fishing 58.4.2 (01 Feb 2006)</li><li>• Fishing 58.4.3b (14 Mar 2007)</li></ul>	2005	<ul style="list-style-type: none"><li>• Arcosmar Fisheries Corporation</li><li>• JMS Lopez</li><li>• Premier Business</li><li>• His-To Company Ltd</li><li>• Jose Manuel Salgueiro</li></ul>

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Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Viking</i>	Nigeria	8713392		<ul style="list-style-type: none"><li>• Supporting IUU activities of <i>Thule 51</i> (05 Apr 2004)</li><li>• Fishing 58.4.3b (23 May 2006)</li><li>• Sighted 58.4.3b (02 Jul 2006)</li><li>• Sighted 58.4.3b (16 Mar 2007)</li><li>• Sighted 58.5.1 (19 Jul 2007)</li><li>• Sighted 58.5.1 (04 Apr 2008)</li><li>• Sighted 58.4.4 (04 Apr 2011)</li><li>• Sighted 57 (27 Jan 2012)</li><li>• Sighted 51 (20 Apr 2012)</li><li>• Sighted 57 (31 May 2013)</li><li>• Sighted 57 (24 Oct 2013)</li><li>• Sighted 57 (04 Dec 2013)</li><li>• Fishing 48.6 (24 Jan 2014)</li><li>• Sighted 57 (16 Mar 2014)</li><li>• Sighted 57 (21 Mar 2014)</li><li>• Sighting, boarding 57 (25 Sep 2015)</li></ul>	2004	<ul style="list-style-type: none"><li>• Manuel Martinez</li><li>• Cazenove International S.A.</li><li>• Canela Shipping Ltd</li><li>• Canela Shipping Limited</li><li>• Trancoeiro Fishing S.A.</li></ul>
<i>Zemour 1</i>	Mauritania	9319856	9LU2119	<ul style="list-style-type: none"><li>• Supporting activities of IUU vessels 51 (16 May 2008)</li><li>• Sighted 58.4.3b (22 Apr 2009)</li><li>• Sighted 57 (07 Dec 2009)</li><li>• Fishing 58.4.1 (07 Apr 2010)</li><li>• Sighted 58.4.1 (29 Jan 2012)</li><li>• Sighted 58.4.1 (30 Jan 2012)</li><li>• Sighted 58.4.1 (31 Jan 2012)</li><li>• Sighted 57 (24 Apr 2012)</li><li>• Fishing 58.6 (03 Jul 2012)</li><li>• Sighted 57 (28 May 2013)</li><li>• Sighted 57 (04 Jul 2013)</li><li>• Sighted 58.4.1 (20 Jan 2014)</li><li>• Sighted 57 (13 May 2014)</li><li>• Sighting 57 (08 Dec 2014)</li><li>• Hauling 5841H (06 Jan 2015)</li></ul>		<ul style="list-style-type: none"><li>• Mabenal S.A.</li><li>• Vidal Armadores S.A.</li><li>• Omunkete Fishing Pty Ltd</li><li>• Gongola Fishing JV (Pty) Ltd</li><li>• Eastern Holdings</li></ul>

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Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Zemour 2</i>	Mauritania	9042001	3CAE	<ul style="list-style-type: none"><li>• Undocumented landing Malaysia (01 Aug 2004)</li><li>• Fishing 58.4.3a (22 Feb 2005)</li><li>• Fishing 58.4.3a (28 Apr 2005)</li><li>• Fishing 58.4.3b (16 Dec 2005)</li><li>• Fishing 58.4.3b (01 Jul 2009)</li><li>• Fishing 58.4.2 (27 Jan 2010)</li><li>• Fishing 58.4.3b (04 Apr 2010)</li><li>• Fishing 58.4.1 (13 Feb 2011)</li><li>• Sighted 57 (16 May 2012)</li><li>• Sighted 57 (20 Oct 2012)</li><li>• Sighted 57 (28 May 2013)</li><li>• Sighted 57 (01 Jul 2013)</li><li>• Sighted 57 (13 May 2014)</li><li>• Sighted 57 (14 Dec 2014)</li><li>• Fishing 5841H (12 Jan 2015)</li></ul>		

**Report of the Standing Committee on  
Administration and Finance (SCAF)**

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## **Report of the Standing Committee on Administration and Finance (SCAF)**

1. The Vice-Chair of the Standing Committee on Administration and Finance (SCAF), Mr S. Davidson (UK), facilitated discussions on Item 4 of the Commission's agenda.

### **Examination of Audited Financial Statements for 2014**

2. Noting that a full audit had been carried out on the 2014 Financial Statements and that the Auditor's report had identified no incidents of non-compliance with Financial Regulations or International Accounting Standards, SCAF accepted the Financial Statements as presented in CCAMLR-XXXIV/03.

### **Appointment of an auditor**

3. SCAF recommended the appointment of the Australian National Audit Office (ANAO) as auditor for the 2015 and 2016 Annual Financial Statements.

### Secretariat matters

#### Executive Secretary's Report

4. The Executive Secretary introduced CCAMLR-XXXIV/14 noting his report:
- (i) included a first-year implementation report for the Secretariat's Strategic Plan (2015–2018)
  - (ii) included a fourth-year implementation report on the Secretariat's Staffing and Salary Strategy
  - (iii) included a basis for the assessment of the Executive Secretary's performance (CCAMLR-XXI, paragraph 3.13)
  - (iv) addressed the requirement to report on data-related activities and measures taken to maintain the integrity of CCAMLR data (SC-CAMLR-XVI, paragraph 10.14).
5. In accepting the report, SCAF was complimentary of the ongoing developments relating to meeting services available through the website and the significant amount of intersessional technical work undertaken on the basis of numerous requests from the Commission and/or Scientific Committee last year. SCAF particularly noted the high quality of technical advice provided by the Secretariat, the success of the Greener Office Policy, the efficient establishment of support to search and rescue efforts in the Convention Area, the results to date from the trial of the partial outsourcing of language services, positive feedback on the internship program, the increasing functionality of the website and the current focus on the redevelopment of CCAMLR data administration and management systems.

6. SCAF agreed that the current scope, format and level of detail provided in the Implementation Report for the Secretariat's Strategic Plan was appreciated and requested that it be maintained for future years.

#### Intersessional Correspondence Group on Sustainable Financing (ICG-SF)

7. The Executive Secretary noted that, in response to a request from CCAMLR-XXXIII (Annex 7, paragraph 14), the ICG-SF, comprising Argentina, Australia, France, Italy, Japan, New Zealand, South Africa, UK and the USA, had addressed the tasks as detailed in paragraphs 8 to 27.

#### Review all components of notification fees

8. Initial discussion on the ICG-SF had raised the possibility of a valuation of the resources managed under the CCAMLR regulatory framework. This was put forward as an initial step towards potential Commission-level discussion on appropriate fees or levies that may be considered for CCAMLR-regulated fisheries (see paragraphs 19 and 27). SCAF noted that this item would benefit from further consideration and guidance by the Commission.

#### Further review of Secretariat costs

9. The ICG-SF was provided with additional information relating to the Secretariat's ongoing efforts to achieve savings such as cancelling subscriptions, not printing hard copies of the conservation measures or *CCAMLR Science* and reducing catering for CCAMLR meetings. SCAF noted that these are one-off reductions and do not address longer-term structural financing issues.

#### Hold alternate working group meetings in Hobart

10. The ICG-SF had been previously advised that this would save approximately A\$50 000 every second year. An intangible cost would be the loss of outreach and national-level engagement that occurs when CCAMLR Members host working group meetings. This matter was deferred for further consideration by the ICG-SF at an opportune time.

#### Examine the Special Funds, including possible consolidation with the General Fund where appropriate

11. The ICG-SF had been advised by the Secretariat that some of the equity funds can be transferred to the General Fund with a recommendation from SCAF, noting that some Special Funds (Observation Scheme, Compliance and Enforcement or Enforcement Trust Fund) have remained dormant for a decade or more. This matter was deferred for further consideration by the ICG-SF at an opportune time.

Levy a fee for Observers who participate in CCAMLR meetings

12. SCAF noted that this option has not generated any support for further consideration among Members.

Research options for full cost recovery for Secretariat services such as VMS and CDS

13. SCAF noted that these options have not received further consideration to date but could include:

- (i) a registration fee for each automatic location communicator (ALC) reporting to the Commission's vessel monitoring system (VMS)
- (ii) an annual VMS support fee to cover administrative and technical costs associated with the management of CCAMLR's VMS
- (iii) an annual support fee to cover the administrative and technical costs associated with the management of the Commission's catch documentation scheme for *Dissostichus* spp. (CDS) for vessels engaged in the CDS outside the CAMLR Convention Area.

This matter was referred for further consideration by the ICG-SF during the next intersessional period.

Introduce a contribution levy for Acceding States

14. SCAF noted that this option has not generated any support for further consideration among Members.

Consider the implications of zero real growth and zero nominal growth in Member contributions

15. SCAF noted that the Secretariat had responded to a request for an assessment of this. The Secretariat had noted that zero real growth provides for an increase in Member contributions by the level of the consumer price index (CPI) (inflation) in Australia, whilst zero nominal growth maintains the Member contributions at the same Australian dollar level as applies in the current year for each subsequent year or until Members decide otherwise. Currently, Member contributions account for approximately 70% of the General Fund expenditure and there is no recourse should there be a negative variation in any of the income items contributing the balance required to support the annual budget. An annual CPI increase of 2.5% in expenditure results in additional annual costs of A\$105 000. The Secretariat reported that the annual cost associated with contractual obligations concerning staff salaries requires additional annual income of A\$90 000. At current levels of Australian income tax, the Staff Assessment Levy on salaries offsets salary increases by approximately A\$10 000 each year.

#### Review the formula for assessed contributions

16. SCAF noted that this option had been tentatively scheduled for consideration starting in 2017 (CCAMLR-XXXII/24).

#### Further develop the Guiding Principles to support a sound financial position for CCAMLR, as amended by SCAF at CCAMLR-XXXIII

17. SCAF considered draft Guiding Principles (CCAMLR-XXXIV/15, Attachment B) initially discussed at CCAMLR-XXX (Annex 5, paragraph 27) and deferred them for possible consideration by the ICG-SF.

#### Translation services

18. SCAF noted the status of the current trial of partial outsourcing of translation services. SCAF requested that the trial continue so that the initiative may be further reviewed at next year's meeting.

#### Notification fees

19. SCAF considered CCAMLR-XXXIV/11 (UK) and XXXIV/05 (Secretariat). All Members of SCAF, except China, recalled the decision relating to notification fees taken at CCAMLR-XXXII (paragraphs 4.3 and 4.5) and noted that there had not been a shared view among Members regarding the implementation of the decision adopted by the Commission in 2013 (CCAMLR-XXXII, paragraphs 4.3 and 4.5 and Annex 7, paragraph 9) and the relationship to notification fees for new and exploratory fisheries adopted in 2003 (CCAMLR-XXII, paragraph 3.16 and Annex 4, paragraph 15).

20. China was not certain that CCAMLR-XXXII, paragraphs 4.3 and 4.5, and recommendations in CCAMLR-XXXII, Annex 7, paragraph 9, have established a legal basis for the application of notification fees to krill fisheries starting from 2015/16, drawing attention to the use of 'noted' in paragraph 4.3 of the Commission report in 2013 (CCAMLR-XXXII). China also stressed that neither recommendations referred to in CCAMLR-XXXII, Annex 7, paragraph 9, nor the points of view of the Members, had been indicated in the Commission report in 2013 (CCAMLR-XXXII) and no consensus had been made on the said recommendations.

21. All Members of SCAF, except China, were of the view that the recommendations within the SCAF report and its annex had been endorsed by the Commission (CCAMLR-XXXII) and that a basis for the application of notification fees for krill fisheries had been established.

22. SCAF agreed that, beginning in 2016/17, the notification fee that applies to CCAMLR-regulated fisheries which are subject to a notification fee, applies on the basis of a single submission by an individual Member for a vessel in respect of a single season for a single species or species group that is subject to an individual conservation measure.

23. All SCAF Members, with the exception of China, reaffirmed that the agreed policy of cost recovery should continue to apply to all fisheries notifications (CCAMLR-XXII, paragraph 3.16 and Annex 4, paragraph 15; CCAMLR-XXXII, paragraphs 4.3 and 4.4 and Annex 7, paragraph 9). China disagreed that the policy had been agreed for notification fees for the krill fisheries and recommended the policy for notification fees for the krill fishery be deferred to the Commission, with the understanding that no consensus has been made in SCAF in relation to this issue.

24. SCAF considered the notification fees to be charged for krill fisheries managed under Conservation Measure (CM) 51-07 (Area 48) as notified under CM 21-03.

25. SCAF was unable to reach consensus on the amount to be charged for krill fisheries in the krill notification fee in Area 48. All Members, except China, agreed that, consistent with the agreed policy of cost of recovery, an amount of A\$13 800, based on a detailed breakdown of costs provided by the Secretariat, would apply. This matter was referred to the Commission.

26. China is of the view that, in accordance with CM 21-03, the notification for krill fisheries in the whole of Area 48 should be submitted in one application. China also noted the fact that the 2008 Performance Review Panel recommendation 7.1.1 relating to the establishment of an expert group, should be considered by the Commission.

#### Future work for ICG-SF

27. SCAF advised the Commission that the work of the ICG-SF had resulted in the implementation of a range of cost-reduction and income-generating initiatives that had realised financial benefits to the Commission amounting to at least A\$247 000 in savings in the three years that the ICG has been operational. Noting the progress made by this body since its inception, SCAF recommended to the Commission that the ICG-SF continue in 2016 to progress the following tasks:

- (i) update terms of reference for the ICG consistent with recommendations from the first Performance Review
- (ii) economic valuation of Antarctic marine living resources starting with those species harvested in CCAMLR-regulated fisheries
- (iii) options for cost recovery for CCAMLR services
- (iv) consolidation of Special Funds
- (v) review components of notification fees
- (vi) option to hold working group meetings in Hobart
- (vii) review Secretariat costs
- (viii) review formula for Member contributions

- (ix) how SCAF interacts with the Commission – alternative structures and review or possible streamlining of financial reporting
- (x) a revised presentation of future budgets to show more clearly how surpluses/deficits are brought forward with the aim of better balancing the budget in an annual or other defined period in the future
- (xi) further consideration of the draft Guiding Principles.

### **Budgets 2015, 2016 and 2017**

28. The Commission approved the revised budget for 2015 which included a projected deficit of A\$49 000 to be carried forward in the General Fund, as presented in Appendix I.

29. SCAF received advice from SCIC that the CDS panel had approved expenditures totalling A\$254 000 from the CDS Special Fund in 2016 to fund a non-Contracting Parties (NCP) Engagement Workshop in Southeast Asia (A\$105 000), a CDS Contact Officer Workshop to continue the work of CDS Implementation Panel recommendations (A\$134 000) and A\$15 000 to fund a toothfish trade data analysis project.

30. SCAF was unable to reach consensus on the 2016 budget without predicted income figures for the krill notification fees discussed under Item 4.3. SCAF, therefore, referred the budget to the Commission for a decision. The Commission approved the 2016 draft budget, as presented in Appendix II, under Item 11 of its agenda.

31. SCAF endorsed expenditure from Special Funds relating to CDS (A\$254 000), Scientific Multi-year Fund (A\$50 000 – Ross Sea assessment deferred from 2015) and General Science Capacity Fund (A\$30 000 – two scholarships).

32. SCAF noted the forecast budget for 2017 as presented in Appendix III. The 2017 budget is indicative only.

33. The Commission approved Member contributions for 2016, as presented in Appendix IV, under Item 11 of its agenda.

### **Other business**

#### **Election of Chair**

34. Mr Davidson advised that this was his last CCAMLR meeting with the result that a new Chair was required for SCAF. Mr A. Lluberis (Uruguay) was elected Chair for CCAMLR-XXXV. The position of Vice-Chair remains vacant.

35. SCAF, on behalf of the Commission, expressed appreciation to Mr Davidson for his excellent chairmanship. SCAF noted that the Finance and Administration Manager, Mr Ed Kremzer, was retiring at the conclusion of the meeting. SCAF expressed its appreciation to Mr Kremzer for his 11 years of service to CCAMLR and welcomed Ms Deborah Jenner who has been appointed to take up the post following Mr Kremzer's departure.

## Revised budget for the year ended 31 December 2015

	General Fund adopted 2014	General Fund revised	Equity Funds				Contingency	Observer	VMS	CDS	Special Funds					Total	
			Asset replacement reserve	Fisheries notifications fund	Staff replacement fund	Korean contribution fund					Compliance	MPA	Scientific	Enforcement	Gen scientific capacity		CEMP
	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$
<b>Income</b>																	
Members' General Fund Contributions	3 272 000	3 272 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3 272 000
Members' Special Contributions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	125 000	125 000
Interest	157 000	162 000	0	0	0	0	0	3 300	400	32 000	800	400	0	400	2 000	22 000	223 300
Staff Assessment Levy	480 000	505 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	505 000
Fund transfers	90 000	90 000	0	0	0	0	(90 000)	0	0	15 000	0	0	0	0	0	0	15 000
Sales (Tagging)	30 000	30 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	30 000
Miscellaneous Income	386 000	381 000	25 000	330 000	0	513 082	90 000	0	0	1 560 000	0	0	0	0	0	1 040 000	3 939 082
<b>Total Income</b>	<b>4 415 000</b>	<b>4 440 000</b>	<b>25 000</b>	<b>330 000</b>	<b>0</b>	<b>513 082</b>	<b>0</b>	<b>3 300</b>	<b>400</b>	<b>1 607 000</b>	<b>800</b>	<b>400</b>	<b>0</b>	<b>400</b>	<b>2 000</b>	<b>1 187 000</b>	<b>8 109 382</b>
<b>Expenditure</b>																	
Salaries and Allowances	3 130 000	3 000 000	0	330 000	0	0	0	0	0	0	0	0	0	0	0	0	3 330 000
Equipment	200 000	190 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	190 000
Insurance and Maintenance	220 000	220 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	220 000
Training	15 000	12 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12 000
Meeting Facilities	330 000	330 000	4 444	0	0	0	0	0	0	0	0	0	0	0	0	0	334 444
Travel	195 000	175 000	0	0	0	0	0	0	0	0	0	0	0	0	10 000	0	185 000
Printing and Copying	21 000	21 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	21 000
Communications	42 000	42 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	42 000
Sundry	90 000	90 000	0	0	0	40 000	0	0	0	55 000	0	0	0	0	0	55 000	240 000
Rent/COGS	411 000	409 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	409 000
<b>Total Expenditure</b>	<b>4 654 000</b>	<b>4 489 000</b>	<b>4 444</b>	<b>330 000</b>	<b>0</b>	<b>(40 000)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>55 000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10 000</b>	<b>55 000</b>	<b>4 983 444</b>
<b>Surplus/(Deficit)</b>	<b>(239 000)</b>	<b>(49 000)</b>	<b>20 556</b>	<b>0</b>	<b>0</b>	<b>473 082</b>	<b>0</b>	<b>3 300</b>	<b>400</b>	<b>1 552 000</b>	<b>800</b>	<b>400</b>	<b>0</b>	<b>400</b>	<b>(8 000)</b>	<b>1 132 000</b>	<b>3 125 938</b>
Balance at 1 January 2015	756 283	1 075 803	265 570	363 920	135 846	0	200 000	127 767	16 026	190 208	29 753	65 184	50 000	13 572	222 616	109 564	2 865 829
Balance at 31 December 2015	517 283	1 026 803	286 126	363 920	135 846	473 082	200 000	131 067	16 426	1 742 208	30 553	65 584	50 000	13 972	214 616	1 241 564	5 991 767

## Draft Budget for the year ended 31 December 2016

	General Fund	Equity Funds				Contingency	Observer	VMS	CDS	Special Funds						Total	
		Asset replacement reserve	Fisheries notifications fund	Staff replacement fund	Korean contribution fund					Compliance	MPA	Scientific	Enforcement	Gen scientific capacity	CEMP		PR2
	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$
<b>Income</b>																	
Members' General Fund Contributions	3 272 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3 272 000
Members' Special Contributions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	100 000	100 000
Interest	180 000	0	0	0	0	0	3 300	400	34 000	800	400	0	400	2 000	24 000	0	245 300
Staff Assessment Levy	525 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	525 000
Fund transfers	90 000	0	0	0	0	(90 000)	0	0	0	0	0	0	0	0	0	0	0
Sales (Tagging)	30 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	30 000
Miscellaneous Income	386 000	25 000	170 000	0	0	90 000	0	0	0	0	0	0	0	0	0	0	671 000
Krill Notification fees	0	0	160 000	0	0	0	0	0	0	0	0	0	0	0	0	0	160 000
<b>Total Income</b>	<b>4 483 000</b>	<b>25 000</b>	<b>330 000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3 300</b>	<b>400</b>	<b>34 000</b>	<b>800</b>	<b>400</b>	<b>0</b>	<b>400</b>	<b>2 000</b>	<b>24 000</b>	<b>100 000</b>	<b>5 003 300</b>
<b>Expenditure</b>																	
Salaries and Allowances – Revised	3 120 000	0	170 000	0	0	0	0	0	0	0	0	0	0	0	0	0	3 290 000
Krill Notification Costs	0	0	160 000	0	0	0	0	0	0	0	0	0	0	0	0	0	160 000
Equipment	200 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	200 000
Insurance and Maintenance	230 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	230 000
Training	15 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15 000
Meeting Facilities	340 000	4 444	0	0	0	0	0	0	0	0	0	0	0	0	0	0	344 444
Travel	180 000	0	0	0	0	0	0	0	0	0	0	0	0	30 000	0	0	210 000
Printing and Copying	21 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	21 000
Communications	42 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	42 000
Sundry	90 000	0	0	0	50 000	0	0	0	(254 000)	0	0	50 000	0	0	0	100 000	36 000
Rent/COGS	418 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	418 000
<b>Total Expenditure</b>	<b>4 656 000</b>	<b>4 444</b>	<b>330 000</b>	<b>0</b>	<b>(50 000)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>254 000</b>	<b>0</b>	<b>0</b>	<b>50 000</b>	<b>0</b>	<b>30 000</b>	<b>0</b>	<b>100 000</b>	<b>5 374 444</b>
<b>Surplus/(Deficit)</b>	<b>(173 000)</b>	<b>20 556</b>	<b>0</b>	<b>0</b>	<b>(50 000)</b>	<b>0</b>	<b>3 300</b>	<b>400</b>	<b>(220 000)</b>	<b>800</b>	<b>400</b>	<b>(50 000)</b>	<b>400</b>	<b>(28 000)</b>	<b>24 000</b>	<b>0</b>	<b>(371 144)</b>
Balance at 1 January 2016	1 026 803	286 126	363 920	135 846	473 082	200 000	131 067	16 426	1 742 208	30 553	65 584	50 000	13 972	214 616	1 241 564	0	5 991 767
Balance at 31 December 2016	853 803	306 682	363 920	135 846	423 082	200 000	134 367	16 826	1 522 208	31 353	65 984	0	14 372	186 616	1 265 564	0	5 097 541

## Forward Estimate for the year ended 31 December 2017

General fund	Equity Funds				Special Funds									Total	
	Asset replacement reserve	Fisheries notifications fund	Staff replacement fund	Korean contribution fund	Contingency	Observer	VMS	CDS	Compliance	MPA	Enforcement	Gen scientific capacity	CEMP		
A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	
<b>Income</b>															
Members' General Fund Contributions	3 272 000	0	0	0	0	0	0	0	0	0	0	0	0	0	3 272 000
Members' Special Contributions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Interest	190 000	0	0	0	0	0	3 300	400	32 000	800	400	400	2 000	22 000	251 300
Staff Assessment Levy	540 000	0	0	0	0	0	0	0	0	0	0	0	0	0	540 000
Fund transfers	90 000	0	0	0	0	(90 000)	0	0	0	0	0	0	0	0	0
Sales (Tagging)	30 000	0	0	0	0	0	0	0	0	0	0	0	0	0	30 000
Miscellaneous Income	395 000	25 000	170 000	0	0	90 000	0	0	0	0	0	0	0	0	680 000
Krill Notification Fees	0		160 000												
<b>Total Income</b>	<b>4 517 000</b>	<b>25 000</b>	<b>330 000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3 300</b>	<b>400</b>	<b>32 000</b>	<b>800</b>	<b>400</b>	<b>400</b>	<b>2 000</b>	<b>22 000</b>	<b>4 933 300</b>
<b>Expenditure</b>															
Salaries and Allowances	3 220 000	0	170 000	0	0	0	0	0	0	0	0	0	0	0	3 390 000
Krill Notification Costs	0		160 000												160 000
Equipment	200 000	0	0	0	0	0	0	0	0	0	0	0	0	0	200 000
Insurance and Maintenance	230 000	0	0	0	0	0	0	0	0	0	0	0	0	0	230 000
Training	15 000	0	0	0	0	0	0	0	0	0	0	0	0	0	15 000
Meeting Facilities	345 000	4 444	0	0	0	0	0	0	0	0	0	0	0	0	349 444
Travel	180 000	0	0	0	0	0	0	0	0	0	0	0	45 000	0	225 000
Printing and Copying	21 000	0	0	0	0	0	0	0	0	0	0	0	0	0	21 000
Communications	43 000	0	0	0	0	0	0	0	0	0	0	0	0	0	43 000
Sundry	120 000	0	0	0	50 000	0	0	0	0	0	0	0	0	0	170 000
Rent/COGS	422 000	0	0	0	0	0	0	0	0	0	0	0	0	0	422 000
<b>Total Expenditure</b>	<b>4 796 000</b>	<b>4 444</b>	<b>330 000</b>	<b>0</b>	<b>(50 000)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>45 000</b>	<b>0</b>	<b>5 125 444</b>
<b>Surplus/(deficit)</b>	<b>(279 000)</b>	<b>20 556</b>	<b>0</b>	<b>0</b>	<b>(50 000)</b>	<b>0</b>	<b>3 300</b>	<b>400</b>	<b>32 000</b>	<b>800</b>	<b>400</b>	<b>400</b>	<b>(43 000)</b>	<b>22 000</b>	<b>(192 144)</b>
Balance at 1 January 2017	853 803	306 682	363 920	135 846	423 082	200 000	134 367	16 826	1 522 208	31 353	65 984	14 372	186 616	1 265 564	5 520 623
Balance at 31 December 2017	574 803	327 238	363 920	135 846	373 082	200 000	137 667	17 226	1 554 208	32 153	66 384	14 772	143 616	1 287 564	4 855 397

**Members' contributions 2015, 2016 and 2017**  
 General Fund Contributions – Payable by 31 May  
 (all amounts in Australian dollars)

Member	Date paid 2015	Contributions 2015	Draft Contributions 2016	Forecast Contributions 2017
Argentina	5 August 2014 (part)	125 022	124 375	123 586
Australia	20 December 2014	136 625	136 596	136 277
Belgium	5 May 2015	125 022	124 375	123 586
Brazil		125 022	124 375	123 586
Chile	19 March 2015	129 157	129 628	128 843
China, People's Republic of	23 April 2015	132 427	137 209	143 515
European Union	22 January 2015	125 022	124 375	123 586
France	2 February 2015	151 324	150 757	150 549
Germany	13 May 2015	125 022	124 375	123 586
India		125 022	124 375	123 586
Italy	25 March 2015	125 022	124 375	123 586
Japan	19 January 2015	131 984	127 593	124 586
Korea, Republic of	1 June 2015	144 402	146 826	149 775
Namibia	16 October 2015	125 022	124 375	123 586
New Zealand	12 December 2014	131 362	130 329	129 484
Norway	5 February 2015	173 126	181 879	190 164
Poland		126 022	124 375	123 586
Russia	27 July 2015	126 865	126 491	125 879
South Africa	11 December 2014	126 215	125 765	124 813
Spain	22 May 2015	127 423	126 628	125 314
Sweden	12 March 2015	125 022	124 375	123 586
Ukraine		126 022	126 558	127 196
UK	12 December 2014	132 804	132 241	131 573
USA	15 June 2015	125 022	124 375	123 586
Uruguay	23 July 2015	126 022	125 375	124 586
<b>Total</b>		<b>3 272 000</b>	<b>3 272 000</b>	<b>3 272 000</b>

**Establishing an Intersessional Correspondence Group (ICG) to develop approaches for integrating considerations of the impacts of climate change into the work of the Commission for the Conservation of Antarctic Marine Living Resources**



## **Establishing an Intersessional Correspondence Group (ICG) to develop approaches for integrating considerations of the impacts of climate change into the work of the Commission for the Conservation of Antarctic Marine Living Resources**

### **Terms of reference**

The Intersessional Correspondence Group (ICG) shall be tasked with providing the Scientific Committee and the Commission with information, advice and recommendations necessary to appropriately integrate the impacts of climate change into the work of the Commission.

The scope of the ICG shall be issues and actions within the competence of the Commission related to the impacts of climate change for Antarctic marine living resources.

The ICG shall:

1. Be composed of any Members of the Commission and the Scientific Committee that wish to participate.
2. Draw on existing expertise from relevant organisations as appropriate.
3. Be co-facilitated by Australia and Norway.
4. Review Scientific Committee advice on climate change impacts on Antarctic marine living resources with a view to identifying issues and information requirements that may need to be addressed by the Commission.
5. Take account of the work of the ATCM and CEP on climate change implications for management of the Antarctic Treaty area, with a view to identifying opportunities for collaboration and information sharing.
6. Develop recommendations for how the Commission might implement any outcomes of the Joint CEP–SC–CAMLRL Workshop.
7. Develop a list of topics of concern and a process for incorporating the impacts of climate change issues into Commission decision making and submit this for consideration by the Commission. This shall include.
  - (a) How the Commission can use scientific information in its decision-making, including to address climate change impacts in accordance with Article II of the Convention.
  - (b) How the Commission can consider climate change impacts across its agenda.
8. Develop recommendations on how the Commission might address climate change impacts, such as through the development of a prioritised work program.
9. Provide their advice in an initial report to the Scientific Committee and the Commission before the next meeting.