

CCAMLR-XXXV

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

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

**HOBART, AUSTRALIA
17–28 OCTOBER 2016**

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Abstract

This document is the adopted record of the Thirty-fifth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources held in Hobart, Australia, from 17 to 28 October 2016. 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-fifth 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 (MPAs) in the Convention Area, including the establishment of the Ross Sea region MPA and special areas for scientific study in newly exposed marine areas in the vicinity of collapsed ice shelves; precautionary management of the krill fishery, including development of a risk assessment framework to assist in the provision of advice on the spatial distribution of the trigger level; 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 the Vessel Monitoring System; management under conditions of uncertainty and cooperation with other international organisations, including within the Antarctic Treaty System and agreement to commission a second performance review. 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-fifth Meeting
of the Commission**
(Hobart, Australia, 17 to 28 October 2016)

Opening of the meeting

1.1 The Thirty-fifth Annual Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR-XXXV) was held in Hobart, Tasmania, Australia, from 17 to 28 October 2016. It was chaired by Mr V. Titushkin (Russian Federation).

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. An apology was 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 Southern Indian Ocean Fisheries Agreement (SIOFA), the South Pacific Regional Fisheries Management 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, SCAR, SEAFO and UNEP were represented. COMNAP and ICCAT sent apologies.

1.5 In accordance with the Commission's decision at CCAMLR-XXXIV (CCAMLR-XXXIV, paragraph 13.4) and COMM CIRC 16/44–SC CIRC 16/44, the following non-Contracting Parties were invited to attend CCAMLR-XXXV 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.

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 Chair welcomed all participants to the meeting and introduced Her Excellency, Professor Kate Warner AM, the Governor of Tasmania, who delivered the opening address (Annex 3).

1.8 On behalf of the meeting, South Africa thanked the Governor for her welcome.

1.9 At the conclusion of the Governor's address, the following CCAMLR participants were presented with a memento acknowledging their contributions to CCAMLR each covering at least 30 years: Drs Esteban Barrera-Oro (Argentina), Denzil Miller (Australia) and Polly Penhale (USA). On behalf of the Commission, the Chair extended his congratulations and appreciation to these participants for their significant contributions to CCAMLR's work.

1.10 The EU presented the Secretariat with a book on the biology and ecology of Antarctic krill authored by Dr Volker Siegel (EU). At last year's Meeting, Dr Siegel was recognised for his contribution to the work of CCAMLR over more than 30 years.

1.11 The Commission noted that Ukraine was more than two years in arrears in respect of its budgetary contributions to the organisation. While Ukraine was welcome to participate in discussions at CCAMLR-XXXV, the Commission agreed Ukraine would not be entitled to block a consensus decision of other Members. Ukraine advised that it will make a partial payment in respect of its arrears before the end of November.

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).

Standing Committee on Implementation and Compliance (SCIC)

Advice from SCIC

3.1 The Chair of the Standing Committee on Implementation and Compliance (SCIC), Mr O. Urrutia (Chile), presented the report of SCIC (Annex 6). The advice and recommendations of SCIC were endorsed as presented. The Chair of the Commission thanked SCIC and Mr Urrutia for their excellent work.

Compliance Evaluation Procedure (CCEP)

3.2 The Commission noted that SCIC had considered the Compliance Evaluation Procedure (CCEP) for 2016 and had addressed a number of issues relating to the implementation of conservation measures, issues outstanding from CCAMLR-XXXIV and the work of scientific observers on board vessels (Annex 6, paragraphs 2 to 64). The Commission considered the Provisional CCAMLR Compliance Report agreed by SCIC (Annex 6, Appendix I) and adopted the CCAMLR Compliance Report for 2016.

Fishery notifications

3.3 The Commission noted SCIC's deliberations in respect of the late payment of fishery notification fees for the Chinese-flagged vessels *Ming Kai* and *Ming Xing* (Annex 6, paragraphs 75 and 76). Following consultations in respect of the notifications, the Commission agreed to support fishery notifications for the *Ming Kai* and *Ming Xing*.

3.4 China thanked the Commission for its support and for the flexibility shown in respect of the fishery notifications for the two vessels.

3.5 The Commission endorsed SCIC's recommendation to revise Conservation Measures (CMs) 21-01, 21-02 and 21-03 to include the obligations for the payment of fishery notifications (Annex 6, paragraph 78).

3.6 In considering the fishery notification submitted by the Republic of Korea for the *Hong Jin No. 707*, many Members expressed strong concern regarding the illegal catch taken by the vessel in FAO Statistical Area 41. It was noted that it remained unclear if the vessel had discarded the illegal catch as required by Korea and whether it had gained financial benefit from the illegal catch.

3.7 The USA expressed concern that the evidence obtained during Korea's investigation indicated that the discarding of illegal catch, as required by Korea, never actually occurred. The USA recalled that when CCAMLR considered the activities of this vessel in 2014, Members had understood discarding of the illegal catch ensured that the vessel did not profit from its illegal activities. The USA noted that this was a critical component of the sanctions that Korea took with respect to the *Hong Jin No. 707* and was part of the reason that Members did not seek to have the vessel included on the Contracting Party-IUU Vessel List. The investigation results that were presented to SCIC indicated that the owner and operator may have, in fact, derived financial gains from the vessel's illegal fishing activity.

3.8 The USA further noted that it will not be able to support any fishery notifications submitted with respect to this vessel in future seasons while the questions of the vessel's ability to exercise its responsibilities, and Korea's ability to ensure the vessel's compliance with conservation measures, remain unresolved. Argentina added that, if the vessel were authorised to participate in fishing activities, it would set a poor precedent for CCAMLR and would be damaging for CCAMLR's reputation.

3.9 Australia also expressed strong concerns with the fishery notification of the *Hong Jin No. 707* and considered that the information presented to the Commission indicates that discards of illegal catch may not have occurred.

3.10 Many Members were not convinced that Korea could meet its obligations under CM 10-02 in respect of the *Hong Jin No. 707* or that the vessel could exercise its responsibilities under the Convention and relevant conservation measures.

3.11 Many Members reiterated that they could not support the notification of the *Hong Jin No. 707* and the Commission agreed that the vessel could not participate in the exploratory fisheries for toothfish in Subareas 88.1 and 88.2 in 2016/17.

3.12 The Commission noted that the matter was under appeal and remains subject to domestic legal processes. It was agreed that until such time that is resolved, and until the operator can provide clear evidence that they did not accrue financial gain from the illegal catch, the Commission could not support the fishery notification of this vessel.

3.13 The Commission agreed that the vessel would not be included in CMs 41-09 or 41-10 in respect of exploratory fisheries for toothfish.

3.14 Korea noted that it had provided SCIC with the background against which it had submitted the fishery notification for the *Hong Jin No. 707*, even though it had suspended the notification of this vessel for three years. Korea recognised that many Members found the explanations provided were not sufficiently convincing and were still concerned about the fishery notification. Korea further noted that the operator filed a law suit against the government for the suspension and won a recent trial. Korea was compelled to comply with the order while fully recognising its obligations as a Flag State. Korea, however, respected the decision of the Commission to not support the notification of the *Hong Jin No. 707*.

3.15 The Commission further considered the issue of the Ukrainian-flagged vessel *Marigolds* that was notified as a replacement vessel to the originally notified *Korchev-Yug* (Annex 6, paragraphs 86 and 87). The UK recalled its statement at SCIC (Annex 6, paragraph 86). The USA expressed concern about the information that had been provided regarding the vessel's ownership. Ukraine confirmed its willingness to continue to cooperate with the UK in confirming the legitimacy of the beneficial owners of this vessel.

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

3.16 The Commission noted that SCIC had considered a number of issues related to the Catch Documentation Scheme for *Dissostichus* spp. (CDS), including the implementation of the CDS, the non-Contracting Party (NCP) Engagement Strategy, the trade data analysis and the outcomes of the electronic web-based CDS (e-CDS) workshop (Annex 6, paragraphs 101

to 136). The Commission endorsed SCIC's recommendation in relation to the Seychelles' status as an NCP cooperating with CCAMLR by participating in the CDS (Annex 6, paragraphs 108 to 112) and in relation to Singapore's status as an NCP cooperating with CCAMLR by monitoring toothfish trade through limited access to the e-CDS (Annex 6, paragraphs 113 and 114). The Commission also endorsed the advice of SCIC to grant Ecuador the status of an NCP cooperating with CCAMLR by monitoring toothfish trade through limited access to the e-CDS (Annex 6, paragraph 115). The Commission also endorsed the terms of reference for an external trade and market specialist (Annex 6, paragraph 128).

Compliance with conservation measures in force

Proposals for new and revised measures

3.17 The Commission noted that following the consideration of proposals for revised measures provided by Members (Annex 6, paragraphs 148 to 184) based on the advice of the e-CDS workshop (Annex 6, paragraphs 131 and 137 to 139) and in considering CCEP (Annex 6, paragraphs 55, 58, 64 and 67), SCIC had agreed to revise CMs 10-02, 10-05, 10-06, 10-07 and 10-10 (paragraphs 8.6 to 8.13).

Conservation Measure 10-05

3.18 The Commission considered the proposal submitted by Ukraine to clarify that a *Dissostichus* catch document (DCD) is only required for the intended transshipment and/or landing of *Dissostichus* spp. catch (CCAMLR-XXXV/29) that was not agreed by SCIC (Annex 6, paragraphs 154 to 157). Ukraine emphasised that its proposal intended to facilitate the goals of navigational safety according to maritime law and expressed its disappointment that this proposal failed to reach consensus.

3.19 Chile indicated that it did not agree with Ukraine's interpretation of certain aspects of the rights and duties of port states under the Law of the Sea. Chile also expressed that it could not agree to proposals that seek to undermine Port States' rights to establish certain requirements for port access, in particular when these seek to ensure that fishing vessels are not engaged in illegal, unregulated and unreported (IUU) fishing.

3.20 Some Members noted that the current definition of a DCD in CM 10-05 did not require clarification.

Conservation Measure 51-06

3.21 The Commission considered Ukraine's proposal to amend CM 51-06 to require 100% observer coverage for vessels targeting krill (CCAMLR-XXXV/31) that was not agreed by SCIC (Annex 6, paragraphs 169 and 170).

3.22 Many Members expressed full support for 100% observer coverage for vessels targeting krill and that it was important for CCAMLR to implement this requirement as soon as possible. Many Members noted the various options provided by Ukraine's (CCAMLR-

XXXV/31) and Chile's (CCAMLR-XXXIV/35 Rev. 1) proposals. Chile noted that it had proposed a staged increase in observer coverage for the krill fishery and it believed the Commission was in a position implement this.

3.23 China recalled its statement to the Scientific Committee (SC-CAMLR-XXXV, paragraph 7.5) on its practice of deploying a minimum of two observers per vessel, to ensure the collection of high-quality data. China considered that the quality of the data collected is of higher priority than the level of coverage, for which China has already reached an average of 85% (35% in excess of the required coverage) in the previous seven fishing seasons, and reiterated the value of further observer data analyses encouraged by the Scientific Committee (SC-CAMLR-XXXV, paragraph 7.9).

3.24 Australia noted that 100% observer coverage for vessels targeting krill was important, particularly as the Commission moved to a risk assessment approach in managing krill fisheries. The Commission noted that the krill fishery currently had observer coverage of 92% and that requiring 100% observer coverage was the next logical step.

3.25 The Commission noted that SCIC had considered the difference between krill fishery regulation and toothfish fishery regulation, including in respect of port inspection obligations, catch certification requirements, vessel monitoring system (VMS) requirements and observer coverage (Annex 6, paragraphs 171 to 174). It was noted that there is a clear gap in the monitoring and control of krill fisheries compared to finfish fisheries and this matter required further consideration (but see paragraphs 6.2 to 6.6 and 8.18).

Conservation Measure 32-18

3.26 The Commission considered the proposal submitted by Argentina, Australia, Brazil, Chile, the EU, Namibia, South Africa, Uruguay and the USA to prohibit the finning of sharks caught in the CAMLR Convention Area (CCAMLR-XXXV/23) that was not agreed by SCIC (Annex 6, paragraphs 180 to 184).

3.27 China agreed that fisheries conducted solely for the purpose of harvesting shark fins should be prohibited and CM 32-18 already provided for this. In relation to the outstanding issue whether the fins of dead sharks incidentally caught in the Convention Area must be naturally attached, China made the following statement:

'Cutting fins from dead sharks could not possibly increase the mortality of sharks, and therefore it is difficult to understand why the prohibition of finning of dead sharks would contribute to the conservation of sharks in the Convention Area. On the other hand, relevant UNGA resolutions such as A/RES/70/75 (2015) recognise the economic and cultural importance of sharks to many States and encourage the full utilisation of dead sharks. On the contrary, the present proposal would, in fact, require that all dead sharks on board a vessel in the Convention Area, whose fins are detached, either by accident or by any other reason, be discarded at sea. This would constitute the full waste of dead sharks and lead to an unexpected result which contradicts the letters and spirit of relevant UNGA resolutions. Since the present proposal is neither necessary nor appropriate for the conservation of sharks in the Convention Area, my delegation is unable to support it.'

3.28 Many Members expressed support for the proposal and highlighted that the proposed revision to CM 32-18 was important to dissuade the wasteful practice of shark finning. These Members expressed disappointment that, again, the proposal could not be adopted. The EU made the following statement:

‘The conservation side of CCAMLR is very important to the EU and this measure, while addressing by-catch, would have a very important systemic effect on the protection of shark species without major cost implications to the fleets.

In addition to NEAFC, a similar measure has recently been approved by Northwest Atlantic Fisheries Organisation (NAFO).

The EU support also includes our Members present here, namely France, Germany, Italy, Poland, Spain, Sweden, United Kingdom and Belgium.’

3.29 Argentina, a co-proponent of the proposal, noted that the proposed revision to CM 32-18 was directly in line with the conservation objectives of the Convention, including rational use, and that shark finning is a very clear example of a non-rational use of resources.

3.30 Japan thanked the proponents of the proposal and highlighted that in respect of NAFO’s adoption of a measure to prohibit shark finning, Japan had expressed its disappointment that such a measure was adopted by voting. Japan further noted that shark finning is not practiced in NAFO and the measure was adopted without the advice of the scientific council. Japan expressed its position that it generally supports the prohibition of shark finning. Japan also expressed its concern about the necessity of the proposal in requiring that all fins of sharks remain naturally attached to the carcass until first landing, as directed fishing for sharks was already prohibited in the Convention Area. Japan had questioned the proponents whether shark finning practice actually occurred in the Convention Area and if there were any cases reported by scientific observers where the practice of shark finning impeded the identification of sharks. Japan noted it had not received a response to its question from the proponents or other participants.

Conservation Measure 25-02

3.31 The Commission noted that CM 25-02 may benefit from review (Annex 6, paragraphs 21 and 22). The Commission welcomed the offer by COLTO and a number of Members to support this work. The Commission recalled that the objective of CM 25-02 was the minimisation of incidental bird mortality.

Conservation Measure 10-09

3.32 The Commission noted the advice of SCIC to revise CM 10-09 according to the proposal from Australia and the USA, which included the establishment of a CCAMLR Record of Carrier Vessels, prohibit a Contracting Party-flagged vessel or a vessel on the CCAMLR Record of Carrier Vessels from transshipping inside the Convention Area with a vessel that is not authorised under CM 10-02, or included on the CCAMLR Record of Carrier Vessels (Annex 6, paragraphs 162 to 164).

3.33 The proposal also included a definition of transshipping, encouraged Flag States with vessels included on the CCAMLR Record of Carrier Vessels to install an automatic location communicator (ALC) and, when in the Convention Area, transmit VMS data and for the prior notification of transshipping in the Convention Area.

3.34 Argentina recalled that during discussions regarding CM 10-09 and 10-10 in SCIC several aspects of the CCAMLR Scheme of International Scientific Observation (SISO) were mentioned (Annex 6, paragraphs 65 to 67 and 162 to 164). In relation to harassment situations affecting observers at times, Argentina reiterated that assigning observers with additional tasks that exceed their specific scientific mandate, such as those proposed regarding transshipments, may lead to additional harassment situations.

3.35 The USA noted that at-sea transshipments create opportunities for legal and illegal product to be commingled and for IUU fish to enter legitimate markets and, as such, constitutes one of the biggest challenges in the global effort to combat IUU fishing. The USA was of the view that, given the remoteness and sheer size of the Southern Ocean, significant improvements to CCAMLR's monitoring and control of carrier vessels are crucial to tackling the IUU fishing issues facing the Commission. The USA recalled that, at last year's meeting, SCIC agreed that Members should work to address monitoring and control of transshipments. Along with its co-sponsor, Australia, and other interested Members, the USA worked intersessionally to develop a proposal to make meaningful improvements to CM 10-09 and successfully move CCAMLR forward in tackling this major impediment to combatting IUU fishing. The USA appreciated the efforts of Members in considering the proposal, but felt that some of the changes made during SCIC had weakened the proposal to the point that it no longer achieved the objective of providing the level of monitoring and control of carrier vessels necessary to address IUU fishing in the Southern Ocean. Accordingly, the USA withdrew the proposal. The USA committed to continue to work with other Members during the intersessional period on a proposal for CCAMLR-XXXVI to effectively monitor and control transshipment activity.

3.36 Australia expressed its thanks to the USA and other Members for their efforts to strengthen CM 10-09 and noted that there was further work to do in achieving a meaningful measure that could provide transparency over the transshipment activity. Australia agreed to work with Members during the intersessional period to develop the conservation measure for consideration at CCAMLR-XXXVI.

3.37 Many Members thanked the USA and Australia for the proposal and expressed disappointment that progress could not continue at this meeting. Many Members offered to work with the USA and Australia in the intersessional period to develop a proposal for CCAMLR-XXXVI.

Discards and offal management

3.38 The Commission noted that SCIC had agreed to the establishment of an e-group to consider further measures to improve the management of offal by vessels and potentially develop standards for the management of offal (Annex 6, paragraphs 37 and 90 to 92).

3.39 The EU requested that the Secretariat prepare a table for CCAMLR-XXXVI that included reported discards north of 60°S by fishery and year. In line with the EU proposal,

Argentina referred to the issue of discards and stated there was a need for some uniformity of applied terms within CCAMLR since, for example, in this context, different conservation measures refer to offal, discards or by-catch, depending on the area in which the catch took place. In this sense, Argentina offered to prepare a proposal for future consideration.

Advice from the Scientific Committee

3.40 Russia expressed serious concerns in respect of the quality and completeness of the analysis of the high catch-per-unit-effort (CPUE) data collected from small-scale research units (SSRUs) 882A–B north in 2014/15, the results of which were presented to the 2016 meetings of the Working Group on Statistics, Assessments and Modelling (WG-SAM) and the Working Group on Fish Stock Assessment (WG-FSA). Russia made the following statement:

‘Russia noted that Scientific Committee was unable to finalise the analysis of high CPUE data reported from SSRUs 882A–B north in 2014/15. In this regard Russia asks New Zealand and the UK to reconfirm their willingness to undertake further analysis of the data collected from SSRUs 882A–B north in 2014/15, with a detail focus on: (i) reconciling the VMS data with reported haul locations, (ii) the relationship between hauling speed and number of fish caught per unit effort and (iii) catch-size distribution and tagging activities conducted during the research fishing.’

3.41 Russia also expressed that WG-FSA agreed with Russian comments in relation to undertake further analysis for consideration by WG-SAM and WG-FSA (SC-CAMLR-XXXIV, Annex 7, paragraphs 4.100 to 4.105).

3.42 Russia highlighted that CPUE values of higher than 5 000 kg/per 1 000 hooks constitute only eight sets from 2 500 sets or 0.3% of all available longline sets from exploratory fisheries in the adjacent SSRUs B, C and G while they comprise 11% obtained during the 2015 survey in SSRUs 882A–B (SC-CAMLR-XXXIV, Annex 7, paragraph 4.102).

3.43 New Zealand noted that the issue raised by Russia had been considered by WG-SAM, WG-FSA, SCIC and the Scientific Committee following the paper submitted by New Zealand, UK, Norway and Russia to WG-FSA in 2015 (WG-FSA-15/32) and considerable time had been spent in considering the matter.

3.44 The Commission noted that the Scientific Committee had investigated anomalous CPUE in the past and its conclusion was that the patterns in CPUE were important, not outliers in data. New Zealand reiterated that the analysis of catch did not show a pattern of continuous high or low CPUE, rather it showed a variable CPUE expected for fishing in a new area. New Zealand further highlighted that the analysis presented to WG-SAM and WG-FSA showed a clear relationship between haul time and catch where haul rates were much slower when catch rates were high.

3.45 New Zealand noted that significant time had been spent on this issue and that it was difficult for scientists to respond to analyses without clearly stated hypothesis and questions. Russia was asked to provide a clearly stated hypothesis and criteria so that proponents could undertake further analysis to respond to such a request.

3.46 Many Members agreed with the view expressed by New Zealand and noted with concern that this issue continued to be raised. New Zealand, Norway and the UK again offered to undertake further analysis, including the analysis of VMS data, and asked Russia to be clear in articulating its expectations in relation to any future analysis.

Current level of IUU fishing

3.47 The Commission noted that SCIC had considered the apparent change in IUU activity with vessels potentially operating in Subareas 48.2 and 48.6 (Annex 6, paragraphs 187 and 188).

3.48 The Commission recalled the Secretariat's paper that provided an overview of INTERPOL's Project Scale (CCAMLR-XXXV/BG/17; Annex 6, paragraphs 204 and 205). The EU noted the importance of Project Scale's work and, while it could not commit to provide funding to Project Scale in the long term, it would explore the possibility of allocating funding for 2017.

IUU vessel lists

3.49 The Commission considered the Proposed NCP-IUU Vessel List for 2016/17 agreed by SCIC (Annex 6, Appendix II). The Commission noted that the Proposed NCP-IUU Vessel List for 2016/17 included three new vessels, the *Andrey Dolgov*, *Northern Warrior* and *Antony* and further noted that the vessel *Viking* should be removed on the basis that the vessel has been sunk by Indonesian authorities in March 2016 (Annex 6, paragraphs 212 to 216). The Commission adopted the [NCP-IUU Vessel List](#) for 2016/17.

Other SCIC business

3.50 The Commission endorsed SCIC's nomination of a new Chair, Ms J. Kim (Republic of Korea) (Annex 6, paragraph 227). The Chair, Mr Titushkin, congratulated Ms Kim and wished her well in the role. The Commission thanked Mr Urrutia for his leadership and guidance to SCIC for the past four years, and acknowledged his role in the implementation of many new improvements to CCAMLR's compliance framework.

Standing Committee on Administration and Finance (SCAF)

Advice from SCAF

4.1 The Chair of the Standing Committee on Administration and Finance (SCAF), Mr A. Lluberas (Uruguay), presented the report of SCAF (Annex 7). The advice and recommendations of SCAF were endorsed as presented. The Chair of the Commission thanked SCAF and Mr Lluberas for their excellent work.

4.2 Argentina called the attention of the Commission to Appendix IV of the SCAF report and informed the Commission that the minor outstanding amount of its contribution, caused by differences in currency exchange rates, had already been settled. The Secretariat acknowledged receipt of payment.

Report of the Scientific Committee

5.1 The Scientific Committee Chair, Dr M. Belchier (UK), presented the report of the Scientific Committee (SC-CAMLR-XXXV). He thanked all Members who had participated in the deliberations of the Scientific Committee and its expert working groups.

5.2 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 Belchier and congratulated him on his chairing of the Scientific Committee and the two-day Scientific Committee Symposium that took place immediately prior to the meeting of the Scientific Committee.

Harvested species

Krill resources

5.3 The Commission considered the deliberations of the Scientific Committee on krill resources, noting that in the current fishing season, up to 14 September 2016, 11 vessels fished in at least one of the three Subareas 48.1, 48.2 and 48.3; the total catch of krill reported in catch and effort reports was 258 365 tonnes of which 154 461 tonnes was taken from Subarea 48.1; Subarea 48.1 was closed on 28 May 2016 (SC-CAMLR-XXXV, paragraph 3.1).

5.4 The Commission endorsed the advice of the Scientific Committee that the data on krill catches by month and small-scale management unit (SSMU) should be included in the *Statistical Bulletin* (SC-CAMLR-XXXV, paragraph 3.4).

5.5 The Commission noted that notifications for the krill fisheries in 2016/17 included notifications from six Members and a total of 18 vessels for krill fisheries in Subareas 48.1 (17 vessels), 48.2 (16 vessels), 48.3 (15 vessels) and 48.4 (10 vessels) and Divisions 58.4.1 (3 vessels) and 58.4.2 (3 vessels). It endorsed the advice of the Scientific Committee in relation to the information provided in the fishing notifications (SC-CAMLR-XXXV, paragraph 3.8).

5.6 The Commission noted the discussion of the Scientific Committee in respect of catch reporting in the continuous fishing system in which the catch reported in a two-hour period is not the actual amount of krill caught during that period (SC-CAMLR-XXXV, paragraph 3.10).

5.7 The Commission agreed that a new method for catch reporting should be developed for the continuous fishing system to ensure that the catch reported is the actual catch landed in a two-hour period.

5.8 The Commission noted the outcome of discussions in relation to the management of the CCAMLR Ecosystem Monitoring Program (CEMP) Special Fund and looked forward to the clarification of the processes and procedures for the CEMP Special Fund Management Group (SC-CAMLR-XXXV, paragraphs 13.25 and 13.26).

Feedback management system

5.9 The Commission noted the considerable discussion on feedback management (FBM) and, in particular, on the collection of data from predators and fishing vessels to facilitate this work (SC-CAMLR-XXXV, paragraphs 3.45 to 3.54).

5.10 The Commission recognised that the spatial allocation of the krill trigger level between subareas was a major item for consideration this year and that the Scientific Committee had provided advice on CM 51-07, which expires at the end of the current fishing season. The Commission noted that the Scientific Committee has considered advice from both the Working Group on Ecosystem Monitoring and Management (WG-EMM) and WG-FSA, particularly in relation to the development of a risk assessment framework to assist in the provision of advice on the spatial distribution of the trigger. These considerations are in SC-CAMLR-XXXV, paragraphs 3.55 to 3.112.

5.11 The Commission noted the recommendation of the Scientific Committee to apply a temporary one-year closure around the colonies where gentoo penguin (*Pygoscelis papua*) mortality events occurred in 2016, as this would be an appropriate response to allow these colonies to recover (SC-CAMLR-XXXV, paragraph 3.96).

5.12 The Commission discussed how this closure could be applied, noting that a range of different temporary closures had been proposed, but that there had not been consensus on this issue. The Commission recommended that WG-EMM consider how such events might be managed in the future.

5.13 The Commission noted the advice from the Scientific Committee on CM 51-07 (SC-CAMLR-XXXV, paragraphs 3.105 to 3.112). In particular, the Commission considered that, based on the risk assessment framework, the risks of localised effects of fishing were increasing and that CM 51-07 should continue for a minimum period of three years (SC-CAMLR-XXXV, paragraph 3.106).

5.14 Australia thanked the Scientific Committee for its deliberations on krill and the substantial progress made in providing advice on the risks of krill fishing in Area 48 as it progressed towards the trigger level. As articulated in CCAMLR-XXXV/16, Australia reiterated that CM 51-07 should be continued. Australia considered that the regular updating of the risks of fishing could enable this measure to be retained indefinitely with regular review and updating. Australia agreed with the advice provided by the Scientific Committee (SC-CAMLR-XXXV, paragraphs 3.105 to 3.112). Australia drew the attention of the Commission to the preamble of CM 51-07 which aims to minimise the risks of disproportionate effects. It noted that the risks of the krill fishery have been increasing in recent years and that Subarea 48.1 as a whole is a higher-risk subarea than the other subareas. Australia regarded that the current proportion for Subarea 48.1 is appropriate, but that

increasing beyond this level would pose increasing local risks to krill and its predators in this area. Australia also regarded that fishing in Subarea 48.1 should be kept to the areas where CEMP monitoring is available.

5.15 Some Members stressed that a number of factors are important to include in analysis and consideration for a future revision of CM 51-07, in particular, for the distribution of the trigger level or catch limit in line with FBM, together with the actual status of krill stock and precautionary reasons/backgrounds, such as the:

- (i) effectiveness of using available biological resources (effectiveness of using available catch limits)
- (ii) cost effectiveness of fishing operations
- (iii) comparative importance of marine areas for economics of the fishery (including distribution of marine living resources and natural conditions for the fishery)
- (iv) importance of different species for the fishing industry of Members of the Commission (comparative role of species as biological raw materials for human consumption)
- (v) estimation of abilities to conduct relevant scientific research in connection with different sectors of fishing
- (vi) estimation of recreational importance of different areas of the Antarctic
- (vii) safety of fishing operations.

Those Members also noted that the abovementioned factors could be considered by the Scientific Committee and WG-EMM, and it would be necessary to provide specific scientific methods for such an analysis.

5.16 The Commission endorsed the importance of having a scientific basis for the allocation of the trigger level and noted the role of the risk assessment in helping to achieve this. The Commission did not reach consensus about changing the proportions of the trigger level between subareas at this time.

5.17 The Commission noted the need to further advance the FBM approach previously endorsed by the Commission. It recognised that future work might include the design and execution of studies that included fishery-based monitoring, experimental fishing and studies, predator monitoring, but also noted that these would take time. The Commission agreed that a longer duration for CM 51-07 was preferred, but views about this differed amongst Members. It was agreed to modify the preamble of CM 51-07 to indicate the progress made and the work needed on FBM.

5.18 The Commission requested that the Scientific Committee develop annual updates to the risk assessment framework, and after three years, in 2019, provide a substantive review to inform the Commission on the progress towards FBM and allocation of the trigger level in CM 51-07.

5.19 The Commission agreed that CM 51-07 should be replaced following advice from the Scientific Committee, but that if no agreement was reached, it should expire at the end of the 2020/21 fishing season.

5.20 Argentina stated its support for the extension of CM 51-07. It also highlighted that CCAMLR has always had a comprehensive approach to the conservation of the ecosystem and not only for target species, which distinguishes this convention from other conservation organisations. It further noted that, when faced with uncertainties, CCAMLR should always adopt a precautionary approach. Argentina also stated that some changes to CM 51-07 could be considered, such as protecting or closing certain special areas where land-based predators could be affected by krill fisheries.

5.21 The UK thanked the USA for leading the discussion on this issue and was encouraged by the progress. The UK noted that, as discussed at the Scientific Committee meeting, the risk assessment had shown an increasing relative risk in Area 48 and, on this basis, the UK would encourage the Scientific Committee to continue with this work as a matter of some urgency. The UK accepted the current advice on this conservation measure. The UK additionally noted that it did not agree that the Scientific Committee should consider economic issues. Australia supported the views of the UK.

5.22 China expressed its gratitude to the USA for leading constructive discussions on CM 51-07 and also congratulated the Commission on the development of this conservation measure, noting that this was the first year the Commission has worked on a scientific basis and towards FBM. China noted that there had been very fruitful discussions on this and especially regarding the concerns about the expiry period. China understood that it will expire because better management will be in place by then so it should be a common understanding that it won't lapse, but will be replaced as more information become available. China understood that CM 51-07 will be reviewed in relation to progress that is made on FBM, which is a priority task for the Scientific Committee.

5.23 During the discussions on FBM, Russia raised the issue of uncertainty, specifically in relation to decisions that needed to be made with changing the distribution of catch. On many occasions Russia said the evidence of an ecosystem response to the impact of fishing had not yet been defined, additionally Russia was unsure about the time period over which change in the parameters of the ecosystem should be witnessed in order to decide on changing the distribution of the catch. Additionally, Russia noted the need for specifying criteria that would form the basis for changing the distribution between and/or within subareas.

5.24 Russia highlighted that reviewing the distribution of the trigger level every year (CM 51-07, paragraph 2) needs adequate information on krill distribution patterns and changes in predator indices in relation to fishing activity. There are significant doubts that this information may be obtained every year for Area 48 as well as for subdivisions. Russia recalled that it is necessary to clarify target points for predator population state and these points should be used as the basis for krill fishery management.

5.25 During discussion of FBM and CM 51-07 Russia noted that there is a lack of data on spatial patterns for krill, predators and the fishery that reflect processes at the same spatial and temporal scales. These are basic information for developing FBM and risk assessment for the krill fishery. Russia believed it was necessary to develop a CCAMLR strategic monitoring and research plan during the intersessional period for the further consideration by WG-EMM and WG-FSA with a special focus on new synoptic survey proposals, acoustic data collection on board commercial vessels, CEMP data collection and processing, including sampling design.

5.26 The EU noted that it would like to see the revised measure in place until FBM is adopted and was encouraged to see a five-year duration in place in CM 51-07.

5.27 ARK noted the discussions on the gentoo penguin mortality events at three sites in Subarea 48.1 (Biscoe Point, Cuverville Island and Neko Harbour) that were apparently caused by unusual environmental conditions. In response to these events, ARK members have agreed to avoid fishing close to these penguin colonies in the 2016/17 season during the penguin's breeding period (from 1 December to 1 March) to avoid any chance of impeding their recovery.

5.28 Norway thanked the USA for leading the discussion and noted the progress that had been made in FBM at this meeting and the necessity of the Commission to show responsibility and make decisions in a world of uncertainty. Norway supported the revised CM 51-07 and considered it to be a step forward. It encouraged the use of new information as it became available and that this should be reviewed on an annual basis. Norway expressed its regret on the Commission being unable to currently provide advice on land-based predators in the revised conservation measure, but was heartened that ARK had decided, on a voluntary basis, to avoid those gentoo penguin colonies.

5.29 The Commission agreed on the need for a responsible and precautionary approach to the management of the krill fishery and thanked ARK for its advice that in the absence of a decision from CCAMLR to enhance protection for land-based predators, its vessels will avoid fishing near particular penguin colonies.

5.30 ASOC thanked the delegations that have been positive about the extension of CM 51-07 and the decision that the Commission will take. ASOC also wanted to thank and commend ARK in making the decision to not fish in areas adjacent to the penguin colonies named in paragraph 5.27. ASOC noted that this was a great gesture to show the Commission how the precautionary principle can be applied in the Convention Area.

Fish resources

5.31 In 2015/16, 12 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 20 October 2016. The reported total catch of *Dissostichus* spp. to 16 September 2016 was 12 211 tonnes (SC-CAMLR-XXXV/BG/01). In comparison, the total reported catch of toothfish in 2014/15 was 15 891 tonnes (SC-CAMLR-XXXV/BG/01).

5.32 Two Members, the UK and Australia, targeted mackerel icefish (*Champsocephalus gunnari*) in Subarea 48.3 and Division 58.5.2 respectively; Chile also conducted research fishing for *C. gunnari* in Subareas 48.1 and 48.2 (SC-CAMLR-XXXV/BG/01).

5.33 The Commission endorsed the advice of the Scientific Committee on catch limits for *C. gunnari* in Subarea 48.3 in 2016/17 and Division 58.5.2 in 2016/17 and 2017/18 (SC-CAMLR-XXXV, paragraphs 3.119 and 3.129).

5.34 The Commission noted that France intended to conduct a pelagic trawl fishery for *C. gunnari* in Division 58.5.1 in 2016/17 with a catch limit of 12 130 tonnes and that the Scientific Committee had agreed that this catch limit would be consistent with the CCAMLR decision rules (SC-CAMLR-XXXV, paragraphs 3.123 and 3.124).

5.35 The Commission endorsed the Scientific Committee's advice on catch limits in 2016/17 for the fishery for *D. eleginoides* in Subareas 48.3 and 48.4 and for *D. mawsoni* in Subarea 48.4 (SC-CAMLR-XXXV, paragraphs 3.132, 3.135 and 3.139).

5.36 The Commission noted the advice of the Scientific Committee that in respect of the fishery for *D. eleginoides* in the French exclusive economic zone (EEZ) of Kerguelen Islands in Division 58.5.1, a catch limit set by France of 5 050 tonnes in 2016/17, was consistent with the CCAMLR decision rules in the model runs presented. 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 (SC-CAMLR-XXXV, paragraphs 3.143 and 3.144).

5.37 The Commission noted the advice from the Scientific Committee that the catch limit set for 2016/17 by France of 1 300 tonnes satisfied the CCAMLR decision rules in the fishery for *D. eleginoides* at Crozet Islands (Subarea 58.6 inside the French EEZ) (SC-CAMLR-XXXV, paragraph 3.151). 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 (SC-CAMLR-XXXV, paragraph 3.152).

5.38 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.

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

5.39 The Commission noted the discussion of the Scientific Committee on making activities targeting toothfish consistent with CCAMLR's regulatory framework (SC-CAMLR-XXXV, paragraphs 3.169 to 3.172) and noted that the Scientific Committee had agreed that the proposed changes would:

- (i) increase the transparency in the scientific advice provided by the Scientific Committee and its working groups
- (ii) increase the efficiency of the Scientific Committee and its working groups via the establishment of a single framework for evaluating research activities in accordance with Article II
- (iii) allow for a broader consideration of ecosystem effects of fishing.

5.40 The Commission further noted that the Scientific Committee had agreed that a common approach to reviewing and managing research oriented to the following points (CM 21-02, paragraph 1ii) would assist the Scientific Committee in giving consistent and transparent advice on the research that will contribute to:

- (i) evaluation of the distribution, abundance and demography of the target species, leading to an estimate of the fishery's potential yield
- (ii) review of the fishery's potential impacts on dependent and related species
- (iii) allowing the Scientific Committee to formulate and provide advice to the Commission on appropriate harvest catch levels, as well as effort levels and fishing gear, where appropriate.

5.41 The Commission supported the proposed changes outlined in CCAMLR-XXXV/14 and BG/09 and this issue is further considered in paragraphs 9.22 to 9.26.

5.42 The Commission endorsed the recommendation that the species being targeted be specified (i.e. *D. mawsoni* or *D. eleginoides*) in the title and text of conservation measures, rather than *Dissostichus* spp. that is currently present in all relevant conservation measures. This change will provide clarity to the Commission and any external parties on which species was being targeted and managed in particular areas. For example, in CM 41-09, which specifies the limits for the exploratory toothfish fishery in Subarea 88.1, '*Dissostichus* spp.' would be replaced with '*D. mawsoni*'. In this case, for the purpose of CMs 23-04 and 23-07, any *D. eleginoides* caught would count towards the overall catch limit for *D. mawsoni*, and 'by-catch species' would be defined as any species other than *Dissostichus* spp. (SC-CAMLR-XXXV, paragraph 3.177).

5.43 The Commission noted the discussion in the Scientific Committee on generic issues relating to toothfish movement and the derivation of local biomass estimates of *D. mawsoni* and *D. eleginoides* in research blocks in Subareas 48.6 and 58.4 (SC-CAMLR-XXXV, paragraphs 3.178 to 3.190).

5.44 Given the disparity between the point estimates of local biomass in many of the research blocks using the two different estimation methods, the Commission recommended that the research catch limits from the 2015/16 season be brought forward to the 2016/17 season (see Table 1), but that this should not set a precedent when there is disagreement between methods for calculating catch limits (SC-CAMLR-XXXV, paragraphs 3.184 and 3.185).

5.45 New Zealand noted the one-year rollover of catch limits, but was concerned that for some of these research blocks there was uncertainty over the collection of sufficient tagging and other biological data to support robust stock assessments and that this would have a detrimental impact on current methods of estimating biomass. New Zealand looked forward to further development and review of the methods next year and noted that it would be paying close attention to research performance.

5.46 The USA agreed that carrying over the catch limits in Subarea 48.6 in particular should not set a precedent and was concerned about the Scientific Committee advice on the catch limits being rolled over, but noted that the Scientific Committee had been unable to provide alternative advice as there was too much uncertainty in the biomass estimates.

5.47 Russia also noted the great amount of work that had been undertaken at WG-SAM and WG-FSA this year regarding the analogous CPUE by seabed area and Chapman methods, but further noted the uncertainty that is present in this approach. Russia highlighted that there was no clarity on which method should be chosen for a particular area, and in which way, and that this issue required careful consideration by the Scientific Committee and Commission.

5.48 The Commission noted that the Scientific Committee had prioritised the following tasks for WG-SAM and WG-FSA in 2017:

- (i) evaluation of how species- or area-specific factors may influence biomass estimates
- (ii) development of approaches that estimate uncertainty in the local biomass estimates and from which advice on catch limits can be provided.

5.49 The Commission endorsed the advice from the Scientific Committee in respect of the need for continued monitoring of CCAMLR fisheries for overcapacity and agreed that, although there was no indication of an excess in capacity at the current time, the Secretariat should continue to monitor the number of vessels notifying and then subsequently fishing in a subarea in each year, in order to detect any increasing trend (SC-CAMLR-XXXV, paragraph 3.192).

5.50 The Commission noted progress on metrics to describe various fishing activities in order to evaluate patterns in the data recorded by fishing vessels and observers and the need to develop statistical models describing the fishing process. Following the recommendation of the Scientific Committee (SC-CAMLR-XXXV, paragraph 3.194) the Commission agreed that information on freezing capacity and fish processing rates of vessels should be required as part of CM 10-02, paragraph 4.

5.51 The Commission considered the deliberations of the Scientific Committee (SC-CAMLR-XXXV, paragraphs 3.168 to 3.267), 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 2015/16 and acknowledged that the notifications for those same fisheries for *Dissostichus* spp. were submitted in accordance with CM 21-02 for 2016/17. There were also research proposals to undertake research fishing in closed Subareas 48.2, 48.5 and 88.3 and Division 58.4.4b in 2016/17 submitted in accordance with CM 24-01 (SC-CAMLR-XXXV, paragraphs 3.157 to 3.173).

5.52 Japan and South Africa expressed their appreciation for the opportunity afforded to them by CCAMLR to participate in exploratory fisheries in Subarea 48.6 for the past four years. With regard to the proposal submitted by Uruguay, they explained their views that, at the moment, they are unable to partner with Uruguay, since there has been no consensus among them on cooperative operations. In conclusion, Japan and South Africa stated that they will continue with their research as they have been doing for the past four years, and further emphasised that they are not in a position to support the proposal of Uruguay for a joint participation with them in the exploratory fisheries in Subarea 48.6 in 2016/17. However, Japan and South Africa encouraged Uruguay to resubmit its proposal for consideration at the next Commission meeting for its future collaborative participation in the exploratory fisheries in Subarea 48.6.

5.53 Australia thanked the Scientific Committee for its advice in SC-CAMLR-XXXV, paragraphs 3.244 to 3.247. Australia recalled the advice from the Scientific Committee on the benefits of multi-Member research to efficiently collect the data needed to support not only the assessment of yield of toothfish stocks, but also impacts on dependant and related species, as required under CM 21-02. Australia thanked France, Japan, the Republic of Korea and Spain for working with their scientists to develop a consolidated research plan for Divisions 58.4.1 and 58.4.2. Australia noted that this is a first for the exploratory fishery across these divisions, and that it is an effective model that could be used to develop multi-Member programs in other areas. Australia noted that it looked forward to this research providing the basis for robust management advice in the coming years.

5.54 The Commission endorsed the recommendation that the Ross Sea shelf survey proceed with a catch limit of 40 tonnes for 2016/17, and that, as in previous years, the catch could be taken from the catch limit for SSRUs 881J and L (SC-CAMLR-XXXV, paragraph 3.191).

5.55 The Commission considered the deliberations of the Scientific Committee on proposals submitted by Chile, Ukraine and the UK to undertake research fishing of *Dissostichus* spp. in Subarea 48.2 (SC-CAMLR-XXXV, paragraphs 3.220 to 3.232). The Commission noted that the Chilean survey extension proposal had not been supported for the coming season and that another proposal has been requested for presentation at WG-SAM-17 (SC-CAMLR-XXXV, paragraph 3.221)

5.56 The Commission endorsed the recommendation from the Scientific Committee that the research catch limit of 75 tonnes in Subarea 48.2 from 2015/16 be brought forward to 2016/17 to allow Ukraine to finish this research (SC-CAMLR-XXXV, paragraph 3.224).

5.57 The Commission endorsed the recommendation from the Scientific Committee that the proposed UK survey commence in 2016/17 with catch limits of 23 tonnes in the eastern area of Subarea 48.2 and 18 tonnes in the southern area of Subarea 48.4, and that these limits were sufficiently precautionary to allow the survey to proceed (SC-CAMLR-XXXV, paragraph 3.231).

Consideration of research in SSRUs 882 A–B

5.58 The Commission noted the extensive discussion of the Scientific Committee on proposed research fishing in SSRUs 882A–B (SC-CAMLR-XXXIV, paragraphs 3.199 to 3.212).

5.59 Russia indicated that, consistent with SC-CAMLR-XXXIV, paragraphs 3.199 to 3.212 and CCAMLR-XXXIV, paragraph 5.41, it was not in a position to agree to the survey in the northern part of SSRUs 882A–B north proceeding at this time.

5.60 Russia noted that its position with regard to the survey in SSRUs 882A–B is reflected in SC-CAMLR-XXXV, paragraphs 3.201 to 3.203.

5.61 The proponents of the research, Australia, New Zealand and the UK, expressed their disappointment that this multi-Member research proposal was not able to proceed at this time and committed to continue their work on this issue during the intersessional period.

Assessment and avoidance of non-target catch including incidental mortality of seabirds and marine mammals

Fish and invertebrate by-catch

5.62 The Commission noted the discussion of the Scientific Committee on the reporting of by-catch in CCAMLR fisheries, including issues relating to fish by-catch in the krill fishery (SC-CAMLR-XXXV, paragraphs 3.153 to 3.167) and fish by-catch in toothfish fisheries (SC-CAMLR-XXXV, paragraphs 3.153 to 3.161).

5.63 The Commission endorsed the recommendation of Scientific Committee (SC-CAMLR-XXXV, paragraph 3.163) to remove the absolute limits and apply percentage thresholds, including extending the 16% catch limit in place for *Macrourus* spp. to the category 'all other species combined', so that by-catch limits are:

- (i) skates and rays: 5% of the catch limit of *Dissostichus* spp.
- (ii) *Macrourus* spp.: 16% of the catch limit for *Dissostichus* spp.
- (iii) all other species combined: 16% of the catch limit for *Dissostichus* spp.

5.64 The Commission endorsed the recommendation of the Scientific Committee to specify the wording in CM 23-04, paragraph 3 and discussed this matter further under Agenda Item 8 (paragraph 8.16) (SC-CAMLR-XXXV, paragraph 3.166).

Seabirds and marine mammals

5.65 The Commission noted the discussion of the Scientific Committee in respect of the incidental mortality of seabirds and marine mammals, marine mammal depredation, hook marking in toothfish fisheries within the Convention Area and the use of net monitoring cables in the krill fishery (SC-CAMLR-XXXV, paragraphs 4.1 to 4.13).

5.66 The Commission endorsed the proposal to continue the pre- and post-season extension of the fishing season in Division 58.5.2 and for Australia to provide an update to WG-FSA-17 (SC-CAMLR-XXXV, paragraph 4.8).

5.67 The Commission endorsed the recommendation of the Scientific Committee that a one-season trial be carried out with the design proposed in SC-CAMLR-XXXV, paragraphs 4.11 to 4.13, on any krill trawl vessel using a net monitoring cable and that results of these trials be reported to the Scientific Committee to further evaluate the safety of the use of this cable (paragraph 8.17).

5.68 The Commission also recommended that outcomes of the trials specified in SC-CAMLR-XXXV, paragraph 4.10, be provided to ACAP in order that they can be used to improve its best-practice guidelines.

Marine debris

5.69 The Commission noted the discussion of man-made marine debris, including the issue of at-sea monitoring of debris (SC-CAMLR-XXXV, paragraphs 4.14 to 4.17).

Bottom fishing and vulnerable marine ecosystems

5.70 The Commission noted the Scientific Committee's discussions on bottom fishing and vulnerable marine ecosystems (VME) and that there was one notification of a VME risk area in Subarea 88.1 during 2015/16, which brings the total number of VME risk areas to 76 (SC-CAMLR-XXXV, paragraphs 5.1 to 5.4).

Marine protected areas

5.71 The Commission noted the Scientific Committee's discussions at WG-EMM on marine protected area (MPA) planning in Domain 1, preliminary results of research voyages to the South Orkney MPA, and the latest information on the development of the Weddell Sea MPA (WSMPA) (Domains 3 and 4) (SC-CAMLR-XXXV, paragraphs 5.5 to 5.18).

5.72 The Commission noted the significant amount of work undertaken in respect of the WSMPA, particularly to address the recommendations from WG-EMM-16 (CCAMLR-XXXV/18; SC-CAMLR-XXXV/01 Rev. 1, BG/11, BG/12 and BG/13). It further noted that the Scientific Committee had agreed that the extensive information presented in the four documents is the best science currently available and that it provides the necessary foundation for MPA planning in this region, as well being useful for many other purposes. It also noted that further work was required to develop these analyses and to identify how they are used in the development of a WSMPA proposal, and encouraged the continuation of this work.

5.73 The Commission considered the following issues related to separating scientific questions on the data and analyses relating to the development of the WSMPA proposal from those relating to management issues:

- (i) future management of research fisheries within the proposed WSMPA, in relation to the target levels for protection of toothfish habitat
- (ii) consideration of how the outputs of analyses, e.g. Marxan results, are used in the development of management proposals
- (iii) consideration of the role that the Scientific Committee may play in developing criteria and indicators to measure the effectiveness of MPA management.

5.74 Germany thanked all Members for their suggestions made at the meetings of WG-EMM and WG-SAM in 2016 and in subsequent discussions; in respect of the three issues raised in paragraph 5.73 Germany noted that:

- (i) For each of the more than 70 ecological and environmental parameters established in the WSMPA planning process, a target range was discussed and agreed at the second international expert workshop. For most of the targets, a medium level was considered to be the most balanced approach. However, for some targets, such as the protection of *D. mawsoni* in Subarea 48.6, Germany is preparing further analyses, which will be presented at the next meeting of WG-EMM and/or WG-FSA so that experts from all interested parties can assist in finding the best solution.

- (ii) In developing the WSMPA proposal, a holistic approach was used, consisting, inter alia, of statistical tools such as Marxan. The outcome of these analyses were considered in the development of management options, which then were discussed with experts from CCAMLR Members bilaterally and during the meeting of WG-EMM-16.
- (iii) Germany took the view that this was an overarching question that concerns all MPA proposals and, therefore, suggested that this issue should be addressed in the relevant e-group and at the next meetings of WG-EMM and the Scientific Committee.

5.75 Japan noted that the use of fishing vessels to conduct research on toothfish had been demonstrated and, as such, there was a need to ensure that any new conservation measures that are introduced should be consistent with the existing conservation measure framework. Furthermore, Japan considered that, given the ongoing effects of climate change, there is a need to have a fixed period of designation for the WSMPA such that the MPA would lapse unless it is proven that the MPA is still achieving its objectives. Japan stressed that an automatic renewal system reduces the incentive for serious and comprehensive review for judging whether the MPA should be maintained as it stands, amended or abolished.

5.76 Norway reiterated its view that any MPA proposal that is submitted to the Commission should be agreed by the Scientific Committee and should be based on the best available science. In this case, Norway was not convinced that the WSMPA did in fact reflect the best available science and, as such, it required further review by the Scientific Committee and its working groups.

5.77 New Zealand congratulated the EU and Germany on the extensive compilation of data associated with the WSMPA proposal but noted that WG-FSA had not had an opportunity to review the fishery research zones and that there were additional analyses related to toothfish and demersal fish that had been requested by WG-EMM. While the underlying data does represent the best available science, the way in which these data layers were used in the analysis to define, inter alia, boundaries and the research and monitoring plan required clarification. New Zealand encouraged the proponents to undertake this further analysis and clarification.

5.78 Russia noted that its position had been reflected in SC-CAMLR-XXXV/10 and recalled the lack of a clear definition of what constitutes an effective MPA. Therefore, the discussion of the details of the specific issues of the WSMPA may not be sensible in the absence of consideration of other substantive issues. Russia also stated that clarity was required on the definition of what constitutes nature conservation objectives, key ecosystem processes, areas or objects vulnerable to impact by human activities and the criteria provided to evaluate the achievement of each objective.

5.79 The Commission noted that there was a need for clarity in relation to the question posed in SC-CAMLR-XXXV, paragraph 5.18.

5.80 The Observer from the IUCN noted that during the recent IUCN World Conservation Congress in Hawaii, USA, there had been many positive developments for marine protection, including a proposed increase in the percentage of marine areas in highly protected MPAs to 30% by 2030. This was supported by the vast majority of IUCN's members, including

governments, for example, Russia. He also recalled the Commission's discussion from last year in regard to IUCN management categories 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 category IV or any other IUCN marine protected area category.

5.81 Russia presented CCAMLR-XXXV/20 that provided comments on the MPA on the South Orkney Islands southern shelf (SOISS MPA). This paper suggested the need to look at the lessons learnt from the establishment of this MPA. Russia noted several outstanding issues with this MPA that required further clarification, including: (i) the geographical boundary being poorly founded, (ii) no clear objectives being stated, (iii) criteria for assessing objectives, (iv) monitoring of those criteria, and (v) further details on the duration and realisation of the MPA. Russia also noted that the existence of the SOISS MPA for more than seven years had not facilitated scientific research in the area. Russia noted that the experience of the SOISS MPA showed failure of proper implementation of the monitoring program and assigned research tasks in the vast designated area. The MPA research and monitoring plan should be detailed in terms of 'When, how and by whom' will this plan be implemented.

5.82 Russia also commented on legal aspects of the MPA because it is still regulated under CM 91-03 despite CM 91-04 being adopted in 2011, this duality in the existence of the MPA conservation measure means there is no approved research and monitoring plan. Russia believed it necessary to transfer the MPA to the framework of CM 91-04 with the presentation of all the necessary documents with boundaries, duration, monitoring and research, taking into account the comments made in the Scientific Committee meeting in 2014 (SC-CAMLR-XXXIII, paragraph 5.58). Russia also stated that the transfer of the SOISS MPA should be implemented in the near future on the basis of consensus reached by the Scientific Committee and the Commission. Additionally, Russia noted the crucial importance of the Japanese checklist for MPA proposals (CCAMLR-XXXIV/19), which was an important document for standardising and rationalising the establishment of MPAs.

5.83 China shared the views expressed by Russia on this issue. China hoped the Commission could continue its work on harmonising the SOISS MPA with CM 91-04. China also believed that CCAMLR needed to learn lessons from the review of this MPA and to encourage Members to conduct more research in order to provide better scientific basis for analysing the effectiveness of the MPA.

5.84 The UK recalled that the SOISS is a CCAMLR MPA and not a UK or EU MPA. It highlighted that the boundaries of the MPA were modified during the Commission meeting in 2009, taking into account the concerns of all Members at that time, and that it was then agreed by all Members. The UK recalled that CM 91-03 was agreed before CM 91-04, also that the EU had brought forward plans to align CM 91-03 with CM 91-04 at the first review of the MPA in 2014. The UK highlighted that it had undertaken four seasons of land-based predator research since 2009, as well as undertaking two research cruises in 2016. In COMM CIRC 15/33-SC CIRC 15/21, the UK had invited the participation of all CCAMLR Members to join the benthic cruise; and nine Members had then participated. The results from the land-based fieldwork and from both cruises will contribute to the development of FBM, as well as to marine spatial planning within the SOISS MPA and within the surrounding areas. The UK highlighted that the benthic cruise also provided an important connection with the SCAR State of the Antarctic Ecosystem (AntEco) program.

5.85 The EU noted that the results from the research undertaken by the UK and its collaborators will contribute to the MPA Report, to the further development of the research and monitoring plan and to the next review of CM 91-03 in 2019. At that time the EU will provide further suggestions to bring CM 91-03 into line with CM 91-04.

Climate change

5.86 On behalf of the EU and its member states, the UK presented CCAMLR-XXXV/13 Rev. 1 on establishing time-limited Special Areas for Scientific Study in newly exposed marine areas following ice-shelf retreat or collapse in Subareas 48.1, 48.5 and 88.3. The UK thanked Members for their constructive comments on this proposal at WG-EMM (SC-CAMLR-XXXV, Annex 3, paragraphs 3.48 to 3.51) and the Scientific Committee (SC-CAMLR-XXXV, paragraphs 8.10 to 8.17), and outlined that the revised proposal now includes a two-stage process for establishing Special Areas for Scientific Study. An initial two-year period (stage 1) would begin immediately following notification of the collapse or retreat of an ice shelf. The available data and proposed boundaries would then be reviewed by WG-EMM and the Scientific Committee. Once agreed by the Commission following this review, the proposed special area would be established for a 10-year period (stage 2).

5.87 The Commission noted three specific issues that had been addressed following discussion by the Scientific Committee:

- (i) If retreat or collapse continues to occur during the stage 1 period, then the notification could be modified on the basis of new information. If retreat or collapse continues to occur during stage 2, then a new notification could be submitted. The review of any new notifications should take into account existing special areas within the same region.
- (ii) Regarding the inclusion of an areal component in the definition of collapse, it was noted that ice-shelf collapse is a complex and unpredictable process, and that the two-year stage 1 period would allow for full scrutiny of each proposal to ensure that the agreed boundaries are appropriate for the purpose intended. The definition of collapse as the rapid break up or disintegration of an ice shelf, glacier or ice tongue, over a period that may be shorter than 10 years, was therefore considered to be adequate.
- (iii) It was agreed that the consideration of baseline mapping data is important for determining the extent of an ice shelf before collapse or retreat occurred, and that this should be clarified in the conservation measure. It was noted that ice coastline data contained in the periodic updates of the SCAR Antarctic Digital Database, as well as other information such as satellite imagery if available, remain the most appropriate sources for baseline information.

5.88 China welcomed these clarifications in response to specific questions that had been raised during the Scientific Committee.

5.89 Argentina supported the proposal to promote and facilitate scientific research in newly exposed marine areas following ice-shelf retreat or collapse around the Antarctic Peninsula. It

further noted that it will be important for WG-EMM to consider specific mechanisms and criteria for review of stage 1 notifications, in order to provide advice on the progression to stage 2.

5.90 The Commission welcomed the inclusion of these clarifications in the conservation measure and agreed to adopt CM 24-04 on establishing time-limited Special Areas for Scientific Study in newly exposed marine areas following ice-shelf retreat or collapse in Subareas 48.1, 48.5 and 88.3.

Scientific research exemption

5.91 The Commission endorsed the advice of the Scientific Committee in relation to Chilean research survey around Elephant Island and the South Orkney Islands in Subareas 48.1 and 48.2 (SC-CAMLR-XXXV, paragraphs 9.1 to 9.6). The Commission recommended that, should there be future situations where there was a considerable deviation between the agreed research plans and what was subsequently carried out, this should be examined by SCIC. The Commission also noted that the proposal to include all conservation measures as part of the CCEP would facilitate such a review by SCIC.

5.92 The Commission agreed that, where there were compliance issues associated with a research plan that have implications for the science derived from the research, then this should be reviewed and included in consideration of the future conduct of that research plan.

Capacity building

5.93 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-XXXV, paragraphs 13.24 to 13.34).

5.94 The Commission congratulated Lic Andrea Capurro (Argentina) and Yiping Ying (China) who were selected to receive a CCAMLR scientific scholarship in 2017 and 2018 (SC-CAMLR-XXXV, paragraphs 13.28 to 13.34) and endorsed the revised terms of reference for the scheme provided in SC-CAMLR-XXXV, Annex 8.

5.95 The Commission noted the request to consider whether applicants from Acceding States should be eligible to apply for scholarships (SC-CAMLR-XXXV, paragraph 13.33). It considered that, while scholarship applicants from Acceding States would be consistent with the development of scientific capacity in CCAMLR, the details of how the scheme could be extended to include Acceding States should be examined in order that this issue can be considered at CCAMLR-XXXVI.

5.96 The Commission recognised that the continued success of the CCAMLR Scientific Scholarship Scheme was dependent upon continued funding and encouraged voluntary contributions from Members. Furthermore, the Commission requested the Secretariat to prepare a paper for consideration at CCAMLR-XXXVI on options for funding the scheme, including as a fixed proportion of the overall budget.

Priorities of the Scientific Committee

5.97 The Commission considered outcomes of the CCAMLR Scientific Committee Symposium, held at the CCAMLR Secretariat, Hobart, Australia, on 13 and 14 October 2016 and noted the discussion on priorities for the Scientific Committee in SC-CAMLR-XXXV, paragraphs 13.8 to 13.20.

5.98 The Chair of the Scientific Committee recalled that one of the key outcomes of the Symposium, and the subsequent discussion at the Scientific Committee, was that the timescale at which items were addressed did not imply a level of priority and that it was essential that mechanisms were developed for multi-year engagement where specific areas of science are not necessarily considered on an annual timescale. He also recalled that throughout this prioritisation exercise there remained a need for flexibility that did not prejudice the ability of Members to have issues included in the agenda of working group meetings consistent with the provisions of Rule 7(b) of the Scientific Committee's Rules of Procedure.

5.99 The USA thanked the Scientific Committee Chair for convening the Symposium and welcomed the role of the Scientific Committee Chair, Vice-Chairs and the working group conveners in developing candidate work plans to address the priorities of the Scientific Committee. The USA clarified its views on the priority topics that should be addressed by the Scientific Committee, agreeing that high priorities include addressing FBM and its potential links to MPA development in Planning Domain 1. The USA also agreed that developing toothfish stock assessments and understanding the ecosystem role of these fishes, also addressed in the schedule, are high priorities as well. The USA, noted that the draft schedule, in paragraph 13.17 and in SC-CAMLR-XXXV, Table 1, does not address climate change science and development of MPAs in other planning domains. The USA urged the Scientific Committee Chair, Vice-Chairs and the working group conveners to find new ways of doing business so that work on all priority topics can be advanced in reasonable periods of time.

CCAMLR Scheme of International Scientific Observation

6.1 The Commission considered issues regarding the SISO which are detailed in SC-CAMLR-XXXV, paragraphs 7.1 to 7.12.

6.2 The Commission noted the discussion by the Scientific Committee on observer coverage in the krill fishery (SC-CAMLR-XXXV, paragraphs 7.3 to 7.12) and the recommendation from WG-EMM requesting information on what is preventing some vessels from reaching 100% coverage (SC-CAMLR-XXXV, Annex 6, paragraph 2.47).

6.3 China reiterated its emphasis on the quality of observer data (paragraph 3.23) and its willingness to use the data for the FBM of the krill fishery.

6.4 Several Members expressed support for the immediate implementation of 100% observer coverage, noting the potential for more observer data to contribute to risk analyses proposed under amendments to CM 51-07. Options to increase observer coverage were presented by Ukraine (CCAMLR-XXXV/31), and Chile noted the papers presented in the last two years on the subject (CCAMLR-XXXIV/35 Rev. 1), as well as its proposal for a gradual increase in observer coverage over the coming years.

6.5 The Commission noted that there were issues relevant to SCIC for which observer coverage is necessary (CCAMLR-XXXV/32 Rev. 1), and that some vessels lacking observer coverage increases the overall risk of undetected compliance issues.

6.6 The Commission endorsed a phased increase in observer coverage for the krill fishery to achieve 100% observer coverage by 2020/21 (paragraph 8.18).

6.7 The Commission noted the serious issue of observer harassment discussed during SCIC (Annex 6, paragraphs 65 to 67) and endorsed the recommendation that Part D of the text of SISO (www.ccamlr.org/node/75270) be included in the CCEP.

6.8 The Commission noted the paper provided by Russia (CCAMLR-XXXV/33) on the contribution of Russian scientific observers to Antarctic biological studies. The UK noted that Russia had presented a similar paper to ATCM XXXIX, which noted that Antarctica was discovered by various explorers, and this was the UK's view on the 200th anniversary.

6.9 The Commission endorsed the Scientific Committee's recommendation that the SISO data reporting forms be modified to collect data on salps by requesting observers to record whether salps were present or absent in the 25 kg samples collected for the analysis of fish by-catch (Annex 6, paragraph 2.90).

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

7.1 Australia introduced CCAMLR-XXXV/BG/22 on behalf of the Delegations of Australia and Norway. This document provided an initial report from the Intersessional Correspondence Group (ICG) on considering approaches for enhancing consideration of climate change impacts in CCAMLR.

7.2 The paper summarised the group's initial work in 2016, including discussions on topics of concern and processes for improving consideration of climate change impacts. This included ideas on assessing status and trends and highlighting key recommendations from the second Joint CEP-SC-CAMLR Workshop on Climate Change and Monitoring which was held in Punta Arenas, Chile, on 19 and 20 May 2016. Discussions were supportive of bringing climate-change-related work into a cohesive and prioritised framework, such as is exemplified by the CEP's Climate Change Response Work Programme. WG-EMM's progress on climate change matters this year provides an excellent foundation for developing such a framework. The work of the ICG will not be restricted to scientific questions and priorities, but will build on this work and also seek to take account of policy and management considerations.

7.3 Australia thanked Members for their contributions to the ICG so far and looked forward to further engagement with Members in the next intersessional period.

7.4 Norway thanked Australia for presenting this document on its behalf and also looked forward to engaging in further discussion with Members in the intersessional period.

7.5 China joined other Members in congratulating Australia and Norway for the progress achieved by the ICG and expressed its willingness to continue engagement in this discussion in the next intersessional period. Meanwhile, China suggested the term 'status of ecosystem'

be used instead of ‘reference state of the ecosystem’ to avoid ambiguity, and noted the importance of using empirical data to test scientific hypotheses and predictions when assessing the impact of climate change in future work.

7.6 The UK also thanked Australia and Norway for progressing the ICG and was pleased to participate in the discussions in the intersessional period. It encouraged participation from all Members and looked forward to substantive discussion on this topic next year, including on the important interaction with SCAR and other relevant scientific programs.

7.7 The USA thanked Australia and Norway for their leadership on this issue. The USA agreed with the conclusion of the ICG that significant progress has been made towards enhancing consideration of climate change impacts within the CCAMLR framework through recommendations arising from the Joint CEP–SC–CAMLR Workshop. The USA supported further consideration of priority topics identified, such as the risk of climate change and ocean acidification, and climate change impacts on the Antarctic marine ecosystem and whether actions may be required to conserve Antarctic marine living resources as a result of changes in ecosystem state, ecological dynamics or ecosystem resilience. The USA was encouraged by the fact that the ICG recognised the importance of increasing cooperation with SCAR and its programs, such as the Integrating Climate and Ecosystem Dynamics in the Southern Ocean (ICED) and Southern Ocean Observing System (SOOS). It encouraged the Scientific Committee, as it sets its priorities and work plans to support CCAMLR goals, to place a high priority on understanding the impacts of climate change on the marine ecosystem and its components. The USA was supportive of continuing this ICG and looked forward to further progress being made during the next intersessional period.

7.8 ASOC thanked Australia and Norway for their work on the ICG and noted that it was pleased to see that work was progressing and that the Scientific Committee had endorsed the recommendations of the Joint CEP–SC–CAMLR Workshop. ASOC looked forward to the creation of a climate change work plan.

7.9 ASOC additionally stressed that CCAMLR first agreed a resolution on climate change seven years ago, in 2009. Consequently, CCAMLR could not wait any longer to make progress on the urgent issues of climate change and ocean acidification. CCAMLR and the Scientific Committee should not wait for the outcome of the ICG to make progress in incorporating these issues into decision-making. ASOC urged the Commission, as well as the Scientific Committee and its working groups, to take immediate steps to address the threats from climate change and ocean acidification, including through the inclusion of provisions in relevant conservation measures.

7.10 Argentina thanked Australia and Norway for the work that had been undertaken thus far and looked forward to participating in the next intersessional period. Argentina further stated that it assigned great relevance to the issue, especially in light of the work it is undertaking with Chile and other countries in the development of a proposal for an MPA in Domain 1, as this has proven to be an area particularly affected by climate change.

7.11 New Zealand acknowledged the work undertaken by the ICG led by Australia and Norway and encouraged ongoing work by the ICG in the intersessional period on how CCAMLR can incorporate the recommendations of the Joint CEP–SC–CAMLR Workshop into the priorities of the Commission, Scientific Committee and its working groups. New Zealand also thanked the Co-convenors of the Joint Workshop for their report and all participants for their contributions.

7.12 Oceanites presented CCAMLR-XXXV/BG/14, which described the outcomes of the first Future of Antarctica Forum that Oceanites convened and held from 28 February to 9 March 2016 in the Antarctic Peninsula. Participants included representatives from governments and the tourism and fishing industries, all of whom actively engaged in discussions that noted the importance of distinguishing the direct and interactive effects of climate change, fishing, tourism and national operations on ecosystems in the Antarctic Peninsula region for improved environmental management. Noting that the 22 years of data collected through Oceanites' Antarctic Site Inventory (ASI) project was an important database to underpin studies of climate change, Oceanites accepted the challenge of establishing a new, international interdisciplinary effort to examine these interactive effects. This work will advance by ongoing ASI data collection, continued development of the Mapping Application for Penguin Populations and Projected Dynamics tool (MAPPPD), collaborations with Stony Brook University and Oxford University, and with Aker BioMarine to independently analyse the company's krill fishing catch/effort data vis-a-vis data on penguin breeding/foraging locations and climate change impacts in the Antarctic Peninsula.

7.13 Argentina, as a participant in the recent Future of Antarctica Forum (CCAMLR-XXXV/BG/14), commended Oceanites for the work it has undertaken and for its collaboration in the MAPPPD project, which seems of great interest and use in addressing issues related to the impacts of climate change.

7.14 The UK echoed comments made by Argentina and, having also participated in the Oceanites forum, it encouraged Oceanites to provide regular updates on its work in CCAMLR meetings and also thanked ASOC for its climate change papers.

Conservation measures

Review of existing measures

8.1 The conservation measures drafting group had met during the meeting to consider and prepare conservation measures and resolutions for the Commission's consideration. The Commission expressed its appreciation to Ms Kim 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-XXXV will be published in the *Schedule of Conservation Measures in Force 2016/17*.

8.3 The Commission noted that the following conservation measures¹ will lapse on 30 November 2016: 32-09 (2015), 33-02 (2015), 33-03 (2015), 41-01 (2015), 41-03 (2015), 41-04 (2015), 41-05 (2015), 41-06 (2015), 41-07 (2015), 41-09 (2015), 41-10 (2015), 41-11 (2015), 42-02 (2015) and 51-04 (2015).

8.4 The Commission agreed that the following conservation measures and resolutions will remain in force in 2016/17:

Measures on compliance

10-01 (2014), 10-03 (2015), 10-04 (2015), 10-08 (2009) and 10-09 (2011).

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

Measures on general fishery matters

22-01 (1986), 22-02 (1984), 22-03 (1990), 22-04 (2010), 22-05 (2008), 22-06 (2015), 22-07 (2013), 22-08 (2009), 22-09 (2012), 23-05 (2000), 23-06 (2012), 24-01 (2013), 24-02 (2014), 25-02 (2015) and 26-01 (2015).

Measures on fishery regulations

31-01 (1986), 31-02 (2007), 32-01 (2001), 32-02 (2012), 32-18 (2006), 33-01 (1995), 41-02 (2015), 41-08 (2015), 42-01 (2015), 51-01 (2010), 51-02 (2008) and 51-03 (2008).

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, 34/XXXI and 35/XXXIV.

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

Revised measures on compliance (see paragraphs 8.6 to 8.13)

10-02 (2016), 10-05 (2016) 10-06 (2016), 10-07 (2016) and 10-10 (2016).

Revised measures on general fishery matters (see paragraphs 8.14 to 8.17)

21-01 (2016), 21-02 (2016), 21-03 (2016), 23-01 (2016), 23-02 (2016), 23-03 (2016), 23-04 (2016), 23-07 (2016) and 25-03 (2016).

New measures on research and experiments (see paragraph 8.35)

24-04 (2016).

Revised measures on fishery regulations (see paragraphs 8.18 and 8.19)

51-06 (2016) and 51-07 (2016).

New measures on fishery regulations (see paragraphs 8.20 to 8.33)

32-09 (2016), 33-02 (2016), 33-03 (2016), 41-01 (2016), 41-03 (2016), 41-04 (2016), 41-05 (2016), 41-06 (2016), 41-07 (2016), 41-09 (2016), 41-10 (2016), 41-11 (2016), 42-02 (2016) and 51-04 (2016).

New measures on protected areas (see paragraphs 8.37 to 8.72)

91-05 (2016).

Revised conservation measures

Compliance

Vessel licencing

8.6 The Commission endorsed the advice of SCIC to revise CM 10-02 to clarify the requirement to submit detailed vessel information in respect of replacement vessels, to require

the notification of fishing licences that have been revoked, suspended, relinquished or are otherwise no longer valid and to require the description of the types of fishing gear (Annex 6, paragraphs 54, 148 and 149).

8.7 The Commission endorsed the advice of the Scientific Committee to revise CM 10-02 to include a vessel's freezing capacity in its licence notification (SC-CAMLR-XXXV, paragraph 3.194). CM 10-02 (2016) was revised and adopted.

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

8.8 The Commission endorsed the advice of SCIC to revise CM 10-05 to amend the DCD, *Dissostichus* Export Document (DED) and *Dissostichus* Re-Export Document (DRED) (CCAMLR-XXXV/07 and Annex 6, paragraphs 137 and 138), and implement a separate Specially Validated DCD (SVDCD) (CCAMLR-XXXV/07 and Annex 6, paragraph 139).

8.9 The Commission also endorsed the advice of SCIC to revise CM 10-05 to allow the Secretariat, in exceptional circumstances, to issue an SVDCD and, if required, a DED in respect of the SVDCD on behalf of a non-Contracting Party (NCP) that has seized or confiscated *Dissostichus* spp. catch (Annex 6, paragraphs 151 to 153). CM 10-05 (2016) was revised and adopted.

Schemes to promote compliance

8.10 The Commission endorsed the advice of SCIC to revise CMs 10-06 and 10-07 to permit more time for the submission of information relating to IUU activities, and expand the time frame to consider IUU activity. It included obligations to notify owners of IUU-listed vessels, and for the Flag State and vessel owners to notify the Secretariat of any changes to the name, flag or ownership of vessels included in the lists (Annex 6, paragraphs 158 to 161). CM 10-06 (2016) and CM 10-07 (2016) were revised and adopted.

Compliance Evaluation Procedure

8.11 The Commission endorsed the advice of SCIC to include all conservation measures in CM 10-10 for evaluation (Annex 6, paragraphs 58 to 64). The Commission also endorsed the advice of SCIC that the status of partially compliant be removed from CM 10-10, Annex 10-10/B and the statuses of minor non-compliant and seriously, frequently or persistently non-compliant be included (Annex 6, paragraphs 167 and 168).

8.12 The Commission also endorsed the advice of SCIC to include a reference to Part D of SISO in CM 10-10 to provide consideration of compliance issues relating to those obligations (Annex 6, paragraphs 65 to 67).

8.13 The Commission agreed to revise CM 10-10 to include a process for SCIC to follow when a Contracting Party requests additional time for submitting information in relation to a specific case included in a Summary CCAMLR Compliance Report. The Commission agreed

that in these cases, SCIC shall record a provisional compliance status based on the information available, but may review the status at the next annual meeting if additional information is provided. CM 10-10 (2016) was revised and adopted.

General fishery matters

Fishery notifications

8.14 The Commission agreed to revise CMs 21-01, 21-02 and 21-03 to clarify the requirements relating to deadlines and fees in respect of notifications for new and exploratory fisheries and krill fisheries respectively.

8.15 CMs 21-01 (2016), 21-02 (2016) and 21-03 (2016) were revised and adopted.

Data reporting

8.16 The Commission endorsed the Scientific Committee's advice on the reporting of catch by taxon in CM 23-04 (SC-CAMLR-XXXV, paragraph 3.166). The Scientific Committee advised that target catch should be reported by species and by-catch should be reported by species or the lowest taxonomic level possible (e.g. species or genus). The Commission noted that this revised reporting requirement also applied to CMs 23-01, 23-02, 23-03 and 23-07. These conservation measures were revised and adopted as 23-01 (2016), 23-02 (2016), 23-03 (2016), 23-04 (2016) and 23-07 (2016).

Incidental mortality of seabirds in the course of longline fishing

8.17 The Commission noted the advice from the Scientific Committee on the additional mitigation measures that would be required for any trial use of a net monitoring cable on trawl vessels in the krill fishery and the advice from SCIC that the requirement for net cleaning be revised to be mandatory in the English version of the conservation measure so that it is consistent across all of the Commission's official languages. CM 25-03 (2016) was revised accordingly and adopted.

Krill

8.18 The Commission agreed that there should be a staged transition to 100% observer coverage in the krill fishery with a target coverage rate of no less than 50% of vessels during the 2016/17 and 2017/18 fishing seasons; no less than 75% of vessels during the 2018/19 and 2019/20 fishing seasons; and 100% coverage in subsequent fishing seasons. CM 51-06 (2016) was revised and adopted.

8.19 The Commission discussed the Scientific Committee's advice on the revision of the interim distribution of the trigger level in the krill fishery in Subareas 48.1 to 48.4 (paragraphs 5.9 to 5.11). CM 51-07 (2016) was revised and adopted.

New conservation measures for 2016/17

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 2016/17. CM 32-09 (2016) was adopted.

By-catch limits

8.21 The Commission agreed to bring forward the by-catch limits and move-on rule in Division 58.5.2 in 2016/17, and CM 33-02 (2016) was adopted.

8.22 The Commission endorsed the advice of the Scientific Committee and agreed to revise the by-catch limits and move-on rule in exploratory fisheries to harmonise the setting of catch limits for target catch and by-catch in research blocks, SSRUs and groups of SSRUs. CM 33-03 (2016) was adopted with consequential changes to by-catch limits in CM 33-03, Annex 33-03/A.

Toothfish

8.23 The Commission endorsed the advice of the Scientific Committee and agreed to carry forward the advice on catch limits in the fisheries for *D. eleginoides* in Subareas 48.3 and 48.4 and Division 58.5.2, recalling that these *D. eleginoides* fisheries are subject to a biennial stock assessment and the catch limit applies to 2016/17 (Table 2). The Commission revised the catch limits for *D. mawsoni* in the fishery in Subarea 48.4 in the 2016/17 season (paragraph 5.35). Other elements regulating this fishery were carried forward and CM 41-03 (2016) was adopted.

8.24 The Commission endorsed the Scientific Committee's advice on the requirements for exploratory fisheries for *Dissostichus* spp. This advice included clarifying the target species in each conservation measure.

8.25 The Commission considered the arrangements for research fishing in exploratory fisheries for *D. mawsoni* in Subarea 48.6 and Divisions 58.4.1, 58.4.2 and for *D. eleginoides* in Division 58.4.3a in 2016/17, and endorsed the Scientific Committee's advice on catch limits (Table 1).

8.26 The Commission also agreed to the catch limits in the exploratory fisheries for *D. mawsoni* in Subareas 88.1 and 88.2 in 2016/17 (Table 1) (SC-CAMLR-XXXV, paragraphs 3.197, 3.215 and 3.216).

8.27 The Commission noted that a separate catch limit of 40 tonnes for *D. mawsoni* in Subarea 88.1 was required for the Ross Sea shelf survey, with core strata in SSRUs 881J–L, and agreed that this research allocation be subtracted from the combined catch limit in SSRUs 881J–L in 2016/17.

8.28 The Commission agreed that the catch limits agreed in 2014 for the exploratory fishery for *Dissostichus* spp. in SSRUs 882C–H should also be applied to 2016/17 (SC-CAMLR-XXXV, paragraphs 3.215 and 3.216).

8.29 The Commission adopted the following conservation measures for exploratory fisheries:

- CM 41-01 (2016) – general measure for exploratory fisheries for *Dissostichus* spp.
- CM 41-04 (2016) – exploratory fishery for *D. mawsoni* in Subarea 48.6
- CM 41-05 (2016) – exploratory fishery for *D. mawsoni* in Division 58.4.2
- CM 41-06 (2016) – exploratory fishery for *D. eleginoides* in Division 58.4.3a
- CM 41-07 (2016) – exploratory fishery for *D. mawsoni* in Division 58.4.3b
- CM 41-09 (2016) – exploratory fishery for *D. mawsoni* in Subarea 88.1
- CM 41-10 (2016) – exploratory fishery for *D. mawsoni* in Subarea 88.2
- CM 41-11 (2016) – exploratory fishery for *D. mawsoni* in Division 58.4.1.

8.30 These conservation measures included the following limits and requirements:

- (i) all exploratory fisheries for *Dissostichus* spp. in 2016/17 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, except where specific limits are defined in related conservation measures
- (iii) the research plans and tagging protocols provided in CMs 21-02 and 41-01 apply
- (iv) a prohibition of fishing in the defined areas for registered VMEs (CM 22-09).

Icefish

8.31 The Commission endorsed the Scientific Committee's advice on the limits for the established fishery for *C. gunnari* in Division 58.5.2 in 2016/17 and 2017/18 (SC-CAMLR-XXXV, paragraphs 3.125 to 3.129). CM 42-02 (2016) was adopted.

8.32 The Commission recalled that the limits for the established fishery for *C. gunnari* in Subarea 48.3 applied to 2015/16 and 2016/17 and CM 42-01 (2015) was carried forward.

Krill

8.33 The Commission noted that no notifications had been made for exploratory fisheries for Antarctic krill (*Euphausia superba*) in 2016/17. However, the requirements of the general measure for exploratory fisheries for *E. superba* were carried forward to 2016/17 in order to provide guidance to Members who may wish to notify for these exploratory fisheries. CM 51-04 (2016) was adopted.

Other fishery matters

8.34 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.

Time-limited Special Areas for Scientific Study

8.35 The Commission adopted CM 24-04 (2016) which facilitates the establishment of time-limited Special Areas for Scientific Study in newly exposed marine areas following ice-shelf retreat or collapse in Subareas 48.1, 48.5 and 88.3 (see paragraphs 5.86 to 5.90).

8.36 The UK made the following statement:

'The UK thanks all Members who engaged constructively in working on Conservation Measure 24-04. Habitats revealed by collapsed ice shelves offer unique scientific opportunities, including for the discovery of new species, and understanding of how ecological states change. The UK considers that the adoption of this conservation measure is an important signal that CCAMLR is taking climate change seriously. Noting the scientific importance and value of marine areas newly revealed after ice shelves disappear, the UK would like to strongly encourage responsible and sustainable fishing operators to please refrain from entering into any such areas pending their formal designation under CM 24-04.'

Ross Sea region MPA

8.37 New Zealand and the USA introduced a revised proposal to establish a Ross Sea region MPA (CCAMLR-XXXV/25 Rev. 1). First submitted to the Commission in 2012 and subsequently revised in 2013, 2014 and 2015, the proposal seeks to establish an MPA 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 Commission and feedback from Members, the key revisions in the proposal are:

- (i) addition of a new krill research zone (KRZ)

- (ii) acknowledgement that there will need to be consensus of the Commission to continue the MPA beyond the agreed period of designation
- (iii) clarification regarding the conduct of research activities in the MPA.

8.38 Following further discussion during the meeting, the proponents of the Ross Sea region MPA were pleased to report that substantial progress had been made and a revised proposal (CCAMLR-XXXV/25 Rev. 1) was submitted to meet the remaining concerns of Russia. The proponents thanked Russia for its constructive approach and cooperative engagement in developing this revision. The key revisions involved the review and period of designation of the management regime for the special research zone (SRZ), the catch limit for the SRZ, the issue of research collaboration and the opening of closed areas outside the MPA upon its entry into force.

8.39 The proponents of the Ross Sea region MPA made the following statement:

‘In this revised proposal, the period of designation of the conservation measure continues to be proposed at 50 years with a hard stop. In the revision, this period of 50 years would specifically apply to the management measures in place for the general protection zone (GPZ) and the krill research zone (KRZ). Where this revision differs from previous versions, however, is that the period of designation for the management provisions, including the catch limit, in the special research zone is shortened to 30 years. I will provide more details on the 30-year period in a moment.

With respect to the 50-year timeframe for the GPZ and the KRZ, while this period of designation has been agreed to by Russia, New Zealand and the USA, we appreciate that this is an issue in which the whole CCAMLR membership takes an interest and that there are a range of views on what an appropriate period is. For this reason, we have always said that the period of designation is a decision for the Commission.

We would like to remind Members of the rationale for an indefinite MPA as originally proposed or long period of designation as is proposed in this revision. The reason for a long timeframe is that in many cases the protection objectives of the MPA proposal are ongoing or will likely take many years to understand how well they are being achieved, particularly for the objectives around the study of climate change impacts and the effects of fishing. Scientists expect ecological changes in response to these impacts to manifest over time scales of decades or at least one generation of key species. A key value of the MPA lies in its availability as a reference area over the long term. MPAs located within EEZs are normally established in perpetuity, that is, they do not expire.

In Conservation Measure 91-04 it is stated that any period of designation shall be consistent with the specific objectives of the MPA. In relation to the Ross Sea region MPA proposal, there are a number of objectives that will require the MPA to be put in place for a long time period in order for the objectives to be achieved, for example:

- specific objective (ii), which provides reference areas for monitoring natural variability and long-term change, and
- specific objective (vii), which protects core foraging areas for land-based top predators or those that experience direct trophic competition from fisheries.

Both of these objectives relate to processes that take place over significant time scales and would necessarily require long-term monitoring to understand temporal variability in these processes and thus evaluate whether they have been achieved.

30 year period of designation for the SRZ catch limits – In the special research zone after a period of 30 years, the SRZ catch limit and related provisions specified in the measure would expire, unless the Commission decides otherwise based on Scientific Committee advice outlined in the measure. If the SRZ catch limits do expire at this point, the catch limit would be set at a level not to exceed 20 percent of the total allowable catch for the Ross Sea region – the historical average catch in the area defined by the SRZ from 2005–2015 as a percent of the average overall catch for the Ross Sea region fishery during that period.

While our original proposal was to maintain the period of designation at the same level to the GPZ, this lower period of designation for the revised SRZ management provisions was a key issue for Russia.

SRZ catch limit increase – In our revised proposal we have raised the base catch limit in the special research zone from 13% to 15% of the overall catch limit for the Ross Sea fishery. The purpose of establishing this catch limit in the Special Research Zone is to achieve a gradient of fishing effort. When compared to the General Protection Zone where no fishing will occur, and to the open areas, which will be more heavily fished, the relative harvest rate for the special research zone was set at about one-third of that on the slope outside the MPA. This corresponds to about 13% of the average total catch limit for the Ross Sea region. The proposal to raise the catch limit to 15% continues to meet these objectives (and is still close to target of one-third of the harvest rate outside the MPA) but also responded to Russia's request to have a catch limit nearer to historical fishing in this area.

Research collaboration – In the revised proposal we have included additional provisions to strongly encourage Members undertaking research and monitoring activities in the MPA, consistent with the Research and Monitoring Plan, to actively explore opportunities for research collaboration with other Members. This would include inviting international cooperation in field research and data analysis, as well as joint publication of research findings and papers. The proponents will also commit to holding an international workshop next year to further define the research and monitoring plan and explore and develop these collaborative opportunities.

Review of the MPA and SRZ – Review of the MPA on a periodic basis is an essential and critical aspect of the proposal. The proposal continues to call for a review of the MPA at least every 10 years to evaluate whether the specific objectives of the MPA are still relevant, whether those objectives are being achieved, and the delivery of scientific activities identified in the research and monitoring plan.

This review would take account of the advice of the Scientific Committee and reports that are submitted by Members on the data collected according to the MPA research and monitoring plan and papers or reports of relevance to the MPA.

The scientific research objectives of the SRZ is to provide an area for better understanding the Antarctic marine ecosystem and the effects of fishing separate from

climate change, and to underpin the Antarctic toothfish stock assessment by contributing to a robust tagging program and the understanding of toothfish distribution and movement within the Ross Sea region. A new paragraph specific to the review of the SRZ has been added.

This new provision would require that the Scientific Committee review the management regime for the SRZ in advance of the 30-year expiration of the SRZ catch limit, with the aim of determining whether the specific objectives relevant to the SRZ are being achieved. This review would inform any Commission decisions that would be taken around the time that the catch limits in the SRZ would be set to expire 30 years after the start of the MPA.

Process for opening closed SSRUs outside the proposed MPA – The revised proposal provides additional certainty and clarity around the opening of closed areas outside the MPA upon its entry into force of the MPA. We have included a new operative paragraph in the proposed conservation measure to provide Members with assurance that we intend for areas outside the MPA to be opened to fishing when the MPA enters into force.

The revised measure specifies that on entry into force, all areas outside the MPA within Subarea 88.1 and SSRUs 882 A and B shall be managed as open areas based on advice from the Scientific Committee and its Working Group on Fish Stock Assessment.

The following process is proposed to implement this provision:

- At the time the proposal is adopted, the current system of SSRUs and the spatial catch-limit allocations in the Ross Sea region defined in CM 41-09 shall continue to apply for the subsequent fishing season (2016/17).
- When the MPA enters into force, all areas outside the MPA will be open to fishing, and the catch limit will be distributed among areas north and south of 70°S on the basis of seabed area, including to formerly closed SSRUs or SSRUs with zero catch limits. The spatial distribution of catch limits outside the MPA and within the SRZ will be established in revised versions of CMs 41-09 and 41-10.
- This approach to spatially dividing the total catch limit will apply for three fishing seasons, to allow time for increased data collection from previously closed areas over the seamounts in the northern Ross Sea region.
- WG-FSA and the Scientific Committee will then be tasked with designing and advising on a spatial catch-limit allocation consistent with the MPA and based on the data collected during these first three fishing seasons.
- This revised spatial catch-limit allocation will be submitted for adoption by the Commission at our annual meeting in 2020, for implementation during the 2020/21 fishing season and thereafter.

If the Scientific Committee and Commission fail to achieve consensus regarding the spatial distribution of the catch limit prior to the 2020/21 season, the catch limit for the Ross Sea region (Subarea 88.1 and SSRUs 882A–B) shall continue to be distributed

among areas north and south of 70°S and outside the MPA on the basis of seabed area, and this distribution shall continue until such time as consensus on a new spatial catch-limit allocation is achieved.

Other measures that will need to be amended – To fully implement the conservation measure found in CCAMLR-XXXV/25 Rev. 1, a number of existing conservation measures would need to be revised. While we have not proposed any specific changes in these other measures, we thought it would be useful to highlight the range of revisions that will need to be done.

The changes are primarily attributable to the creation of the general protection, special research, and krill research zones and modifications to respective fisheries.

The conservation measures needing revision include:

- 32-02 (Prohibition of directed fishing)
- 33-03 (Limitation of by-catch in new and exploratory fisheries)
- 41-09 (Limits on the exploratory fishery for *Dissostichus* spp. in Statistical Subarea 88.1)
- 41-10 (Limits on the exploratory fishery for *Dissostichus* spp. in Statistical Subarea 88.2).

Further, CM 41-01 (General measures for exploratory fisheries for *Dissostichus* spp. in the Convention Area) may need to be revised if the boundaries of the SSRUs are revised in the process of establishing a spatial catch-limit allocation.

We have come a long way with the help of all Members. Now we must ask Members for a considerable amount of time and attention during the final days of this meeting so that CCAMLR can finally establish this MPA. Thus, we request that the meeting agree to pass the draft conservation measure to the conservation measure drafting group for further and final work leading to conclusion of the negotiations of this conservation measure on Thursday.'

8.40 Russia made the following statement:

'We would also like to make a number of comments about the updated version of the proposal to establish a marine protected area in the Ross Sea. In our view, this version takes full account of the balance between the MPA's environmental goals and the legal rights and interests of States that conduct fishing in this region.

In addition to what was said by the representative of New Zealand, we would like to emphasise that a multi-purpose regime is being proposed for the special research zone and for that very reason a shorter period of designation is envisioned for it than for the overall MPA.

We consider the provision relating to the opening of SSRUs outside the MPA, for which zero catches are currently set, to be important. Due to the opening of these areas, a three-year transitional period is established which makes it possible to obtain

scientific data on the stocks of marine bioresources in re-opened areas. We believe that such an approach is justified and pragmatic, since it allows us to make decisions regarding the regulation of fisheries based on a sound scientific basis.

In our view, it is also significant that the proposal was able to accommodate provisions related to the strengthening of international cooperation aimed at obtaining scientific data with the engagement of all stakeholder Members.

Thus, noting that in the updated version of their proposal the document's co-sponsors have taken into account the concerns raised by the Russian Federation, we are prepared to send this proposal to the drafting group.'

8.41 Members thanked the delegations of New Zealand, Russia and the USA for their work on bringing the Ross Sea region MPA to this advanced stage. Members also agreed that the approval of this MPA by the Commission would be a timely and welcome message to be delivered by CCAMLR. It was also a significant incentive for all Members currently working on establishing MPAs within the Convention Area, such as the current proposal being developed in Planning Domain 1, East Antarctica and the Weddell Sea.

8.42 The EU noted that the proposal had been discussed for several years and that it would represent an important element in creating a representative system of MPAs in the Convention Area, a priority that the Commission has adopted. The EU expressed its gratitude for the comments and discussions that the proponents had with interested Members before and during the meeting. The EU considered the proposal was sufficiently advanced and hoped to proceed with the proposal.

8.43 The Republic of Korea made the following statement:

'The Delegation of Korea would like to appreciate the Delegations of New Zealand and the USA for bringing forward the revised proposal for the establishment of an MPA in the Ross Sea. Korea would also like to thank the Russian Delegation for its cooperation in moving this proposal forward. Korea appreciates the proponents' responsiveness, which has resulted in the expansion of the special research zone into SSRU 882A with a proportional increase in the catch limit for this zone, and a further reduction in the size of the general protection zone in the northwestern area.

Regarding the newly introduced krill research zone, Korea believes that the KRZ should also have proper and clear objectives and reasonable management plans for the attainment of the objectives, rather than to apply the current krill measures to the zone. Korea looks forward to further discussion on this matter at the workshop on research and monitoring of the Ross Sea MPA that has been proposed by the proponents of this proposal.

Korea would also like to inform the distinguished delegates that the Korean government is planning to conduct research in the Antarctic Ocean using its research ice-breaker *Araon* on climate change and ecosystem. In this regard, the designation of the Ross Sea MPA should be without prejudice to this research and Korea's operation of Jangbogo Station located in Terra Nova Bay.

Korea has been supportive of the establishment of an MPA in the Ross Sea and this support still stands. Korea looks forward to constructive discussions on this proposal at the drafting group.'

8.44 Japan sought further information on the basis for allocating catch limits in the areas open to fishing north and south of 70°S. In addition, Japan reiterated the importance of a shorter period of designation in view of climate change and associated dynamic changes which are occurring in the Antarctic marine ecosystem. In Japan's view, the period of designation should be based on Article II of the Convention and in the order of two or three decades.

8.45 Argentina recalled that Article II of the Convention established two or three decades for ecosystem recovery for species which were first impacted by commercial fishing activities in the Antarctic region. In this respect, Argentina recalled that the Convention was signed in the 1980, when knowledge regarding species recovery timeframes was scarce. It further called attention to the fact that, since then, there are still some species that have not recovered, hence the proposed 50-year period appeared to be more in line with CCAMLR's fundamental value: the precautionary principle.

8.46 The Commission congratulated New Zealand, Russia and the USA for this breakthrough and Members expressed their appreciation at the efforts made in developing the proposal. The Commission thanked Members for the overwhelming support for this revised proposal.

8.47 The Commission referred the proposal on the Ross Sea region MPA to the conservation measures drafting group for further discussion and drafting.

8.48 The Commission adopted CM 91-05 (2016) which establishes the Ross Sea region MPA (CM 91-05, Figure 1), commencing 1 December 2017. The MPA is designated to contribute to the following specific objectives, in line with Article II of the Convention:

- (i) to conserve natural ecological structure, dynamics and function throughout the Ross Sea region at all levels of biological organisation, by protecting habitats that are important to native mammals, birds, fishes and invertebrates
- (ii) to provide reference areas for monitoring natural variability and long-term change, and in particular an SRZ, in which fishing is limited to better gauge the ecosystem effects of climate change and fishing, to provide other opportunities for better understanding the Antarctic marine ecosystem, to underpin the Antarctic toothfish stock assessment by contributing to a robust tagging program and to improve understanding of toothfish distribution and movement within the Ross Sea region
- (iii) to promote research and other scientific activities (including monitoring) focused on marine living resources
- (iv) to conserve biodiversity by protecting representative portions of benthic and pelagic marine environments in areas where fewer data exist to define more specific protection objectives
- (v) to protect large-scale ecosystem processes responsible for the productivity and functional integrity of the ecosystem
- (vi) to protect core distributions of trophically dominant pelagic prey species

- (vii) to protect core foraging areas for land-based top predators or those that may experience direct trophic competition from fisheries
- (viii) to protect coastal locations of particular ecological importance
- (ix) to protect areas of importance in the life cycle of Antarctic toothfish
- (x) to protect known rare or vulnerable benthic habitats
- (xi) to promote research and scientific understanding of krill, including in the KRZ in the northwestern Ross Sea region.

8.49 In addition, CM 91-05 describes:

- (i) restricted, prohibited and managed activities
- (ii) a management plan
- (iii) priority elements for scientific research
- (iv) reporting requirements
- (v) a review of the MPA
- (vi) a period of designation
- (vii) compliance and monitoring
- (viii) cooperation with other States and organisations.

8.50 On the establishment of the Ross Sea region MPA, the USA stated:

‘I want to say a few words on this special occasion. The Commission has been working on this proposal for many years, and its adoption today is a milestone for CCAMLR and for international marine conservation efforts at large.

We have established a large-scale, science-based marine protected area that strikes a compromise among our cumulative interests in ecosystem protection, scientific research and sustainable use in the Ross Sea. In doing so, we also established the world’s largest MPA and therein made a significant contribution to global marine protection objectives of the international community. This demonstrates that CCAMLR is, per its reputation, continuing to lead the way in science-based decision-making related to ecosystem-based marine conservation and fisheries management.

This is a major step for CCAMLR and for the Antarctic Treaty System. It clearly demonstrates that the governments that are part of the Treaty System are willing and able to make progress in areas that are important for Antarctic policy.

I want to thank New Zealand for its collaboration with us as co-sponsor over these years. Our teams and senior officials have put a great deal of effort into this. And I wish to thank all Members, who have worked closely with us to steadily improve the proposal until they could, as we’ve seen, reach a relatively smooth agreement in the drafting committee at this meeting.

I especially want to recognise and thank all the dedicated scientists who have worked in the field and the laboratory to collect and analyse the data on which the MPA is founded. Our collective success to adopt the MPA is a lasting tribute to the Antarctic science community.

I also want to thank Russia for its cooperation, which was the final step needed for success. Similarly, I want to thank China for coming on board last year.

I want to recognise the role of civil society in this achievement, and thank the numerous non-governmental conservation and scientific organisations that have helped build and promote global awareness of the importance of Antarctic marine conservation and contributed to the scientific foundation of this effort.

I also think it is appropriate to recognize Australia for its leadership in proposing what eventually became Conservation Measure 91-04, which has acted as a map guiding our work, and will continue to guide progress on other Antarctic MPAs that we hope will be established in the near future.

As we know, CCAMLR acts by consensus, and thus all Members are deserving of credit for this accomplishment. This is, indeed, a CCAMLR MPA and its implementation and management is the responsibility of all of us.

This MPA is a powerful conservation tool, and its value lies not in its mere establishment but in how it is used – to further research and science, to establish reference areas, to conserve biodiversity, to protect large-scale ecosystem processes and protect distributions of key prey and predator species, among other specific objectives. We look forward to working within CCAMLR to develop the MPA research and monitoring plan and working towards accomplishing the MPA's conservation and scientific objectives.'

8.51 New Zealand made the following statement:

'Today, CCAMLR is making history. Together, we have created the world's largest marine protected area. We have enhanced our ability to protect and conserve a region of global significance. During the years that we have been working towards this goal, we have talked for many hours here in Commission, at the Scientific Committee, at its working groups, at workshops, over dinners, at the pub, in each other's capitals – it has been a truly global discussion, joined by ministers, presidents, prime ministers and of course movie stars.

While New Zealand and the USA have been co-proponents, today, this is an achievement that we all as CCAMLR together should celebrate.

For New Zealand, this has been a long-term investment of our science, our conservation expertise and our diplomacy. I would like to acknowledge the efforts of a huge range of people, some of whom are here today, but many who aren't (but would like to be). I do not just mean the many scientists, policy makers and diplomats that have worked on this proposal, but also the people that have supported them, including the families who have tolerated their long hours and lengthy absences conducting research or consultations. For my team behind me, your commitment has been astonishing and I can't thank you enough.

I would like to express our pride at our strong partnership with the USA and our thanks to Evan his team for the many, many hours that we have spent striving to make this day happen. We worked incredibly hard to bring our differing ideas together in 2012, and since then, we have used our respective strengths to build a united proposal

for the benefit of all. It has been a real journey, that has taken us around the world, lost us many hours of sleep, has expanded our perspectives as neighbours in the Ross Sea region, and has enriched and bettered our partnership.

I would like to acknowledge all of those from other delegations who have been involved throughout the years, who have provided informed and constructive advice, suggestions for modifications, contributed their science and who have improved the various elements of the MPA. I would like, particularly, to acknowledge those countries that needed the most persuading, especially China and Russia. In many ways this has been the hardest journey for you. In order to reach agreement, we have all had to strengthen our trust, our knowledge, our collaboration and our mutual support and respect – all elements that make CCAMLR such a strong and leading organisation.

I would also like to recall and recognise the particular efforts of Germany, in its hosting in 2013 of the Special Meetings of the Commission and Scientific Committee. That was my first meeting of CCAMLR. While those meetings did not result in agreement to any MPAs, we believe that it provided an important opportunity for Members to engage and provide the specific comment on the proposal that in the end moved closer towards consensus.

As we move into the implementation phase of the MPA, we hope that these qualities will continue and develop even further as we work together on joint research, monitoring and review, and bring in a new era of collaboration for our organisation.

I would also like to take this opportunity to acknowledge the support and commitment of NGOs and other Observers to CCAMLR towards our achievement today. In particular, their efforts to raise the awareness of the wider global community about this proposal has been significant in generating understanding, interest and engagement regarding marine protection issues in Antarctic waters. They have reminded us that the world cares about the work we do here.

We have been determined throughout, that this MPA should follow a robust and transparent scientific process, driven by agreed protection objectives and supported by rigorous scientific data and analysis. We have also been determined to ensure that this is a CCAMLR MPA, which is owned collectively.

Antarctica is a unique and fragile environment, playing a critical role in regulating the global climate. The Ross Sea region has tremendous ecological and scientific importance. We have today agreed to a marine protected area that balances conservation with sustainable fishing and science interests. We look forward to achievement of the objectives of the MPA through ongoing research and monitoring, and state here our commitment to that important work, and encouragement of other Members to contribute their expertise to research and monitoring in the Ross Sea region MPA.

On this note, we would like to announce here our intention to organise a workshop in the first half of 2017, to revise the draft Ross Sea region MPA research and monitoring plan, and to work through the many issues we need to consider to streamline the work required before the MPA comes into effect on 1 December next year. This will not only allow for the research and monitoring plan to be revised in line with what we have agreed this week, but also provide the opportunity for other Members to provide

their contributions to research and monitoring objectives for this CCAMLR MPA. We anticipate that this will also provide an opportunity for Members to identify ways in which we can collaborate on research in the Ross Sea region.

We would like to, therefore, propose the establishment of a Ross Sea MPA implementation e-group, to be jointly convened by New Zealand and the USA. This will provide a forum to develop terms of reference for the workshop and also to discuss our preparations for entry into force.

This is a proud time for CCAMLR. Today we have agreed to a marine protected area that is the world's largest, providing protection for the Ross Sea region's unique species, habitats and ecological processes, providing opportunities for scientific research and allowing for sustainable fishing to continue. Once again, I thank you all for your efforts in ensuring CCAMLR maintains its leadership in the conservation of Antarctic marine living resources.

Finally, I would like to give New Zealand's encouragement to the proponents of marine protected area proposals that remain on the table at CCAMLR and those Members working towards development of MPA proposals. To Australia and to the EU and its member states, particularly France and Germany – the work you have undertaken to date is commendable. We continue to support your proposals and stand ready to assist with progressing them to agreement and ensuring that CCAMLR stays true to its commitment to develop a system of protected areas in the Convention Area.'

8.52 Argentina made the following statement:

'Argentina would like to thank the USA and New Zealand for the hard work on the proposal for the Ross Sea MPA. This is indeed a historical moment which allows the Commission to recover a leadership on conservation of marine living resources which some may have felt was wearing down. This is a significant step that enhances this organisation, and sends a strong message not only to the international community, but also to the Members, particularly to those working on other MPA proposals to be introduced in upcoming years.'

8.53 The EU made the following statement:

'We welcome the very positive outcome of this year's meeting with regard to the adoption of the Ross Sea region MPA. The adoption of the Ross Sea region MPA represents a milestone in the history of CCAMLR, strengthening its commitment to pursue its institutional goal of the conservation of Antarctic marine living resources. We are encouraged that CCAMLR Members were able to agree on a major conservation measure after five years of discussions. Our preference, however, would have been to establish the Ross Sea region MPA for an unlimited duration. We are disappointed that no consensus was reached on this point.

We consider the agreement on the Ross Sea region MPA as an important step in the right direction. Our task as a Commission Member does not end here, however. There are other MPA proposals on the table that will need our attention if we want to fulfil our commitment to establish a representative system of MPAs in the CAMLR Convention Area.

The East Antarctica MPA and Weddell Sea MPA proposals cover different parts of the Convention Area, are based on different scientific data and are subject to different constraints. Therefore, questions such as duration and review will be assessed by taking into account the specific characteristics of each proposal, based on their respective merits.'

8.54 Belgium made the following statement:

'Belgium would like to thank all CCAMLR Members for their efforts for this achievement. I believe my predecessors would be glad to see the progress that we've made over a long period. Furthermore we would like to subscribe to the statement made by the EU.'

8.55 Chile made the following statement:

'I believe all Members of the Commission recognise that this is a historical day for CCAMLR. It is an appropriate moment to thank and recognise years of work by the proponents to establish a marine protected area for the Ross Sea region. Their efforts have finally been fruitful. But it is also necessary to recognise the efforts made by all Members of the Commission, since this is a collective initiative. This MPA opens numerous opportunities with regard to scientific research. This initiative is also consistent with the objectives of the Convention, as it also seeks to protect fragile and unique ecosystems.

This is only the first step in the establishment of a representative system of marine protected areas, to which Chile is fully committed. It is also an excellent sign for other proposals, some already at the Commission level, others still in construction. In this regard, Chile reaffirms its commitment to continue to work jointly with Argentina in a MPA proposal for Domain 1.'

8.56 China made the following statement:

'China would like to thank the proponents of the Ross Sea MPA proposal for the huge amount of work they have done in the past years and their endeavour in accommodating the concerns of all the Members of the Commission, which lead us to this point. The adoption of the proposal marks the starting point of a new process, namely the implementation of the MPA in the next 35 years or even longer, during which we will have more work to do. Since science is the basis of the work of the Commission, the effective implementation of the MPA depends on a sound research and monitoring plan. China hopes that the Commission could consider and adopt this plan as soon as possible. As the MPA is a relatively new conservation tool, there will be new problems arising during the implementation phase. China will continue to commit itself to working closely with all Members to pursue the effective implementation of this MPA and the achievement of the objective of the Convention.'

8.57 France made the following statement:

'We wish to applaud the creation of the Ross Sea region MPA, following several years of tough negotiations which have come to a positive conclusion. We would also like to congratulate the countries that have seen this initiative through to fruition and we thank all those who have enabled a compromise to be reached. The MPA created in the Ross Sea reflects the specific character of this maritime region.'

We would like to highlight the significant mobilisation of the scientific community over a number of years, which has enabled us to achieve this outcome. It constitutes a step forward for the protection of the marine environment of the Southern Ocean and is an encouragement for the future.

This 35th meeting has also concluded with positive developments in other areas; in this regard we congratulate the EU and the UK for successfully carrying forward the project on ice shelves threatened by the consequences of climate change.

We would like to remind you of France's commitment to the establishment of a representative system of marine protected areas, including in the Southern Ocean, in line with the objective that CCAMLR has set for itself.

Next year we will consider other MPA projects, such as those on East Antarctica and the Weddell Sea. These future measures will need to be tailored to the ecological characteristics specific to each area. Furthermore, we consider that MPAs should not be subject to time limits.

We must send a proactive message to support the presentation of future projects for the Antarctic Peninsula and the sub-Antarctic Indian Ocean sector, including the challenges we face with regard to climate change.

Finally, we hope that the draft MPA proposed for East Antarctica, which takes into consideration the specific characteristics of that region, will be adopted next year. We have had useful discussions on this subject with a number of delegations and we hope to pursue these contacts in order to achieve consensus next year.'

8.58 Germany made the following statement:

'In support of the statement made by the EU and echoing the comments of previous speakers I would like to congratulate the proponents for their outstanding work on the Ross Sea MPA and thank all Members that have worked so hard to reach the consensus in front of us which I, personally, had very much hoped for three years ago in Bremerhaven. As you know we are very supportive of CCAMLR's work on MPAs and therefore we very much appreciate what has been achieved regarding the Ross Sea MPA.

However, I have to underline that we would have preferred an indefinite duration of the MPA, reflecting the purpose and objective of the creation of an MPA and which is in line with internationally agreed practice.

On the other hand, we understand that we face special conditions in the Ross Sea region that justify an approach tailored for this region. Against this background, I would like to underline that the approach chosen for the Ross Sea should not set a precedent for other MPAs in the area and globally.'

8.59 Italy made the following statement:

'Italy is pleased to join all the CCAMLR Members for the celebration of the big achievement reached this year at the XXXV CCAMLR meeting: the establishment of the Ross Sea region marine protected area, which represents a milestone in the history of this organisation, whose institutional goal is the conservation of Antarctic marine living resources.

Italy has been traditionally involved in research activities in the Ross Sea region developing fruitful scientific and logistic cooperation with CCAMLR Members.

Italy wishes to outline that the Italian research station “Mario Zucchelli” is located in Terra Nova Bay, a strategic coastal area of the Ross Sea taking into account the marine research and monitoring activities.

Italy is highly engaged in CCAMLR activity and has recently hosted two CCAMLR Working Groups (WG-SAM and WG-EMM) in Genoa and Bologna. Within the framework of WG-EMM in Bologna, a Symposium on the Ross Sea Ecosystem was organised to update the knowledge of ongoing marine research activities in the Ross Sea carried out also by non-CCAMLR scientists.

In light of what was recalled above, Italy is eager to actively participate in the research and monitoring plan of the Ross Sea region marine protected area and is committed to cooperating with other interested CCAMLR Members to ensure the effectiveness of this conservation measure with the spirit of preserving this very important pristine area of the planet in the interest of future generations.’

8.60 Japan made the following statement:

‘As Japan mentioned in its previous interventions many times, establishing the MPA is not an objective. It’s just a start as mentioned by our Chinese colleague. I do hope that this Ross Sea MPA, which is the first MPA established since CM 91-04 came into force, will become a good model for future possible MPAs in CCAMLR and in other regional fishery management organisations (RFMOs) by effectively and efficiently achieving its specific objectives described in CM 91-05. We all need to make significant efforts to prepare for the review which will come in the near future.’

8.61 The Republic of Korea made the following statement:

‘Korea would like to celebrate this historic achievement we have made, and also would like to thank all the delegations for significant efforts and contributions to reach final consensus. Korea will make every effort to fully comply with measures regarding the newly established MPA, recognising the importance of the conservation of pristine Antarctic ecosystem. Korea expects future workshops will be organised regarding the MPA and will actively contribute to setting detailed monitoring and research guidelines to achieve the objectives of the MPA.’

8.62 Namibia made the following statement:

‘Namibia would also like to thank all Members of the Commission for the good cooperation that prevailed over the years and which led to the adoption of the Ross Sea MPA proposal and we hope to see such spirit of good cooperation in future work of the Commission. The successful conclusion of this MPA should serve as an example that no amount of work is insurmountable for this Commission. We hope to see that this MPA shall achieve the objectives for which it is established and Namibia looks forward to working with all Members of the Commission, in order to achieve such objectives.’

8.63 Norway made the following statement:

‘Norway wants to echo others in stating that this is a historic decision. We are very glad to see it finally happening, and we think we have every reason to be proud.

This MPA is a result of science-based decision making. It is developed using best available science to promote the most appropriate levels of protection and rational use of the resources in the Ross Sea.

We want to express our gratitude to the Delegations of New Zealand and the USA for their proposal, their hard work and for their interventions today, telling us that they are willing to take leadership also for the coming implementation of the MPA. As we all had a role, smaller or bigger, in developing and adopting this MPA, we will all have a role in implementing it. Norway is strongly committed to contribute to the research and monitoring plan and increasing our scientific knowledge about the region. Only in applying science, will we be able to develop this MPA in line with our decision here today and secure the scientifically sound management goals for the Ross Sea.’

8.64 South Africa made the following statement:

‘The Delegation of South Africa would like to congratulate both the Delegation of the USA and the Delegation of New Zealand for their tireless efforts and the sterling job they have done to get us here. We equally commend all the delegations that have supported this endeavour over the years because without their firm commitment this day would not have been realised. As the South African Delegation, we have continued to air our support to the establishment of MPAs in the Convention Area, on condition that all Members are in agreement of the conditions upon which the MPA will be established. We strongly believe that this great historical achievement will assist CCAMLR to continue to improve on its quest to protect biodiversity and management of all the activities about the effectiveness of this MPA during the designated period and beyond.’

8.65 Spain made the following statement:

‘Spain agrees with the statement made by the EU, and thanks and congratulates the USA and New Zealand for the work carried out over the last few years, and for not having lost faith until the Ross Sea MPA was adopted. Our delegation, however, would have preferred that the period of validity of the MPA was unlimited.

We would also like to thank all the Members of CCAMLR for having reached consensus for this important step forward to be taken towards a greater protection for Antarctica.

In addition, we would like to thank the proponents of the East Antarctica and the Weddell Sea MPAs, and encourage them to continue their excellent work. They can be sure to count on Spain’s support, in the conviction that we are close to reaching our objectives. And, as I said during SCIC, in my presentation about the measures taken by Spain against IUU fishing, the fight will go on.’

8.66 Sweden made the following statement:

‘We congratulate the Delegations of the USA and New Zealand for their amazing persistence and dedication over the last several years in order to finally arrive at this moment. Last year the Swedish Delegation referring to long-lived organisms in the Antarctic ecosystem stated that time-bound MPAs are generally considered suboptimal. Reinforcing that notion, we recently learned that there is a fish species that lives for 400 years.

An end date of 35 years, as agreed this year for the Ross Sea region MPA, is a compromise we all needed to accept. However, we understand that it is unique to this specific MPA as we join in celebrating this as an important step in the CCAMLR history. Our position is that MPAs should be designated for an indefinite period, but that management measures within or outside MPAs should be adaptive and responsive to change.’

8.67 The UK made the following statement:

‘Along with others, the UK congratulates the proponents of the Ross Sea region marine protected area for all of their hard work and commitment in negotiating this agreement. The UK has supported the establishment of a large-scale MPA in the Ross Sea region since the idea was first introduced to the Commission. We would like to express our sincere gratitude for the goodwill and flexibility shown by all colleagues, and personally to the Chair of the Commission for his personal contribution to supporting the final negotiations. The UK recognises this agreement as a unique solution for a unique region. The designation of this region marks a major step forward for CCAMLR and puts us back on the right path towards showing global leadership in marine ecosystem protection and management. However, we also recognise that there is still a great deal left to be achieved to ensure the enduring conservation of the marine living resources of the Antarctic. We look forward to taking another step forward next year.’

8.68 Uruguay made the following statement:

‘Our Delegation would like to join with other Members in expressing our thanks to the Delegations of New Zealand and the USA in particular, for the tireless efforts towards the establishment of the first marine protected area in the Ross Sea.

We would also like to congratulate the other Members and the CCAMLR Secretariat, who have continued to work together towards this objective.

Uruguay has always worked cooperatively towards the aim of the conservation of the Antarctic marine ecosystem and considers that the recently established Ross Sea marine protected area is an effective tool for achieving a better scientific understanding of Antarctica.

Always with the multilateral framework for management that defines CCAMLR in mind, we can foresee other proposals for marine protected areas that will enable us to further advance into this new era for CCAMLR.’

8.69 Australia made the following statement:

‘Australia welcomes the establishment of a Ross Sea region MPA in the Southern Ocean. This is a key step for CCAMLR in taking action to achieve its conservation mandate. We congratulate the Commission in taking action towards fulfilling its commitment from 2009 to establish a representative system of MPAs within the CCAMLR area.

This is a significant achievement for the Commission. We have demonstrated our commitment to making tough but important decisions, cooperatively, and in the spirit of CCAMLR.

Australia’s position on the duration of MPAs remains. Notwithstanding this, and with the CCAMLR spirit in mind, we appreciate that sometimes compromise is required in order to account for the views of all Members.

As we have said previously, we note CM 91-04 allows for different approaches towards the development of MPAs which take account of specific factors for each area. In this regard we note that while the Ross Sea region MPA is consistent with CM 91-04, CM 91-04 allows for creativity in both the design and approach to creating MPAs. As such it is important to note that while being consistent with CM 91-04 the Ross Sea region MPA should not be seen as the model for future MPAs to be adopted by this Commission.

Although, regrettably, the Commission was unable to also agree to establish the EARSMPA, the adoption of the Ross Sea region MPA is clearly a step in the right direction for a representative system of MPAs.’

8.70 ASOC made the following statement:

‘This is a good day for CCAMLR, good day for Antarctica, good day for all of us.

ASOC would like to congratulate the USA, New Zealand, and the Russian Federation as well as all CCAMLR Members for coming to agreement on the Ross Sea. We would like to thank the USA and New Zealand for their tremendous efforts over the past few years to champion this proposal. We think this is a significant achievement for CCAMLR and all its Members that represents the spirit of cooperation that CCAMLR is known for.

We also want to thank the nations that were initially hesitant about the Ross Sea proposal, including Russia and China. We recognise that MPAs are still a new concept for some and appreciate their willingness to work on accomplishing these objectives.

It is a tremendous accomplishment to have provided protection for a biologically diverse region that is considered one of the most intact ecosystems on the planet. We must note that we are disappointed that these protections are not permanent as this is not only the international standard, but also because scientific research demonstrates that this is the best way to protect ecosystems and conserve biodiversity in the long term. However, we are hopeful that going forward, CCAMLR can agree to indefinite duration.

ASOC would also like to thank Australia, the EU, France, Germany, Argentina and Chile for their work on the East Antarctic, Weddell Sea and Antarctic Peninsula

MPAs. We look forward to seeing these MPAs designated in the coming years. We are hopeful that today is just the start of CCAMLR fulfilling its commitment to a circumpolar system of MPAs in the Southern Ocean.

Finally, we want to acknowledge the millions of citizens who represent all of civil society who supported this effort. And particularly we also want to recognise Jim Barnes, one of the founders of ASOC, and our late colleague Elyssa Rosen who was passionate about Southern Ocean protection – this is a great testament to her life and work as a wilderness advocate.

So thanks again to everyone who has worked on this, and we are looking forward to working together to make additional progress on MPAs over the coming year.’

8.71 ARK made the following statement:

‘ARK would like to congratulate the Commission on the establishment of the Ross Sea MPA. With regard to the UK’s comments on CM 24-04 (paragraph 8.36), ARK would like to reiterate that it is committed to assisting the Commission and the Scientific Committee to meet the goals of the Convention. As has been demonstrated earlier in the meeting, ARK is prepared to take voluntary action to assist the work of the Scientific Committee and the Commission. ARK will continue to work with the Scientific Committee to ensure that the activities of member’s vessels do not impede the scientific work of the committee.’

8.72 COLTO made the following statement:

‘COLTO would like to add our congratulations to the Commission on the outcome of the Ross Sea MPA. It is a clear example of the power of positive collaboration amongst all the CCAMLR Members.’

8.73 Oceanites made the following statement:

‘Oceanites adds its congratulations to the Commission on the establishment of the Ross Sea MPA. This is a wonderful achievement and a most notable, excellent day in CCAMLR’s history.’

Proposals for new conservation measures

Marine protected areas

East Antarctica

8.74 Australia and the EU and its member states introduced a revised proposal to establish a representative system of MPAs in the East Antarctica planning domain (EARSMPA) (CCAMLR-XXXV/15 Rev. 2). The proponents noted that they had improved and refined the proposal since 2012 to take account of Members’ views, and most recently had sought to consult with Members on the issues raised at CCAMLR-XXXIV (2015). The proponents noted that, while the fundamental principles remain, significant concessions have been incorporated into the proposal, including:

- changing the proposal from a closed system with multiple-use activities requiring approval, to an open system where activities are allowed until a decision by the Commission is made to modify them
- removing the specific management provisions and instead creating a process whereby the Commission would manage activities through existing conservation measures to take account of the objectives of the MPAs
- reducing the proposal from seven MPAs to three MPAs.

8.75 Australia, the EU and its member states noted that, at CCAMLR-XXXIV, most Members agreed that the proposal had addressed their concerns, and that the EARSMPA provides an important conservation and management tool. The proponents recalled the commitment by the Commission in 2009 to achieve a representative system of MPAs within the CCAMLR area by 2012 (CCAMLR-XXVIII, paragraph 7.19). The proponents thanked Members for their continued open and constructive contributions to the proposal.

8.76 Norway expressed its support for this proposal, and noted that the approach taken by the proponents differed to that taken by the proponents of the Ross Sea region MPA. The necessarily different approach taken in the proposed EARSMPA reflected the limited scientific information available, and such an approach should be considered by CCAMLR as an approach for similar data-deficient areas around Antarctica.

8.77 Russia presented CCAMLR-XXXV/21 that provided comments on the proposed EARSMPA. Russia requested further clarification of the MPA objectives, monitoring and research plan, and criteria for assessing whether the MPA's specific objectives may be achieved. Russia also believed each of the proposed MPAs in the East Antarctic System (MacRobertson, Drygalski and D'Urville) should be the subject of separate measures, each with a monitoring plan and reporting period.

8.78 Russia noted that the approach used in developing this MPA proposal was different to that taken in developing the Ross Sea region MPA and also different to that taken to establish the SOISS MPA. Russia advised that a single approach is required to develop MPAs in the Convention Area.

8.79 China requested that further consideration be given to the research and management plan, the period of designation and a clear description of the objectives and restricted or prohibited activities in each proposed MPA.

8.80 Japan requested that further consideration be given to the period of designation.

8.81 The Commission thanked the proponents of the proposed EARSMPA for the extensive work undertaken so far and encouraged all Members to engage in further cooperative discussions so that this proposal may be considered by the Commission in 2017.

8.82 The EU noted that the proposal had been discussed for several years and that it would represent an important element in creating a representative system of MPAs in the Convention Area, a priority that the Commission has adopted.

8.83 The EU expressed its gratitude for the comments and discussions that the proponents had with interested Members before and during the meeting. The EU considered the proposal was sufficiently advanced and hoped to proceed with the proposal.

8.84 Australia noted that while, regrettably, the Commission was unable to agree to the establishment of the EARSMPA, the adoption of the Ross Sea region MPA is clearly a step in the right direction towards achieving a representative system of MPAs. Australia thanked Members for their continued support for the EARSMPA, and noted its aspiration to achieving a representative system of MPAs in the Convention Area, and, in particular, to achieving the objectives for the EARSMPA.

Weddell Sea

8.85 Germany and the EU introduced a proposal by the EU and its member states to establish a WSMPA (CCAMLR-XXXV/18). The EU noted that a representative system of MPAs in the Convention Area was a priority for the Commission. The EU also highlighted that the Weddell Sea MPA proposal would be one important chain in such a system. The scientific background to support the development of a WSMPA has been developed continuously during the last four years and the WSMPA scenario development followed the systematic conservation planning approach. Extensive environmental and ecological datasets were compiled and analysed and conservation objectives and targets for protection were defined and prioritised with input from two international expert workshops.

8.86 Germany made the following introductory statement:

‘As we all know, the Antarctic is one of our planet’s last remaining nature reserves. It boasts vast biological resources and unmatched biodiversity. This biodiversity has immense ecological value. Ensuring that this outstanding ecosystem remains intact should be of paramount importance for all of us.

Precisely because the Antarctic provides space for unique ecosystems, we need to pay special attention to the environmental sustainability of our activities in this region. This is why the creation of marine protected areas is of such vital importance.

CCAMLR has the knowledge and the capacity to be once again the frontrunner when it comes to the conservation and sustainable use of marine resources on the high seas. Therefore, CCAMLR should play a leading international role in the establishment of marine protected areas and in shaping the future of Antarctica.

To date, globally only around 2% of coastal and marine areas are designated as ecologically representative and well-connected systems of marine protected areas. Thus, it is evident that we are still far away from fulfilling our international obligations as already set out in the conclusions of the Johannesburg Summit on Sustainable Development in 2002 and the Strategic Plan for Biodiversity adopted in Nagoya in 2010. This plan clearly states that at least 10% of coastal and marine areas should be protected. Last year, this goal has been reaffirmed at the UN Sustainable Development Summit in New York and is now part of the Sustainable Development Goal 14 on the conservation and sustainable use of the oceans, seas and marine resources.

Following these commitments of the international community, Germany has developed a proposal for an MPA in the Weddell Sea. The abundant scientific data collected in the last 30 years and all relevant studies with regard to this undertaking

were compiled, checked and consolidated as a basis for effective protection of the Weddell Sea. The proposal itself, including the conservation objectives, has been developed with international expertise, in particular at two international workshops.

Substantive advice regarding the design of the proposal has been given from many parties after we presented a reflection paper on the proposal last year. These suggestions have been very much appreciated.

Now, the proposal is on the table and we are keen to discuss it with you and, hopefully, will be able to pave the way for its adoption.

From our perspective there shouldn't be too many obstacles to be surmounted: until now, commercial fishing activities have not taken place in the areas to be protected by the MPA and its management as well as the planned research and monitoring are outlined in great detail.

But of course, distinguished colleagues, it is up to you to assess this. To inspire our further discussions we would like to show you the following trailer.'

8.87 The proposed WSMPA was discussed during the first week of the Commission's meeting and many Members agreed that this proposal was an important component in the development of CCAMLR's representative system of MPAs.

8.88 Germany made the following statement:

'Following up on the discussion of the proposed Weddell Sea MPA we had on Monday, I first of all would like to thank Members for their comments and suggestions made. We are very grateful for the support and the encouraging feedback received by many Members. But we also listened very carefully to those Members, who still had questions and concerns about the MPA proposal. We clearly understood that there is more work to do to get all of you on board.

Let me briefly summarise how we intend to make this happen:

Firstly, we will explain in more detail, how the scientific work and analyses have been translated into the current conservation measure proposal. It is very important to us that there is clarity for everyone about the rationale for the different conservation targets and zones in the MPA proposal. This also includes the suggested provisions with regard to future fishery activities in the Weddell Sea region. In this context, we will demonstrate in more detail how the specific measures proposed contribute to achieving the objectives of the MPA, and how this achievement can be reviewed and assessed by the proposed research and monitoring plan we developed.

Secondly, future work will address the scientific issues raised by some Members. We intend to have further talks about these issues at all CCAMLR working group meetings and on a bilateral level in the coming intersessional period in order to respond to questions which your experts might have.

Finally, to be very clear: our endeavour is to consider all your proposals and to accommodate concerns in our future work. We would like to encourage all of you to approach us if you have any questions or if you would like to make suggestions to

further improve the Weddell Sea MPA proposal in the coming months. Having said this, we remain confident to get your support for this MPA at our next CCAMLR meeting here in Hobart.’

8.89 Argentina thanked the EU and Germany for the work presented and the way in which they had approached other Members to constructively involve them in the development of the proposal. In this regard, Argentina stated it would gladly continue providing input towards improving the proposal.

8.90 Many Members also expressed their support for the proposal and their interest in working with the proponents.

8.91 Russia advised the Commission that it had provided comments and suggestion on this proposal (SC-CAMLR-XXXV/10), and that the Scientific Committee had noted that some issues required further discussion.

8.92 Norway noted that the procedural issues and lack of data raised in the Scientific Committee had been discussed with the proponents and a constructive way forward had been identified.

8.93 Norway noted from the discussion that there were still uncertainties about the scientific basis of the MPA and asked further advice from the Chair, assuming that this proposal would have to go back to the Scientific Committee for further evaluation.

8.94 The Commission thanked the proponents of the proposed WSMPA for the extensive work undertaken so far and encouraged all Members to engage in further cooperative discussions so that this proposal may be considered by the Commission in 2017.

Implementation of Convention objectives

The objectives of the Convention

9.1 In opening discussion under this item, Chile recalled the outcomes from the second CCAMLR Symposium held in Santiago from 5 to 8 May 2015 (CCAMLR-XXXIV/28 Rev. 2). Chile invited the Commission to continue its consideration of the outcomes of the Symposium. Chile considered that the Symposium outcomes will be particularly useful in supporting the Commission’s further consideration of strategic priorities for the next 5–10 years. Chile considered that it is timely to formally consider such issues as strategies for strengthening CCAMLR’s conservation mandate, the harmonisation of obligations and regulations across all CCAMLR fisheries, the effectiveness of compliance evaluation and associated responses and the relationship between the Commission and the Scientific Committee. Chile noted that, while the Commission could benefit from giving some additional attention to these and related matters, there had been some recent positive work in other areas, such as climate change and efforts to establish a representative system of MPAs. Chile suggested that the Commission, at its annual meeting, should dedicate more time under this agenda item to consider priorities in a more structured way. As a means to facilitate this, Chile proposed that the Commission establish an e-group to support intersessional discussion on any gaps in the Commission’s collective efforts to achieve the objectives of the Commission and to identify priorities for the Commission’s attention in the next 5–10 years. Chile offered to prepare terms of reference for the e-group for the consideration of the Commission.

9.2 Argentina, Australia and the USA, recalling that the second CCAMLRL Symposium had provided an important opportunity to reflect on the direction of the Commission, supported Chile's proposal.

9.3 The Commission endorsed a proposal by Chile to establish an e-group to support intersessional discussion on the priorities for the Commission in its ongoing efforts to achieve the objectives of the Convention. Reflecting on the outcomes of the CCAMLRL Symposium held in Chile in 2015 and the outcomes of the Scientific Committee Symposium, which was held in advance of SC-CAMLRL-XXXV, the Commission agreed to the following terms of reference and working arrangements for an intersessional e-group to reflect on strategic priorities for the Commission until 2027:

1. Seek written submissions from Members identifying their recommended priorities for the Commission within the 2017–2027 time frame.
2. On the basis of submissions, collectively identify those priorities that require the short-term, medium-term and longer-term attention of the Commission.
3. Propose a process and timeline for short-term priorities to be taken up in the Commission.
4. Consider any implications for the current work of the Scientific Committee or Commission if the short-term priorities not already accommodated were formally taken up by the Commission.

9.4 Further, the Commission agreed that:

- (i) the e-group would become operational immediately following the conclusion of CCAMLRL-XXXV
- (ii) the Secretariat would advise all Members of the establishment of the e-group by COMM CIRC and SC CIRC
- (iii) Chile volunteered to serve in an informal role as facilitator
- (iv) a progress report would be prepared by the facilitator for consideration at CCAMLRL-XXXVI.

Performance review

9.5 The EU introduced its revised proposal, originally presented at CCAMLRL-XXXIV, for CCAMLRL to undertake a second performance review (CCAMLRL-XXXV/19). Consistent with the advice from CCAMLRL-XXXIV (paragraphs 9.22 to 9.26), the EU had engaged with Members throughout the intersessional period to draft proposed terms of reference for the consideration of the Commission. The EU noted that the timing and membership of a review panel is similar to that of the first performance review completed in 2008.

9.6 Australia thanked the EU for bringing this proposal forward and indicated strong support for the conduct of the second performance review.

9.7 The USA thanked the EU for its intersessional work and expressed its strong support for this initiative. It also thanked the EU for offering to research possibilities for providing financial support to the review.

9.8 Russia was pleased to offer its support for a second performance review and recommended that the terms of reference draw on relevant recommendations from the Scientific Committee and the Commission.

9.9 Chile thanked the EU for its revised proposal and indicated that these reviews constitute best-practice within bodies that deal with the management of fisheries. Chile also indicated that sufficient time had elapsed since the first performance review in 2008 and it supported the EU proposal.

9.10 The Commission agreed to the terms of reference and supporting processes for a second performance review (Annex 8).

9.11 The EU advised that it could contribute €50 000 to the review. Additional contributions were offered by the Republic of Korea (A\$40 000) and the USA noted its voluntary contribution last year of US\$20 000 for the review. Korea advised the contribution would be made available from the Korean Contribution Fund entrusted to the Secretariat following the submission of a formal request by the Executive Secretary. The Commission expressed appreciation for these voluntary contributions to support the review. In the event of a shortfall in budget requirements for the review, the Executive Secretary was authorised to commit funding from the General Fund budget. A full financial report for the review will be presented to SCAF in 2017 for review.

The meaning of conservation in the context of Article II of the Convention

9.12 Australia presented its joint paper with the USA encouraging Members to consider the meaning of the term ‘conservation’ as originally used in the Convention (CCAMLR-XXXV/BG/28). On the basis of significant archival research, Australia confirmed that the singular objective of the Convention is the conservation of Antarctic marine living resources and that rational use must be consistent with this objective. Australia noted that the Convention, as part of the Antarctic Treaty System, was explicitly designed differently from most regional fisheries management organisations. This distinction, intended by the parties that negotiated the Convention, is its hallmark. CCAMLR is focused on managing resources based on an ecosystem and precautionary approach which relies on the best available science to support decision-making. Australia noted that the consensus nature of decision-making in the Commission necessitates that Members work together to achieve the Convention’s objective.

9.13 The USA noted that Article II of the Convention continues to be a key focal point of the Commission and the subject of considerable discussion, including during the 2015 CCAMLR Symposium. The USA explained that it decided to co-author with Australia and submit CCAMLR-XXXV/BG/28 as a background paper to allow delegations to have the benefit of their delegations’ views on this issue. The USA stated that its intention in developing the paper was, in part, to bring forward the negotiating history of the CAMLR

Convention and Article II for Members' reflection. The USA also highlighted that Article II is a policy question at the heart of what is done in the Commission, and as such the continued reflection on this matter is important to CCAMLR's work.

9.14 Ukraine, referring to the detailed analysis of Article II of the Convention by Australia and the USA, agreed that CCAMLR's first priority is to take a precautionary approach to conservation but that CCAMLR must bear in mind that there is no other body that regulates fishing in the Convention Area. This precautionary approach is not unique to CCAMLR – most RFMOs and many global agreements reflect this principle. Ukraine expressed its understanding that activities conducted by CCAMLR, as is the case for other environmental protection and fisheries organisations, aim to provide protection of our planet as a global natural environment and as a source of resources for humans. Human civilisation must always be organised following a precautionary approach in order to preserve the ecosystem, as well as to ensure the sustainable use of bio-resources. Therefore, Ukraine considered that it must be recognised that the consumption of bio-resources contributes towards sustaining human civilisation, and that the conservation of bio-resources is reasonable within the context of CCAMLR providing sustainable conditions for the consumption of these resources by humans. This view helps to clarify why under Article II of the Convention 'rational use' is considered to include the notion of 'conservation'. Ukraine was of the opinion that CCAMLR needs to consider social and economic factors in its decision-making processes in the future.

9.15 Chile considered that the analysis by Australia and the USA complemented the outcomes of the second CCAMLR Symposium in Santiago, Chile, in 2015 and provided an excellent document for future reference. Chile advised that it had also undertaken archival research which confirmed, for Chile, the intent of Article II at the time it was negotiated. Chile noted that CCAMLR does sometimes behave like a RFMO but should keep in mind that it is a part of the Antarctic Treaty System and that the primary objective of the Commission is conservation, allowing for rational use as long as it does not contradict the Convention.

9.16 Russia thanked Australia and the USA for the document. On the interpretation of Article II, Russia explained its understanding that 'rational use' is central to the premise of 'conservation'. Russia encouraged further discussion to explore Members' different interpretations of these terms.

9.17 China considered that the Convention is clear on the inclusion of rational use with the concept of conservation and that rational use is not a subordinate to conservation but is crucial to the meaning of conservation in the CCAMLR context. China considered that CCAMLR uses a broader definition of conservation that was understood by all those that were involved in the negotiation of the Convention as not excluding harvesting.

9.18 The UK, as an original signatory to the Antarctic Treaty and to the CAMLR Convention, advised that it fully supports the analysis of the US and Australian paper. In the UK's view, the meaning of Article II was clear.

9.19 In expressing appreciation for the document, Norway noted that the Antarctic ecosystem is dynamic. Norway looked forward to further discussion on how rational use can be accommodated under changing environmental conditions, including climate change.

9.20 Argentina thanked Australia and the USA for their useful contribution regarding Article II of the Convention which addressed the crucial issue of achieving a balance between

preservation and rational use. Argentina recalled that, as that article states, the Convention was agreed to with the understanding, at the time the Convention was negotiated, that an eventual ecosystem recovery period could require 20 or 30 years. This was done at a time following significant overexploitation of some fishery resources in the Convention Area and that adequate time was required to enable resources to rebuild. Argentina further noted that, while conservation goes beyond sustainability, rational use cannot be limited to socio-economic considerations. While it is impossible to agree on a definition of rational use, Argentina noted there are clear examples of irrational use, such as shark finning and Olympic fishery management practices, that need to be addressed.

9.21 ASOC also expressed its support for the paper tabled by Australia and the USA. In ASOC's view, it was clear that conservation is the primary focus of the Convention.

CCAMLR's regulatory framework and activities targeting toothfish

9.22 Russia sought clarification on the status of CCAMLR-XXXV/14 and BG/09. The Chair clarified that the proposals relating to CCAMLR's regulatory framework had received consideration under Agenda Items 3, 5 and 8.

9.23 Russia, while expressing its full support to the necessity to have a better understanding of the CCAMLR regulatory system, also assumed at CCAMLR-XXXIV that the proposed changes to the regulatory framework, and any associated changes relating to the notification procedures, should be discussed at a workshop at which relevant conservation measures would be formulated. It noted that a workshop had not been held and recommended that the Commission postpone consideration of changes to the regulatory framework until a workshop had been conducted.

9.24 The Chair noted that the proposal for such a workshop had been suggested at CCAMLR-XXXIV but that it was not endorsed by the Commission and that no follow-up had occurred (CCAMLR-XXXIV, paragraph 9.17). In the absence of consensus, the Chair advised that further discussion was required among Members before the proposal could be considered for conservation measure drafting.

9.25 Russia noted that, due to many editorial changes, it was not in a position to consider the document at this meeting. However, Russia expressed its desire to continue the work before CCAMLR-XXXVI to pave the way for its earliest adoption.

9.26 Australia noted that, while Russia has articulated that it has substantive concerns, it had not actually heard what these substantive concerns were and it would, therefore, be difficult to address them. In this regard, Australia expressed its disappointment that Russia did not feel it was able to provide these during the time available at this meeting. Australia noted Russia's commitment to working intersessionally to progress these issues and looked forward to reaching agreement on these proposals at next year's meeting. Australia reiterated that all proposals that relate to toothfish fishing should be considered in a consistent and transparent manner in accordance with the advice contained in SC-CAMLR-XXXV, paragraph 3.172. The UK shared the views of Australia.

9.27 The Commission established an e-group with the aim of progressing the work presented in CCAMLR-XXXV/14 and BG/09 with the objective of providing clear advice to the Commission in 2017.

Independent reviews of CCAMLR stock assessments

9.28 The USA introduced a background paper, tabled at the Scientific Committee meeting, relating to an independent review process for CCAMLR stock assessments (SC-CAMLR-XXXV/BG/20). The USA recalled that the Commission endorsed the Scientific Committee's recommendation to carry out a process for independent review of stock assessments. The USA recalled that the Scientific Committee had welcomed the idea of introducing external experts to CCAMLR working groups in a benchmark process. The Scientific Committee had recommended that the Scientific Committee Chair, Vice-Chairs and the working group conveners provide advice on incorporating an appropriate process into CCAMLR stock assessment reviews to enable the Scientific Committee to further consider the possibility in 2017 (SC-CAMLR-XXXV, paragraph 13.24).

9.29 The UK and the EU supported this recommendation.

9.30 Russia considered that, while such reviews may be appropriate for RFMOs, CCAMLR is not an RFMO and that CCAMLR scientists are best placed to undertake the necessary peer review of CCAMLR stock assessments.

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 for the 39th Antarctic Treaty Consultative Meeting (ATCM XXXIX) noting that the full report is available to Antarctic Treaty Consultative Parties (ATCPs) and observers to the meeting at: www.ats.aq/devAS/ats_meetings_meeting_draftreports.aspx² (CCAMLR-XXXV/BG/01).

10.2 The Commission noted ATCM XXXIX items of relevance, including:

- (i) the status of the Antarctic Treaty, the Madrid Protocol, CCAMLR, the Convention for the Conservation of Antarctic Seals (CCAS) and ACAP
- (ii) the status of approval or ratification of Annex VI relating to liability in the event of environmental emergency
- (iii) the report of CEP XIX, which was considered by SC-CAMLR-XXXV (SC-CAMLR-XXXV, paragraphs 10.1 to 10.3)
- (iv) science matters and scientific collaboration, particularly in relation to climate change and capacity building
- (v) a symposium that commemorated the 35th anniversary of the Madrid Protocol
- (vi) the date and venue for ATCM XL: Beijing, China, 22 May to 1 June 2017.

² Restricted access.

10.3 The Commission agreed that CCAMLR should be represented at ATCM XL and CEP XX, to be held in China, by the Executive Secretary and the Chair of the Scientific Committee.

Cooperation with international organisations

10.4 A report from the SCAR Observer was presented to the meeting of the Scientific Committee (SC-CAMLR-XXXV, paragraph 10.4) providing an update on SCAR's extensive range of activities relevant to the work of the Scientific Committee and Commission, highlighting the effective engagement between SCAR and CCAMLR.

Reports of observers from international organisations

ASOC

10.5 ASOC made the following statement:

'ASOC and its member groups thank the Commission for the opportunity to participate in its 35th annual meeting. ASOC has submitted nine background papers that are relevant to the work of the Commission, including on marine protected areas, krill fisheries management, climate change, IUU fishing and vessel safety.

During the intersessional period, ASOC and its member groups have been working on a number of issues relevant to CCAMLR. We have worked to build support for MPAs in a number of CCAMLR Member countries, by reaching out to a range of stakeholders and the public, providing capacity building in technical aspects, and assisting scientific fieldwork in Antarctica that will contribute towards the development of MPAs. We also supported the development of Krillbase, to inform the management of the krill fishery and the conservation of the Southern Ocean. We have also participated in the Polar Code development process to advocate for strict environmental rules that would protect the Antarctic environment. The WWF has launched its Tracking Antarctica report that has been submitted to this meeting as a background paper and we hope that this report will be useful to CCAMLR.

ASOC has been active in the work of the Antarctic Wildlife Research (AWR) Fund during the last year. As we reported to the Scientific Committee, AWR has funded its first three projects in 2015 and has awarded two additional projects for 2016; we are pleased to be able to contribute to CCAMLR's research needs in this way. We also continue to work with COLTO to seek ways to support CCAMLR's fight against IUU fishing.

ASOC is pleased to see that some progress has been made on marine protection at this meeting. However, we believe that CCAMLR's work is ongoing, until a fully representative system of marine protected areas has been implemented in all planning domains. We look forward to seeing additional work to designate MPAs in the East Antarctic and the Weddell Sea, and to develop an MPA proposal for the Antarctic Peninsula. Feedback management for the krill fishery is still in development and the

increase in krill fishing observers to achieve 100% coverage is still pending, and it is important for the Commission to complete this work in the coming years. A clear workplan for addressing climate change is also still being discussed and ASOC urges the Commission to make immediate progress on this urgent issue. Additional work remains on ensuring that licensed vessels are complying with CCAMLR conservation measures, such as increasing oversight of transshipments.

Article II sets ambitious principles of conservation for the Commission. We encourage all Members to continue to work constructively to achieve the conservation objective of the Convention and ensure that the ecosystems of the Southern Ocean continue to thrive.'

IUCN

10.6 The IUCN Observer made the following statement:

'IUCN reiterated the concerns on the rate of progress on MPAs at CCAMLR and the time taken to move proposals forward but is encouraged by the recent progress on the Ross Sea proposal, which IUCN believes sends the right signals to the international community that CCAMLR is serious about meeting its conservation objectives. In particular, there are concerns about the sunset clauses in the current proposal as IUCN believes that MPAs should exist in perpetuity. The recent World Conservation Congress in Hawaii (1 to 10 September 2016) set a target for 30% of the ocean for MPAs and other relevant conservation measures. In particular, there was a call for a network for MPAs in the CCAMLR area. IUCN drew the attention of delegates to the upcoming International Marine Protected Area Congress (IMPAC4) hosted by the Government of Chile and IUCN in La Serena from 4 to 10 September 2017. This meeting will provide an opportunity for CCAMLR to engage with other international bodies on MPAs, and strengthen its work on many practical issues of implementation and design. One possibility is to have a series of sessions on MPA design and implementation, sharing experiences from other parts of the world. IUCN also flagged the report on global warming which highlights the shifts in climate on Polar regions which is dramatic and would be of interest to delegates as we, collectively, need to continue to advance the science on this issue (full report: portals.iucn.org/library/sites/library/files/documents/2016-046_0.pdf). Finally, IUCN drew to the attention of delegates their recent report on micro-plastics which should be of interest as the discovery of nano-plastics in fish is a growing health issue (portals.iucn.org/library/sites/library/files/documents/2014-067.pdf).'

ARK

10.7 The ARK Observer made the following statement:

'ARK thanks the Commission for its invitation to attend CCAMLR-XXXV as an Observer. The aim of ARK is to assist the krill fishing industry to work with CCAMLR to ensure the sustainable management of the fishery. ARK submitted a background paper to the meetings (SC-CAMLR-XXXV/BG/19). ARK has five

companies in its membership: Aker BioMarine, Rimfrost, China National Fisheries Corporation, Insung Corporation and Pesca Chile, with more companies currently considering invitations to join ARK. Over 80% of the current krill catch is being taken by ARK Members. ARK notes the deliberations on the future of CM 51-07 and on feedback management and suggests that such discussions would benefit greatly through interactions with the krill fishing industry. If the Commission and the Scientific Committee might find it useful, ARK is willing to play a constructive role in providing such input so that these discussions can reach realistic outcomes. ARK reiterates its earlier statement that its members have agreed to avoid fishing close to the gentoo penguin colonies at three sites in Subarea 48.1 which have suffered mortality events (paragraph 5.27). ARK notes that distribution of the fishery is based on operational factors and that management of the fishery will have to take these operational factors into account. The Scientific Committee and its working groups need to incorporate some knowledge on the behaviour of the krill fleet as well as more traditional scientific information if it is going to provide realistic advice on management. ARK is well placed to provide such input. ARK hosted a short informal gathering of interested Scientific Committee members on 22 October 2016 at the CCAMLR Secretariat. The meeting provided a forum for Scientific Committee members to discuss with ARK areas of research where they believe that ARK members could be of assistance, particularly in providing information that could be used in managing the krill fishery. The meeting was well attended and useful discussions were held on a range of topics, including trends in the fishery, management issues and obtaining scientific information from the fishery. ARK will hold a more formal half-day workshop in association with the Third International Krill Symposium in St Andrews, Scotland, from 12 to 16 June 2017, to examine ways in which the krill fishing industry and krill researchers can collaborate. ARK looks forward to working with CCAMLR Members during the intersessional period.'

10.8 The Commission thanked ARK for its continued involvement in CCAMLR meetings and for its agreement to halt fishing activities in areas of close proximity to gentoo penguin colonies, as described in SC-CAMLR-XXXV/BG/14 and discussed at the Scientific Committee (SC-CAMLR-XXXV, paragraphs 3.94 to 3.96).

COLTO

10.9 The COLTO Observer made the following statement:

'Thank you to the Chair and the Commission for the opportunity to again participate as an Observer at your meetings. It has been a positive year for toothfish fisheries, with historically low levels of IUU fishing apparent, and continued high levels of industry support for environmental activities and sustainable fisheries both inside the Convention Area and in adjacent waters. Our joint paper with ASOC (CCAMLR-XXXV/BG/27) highlights some of the major achievements on IUU activities this year, and particular thanks go to all those CCAMLR Member nations and agencies who have made such positive efforts to eliminate IUU fishing. We will continue to remain vigilant and work with all interested parties to constrain, and eliminate, IUU fishing for toothfish. It was pleasing to see the positive discussions at the Scientific Committee surrounding the COLTO whale depredation workshop held in Chile this

year, including the research projects we have initiated, as outlined in our paper SC-CAMLR-XXXV/BG/23. There are two major research programs underway, involving researchers from France and Australia, along with COLTO industry members from Australia, Chile, France, South Africa and the UK. COLTO looks forward to working with scientists from CCAMLR and other organisations over coming years, to identify measures to reduce the incidence of whales taking fish from our lines. A number of COLTO members have also agreed to work through national programs, and the Southern Ocean Observing System, to gather additional oceanographic and scientific information from data storage tags on longline fishing gear, which we hope will help inform science and industry, on the impacts and implications of climate change on our fisheries. Some of our members will also be using cameras to gain more information on benthic habitats. These data collections are likely to be part of a longer-term program of analyses following substantive progress in the CCAMLR and COLTO industry/science collaboration that began last year. It was pleasing to see the results of the COLTO tag lottery draw last week, which encourages crew and officers of toothfish boats to participate in the toothfish tagging programs in exploratory fisheries. Our members have agreed to provide a A\$1 000 reward again for the coming season and we will announce the three winners of that reward at the Scientific Committee next year.

To conclude, I would like to note that, while I will continue participating in CCAMLR in the future, this is my final year as Chair of COLTO. The new Chair is Mr Richard Ball from the South African Patagonian Toothfish Industry Association. It has been a pleasure, and a privilege, to work with CCAMLR in my role as the Chair of COLTO for the past 13 years, and I believe we have achieved a great deal through the collaborative approach that has been taken between industry, science, conservation, management and government. I am equally sure that continued good will, collaboration and communication amongst all of us will generate positive progress towards ensuring continued sustainable, healthy fisheries for toothfish.'

10.10 The Commission thanked Mr M. Exel (the COLTO Observer) for his work over the years as Chair of COLTO and looked forward to working with him in his new capacity.

Oceanites

10.11 Oceanites thanked the Commission for the opportunity to participate in CCAMLR and presented CCAMLR-XXXV/BG/16, providing background on Oceanites' efforts in relation to its Antarctic Site Inventory project on changing distribution and abundance of Antarctic species and the factors driving long-term changes, specifically in the western Antarctic Peninsula, as well as its plans for 2016/17.

10.12 The Commission thanked Oceanites for its presentation on field work completed in 2015/16 as well as information on analyses currently being undertaken as part of the Antarctic Site Inventory project.

ACAP

10.13 The ACAP Observer made the following statement:

‘With the aim of avoiding repetition of what was already stated during the meeting of the Scientific Committee, in this opportunity I would like to simply stress the importance of CCAMLR for the agenda of ACAP, in particular regarding the way the problem of seabird incidental mortality has been addressed. A clear reflection of the mutual interest for cooperation between CCAMLR and ACAP has been the signing of a memorandum of understanding (MoU), first in 2012 and most recently renewed in late 2015. This MoU aims to facilitate the cooperation between both organisations with a view to supporting efforts to minimise the incidental by-catch of albatrosses and petrels listed in Annex 1 of ACAP within the Convention Area, including the sharing of expertise, techniques and knowledge (2.vi) as well as the reciprocal participation with observer status at relevant meetings (2.vii). In this regard, we would welcome the opportunity to increase our engagement with CCAMLR. We believe that mutual benefits would accrue through, for example, a more active participation in the working groups where issues relevant to ACAP are considered. We believe that providing timely advice would be beneficial for both organisations. Taking into account some tasks that will take place during the intersessional period, we would be interested, for example, in engaging with the working groups in the review of CM 25-02, or the analysis of data from net monitoring cable trials in krill trawlers. Finally, I would like to extend our invitation to CCAMLR Members to also increase their engagement in ACAP sessions on technical and policy matters of mutual interest.’

10.14 The Commission welcomed the renewal of the memorandum of understanding (MoU) between ACAP and CCAMLR following CCAMLR-XXXIV and thanked ACAP for its engagement, particularly in the work of the Scientific Committee.

The role of Observers

10.15 Australia noted that there had been several examples of the positive working relationships with Observers during the course of this meeting. In particular, Australia recalled that CCAMLR did not currently have a working group focused on incidental mortality associated with fishing. In this regard, while the Commission is able to draw on the advice of the Scientific Committee for many issues, the Commission should seek to engage more effectively with organisations such as ACAP to help support the work of the Commission.

10.16 Argentina joined France and Norway in acknowledging the valuable contribution of Observers to the work of CCAMLR. Argentina expressed gratitude to ASOC and the Pew Charitable Trust, in particular, for its support to the MPA planning activities underway for Domain 1. Argentina highlighted that Members and several observers have been working together for many years, having achieved productive mutual cooperative understandings, particularly regarding certain sensitive issues. Argentina reaffirmed its interest in continuing to work constructively with Observers, hoping they would continue to be pervious to its specific sensitivities, which are well known within CCAMLR.

Reports from CCAMLR representatives at meetings
of international organisations

10.17 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-XXXV/BG/01 – Summary report: Thirty-ninth Antarctic Treaty Consultative Meeting (Santiago, Chile, 23 May to 1 June 2016).
- CCAMLR-XXXV/BG/02 – Thirty-second Session of the Committee on Fisheries – Abbreviated summary highlighting items of interest to CCAMLR Members based on the draft report (Rome, Italy, 11 to 15 July 2016).
- CCAMLR-XXXV/BG/03 – Report from the CCAMLR Observer (Namibia) to the 2015 annual meeting of the South East Atlantic Fisheries Organization (SEAFO) (Swakopmund, Namibia, 30 November to 4 December 2015).
- CCAMLR-XXXV/BG/10 – Report from the CCAMLR Observer (Australia) to the Third Meeting of the Parties of the Southern Indian Ocean Fisheries Agreement (SIOFA) (Saint-Denis, La Reunion, 3 to 8 July 2016).
- CCAMLR-XXXV/BG/11 – Report from the CCAMLR Observer (Chile) to the Fourth Meeting of the Commission of the South Pacific Regional Fisheries Management Organisation (Valdivia, Chile, 25 to 29 January 2016).
- CCAMLR-XXXV/BG/31 – Report from the CCAMLR Observer (USA) on the 90th Meeting of the Inter-American Tropical Tuna Commission (IATTC) (La Jolla, USA, 27 June to 1 July 2016).
- CCAMLR-XXXV/BG/32 – Report from the CCAMLR Observer (EU) to the 24th Regular Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) (St Julian's, Malta, 10 to 17 November 2015).
- CCAMLR-XXXV/BG/33 – Report from the CCAMLR Observer (EU) to the 20th Annual Meeting of the Indian Ocean Tuna Commission (IOTC) (La Reunion, France, 16 to 27 May 2016).
- CCAMLR-XXXV/BG/38 – Report from the CCAMLR Observer (Norway) to the 38th Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) (Varadero, Cuba, 19 to 23 September 2016).
- CCAMLR-XXXV/BG/39 – Report from the CCAMLR Observer (Norway) to the 2015 Annual Meeting of the North East Atlantic Fisheries Commission (NEAFC) (London, UK, 9 to 13 November 2015).
- CCAMLR-XXXV/BG/40 – Report from the CCAMLR Observer (Australia) to the Meeting of the Extended Commission for the Conservation of Southern Bluefin Tuna (CCSBT) (Kaohsiung, Taiwan, 10 to 13 October 2016).
- CCAMLR-XXXV/BG/41 – Report from the CCAMLR Observer (Republic of Korea) to the Meeting of the Western and Central Pacific Fisheries Commission (WCPFC) (Bali, Indonesia, 2 to 8 December 2015).

10.18 The Chair introduced CCAMLR-XXXV/BG/30 and invited nominations for CCAMLR Observers to these meetings (Table 3).

Cooperation with regional fishery management organisations

Commission for the Conservation of Southern Bluefin Tuna

10.19 The Executive Secretary recalled the endorsement of the MoU between CCSBT and CCAMLR in October 2015 (CCAMLR-XXXIV, paragraph 10.17) and noted that the MoU has no fixed term.

Western and Central Pacific Fisheries Commission

10.20 The Executive Secretary recalled that the MoU with WCPFC was renewed in 2012 and has no fixed term.

South Pacific Regional Fisheries Organisation

10.21 The Commission recalled their endorsement to establish an MoU with SPRFMO (CCAMLR-XXXIV, paragraph 10.19) and noted that the agreement was approved by SPRFMO members and signed in January 2016 for a three-year period. CCAMLR is currently cooperating with SPRFMO in relation to toothfish research being undertaken in the SPRFMO Convention area.

Other regional fisheries management organisations

10.22 Australia encouraged the Secretariat to establish MoUs with relevant RFMOS and proposed that the Secretariat develop an MoU with SIOFA in order to establish scientific cooperation between the two organisations that work to manage shared toothfish stocks.

10.23 Noting a common interest in toothfish in the southeast Atlantic, the EU proposed a similar arrangement be explored with SEAFO.

10.24 The Executive Secretary agreed to initiate consultations with SIOFA and SEAFO following CCAMLR-XXXV. Progress will be reported back to the Commission either in the intersessional period or to CCAMLR-XXXVI.

10.25 Argentina referred to a paper submitted by the FAO and CCAMLR Secretariats updating the Scientific Committee on the activities of the FAO Deep Seas Project 'Sustainable Fisheries Management and Biodiversity Conservation of Deep-sea Living Marine Resources and Ecosystems in the Areas Beyond National Jurisdiction (ABNJ)' (SC-CAMLR-XXXV/BG/39). Argentina recalled that this project had been discussed in the Scientific Committee for several years, most recently at SC-CAMLR-XXXV (SC-CAMLR-XXXV, paragraph 10.30). In this respect, Argentina expressed concerns as to the implications

and scope of CCAMLR's participation in the Deep Seas Project, as it touched upon delicate issues regarding areas beyond national jurisdiction. Argentina further recalled that this is an issue which has recently been addressed within the UN and which Antarctic Treaty Parties are also starting to look into. Argentina sought additional information, including terms of reference, on the link between CCAMLR and the ABNJ.

10.26 In response, the Executive Secretary noted that the ABNJ project is a five-year initiative designed to enhance sustainability in the use of deep-sea living resources and biodiversity conservation in the ABNJ through the application of an ecosystem approach. The ABNJ is led by FAO in partnership with a range of other organisations, including CCAMLR, RFMOs and NGOs. The Scientific Committee had received briefings on the ABNJ in 2012 (SC-CAMLR-XXXI/BG/13) and 2013 (SC-CAMLR-XXXII/BG/10). The Executive Secretary reported that the ABNJ started in September 2014 and is one of four projects under the Common Oceans Program (www.commonoceans.org). He advised that CCAMLR had contributed to the design and development of the ABNJ project and that, in more recent years, participation had primarily been achieved through the Chair of the Scientific Committee contributing to project-supported activities such as workshops and reviews. Apart from the project document, and its associated work plan, which identifies activities that CCAMLR may contribute to, there are no formal terms of reference between FAO and CCAMLR in relation to the ABNJ.

10.27 The UK noted that international engagement at the technical and scientific level should be encouraged. However, sensitivities associated with CCAMLR's integral place in the Antarctic Treaty System needed to be carefully considered in entering into any Secretariat arrangements with the FAO on ABNJ.

10.28 Argentina thanked the Secretariat for the explanation and expressed that the issue could benefit from further consideration by CCAMLR Members, perhaps during the next intersessional period. It agreed with the UK in that the Secretariat should be cautious in its approach on the matter so as not to exceed its reasonable mandate. France and New Zealand expressed support for this position.

10.29 The USA noted the ongoing negotiations in the UN relating to Biodiversity Beyond National Jurisdiction (BBNJ), which continues to raise complex and interesting issues related to CCAMLR and the Antarctic Treaty System. The USA noted that it should be the CCAMLR Members themselves that express views when CCAMLR comes up in the context of the BBNJ negotiations, and encouraged Members to do so.

2017 budget and forecast budget for 2018

11.1 The Chair of SCAF, Mr Lluberas, advised the Commission that no further budgetary matters have arisen in the Commission since SCAF's approval of the budget for 2017 and the forecast budget for 2018. As a result, the Commission approved the budget for 2017 and the forecast budget for 2018 as presented in Annex 7, Appendices II and III.

11.2 Germany, supported by Russia, urged the Commission and the Secretariat to continue to work on cost-saving measures, to optimise expenditure and to explore additional options for increasing revenue. Germany considered that the budget that will be presented for 2018 at CCAMLR-XXXVI needs to take account of these initiatives, including in relation to the future of zero nominal growth.

Other business

12.1 The Commission considered a proposal submitted by South Africa and France to reposition the boundary between Subareas 58.6 and 58.7 (CCAMLR-XXXV/BG/18). The Commission noted that the proposal seeks to reposition the boundary between Subareas 58.6 and 58.7 to the existing boundary between SSRUs 586A and B (44°E meridian) so that it falls in the high seas between the French and South African EEZs (Figure 1). The Commission noted that the two subareas are closed to fishing outside areas of national jurisdiction and that both France and South Africa have established toothfish fisheries for *D. eleginoides* that are assessed and managed separately from CCAMLR's regulatory framework.

12.2 The Commission noted that the boundary between Subareas 58.6 and 58.7 bisects the South African EEZ around the Prince Edward Islands. Thus, fishery statistics reported for Subarea 58.7 reflect only part of the fishery in the South African EEZ, whereas statistics for Subarea 58.6 reflect data for the fisheries in the French EEZ at the Crozet Archipelago and part of the South African EEZ combined. As a result, the annual statistics reported by subarea are not useful for the management of fisheries in the two subareas.

12.3 The Commission noted that the proposal had been considered in 2015 and aimed to simplify the management and reporting of fishery data and was purely an administrative modification.

12.4 The Commission agreed to the new definitions of Subareas 58.6 and 58.7:

- (i) Subarea 58.6: the waters bounded by a line commencing at 45°S 44°E; thence due east to 60°E longitude; thence due south to 50°S latitude; thence due west to 44°E longitude; thence due north to the starting point
- (ii) SSRU 586B: from 45°S 44°E, due east to 48°E, due south to 48°S, due west to 44°E, due north to 45°S
- (iii) SSRU 586C: from 45°S 48°E, due east to 51°E, due south to 48°S, due west to 48°E, due north to 45°S
- (iv) SSRU 586D: from 45°S 51°E, due east to 54°E, due south to 48°S, due west to 51°E, due north to 45°S
- (v) Subarea 58.7: the waters bounded by a line commencing at 45°S 30°E; thence due east to 44°E longitude; thence due south to 50°S latitude; thence due west to 30°E longitude; thence due north to the starting point
- (vi) SSRU 587A: from 45°S 37°E, due east to 40°E, due south to 48°S, due west to 37°E, due north to 45°S
- (vii) SSRU 587B: from 45°S 40°E, due east to 44°E, due south to 48°S, due west to 40°E, due north to 45°S.

Any other business

12.5 Regarding its usual intervention under this agenda item, Argentina noted with appreciation that it had worked constructively with the UK and some Observers in respect of

meeting documents and references in order to avoid sensitive issues that are well known to the Commission, whereby it considered that additional comments were unnecessary at this point.

12.6 The UK thanked Argentina for its constructive cooperation during the meeting.

Next meeting

Election of officers

13.1 The Commission elected South Africa to the position of Chair of the Commission for the 2017 and 2018 meetings. In accepting the appointment, South Africa advised that it was looking forward to the opportunity to work with Members in this important role.

13.2 The Commission confirmed the recommendation from SCIC that Ms Kim be elected as SCIC Chair.

13.3 The Commission invited Members to consider nominating candidates for the positions of Vice-Chair of SCAF and SCIC.

Invitation of Observers

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

- non-Member Contracting Parties – Bulgaria, Canada, Cook Islands, Finland, Greece, Mauritius, the 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, Singapore and Ecuador
- NCPs not participating in the CDS but possibly involved in harvesting, landing and/or trade of toothfish – Antigua and Barbuda, Brunei Darussalam, Colombia, Costa Rica, Dominican Republic, Indonesia, Islamic Republic of Iran, Libya, Malaysia, Mali, Mexico, Mongolia, Nigeria, Philippines, 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-XXXVI will be circulated to Members for comment prior to meeting invitations being issued in July 2017.

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

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

Date and location of the next meeting

13.8 The Commission agreed that its Thirty-sixth Meeting will be held at the CCAMLR Headquarters building (181 Macquarie Street) in Hobart, Australia, from 16 to 27 October 2017. Heads of Delegations were requested to be in Hobart for a meeting in the afternoon of 15 October 2017.

13.9 The Commission noted that the Thirty-sixth Meeting of the Scientific Committee will be held in Hobart from 16 to 20 October 2017.

Report of the Thirty-fifth Meeting of the Commission

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

Close of the meeting

15.1 Prior to closing the meeting, the Chair noted that it was Dr Andrew Constable's last year participating in the CCAMLR meeting in his current capacity and thanked him for his significant contribution to the work of the Scientific Committee and Commission over the years (SC-CAMLR-XXXV, paragraphs 18.1 and 18.2).

15.2 The Chair thanked the delegates, the Executive Secretary and the Secretariat for their efforts during CCAMLR-XXXV, noting that it was a historically significant meeting that solidifies CCAMLR as a leading organisation for international fisheries management.

15.3 The Commission noted the significant achievements of CCAMLR-XXXV with respect to the adoption of CM 91-05 for the Ross Sea region MPA, CM 24-04 in relation to ice-shelf collapse and updates to the current CM 51-06 for krill observer coverage and the extension to CM 51-07.

15.4 The Executive Secretary thanked the Chair for his hard work and patience in preparing for, and managing, the meeting. He also thanked all Secretariat staff, contractors, interns and casual staff for their preparation and professional and technical support to the meeting.

15.5 The Chair welcomed the South African nominated representative as Chair of CCAMLR-XXXVI and CCAMLR-XXXVII.

15.6 The Chair declared CCAMLR-XXXV closed.

Table 1: Catch limits (tonnes) for target and by-catch species in exploratory fisheries for *Dissostichus eleginoides* and *D. mawsoni* in 2016/17. By-catch limits and move-on rules in accordance with CM 33-03 (2016) unless otherwise specified in the fishery specific conservation measure.

Exploratory fishery for *Dissostichus mawsoni* in Subarea 48.6 (CM 41-04 (2016))

Fishery area	Target species	By-catch species		
	<i>Dissostichus mawsoni</i>	Rajids	Macrourids	Other species
Research block 486_2	170	9	27	27
Research block 486_3	50	3	8	8
Research block 486_4	100	5	16	16
Research block 486_5	190	10	30	30

Exploratory fishery for *Dissostichus mawsoni* in Division 58.4.1 (CM 41-11 (2016))

Fishery area	Target species	By-catch species		
	<i>Dissostichus mawsoni</i>	Rajids	Macrourids	Other species
SSRU A	0			
SSRU B	0			
Research block 5841_1 (SSRU C)	80	4	13	13
Research block 5841_2 (SSRU C)	81	4	13	13
SSRU D	0			
Research block 5841_3 (SSRU E)	233	12	37	37
Research block 5841_4 (SSRU E)	13	1	2	2
SSRU F	0			
Research block 5841_5 (SSRU G)	35	2	6	6
Research block 5841_6 (SSRU G)	90	5	14	14
SSRU H	0			

Exploratory fishery for *Dissostichus mawsoni* in Division 58.4.2 (CM 41-05 (2016))

Fishery area	Target species	By-catch species		
	<i>Dissostichus mawsoni</i>	Rajids	Macrourids	Other species
Research block 5842_1	35	2	6	6

Exploratory fishery for *Dissostichus eleginoides* in Division 58.4.3a (CM 41-06 (2016))

Fishery area	Target species	By-catch species		
	<i>Dissostichus eleginoides</i>	Rajids	Macrourids	Other species
Research block 5843a_1	32	2	5	5

Exploratory fishery for *Dissostichus mawsoni* in Division 58.4.3b (CM 41-07 (2016))

Fishery area	Target species	By-catch species		
	<i>Dissostichus mawsoni</i>	Rajids	Macrourids	Other species
Whole fishery	0			

Exploratory fishery for *Dissostichus mawsoni* in Subarea 88.1 (CM 41-09 (2016))

Fishery area	Target species	By-catch species		
	<i>Dissostichus mawsoni</i>	Rajids	Macrourids	Other species
SSRUs A, D, E, F, M	0			
SSRUs B, C, G	378	50	40	60
SSRUs H, I, K	2118	105	320	60
SSRUs J, L	334	50	70	40
Whole fishery	2870*	143	430	160

* Includes 40 tonnes for the Ross Sea shelf survey

Exploratory fishery for *Dissostichus mawsoni* in Subarea 88.2 (CM 41-10 (2016))

Fishery area	Target species	By-catch species		
	<i>Dissostichus mawsoni</i>	Rajids	Macrourids	Other species
SSRUs A, B, C, I	0			
882_1	200	10	32	32
882_2	200	10	32	32
882_3	200	10	32	32
882_4	200	10	32	32
SSRUs C,D, E, F, G (882_1–882_4)	419*			
SSRU H	200	10	32	32
Whole fishery	619			

* Within SSRUs D, E, F, G an overall limit of 419 tonnes applies with no more than 200 tonnes to be taken in any one research block.

Table 2: 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 2016/17 where applicable.

Fishery for *Dissostichus eleginoides* in Subarea 48.3 (CM 41-02 (2016))

Fishery area	Target species	By-catch species	
	<i>D. eleginoides</i>	Macrourids	Rajids
Management Area A	0		
Management Area B	825	-	-
Management Area C	1925	-	-
Whole fishery	2750	138	138

Fishery for *Dissostichus eleginoides* in Division 58.5.2 (CM 41-08 (2016))

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

Fishery for *Dissostichus eleginoides* and *D. mawsoni* in Subarea 48.4 (CM 41-03 (2016))

Fishery area	Target species	By-catch species	
	<i>Dissostichus</i> spp.	Macrourids	Rajids
Whole fishery	<i>D. eleginoides</i> 47	13.8	4.3
	<i>D. mawsoni</i> 38		

Fishery for *Champscephalus gunnari* in Subarea 48.3 (CM 42-01 (2016))

Fishery area	Target species	By-catch species
	<i>C. gunnari</i>	
Whole fishery	2074 (2016/17)	Refer CM 33-01

Fishery for *Champscephalus gunnari* in Division 58.5.2 (CM 42-02 (2016))

Fishery area	Target species	By-catch species
	<i>C. gunnari</i>	
Whole fishery	561 (2016/17)	Refer CM 33-02
Whole fishery	402 (2017/18)	

Table 3: List of meetings of organisations or arrangements in 2016/17 with nominated observers for the Commission.

	Dates (where available)	Venue (where available)	Observer
The Agreement for the Conservation of Albatrosses and Petrels (ACAP) Advisory Committee	September 2017	New Zealand	New Zealand
The Antarctic Treaty Consultative Meeting (ATCM)	Tentatively from 15 May 2017	Beijing, China	Executive Secretary
The Food and Agriculture Organization of the United Nations (FAO) COFI	Third quarter of 2018	Rome, Italy	Executive Secretary
The Commission for the Conservation of Southern Bluefin Tuna (CCSBT)	9 to 12 October 2017	Indonesia	Japan
The Inter-American Tropical Tuna Commission (IATTC)	17 to 28 July 2017	Vanuatu	European Union
The International Commission for the Conservation of Atlantic Tunas (ICCAT)	14 to 21 November 2016	Vilamoura, Portugal	USA
The Intergovernmental Oceanographic Commission (IOC)	June 2018	Date and venue to be confirmed	
The Indian Ocean Tuna Commission (IOTC)		Date and venue to be confirmed	European Union
The World Conservation Union (IUCN)		Date and venue to be confirmed	
The International Whaling Commission (IWC)	2018	Date and venue to be confirmed	Norway
The Northwest Atlantic Fisheries Organization (NAFO)		Date and venue to be confirmed	USA
The North East Atlantic Fisheries Commission (NEAFC)	14 to 18 November 2016	London, UK	Norway
The South East Atlantic Fisheries Organisation (SEAFO)	28 November to 2 December 2016	Port Elizabeth, South Africa	South Africa
The South Indian Ocean Fisheries Agreement (SIOFA)		Date and venue to be confirmed	Australia
The South Pacific Regional Fisheries Management Organisation (SPRFMO)	18 to 22 January 2017	Adelaide, Australia	Australia
The United Nations Environment Programme (UNEP)	19 January 2017	Nairobi, Kenya	
The Commission for the Conservation and Management of the Highly Migratory Fish Stocks of the Western and Central Pacific Ocean (WCPFC)	5 to 9 December 2016	Fiji	Republic of Korea

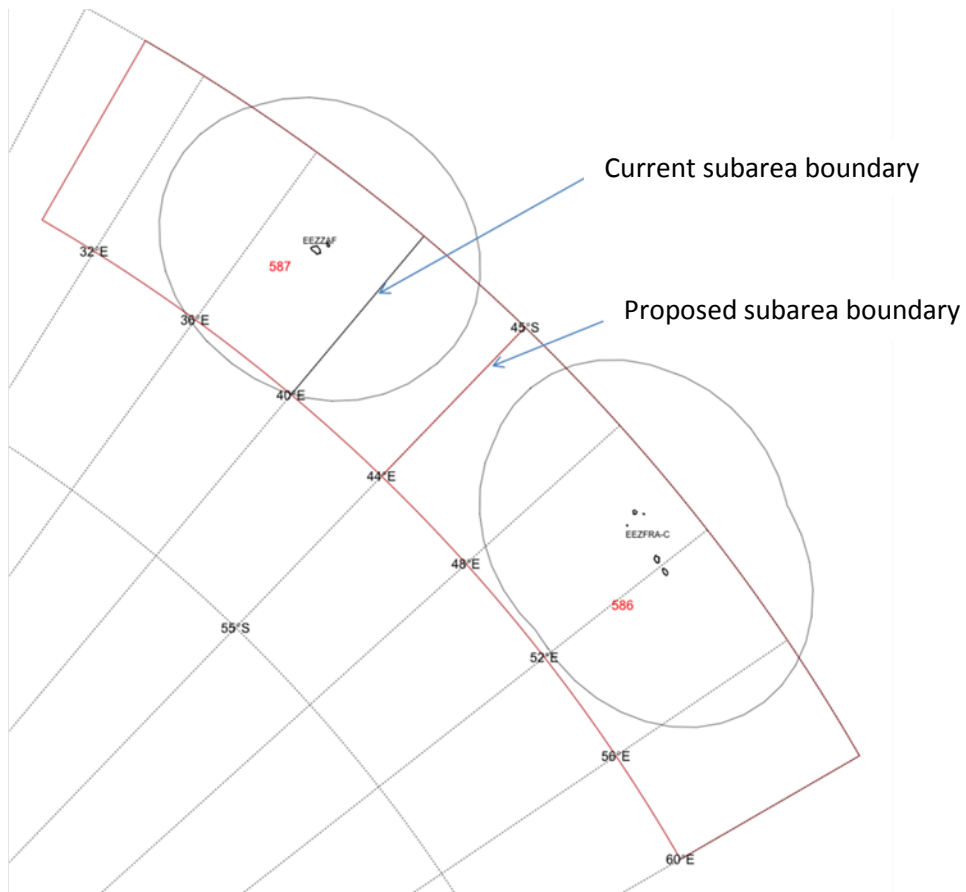


Figure 1: Proposed position of the boundary between Subareas 58.6 and 58.7.

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Assoc. Prof. Ludmila Stern
Mr Philippe Tanguy
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CCAMLR-XXXV/BG/10	Report from the CCAMLR Observer to the Third Meeting of the Parties of the Southern Indian Ocean Fisheries Agreement (SIOFA) (3 to 8 July 2016, Saint-Denis, La Reunion) CCAMLR Observer (Australia)
CCAMLR-XXXV/BG/11	Report from the CCAMLR Observer to the Fourth Meeting of the Commission of the South Pacific Regional Fisheries Management Organisation (Valdivia, Chile, 25 to 29 January 2016) CCAMLR Observer (Chile)
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CCAMLR-XXXV/BG/25	Progress on Southern Ocean protection and vessel activity Submitted by ASOC
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CCAMLR-XXXV/BG/27	Collaborating to eliminate Illegal, Unreported and Unregulated (IUU) fishing in the Southern Ocean Submitted by ASOC and COLTO
CCAMLR-XXXV/BG/28	Conservation at CCAMLR: Understanding Article II of the Convention on the Conservation of Antarctic Marine Living Resources Delegations of Australia and the USA
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- CCAMLR-XXXV/BG/31 Report from the CCAMLR Observer (USA) on the 90th Meeting of the Inter-American Tropical Tuna Commission (IATTC)
(La Jolla, USA, 27 June to 1 July 2016)
CCAMLR Observer (USA)
- CCAMLR-XXXV/BG/32 Report from the CCAMLR Observer (European Union) to 24th Regular Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT)
(St. Julian's, Malta, 10 to 17 November 2015)
CCAMLR Observer (European Union)
- CCAMLR-XXXV/BG/33 Report from the CCAMLR Observer (European Union) to 20th Annual Meeting of the Indian Ocean Tuna Commission (IOTC)
(La Reunion, France, 16 to 27 May 2016)
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- CCAMLR-XXXV/BG/34 Summary of activities of the Commission during the 2015/16 intersessional period – Report of the Chair
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- CCAMLR-XXXV/BG/35 Overview of global trade in toothfish (*Dissostichus* spp.)
Secretariat
- CCAMLR-XXXV/BG/36 CCAMLR inspections undertaken by New Zealand from HMNZS *Otago* during 2015/16
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- CCAMLR-XXXV/BG/37 Spanish actions against IUU fishing 2015/16
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- CCAMLR-XXXV/BG/38 Report from the CCAMLR Observer (Norway) to the 38th Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO)
(Varadero, Cuba, 19 to 23 September 2016)
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- CCAMLR-XXXV/BG/39 Report from the CCAMLR Observer (Norway) to the 2015 Annual Meeting the North East Atlantic Fisheries Commission (NEAFC)
(London, UK, 9 to 13 November 2015)
CCAMLR Observer (Norway)

CCAMLR-XXXV/BG/40 Report from the CCAMLR Observer to the Meeting of the Extended Commission for the 23rd Annual Session of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT)
(Kaohsiung, Taiwan, 10 to 13 October 2016)
CCAMLR Observer (Australia)

CCAMLR-XXXV/BG/41 Report from the CCAMLR Observer (Republic of Korea) to the Meeting of the Western and Central Pacific Fisheries Commission (WCPFC)
(Bali, Indonesia, 2 to 8 December 2015)
CCAMLR Observer (Republic of Korea)

Other documents

SC-CAMLR-XXXV/08 Proposal by the Russian Federation to amend the CCAMLR Scientific Scholarship Scheme
Delegation of the Russian Federation

SC-CAMLR-XXXV/BG/17 Antarctic krill fisheries management and the need to retain CM 51-07
Submitted by ASOC

SC-CAMLR-XXXV/BG/18 Antarctic krill fisheries management: "What's next?"
Submitted by ASOC

SC-CAMLR-XXXV/BG/19 Report to the Scientific Committee of CCAMLR by the Association of Responsible Krill harvesting companies (ARK)
Submitted by ARK

WG-FSA-16/03 Consideration of requirements for a CCAMLR hook-marking scheme
Secretariat

**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 35th annual meetings of the Commission and Scientific Committee.

As your Chairman has noted, thank you Vasily, this is the second year for me to have the honour of welcoming representatives from Members and other participants to the annual meeting of CCAMLR here in Hobart.

Of course, some of you have already been here for two weeks participating in the Scientific Committee’s working group meeting and, importantly, late last week I understand, a Scientific Committee Symposium. A belated welcome to those of you who have been working hard in those meetings over the last two weeks. I certainly hope that you had a successful Symposium and that you were able to identify priority issues to guide your work in support of the Commission in the long term.

I did note last year that CCAMLR is a highly valued member of the Hobart community. In addition, I told you that coming back to this building has some nostalgia for me – I sat some of my high school exams in this magnificent building when it was still The Hutchins School! So, there is a lot about CCAMLR that appeals personally to me and I am grateful for this opportunity to open your annual meeting.

In preparing to open your meeting this year, I took time to read through the Opening Addresses that have been delivered by Tasmanian Governors to your meetings over the last decade or so. I found it interesting how many times the same, or similar topics, came up in those addresses over the years.

Illegal, unreported and unregulated (IUU) fishing, the challenges associated with your consideration of the establishment of a system of protected areas in the CAMLR Convention Area, uncertainties associated with the impacts of climate change, the importance of implementing a krill fishery feedback management strategy and the overarching commitment to a precautionary approach have regularly been highlighted as issues of primary concern to your Commission for a decade or more.

The scope of these issues is obviously large and complex and many of them are likely to form the basis of discussions among CCAMLR Members for many years to come. Although I understand that CCAMLR Members have committed to the establishment of a system of protected areas more than a decade ago, it is obvious that this matter presents significant challenges for a range of political and technical reasons and that your collective highly developed diplomatic skills will continue to be tested before a mutually acceptable system is agreed. I sincerely wish you well in renewing your efforts in this regard during this session. I, like so many among the global community, look forward to positive developments during the next fortnight.

Another challenging issue, not confined to discussion in CCAMLR, is the impacts of climate change and our rapidly changing environment. Although there is still a great amount to learn, there is little doubt that the ocean ecosystem in CAMLR’s Convention Area is among the most significant of ecosystems on our planet – marine or terrestrial. It is widely accepted that,

as a global conveyor of ocean processes, its services and functions extend well beyond the CAMLR Convention Area into all of the planet's oceans. The challenge for CCAMLR is to accommodate the uncertainties associated with climate change in its decision-making and make adequate provision for that change as a central consideration in CCAMLR's efforts to conserve and manage fisheries resources within that ecosystem.

A critical component of this ecosystem, a keystone species, is of course krill. It was the possible unbridled expansion of commercial krill fishing that was the primary reason for the establishment of CCAMLR more than 35 years ago. I have been told that current levels of commercial fishing are relatively small compared with the estimated size of the resource in the southwest Atlantic where the current fishery is concentrated.

However, I know that there are concerns, both within the CCAMLR community and beyond, about potential impacts if fishing is concentrated in areas that are critical to other components of that same ecosystem – such as penguins, marine mammals and flying seabirds. I know that the concept of a feedback management arrangement where fishing can be regulated on the basis of “signals” that might be picked up among populations of such dependent species has been under discussion for a long time – a work in progress for 20 years or more I am told. Reflecting on this, I simply hope that you are collectively able to make progress in putting an appropriate system in place to regulate fishing effort so that detrimental impacts arising from fishing, to the extent they can be isolated, are avoided. I hope that we do not need a crisis to galvanise the action that is necessary to achieve this.

In times of crisis, when fisheries needed to be closed to allow overexploited resources to rebuild, when incidental mortality of seabirds threatened some species with extinction and when illegal fishers were possibly harvesting more fish from the CAMLR Convention Area than the fleet regulated by CCAMLR, this organisation has demonstrated a great capacity to act – with incredible clarity and decisiveness.

I note that CCAMLR Members working individually, collectively and with other Members of the international community, continue to make significant advancements to address major threats to the sustainability of CCAMLR-managed fisheries. The standout in the last few years has been the apparent successes in reducing IUU fishing in the CAMLR Convention Area. Those CCAMLR Members concerned are to be applauded for their commitment in this regard.

That said, I understand that evidence of IUU fishing in the Southern Ocean has not been eliminated totally. I hope that, working together, you can identify those responsible, prosecute them within the limits of domestic and international law and establish the means to prevent such operations resurfacing.

The demanding agenda that you have set yourselves for the next two weeks is a reflection of the ongoing challenges associated with monitoring, and responsibly responding to, human activities and natural changes that are taking place in the Antarctic marine environment. The fullness of your agenda is also a reflection on the commitment CCAMLR Members have traditionally applied to addressing such challenges as they have presented themselves over the last 34 years.

The international community is waiting on the outcomes of your discussions here over the next two weeks. I wish you the very best in your deliberations and I to look forward to learning the results of your discussions.

Finally, I regularly keep an eye out for media coverage of CCAMLR and fishing in the Southern Ocean. Again, as I was preparing for this visit, I trawled the CCAMLR website and Facebook page for information. Both are extremely valuable resources, rich in useful and very interesting information. I particularly like your Facebook page with the wide diversity of conservation-related information focusing on the Antarctic and the work of CCAMLR.

Mr Chairman, I wish you well in the conduct of this meeting over the next 10 days. I am advised that your extensive multilateral experience and considerable diplomatic skills means that the meeting is in very good hands. I hope that you find this, your first meeting as Chair of the Commission, rewarding and will be able to look back on your time in Hobart with satisfaction.

Distinguished Delegates, Ladies and Gentlemen, I look forward to discussing progress on these and other issues of significance to CCAMLR this evening when I have the pleasure of hosting you at Government House.

Thank you.'

Agenda for the Thirty-fifth Meeting of the Commission

**Agenda for the Thirty-fifth 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 Status of the Convention
 - 2.3 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
 - 3.5 Advice from SCIC
4. Administration and Finance
 - 4.1 Annual Financial Statements
 - 4.1.1 Examination of Audited Financial Statements for 2015
 - 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 2016 Budget
 - 4.4.2 Draft Budget for 2017
 - 4.4.3 Forecast Budget for 2018
 - 4.5 Selection process for the next Executive Secretary
 - 4.6 Advice from SCAF

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 Reports of observers from international organisations
 - 10.2.2 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
 - 10.2.3 Cooperation with RFMOs
11. 2017 budget and forecast budget for 2018
12. Other business
13. Next meeting
 - 13.1 Election of officers
 - 13.2 Invitation of observers
 - 13.3 Date and location
14. Report of the Thirty-fifth Meeting of the Commission
15. Close of the meeting.

**Summary of activities of the Commission during the
2015/16 intersessional period – Report of the Chair**

Summary of activities of the Commission during the 2015/16 intersessional period

Report of the Chair

Intersessional meetings

1. The Subgroup on Acoustic Survey and Analysis Methods (SG-ASAM) met at La Jolla, USA, in March 2016 and the meetings of the Working Groups on Statistics, Assessments and Modelling (WG-SAM) and Ecosystem Monitoring and Management (WG-EMM) took place in Italy in June/July 2016. 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) met, in an abbreviated session, at the CCAMLR Headquarters in early October. It was followed by a two-day Scientific Committee Symposium. In addition, a four-day Workshop was held in July at the CCAMLR Headquarters in Hobart to review progress with the development of the new electronic web-based Catch Documentation Scheme for *Dissostichus* spp. (e-CDS) platform and discuss implementation arrangements.

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

2. As of 1 October 2016, 214 inspectors were designated by Australia, Chile, France, New Zealand and the UK. Fifteen at-sea inspections were reported to have been conducted by the Chilean, New Zealand and the UK designated inspectors in Subareas 48.1 and 88.1. The outcomes of these inspections will be considered through the Compliance Evaluation Procedure (2015 – 31 July 2016) at CCAMLR-XXXV.

3. As of 1 October 2016, 94 port inspections were reported to have been conducted by Australia, Chile, France, Republic of Korea, Mauritius, New Zealand, South Africa, United Kingdom and Uruguay.

4. During 2015/16, 71¹ deployed scientific observers were appointed in accordance with SISO; 43 on longline vessels, 3 on trawl vessels fishing for icefish and 24 on vessels fishing for krill. Of these 71 deployments, 41 were international observers and 30 were national observers. Overall, the deployment of observers in 2015/16 involved 14 Receiving Members (i.e. Members with a SISO-appointed observer on their vessel) and 9 Designating Members (i.e. Members who provided SISO-appointed observers with a different nationality to the vessel's Flag State).

CCAMLR-regulated fisheries

5. To date in the 2015/16 season (1 December 2015 to 30 November 2016), CCAMLR Members have participated in fisheries and research targeting icefish, toothfish and krill (see

¹ Observers that began their deployment after 1 December 2015.

SC-CAMLR-XXXV/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.

6. As of 14 September 2016, Members reported a total catch of 258 365 tonnes of krill, 12 211 tonnes of toothfish and 572 tonnes of icefish from the Convention Area.

7. The Secretariat monitored all CCAMLR fisheries using catch and effort reports and notifications of vessel movements which it uses to advise Members and vessels of the closure of areas and fisheries. To date during 2015/16, 14 fishery management areas have been closed by the Secretariat as a result of reported catches approaching the relevant catch limits. Fishing is still in progress in some fisheries and some forecasted closures remain under review.

Catch Documentation Scheme for *Dissostichus* spp.

8. CCAMLR's Catch Documentation Scheme for *Dissostichus* spp. (CDS) was implemented in May 2000 in accordance with Conservation Measure (CM) 10-05. The CDS was 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.

9. Since its implementation, the CDS has expanded to include 30 Contracting Parties and non-Contracting Parties with 60 CDS Contact Officers currently authorised by participating States for 2016.

10. As of 19 September 2016, the CDS database contained 70 951 catch, export and re-export documents. This is an increase of 4 490 records since the same time last year.

11. Non-Contracting Parties not cooperating with CCAMLR by participating in the CDS identified through the CDS to possibly be involved in the harvest and/or trade of toothfish in 2016 include: Brunei Darussalam, Colombia, Cuba, Dominican Republic, Malaysia, Mexico, Philippines, Thailand, Trinidad and Tobago, United Arab Emirates and Viet Nam.

12. During the year CCAMLR formally approached non-Contracting Parties that may be involved in the harvest and/or trade of toothfish not cooperating with CCAMLR to seek their cooperation and to provide data regarding the trade of toothfish. In 2015/16, Colombia and Ecuador (see COMM CIRC 16/48) formally replied to CCAMLR's correspondence.

VMS

13. The vessel monitoring system (VMS) continues to be implemented under CM 10-04. Most vessels voluntarily report directly to the Secretariat in real time. In addition, a number of vessels that catch toothfish outside the Convention Area also voluntarily report to CCAMLR. In 2015/16, 49 vessels operating inside the Convention Area and over 267 vessels operating outside it reported to CCAMLR's VMS.

Illegal, unreported and unregulated (IUU) fishing

14. On 23 September 2016, Members were advised that two new vessels, the *Northern Warrior* and the *Antony*, have been proposed for inclusion on the Draft NCP-IUU Vessel List for 2016/17 by Spain (COMM CIRC 16/69). No new vessels were proposed for inclusion on the CP-IUU Vessel List for 2016/17. No vessels have had information submitted in respect to their possible removal from the NCP-IUU Vessel List.

15. The Secretariat wrote to the Flag States of vessels included on the NCP-IUU Vessel List and sighted during 2015/16 (Cambodia, Islamic Republic of Iran, Islamic Republic of Mauritania and Nigeria). No response has been received in respect of the Secretariat's correspondence.

16. Since 2013, the Secretariat has consolidated available data related to IUU (and probable IUU) activity to provide an overview of the potential spatial and temporal distribution of IUU activity in the CAMLR Convention Area in recent years (updated this year in CCAMLR-XXXV/12 Rev. 2). In addition to ongoing collaboration with international agencies and organisations to combat IUU fishing, such as with Interpol, the main IUU-related action during the year concerned the vessel previously known as the *Andrey Dolgov* which may have now changed its name and be operating under an unknown flag. This year's meeting will discuss the case of the *Andrey Dolgov*.

Commission representation at meetings of other organisations

17. The Commission was represented at meetings of the following international organisations and programs in 2015/16: ATCM, CCSBT, FAO COFI, IATTC, ICCAT, IOC, IOTC, IWC, NAFO, NEAFC, SEAFO, SIOFA, SPRFMO and WCPFC. CCAMLR-XXXV will consider reports from the CCAMLR Observers at these meetings under Agenda Item 10.2.

Membership

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

Secretariat

19. The Secretariat continued to provide quarterly financial and investment reports to Members. In addition to servicing intersessional meetings of the Scientific Committee's working groups and the e-CDS Workshop, the Secretariat provided support to most e-groups that were active during the year. This included the Intersessional Correspondence Group – Sustainable Financing which continued its efforts to explore sustainable funding arrangements for the organisation. SCAF will consider the work of the ICG during 2015/16.

20. A report on the second year of implementation for the Strategic Plan (2015–2018) and its associated Staffing and Salary Strategy will also be considered by SCAF (CCAMLR-XXXV/05).

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

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

1. The Chair of the Standing Committee on Implementation and Compliance (SCIC), Mr O. Urrutia (Chile), facilitated discussions on Item 3 of the Commission's agenda.

Implementation and compliance

Review of compliance- and implementation-related measures and policies

CCAMLR Compliance Evaluation Procedure (CCEP)

2. 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 rules and procedures such as 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 compliance with CCAMLR conservation measures (CCAMLR-XXXI, paragraph 7.26).

3. SCIC considered the Secretariat's report on the fourth year of implementation of CCEP, including the Summary CCAMLR Compliance Report for 2016 (CCAMLR-XXXV/32 Rev. 1).

4. SCIC noted that the CCEP covered the period from 1 August 2015 to 31 July 2016 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.

5. SCIC noted that the Summary CCAMLR Compliance Report for 2016 included a Draft CCAMLR Compliance Report for Chile, Japan, the Republic of Korea, New Zealand, Norway, Russia, South Africa, Ukraine and Uruguay.

6. SCIC noted that 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 in time for the deliberations of SCIC.

7. SCIC considered the Summary CCAMLR Compliance Report that included Members' responses and suggested compliance status in developing the Provisional CCAMLR Compliance Report to be adopted by consensus.

8. In accordance with CM 10-10, Annex 10-10/B, the Provisional CCAMLR Compliance Report for 2016 included an assessment of compliance status, recommendations for remedial action and recommendations for amendment to conservation measures.

9. The Provisional CCAMLR Compliance Report for 2016 is provided in Appendix I for consideration and possible adoption by the Commission.

10. SCIC noted that South Africa was not able to provide additional information regarding the implementation of CM 10-02 by the *Koryo Maru No. 11* and CMs 22-07, 26-01 and 41-01 by the *El Shaddai*. South Africa noted that it had experienced operational and administrative problems. SCIC thanked South Africa for its commitment to supply a report to the Secretariat within 60 days of CCAMLR-XXXV.

Provisional CCAMLR Compliance Report

Conservation Measure 10-01

11. SCIC considered the implementation of CM 10-01 with regard to the Korean-flagged vessel *Kingstar* that had buoys marked with the incorrect vessel's markings. The Republic of Korea reported that the *Kingstar* had collected fishing gear from its sister vessel, *Greenstar*, when the vessel's engine broke down. Korea reported that there was full compliance with CM 10-01, paragraph 5, in a subsequent inspection by Chilean authorities.

12. SCIC agreed that since the *Kingstar* had had to retrieve the *Greenstar*'s gear due to an emergency, no compliance status would be assigned.

13. SCIC considered the implementation of CM 10-01 with regard to the Russian-flagged vessel *Oladon 1* which did not have its international radio call sign (IRCS) marked on the vessel as required by CM 10-01. Russia reported that the IRCS marked on the superstructure was not of the size required by CM 10-01 but that the IRCS was on the hull.

14. SCIC noted that in images of the vessel *Oladon 1*, there was no IRCS marked on the hull and that the vessel had not complied with CM 10-01. SCIC requested that Russia undertake further action to ensure full compliance with CM 10-01 by the vessel.

Conservation Measure 23-01

15. SCIC considered the implementation of CM 23-01 by the Uruguayan-flagged vessel *Rambla*. Observers reported that by-catch was overlooked or not recorded by the crew and that the officer-on-watch did not keep records of landed, dropped or discarded by-catch. Uruguay stated that an adequate system to account for the catch landed was set up at the time. It was stated that when multiple lines with abundant catch were being hauled at the same time, data could not be recorded in real time. Uruguay reported that all rays were counted and obligations regarding declaration of all species caught, including by-catch, were met.

16. SCIC further noted that the by-catch data reported by the vessel and that reported by the observer differed with higher by-catch reported by the observer. Uruguay thanked the Secretariat for the information and committed to undertaking a full investigation of the vessel. SCIC agreed that the vessel did not comply with its obligations in respect of CM 23-01 and looked forward to the outcomes of Uruguay's investigation.

Conservation Measure 24-01

17. SCIC considered the implementation of CM 24-01 by the Chilean-flagged vessel *Puerto Williams* which did not achieve the required minimum tagging rate agreed at CCAMLR-XXXIV (CCAMLR-XXXIV, paragraph 5.52; SC-CAMLR-XXXIV, paragraphs 3.252 to 3.264).

18. SCIC noted that no further research fishing would be undertaken by the vessel in the coming season, and that Chile had taken remedial action to prevent future non-compliance, including training for crew and the requirement for a compliance plan for the vessel.

Conservation Measure 25-02

19. SCIC considered the implementation of CM 25-02 by the Uruguayan-flagged vessel *Rambla* where the observer on board reported issues with the operation of the vessel's streamer lines, bird exclusion devices and navigation lights.

20. SCIC noted that CM 25-02, Annex 25-02/A provides some operational flexibility for how the requirements of this conservation measure are met and that the *Rambla* had clearly demonstrated efforts to minimise bird mortality.

21. SCIC agreed that CM 25-02 may benefit from clarification and that CM 25-02 may be revised by the Commission to specify the speed at which line setting should occur, specify the length of the streamer line and the number or weight of towed objects.

22. The Scientific Committee Chair, Dr M. Belchier (UK), advised that streamer lines should be deployed in such a manner that is necessary to avoid bird by-catch. The Scientific Committee Chair suggested that CM 25-02 may be revised to convey the measures needed to deploy streamers more effectively and that, if SCIC wanted further advice, the issue on setting speed and weight could be referred to the Scientific Committee for consideration.

Conservation Measure 25-03

23. SCIC considered the implementation of CM 25-03 by the Korean-flagged vessel *Sejong* that discharged offal on 13 occasions. SCIC noted that the matter had been investigated by Korea and that the discharge was the result of structural problems. The vessel was required to make structural changes to prevent offal discharge occurring again and completed the changes as of January 2016.

24. SCIC considered the implementation of CM 25-03 by the Norwegian-flagged vessel *Antarctic Sea*. Norway indicated that the vessel discarded small amounts of krill due to problems with the continuous pumping system. SCIC noted that the vessel owner was committed to resolving the technical issue.

Conservation Measure 26-01

25. SCIC considered the implementation of CM 26-01 by the Korean-flagged vessel *Sejong* that dumped krill catch at sea. SCIC noted that while an investigation by the police

into the matter was ongoing, Korea had taken a series of measures to prevent further compliance issues, including issuing a two-month suspension of the vessel's operation, requiring the vessel to have an additional non-Korean observer on board, further training of the crew and the master and structural changes to the vessel's processing facilities.

26. SCIC welcomed the efforts made by Korea, and Korea indicated that additional action may be taken in accordance with its domestic law depending on the result of the ongoing police investigation.

27. Some Members expressed concerns about the number of compliance issues involving the *Sejong* that had been considered this year and in previous years. China highlighted the obligation of Members to both prevent, and accurately report, the quantity of discharge of discards of krill, so that the trigger level was not exceeded.

28. SCIC requested Korea provide intersessional updates of the police investigation into the *Sejong*.

29. SCIC considered the implementation of CM 26-01 by the Korean-flagged vessel *Sejong* that was reported to have dumped oil sludge in Subareas 48.1 and 48.3. SCIC noted that the observer incorrectly assumed that oil sludge had been dumped at sea when it had been disposed of appropriately by the vessel at the port of Lima in Peru. SCIC noted that Korea had provided the disposal certificates issued by Peruvian authorities in respect of the oil on board the vessel.

30. SCIC noted with some concern that a number of inconsistencies were evident in the information reported by observers on vessels and that provided by Members in response to CCEP.

31. SCIC considered the implementation of CM 26-01 by the New Zealand-flagged vessel *San Aotea II*. SCIC welcomed New Zealand's investigation and the changes made to New Zealand's pre-trip inspections.

32. In considering the various compliance issues regarding disposal of waste, offal and discards during operations in all Antarctic marine living resources fisheries, SCIC noted that the issue required further consideration.

33. SCIC noted several specific examples and acknowledged there were various structural issues, such as absence of grates, grills and filters, that had the potential to increase the incidence of waste, offal and discard discharges into the sea and that CM 26-01 did not have specific requirements for grates, grills or filters.

34. New Zealand stated that inspectors are instructed to find areas on board where discharge could occur. It was noted that inspections often did not occur during processing of fish, when the origins of waste discharge would be most evident.

35. SCIC considered the implementation of CM 26-01 by the Russian-flagged vessel *Oladon I*. Several Members noted that the conditions on board the vessel, as described in inspection reports, would have made discharges inevitable when processing was underway.

36. The EU expressed its concern about the high incidences of discards from fishing vessels and asked SCIC to consider extending the ban of discards to the whole Convention Area as it is a wasteful practice.

37. SCIC encouraged Members to take part in the intersessional e-group on offal management to develop standards on offal management in the Convention Area.

Conservation Measure 31-02

38. SCIC considered the implementation of CM 31-02 by the Russian-flagged vessel *Palmer* that set three lines within 24 hours of a notified closure date and time and retrieved a line two hours after a notified closure date and time. SCIC noted that this was an instance of non-compliance.

39. SCIC noted with concern the report that the master of the vessel had set the lines within 24 hours of the notified closure date and time 'in error'. Several Members highlighted the seriousness of the non-compliance in this case. SCIC emphasised the importance of regular training of crews to avoid future non-compliance with conservation measures.

40. SCIC requested that Russia undertake further action to ensure full compliance with CM 31-02 by the vessel, including training of crews.

Conservation Measure 41-01

41. SCIC considered the implementation of CM 41-01 by the Japanese-flagged vessel *Shinsei Maru No. 3* where the observer on board reported poor handling of fish during tagging operations. It was further noted that the observer reported that in attempting to verify the vessel's conversion factor, it was impossible to keep track of individual fish and the crew were uncooperative in the process.

42. SCIC noted that Japan did not consider that the vessel had poor tagging practices nor had been uncooperative with the observer on board based on the result of its internal investigation.

43. SCIC noted again that a number of inconsistencies and gaps were evident in the information reported by observers on vessels and that provided by Members in response to CCEP.

44. SCIC noted that the practice of gaffing fish intended for tagging did not comply with the CCAMLR tagging protocol and that this practice greatly reduced the likelihood of tagged fish surviving and undermined that tagging program.

45. SCIC noted the advice of Scientific Committee that the CCAMLR tagging protocol provides clear advice that fish that have been gaffed should not be tagged as gaffing impacted their mortality rate significantly and created uncertainty in biomass estimations. SCIC noted the importance of correct tagging protocols to ensure that robust data is available for stock assessment purposes.

46. The USA recalled that the observer report indicates there was a practice of improper handling of fish aboard the *Shinsei Maru No. 3* and that the interventions of the observer were instrumental in ensuring that gaffed and bleeding fish were not tagged and released. Further,

given the statement from the observer that they were only able to monitor 50% of tagging operations, it seems likely that improper handling of tagged fish occurred when the observer was not present. The USA hoped that Japan would take steps to ensure that the vessel owner and operator are aware of the tagging protocol and that they commit to implementing better fish handling practices in the future.

47. Japan reiterated that the matter was one of a misunderstanding between the vessel's crew and the observer, and committed to ensuring full and proper training of crew in respect of the CCAMLR tagging protocol.

Issues outstanding from CCAMLR-XXXIV

48. SCIC considered a number of issues outstanding from the consideration of the CCEP in 2014 and 2015 (CCAMLR-XXXV/32 Rev. 1, paragraphs 12 to 15).

49. SCIC noted that Russia had failed to provide a report requested at CCAMLR-XXXIV regarding 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* (CCAMLR-XXXIV, Annex 6, paragraph 44). Russia reported that the observer in the case of the *Yantar 35* was unable to provide further information in an official capacity. SCIC thanked Russia for its commitment to provide the Secretariat with further information regarding this matter within 90 days of CCAMLR-XXXV.

50. SCIC noted that South Africa had failed to provide a report requested at CCAMLR-XXXIV regarding the implementation of CM 41-01 in respect of poor tagging behaviour by the crew, lack of instruction provided in relation to sampling vulnerable marine ecosystems (VMEs) and errors in the sampling buckets used to record VME benthos (CCAMLR-XXXIV, Annex 6, paragraph 46). SCIC noted that South Africa had investigated the incident but that the report prepared had not been forwarded to the Commission.

51. SCIC considered South Africa's report submitted during CCAMLR-XXXV (COMM CIRC 16/79). South Africa reported that the crew had received a thorough briefing prior to the trip, which had included information on the tagging objectives in CM 41-01, Annex 41-01/C, and the CCAMLR tagging protocol. South Africa also reported that the briefing included VME requirements and that a copy of the protocol was provided to the vessel master. South Africa affirmed its commitment to comply with all applicable conservation measures.

52. SCIC noted that Ukraine had failed to provide a report requested at CCAMLR-XXXIII and CCAMLR-XXXIV regarding the implementation of CM 10-04 by the vessel *Poseydon 1* (CCAMLR-XXXIII, Annex 6, paragraphs 64 to 66; CCAMLR-XXXIV, Annex 6, paragraph 60).

53. SCIC considered Ukraine's report submitted during CCAMLR-XXXV (COMM CIRC 16/80). Ukraine reported that the vessel *Poseydon 1* had been renamed *Marigolds*. Ukraine stated that the new vessel charterers had provided the Ukrainian authorities with a report on the vessel's port inspection conducted by Chile on 30 September 2016. The report provided evidence of the sealing of the vessel's ARGOS terminal antennae. SCIC was informed that the *Marigolds* was now in compliance with the requirements of CM 10-04.

54. Some Members noted with concern that a number of CCEP issues remained outstanding for significant periods of time when Members had failed to provide information. It was further noted that CCEP must not provide a mechanism for Members to delay consideration of a compliance issue by not providing information. It was suggested that a provisional compliance status be assigned in these cases and that, if the information is not forthcoming in the required period of time, the compliance status stands. It was also noted that all Members should be prepared to discuss SCIC compliance issues at any point during the meeting.

Issues with conservation measures

Conservation Measure 10-02

55. SCIC noted that CMs 21-02 and 21-03 require Members to provide the specification and full description of the types of fishing gear to be used by a notified vessel. It was agreed that to ensure vessels only use the type of fishing gear specified in their fishery notification, CM 10-02 should be revised to require the description of the types of fishing gear to be provided in a vessel's licence notification. SCIC noted that this would also support the evaluation of the implementation of CM 22-06, paragraphs 7(ix)(a) and (b).

Conservation Measure 10-03

56. SCIC noted that it is currently not possible to determine if a Member has inspection obligations for vessels carrying Antarctic marine living resources species and entering its ports and that this was another example where the krill fishery was regulated differently to the toothfish fishery.

57. SCIC noted that of 70 transshipments by seven vessels in the Convention Area, only three port inspection reports had been received by the Secretariat.

Conservation Measure 10-10

58. SCIC considered the proposal by Chile (CCAMLR-XXXV/27) for the revision of compliance status categories in CM 10-10. Chile highlighted the need for greater clarity in categories for the more efficient consideration of the issues by SCIC. It was agreed that the status of partially compliant be removed and that compliant, non-compliant (minor infringement), non-compliant (serious, frequent or persistent infringement) be included.

59. SCIC thanked Chile for its work on the compliance status categories and noted that proposed changes would greatly assist in the consideration of CCEP. SCIC recommended that CM 10-10 be revised in this regard.

60. SCIC considered the interpretation of the words 'frequent or persistent' in the categories contained in CM 10-10. Members discussed how these two terms could apply to the designation of categories in compliance incidents. It was noted that further clarification of the two terms would assist in the consistent application of this status.

61. China suggested that any vessel that was repeatedly considered in CCEP and found non-compliant was a clear case of serious non-compliance, and indicated that in this context Article 21(11) of the UN Fish Stock Agreement is relevant. Some Members considered that a vessel could not be frequently non-compliant over a single year; rather it would apply to cases across multiple years.

62. The UK highlighted that patterns of behaviour over time can be indicative of persistent and frequent incidents and that may represent a greater level of intent to not comply. SCIC agreed that the Secretariat be requested to provide a summary table for CCAMLR-XXXVI showing CCEP outcomes since the CCEP process commenced.

63. SCIC noted that during the compliance evaluation period, issues may be identified by the Secretariat in relation to Members' implementation of conservation measures that are not contained in CM 10-10, Annex 10-10/A. These issues, therefore, must be raised at SCIC outside CCEP and not considered in the same way. SCIC was invited to consider expanding the conservation measures included for evaluation in CM 10-10 to provide for an equal process for the consideration of these issues.

64. SCIC thanked the Secretariat for raising this issue and agreed that all conservation measures should be included in the CCEP and SCIC recommended that CM 10-10 be revised in this regard.

Scheme of International Scientific Observation

65. In relation to the implementation of CM 10-10 and the importance of the role of observers, Australia noted CCAMLR's ecosystem-based approach to fisheries and that collecting data on the interactions between fishing activities and the ecosystem is a specialised job, which requires people to have the skills to collect robust datasets on the biology and ecology of the target and by-catch species, and observe interactions with other wildlife such as seabirds. Australia further noted that CCAMLR needs and uses the data collected by observers to ensure its decisions are consistent with the objective of the Convention, which is why they are so important to CCAMLR. In this regard, Australia noted that any accusations of harassment, interference or intimidation with scientific observers on board fishing vessels in the CCAMLR area is extremely concerning and that SISO is clear with regard to the obligations of owners, masters, agents and crews of a vessel.

66. SCIC noted several incidences of possible or perceived harassment and obstruction of the observers' work. Members reiterated the grave seriousness of any interruption to the work, intimidation, or obstruction, of observers on board fishing vessels.

67. In noting the seriousness of any possible interruption to the work of the observers on board fishing vessels, it was agreed that relevant paragraphs of Part D of SISO be included in CCEP to enable greater oversight of the treatment of observers on fishing vessels in the Convention Area. SCIC recommended that CM 10-10 be revised in this regard.

Conservation Measure 25-03

68. SCIC considered the differences in the translation of CM 25-03, paragraph 4. It was noted that in the English version net cleaning is advised, while in the French and Spanish versions, net cleaning is mandatory and the Russian version states nets shall be cleaned.

69. Norway recalled that at CCAMLR-XXXIV, the incident involving the fishing vessel *Saga Sea* and its implementation of CM 25-03 was discussed. In that instance, the implementation of the conservation measure was compliant, despite the observer reporting that crew members rarely conducted the ‘required’ net cleaning prior to shooting its net (CCAMLR-XXXIV, Annex 6, paragraph 30). It was noted that the *Saga Sea* had an automated net cleaning system, which the Scientific Committee acknowledged was sufficiently self-cleaning (CCAMLR-XXXIV, Annex 6, paragraph 30).

70. SCIC noted the importance of having consistent language in conservation measures. SCIC noted the advice of the Scientific Committee that the provision in CM 25-03 should be mandatory and it was important to recall that the objective of CM 25-03 was to reduce the risk of bird mortality. SCIC recommended that CM 25-03 be revised so that all language versions are consistent.

71. Members recognised the efforts that Chilean and Ukrainian authorities had made in ensuring they complied with the stricter interpretation of CM 25-03, paragraph 4, including the additional training and guidance they provided to crews of vessels flagged to them.

Compliance with conservation measures in force

Fishery notifications

72. SCIC considered CCAMLR-XXXV/BG/05 Rev. 1 summarising fishery notifications submitted by Members in accordance with CMs 21-02 and 21-03 for exploratory toothfish fisheries and established krill fisheries for 2016/17. SCIC noted that all fishery notifications were submitted by the deadline of 1 June 2016.

73. SCIC noted that all exploratory toothfish fishery notifications submitted by Members included the information required by CM 21-02, paragraph 6(i), including a fisheries operation plan as required by CM 21-02, paragraph 6(ii). Where required, research plans were submitted by Members to WG-SAM (CM 21-02, paragraph 6iii) and preliminary assessments were submitted to the Secretariat (CM 22-06, paragraph 7i).

74. SCIC noted that all established krill fishery notifications submitted by Members included the information required by CM 21-03, paragraph 2, and Annex 21-03/A and that vessel gear descriptions and specifications, including net diagrams and mammal exclusion devices, were submitted by Members with their online notification.

75. SCIC considered the late payment of fishery notification fees in respect of the Chinese-flagged vessels *Ming Kai* and *Ming Xing*. SCIC noted China’s advice that the payment of fishery notification fees for krill fisheries was a new process and that the consequences of late payment were not clear. China further noted that the fishery notifications had been considered by WG-EMM and requested that SCIC consider accepting the vessels to participate in the 2016/17 season.

76. Some Members noted that the two Chinese notifications were not complete.
77. All notifications were referred to the Commission.
78. SCIC agreed to include a paragraph specifying that the obligations of the payment of notification fees include the deadline for fishery notification fees in CMs 21-01, 21-02 and 21-03 and that these measures be revised in this regard.
79. SCIC considered the exploratory fishery notification submitted by the Republic of Korea for the *Hong Jin No. 707*. Many Members expressed their concern about the notification.
80. Korea explained the background on which it had submitted the fishery notification for the vessel in the following statement:

‘In 2014, it was brought to the attention of the Korean government that there was a substantial discrepancy (31 tonnes by head, gutted and tailed (HGT)) between the amounts of the catches taken and reported by the vessel in the Convention Area and measured at the point of landing. Before the 2013/14 season in 2013, the vessel made an illegal incursion into waters in FAO Statistical Area 41 and the government refused to validate a *Dissostichus* catch document (DCD) for the catches taken in the said waters and the operator reported that the vessel had dumped the catches in order not to gain financial gains from the illegal catches.

The Korean government mentioned that it had undertaken investigation on the relevant matters and suspected that the vessel might not have dumped the catches hence the discrepancy. In response to this suspicion, the operator explained that the discrepancy was due to three reasons, i.e. glazing, inaccurate measurement on board due to rolling and pitching, and cutting off decimal points in measured weights. The Korean government found that this explanation was not convincing enough as the relevant master, crew members and the operator all told different stories about the dumping and the on-board observer did not recall anything about the dumping. With the suspicion unresolved, the Korean government suspended the vessel’s notification for three years in November 2015 because it was not satisfied with the vessel’s ability to exercise its responsibilities under the Convention and conservation measures of CCAMLR. The operator contested that decision and filed a law suit. The court issued an injunction that the government must submit the notification for the vessel. The case is still pending at the court and the final ruling has yet to be made.’

81. Many Members expressed concern regarding the notification of the *Hong Jin No. 707*, noting its alleged misreporting of catch, and also noting that the matter was still under consideration through Korea’s domestic legal processes. SCIC also sought further clarification from Korea regarding its investigation, including further information on the interviews conducted with the observers and crew. SCIC noted with concern the inconsistent information arising from those interviews. SCIC also expressed its concern that the evidence obtained during Korea’s investigation indicates that the discards of illegal catch never actually occurred.
82. The USA recalled that when CCAMLR considered this issue in 2014, Members had understood that these discards ensured the vessel did not profit from its illegal activities. In

the view of the USA, that was a critical component of the sanctions that Korea took with respect to the *Hong Jin No. 707* and was part of the reason that Members did not seek to have the vessel included on the CP-IUU Vessel List.

83. SCIC recalled the obligations under CM 10-02, paragraph 2, which provide that a Contracting Party may only licence a vessel to fish in the Convention Area if it is satisfied of the vessel's ability to exercise its responsibilities under the Convention and its conservation measures. Based on the information provided by Korea on the results of the investigation, SCIC agreed that it would not be possible for Korea to issue a licence to the *Hong Jin No. 707* while the question of this vessel's ability to exercise its responsibilities remained unresolved.

84. Many Members expressed the view that they could not support approving the *Hong Jin No. 707*'s notification to fish until the operator can provide clear evidence that they did not accrue financial gains from the catches taken during illegal fishing undertaken in 2013 in the waters of Area 41.

85. Korea noted that while it would respect the decision of SCIC regarding its vessel for the 2016/17 season, and it recognises its responsibility under paragraph 2 of CM 10-02, it may have to notify the vessel for subsequent seasons, depending on the court's final decision.

86. SCIC considered the Ukrainian-flagged vessel *Marigolds* that was notified as a replacement vessel to the originally notified *Korchev-Yug* (COMM CIRC 16/59). Following the reservation of its position (COMM CIRC 16/63), the UK made the following statement:

'UK law enforcement agencies are aware that foreign individuals and groups based in the UK are acting for offshore organised crime groups to set up UK registered entities (companies, limited liability partnerships and Scottish limited partnerships) which are then being used for criminal purposes. As the beneficial owners of these UK entities are not based in the UK, and no business is being carried out in the UK, the entities are not required to provide any information to UK authorities. The UK's National Crime Agency together with HM Revenue & Customs are working together with other agencies to deter this activity. The address notified as being the beneficial owner of the Ukrainian-registered vessel *Marigolds* is linked to previous criminal activity. Consequently, the UK law enforcement agencies believe it to be highly probable that any limited partnership registered at that Edinburgh address is likely to be involved in a criminal enterprise.'

87. Ukraine thanked the UK for its efforts in this regards and welcomed the opportunity to examine the issue further. Ukraine advised that the results of their investigation revealed no infringements in the actions of the Ukrainian chartering company, which had applied for the provisional flag of Ukraine for the vessel *Marigolds*, and duly received it in terms of domestic law. Ukraine expressed its willingness to communicate and cooperate with the UK in support of their efforts to combat criminal activities.

88. SCIC considered the Russian-flagged vessel *Oladon 1* that was notified as a replacement vessel to the originally notified *Yantar 33* (COMM CIRC 15/112). SCIC noted that a number of Members had requested additional information regarding the replacement vessel (COMM CIRCs 15/114, 15/116, 15/117, 15/119 and 15/122). Some Members noted that at the time the *Yantar 33* was notified by Russia, it was reported as scrapped on IHS Sea-web.

89. Some Members noted with concern that the provisions of CM 21-02 were clear and that a Member could only notify a vessel that was flagged to it at the time of the notification. These Members noted that a notification for a vessel that did not exist could not, and did not, comply with this requirement. It was further noted that the *Oladon 1* was previously the *Yantar 35*, a vessel subject to numerous discussions regarding its activities in the Weddell Sea. Had this vessel been notified to fish, many Members felt that there would not have been agreement to permit the vessel to fish.

Seabird mortality mitigation

90. SCIC considered CCAMLR-XXXV/BG/19, summarising the scope and history of CCAMLR's seabird mortality mitigation measures with particular reference to offal and discharge management. New Zealand highlighted that CCAMLR's success with seabird mortality mitigation in high-latitude fisheries was likely a result of interactions between the evolving mitigation initiatives in place rather than the result of a single strategy.

91. SCIC noted that greater information sharing in respect of vessels' specific seabird mortality mitigation methods would assist the fishing industry in understanding the requirements and to better comply with them.

92. SCIC thanked New Zealand for its work in this area. New Zealand suggested that there be an intersessional e-group to discuss further measures to better manage discharge of offal.

93. SCIC considered WG-FSA-16/03 which reported on an analysis undertaken in consultation with Members on the requirements for vessel-specific marking of hooks. SCIC recalled that at CCAMLR-XXXIV, the issue of offal discharge in the Ross Sea was discussed (CCAMLR-XXXIV/BG/10) and it was suggested that vessel-specific marking of hooks would assist in identifying the origin of recovered offal containing hooks and hooks found in seabird colonies (CCAMLR-XXXIV, Annex 6, paragraph 223; SC-CAMLR-XXXIV, paragraphs 3.86 and 3.87).

94. WG-FSA-16/03 provided information on the technical and logistical considerations for vessel-specific marking of hooks (WG-FSA-16/03, paragraphs 4 to 6), implementation and compliance considerations (WG-FSA-16/03, paragraphs 7 to 13). In considering the implementation of a vessel-specific hook marking scheme, SCIC was requested to address:

- (i) What issue or risk would a hook marking scheme seek to address?
- (ii) Would a hook marking scheme adequately address the identified issue or risk and what would the scope of the hook marking scheme need to be to adequately evaluate compliance with relevant conservation measures? For example, would the marking of hooks provide sufficient information to identify the origin of hooks? Would the hook marking scheme need to be implemented using vessel-, year- and/or fishery-specific hooks?
- (iii) Does the current schedule of notification, consideration and agreement for vessel participation in CCAMLR fisheries need to be revised in order to allow the manufacture of marked hooks?

- (iv) What mechanisms need to be implemented to assess a hook marking scheme during fishing operations?

95. SCIC thanked the Secretariat, however, it considered that there were too many outstanding questions and was unable to reach agreement on a hook marking scheme at this stage.

Automatic identification system (AIS)

96. SCIC considered CCAMLR-XXXV/01 on the evaluation of the use of automatic identification system (AIS) data to:

- (i) provide information to support CCAMLR's understanding of illegal, unreported and unregulated (IUU) trends and capacity in the Convention Area; or
- (ii) provide supplementary information to support the monitoring of authorised vessels operating in the Convention Area.

97. SCIC noted that AIS may provide a number of benefits, including:

- (i) providing an additional source of data to reconcile with data provided by other sources such as a vessel monitoring system (VMS), observers, catch and effort reporting, sighting reports and satellite data
- (ii) to enhance safety at sea, particularly when vessels operate in close proximity of one another such as in the krill fishery
- (iii) to validate manual reporting when an automatic location communicator (ALC) on board a vessel fails.

98. However, it was noted that AIS does have a number of limitations (CCAMLR-XXXV/01, paragraphs 11 to 14). France expressed the view that globalisation of AIS could also cause other problems, such as lack of confidentiality, and this topic has to be discussed.

99. SCIC thanked the Secretariat for evaluating AIS data. It was noted that while AIS data did have limitations, some Members considered the use of the data could be a positive inclusion in the broader compliance environment.

100. SCIC agreed to engage in further discussions intersessionally and for that purpose, encouraged Members to engage with the Secretariat's intersessional e-group.

Compliance with conservation measures in force

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

Implementation of the CDS

101. SCIC reviewed the implementation of the Catch Documentation Scheme for *Dissostichus* spp. (CDS) in 2015/16 (CCAMLR-XXXV/BG/06 Rev. 1) and noted that

30 Contracting Parties and two non-Contracting Parties (NCPs) currently participate in the CDS, with the Seychelles the only NCP with the status of NCP cooperating with CCAMLR by participating in the CDS and Singapore the only NCP cooperating with CCAMLR by monitoring toothfish trade through limited access to the electronic web-based CDS (e-CDS).

102. SCIC noted that the NCPs that may be involved in the harvest and/or trade of *Dissostichus* spp. while not cooperating with CCAMLR by participating in the CDS for the last five years include Antigua and Barbuda, Belize, Brunei Darussalam, Colombia, Costa Rica, Cuba, Dominican Republic, Democratic People's Republic of Korea, Ecuador, Honduras, Indonesia, Iran, Libya, Malaysia, Mexico, Mongolia, Nigeria, Philippines, St Kitts and Nevis, Thailand, Togo, Trinidad and Tobago, United Arab Emirates and Viet Nam.

103. For 2015/16, NCPs that may be involved in the harvest and/or trade of *Dissostichus* spp. while not cooperating with CCAMLR by participating in the CDS include Brunei Darussalam, Colombia, Cuba, Dominican Republic, Malaysia, Mexico, Philippines, Thailand, Trinidad and Tobago, United Arab Emirates and Viet Nam.

104. SCIC noted the efforts to engage NCPs, including letters sent by the Secretariat in accordance with CM 10-05, Annex 10-05/C, the NCP Engagement Strategy and a report to the Parties of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) pursuant to Resolution Conf. 12.4 'Cooperation between CITES and CCAMLR regarding trade in toothfish' and Decisions 12.57 and 12.59 (CCAMLR-XXXV/BG/06 Rev. 1, paragraphs 14 to 17).

105. SCIC noted that Colombia had responded to a letter sent by the Secretariat and was in the process of developing an application for the status of an NCP cooperating with CCAMLR by participating in the CDS.

106. SCIC recalled that at CCAMLR-XXXIV, China advised that Hong Kong Special Administrative Region (HKSAR) will continue to monitor the trade statistics of toothfish that is imported into, and re-exported through, the HKSAR (CCAMLR-XXXIV, Annex 6, paragraph 130). Toothfish reported through the CDS to be imported into HKSAR for 2016 amounted to 1 160 tonnes.

107. China advised that the preparatory work for implementing the Convention in the HKSAR, including carrying out the CDS and other conservation measures that are relevant to the HKSAR, were progressed. The HKSAR government will strive to commence the drafting of legislation as soon as possible. Meanwhile, the HKSAR government will continue to monitor the trade statistics of toothfish imported into, and re-exported through, the HKSAR.

108. SCIC considered Seychelles' status as an NCP cooperating with CCAMLR by participating in the CDS. It was noted that the Seychelles was accorded the status in 2002, but in the last 10 years, has not actively participated in the CDS, has not accessed the e-CDS and has not nominated a CDS Contact Officer.

109. SCIC noted that as an NCP cooperating with CCAMLR by participating in the CDS, the Seychelles has full access to the e-CDS to issue *Dissostichus* Catch Documents (DCDs), *Dissostichus* Export Documents (DEDs) and *Dissostichus* Re-Export Documents (DREDs) and is required to fulfil all obligations in respect of CM 10-05, Annex 10-05/C, paragraphs C8(i) and (ii).

110. It was further noted that the implementation of the new e-CDS will require a Party Administrator and CDS Contact Officers to be authorised by the Seychelles and without this authorisation, access will not be permitted.

111. Some Members agreed that the Seychelles is not fulfilling its obligations in respect of CM 10-05/C, paragraphs C8(i) and (ii) and recommended that the Seychelles no longer retains its status as an NCP cooperating with CCAMLR by participating in the CDS.

112. SCIC agreed, however, that the Seychelles be given until 31 January 2017 to fulfil its obligations in respect of CM 10-05/C, paragraphs C8(i) and (ii), including nominating a CDS Contact Officer, and that the Seychelles' status as an NCP cooperating with CCAMLR by participating with the CDS would be revoked if a response is not received. The Secretariat was tasked with making contact with the Seychelles in this regard. Some Members provided the Secretariat with the contact details of appropriate officials in the Seychelles to support this task.

113. SCIC considered Singapore's status as an NCP cooperating with CCAMLR by monitoring toothfish trade through limited access to the e-CDS. It was noted that Singapore has four CDS Contact Officers, participated in the e-CDS workshop (CCAMLR-XXXV/07) and has supported the Secretariat in the implementation of the NCP Engagement Strategy (CCAMLR-XXXV/BG/13).

114. SCIC welcomed the advice that Singapore will apply for the status of an NCP cooperating with CCAMLR by participating in the CDS at CCAMLR-XXXVI and commended Singapore for its active engagement with CCAMLR and the CDS. In accordance with CM 10-05/C, paragraph C5, SCIC agreed that Singapore should retain access to the e-CDS.

115. SCIC considered Ecuador's application for the status of an NCP cooperating with CCAMLR by participating in the CDS (CCAMLR-XXXV/BG/13, paragraph 7 and COMM CIRCs 16/48 and 16/72). SCIC welcomed the application from Ecuador and agreed that Ecuador should be granted the status of an NCP cooperating with CCAMLR by monitoring toothfish trade through limited access to the e-CDS. Many Members agreed that it was not appropriate to grant Ecuador the full cooperating status at this stage as it was unclear how Ecuador intended to meet the requirements of CM 10-05 in respect of toothfish trade. SCIC requested that the Secretariat obtain this information. Some Members noted that the application from Ecuador shows that the NCP Engagement Strategy adopted at CCAMLR-XXXIV is producing positive results and that cooperation with CCAMLR should be encouraged. SCIC agreed to grant Ecuador limited access to the e-CDS and further reassess its decision at CCAMLR-XXXVI.

116. SCIC agreed that a template should be developed to assist NCPs in applying for the status of an NCP cooperating with CCAMLR by participating in the CDS.

117. SCIC noted that no reports had been received by the Secretariat from Contracting Parties in respect of CM 10-05/C, paragraphs C11 and C12.

NCP Engagement Strategy

118. SCIC considered CCAMLR-XXXV/BG/13, reporting on the first years of implementation of the NCP Engagement Strategy (the Strategy) adopted at CCAMLR-XXXIV (CCAMLR-XXXIV/09, Appendix III).

119. SCIC noted that in 2015 and 2016, the Secretariat engaged with a number of NCPs and Contracting Parties to support the implementation of the Strategy, with the support of Australia, Peru and Singapore, including, Brunei Darussalam, Colombia, Ecuador, Indonesia, the Philippines, Malaysia, Thailand and Viet Nam (CCAMLR-XXXV/BG/13, Appendix 1).

120. SCIC noted that following this engagement, Ecuador had applied for the status of an NCP cooperating with CCAMLR by participating in the CDS and that engagement with Southeast Asian States was ongoing.

121. SCIC noted the work to be undertaken in 2017 (CCAMLR-XXXV/BG/13, paragraphs 11 to 16), including:

- (i) continued engagement with Brunei Darussalam, Indonesia, the Philippines, Malaysia, Thailand and Viet Nam through the Regional Plan of Action to Promote Responsible Fishing Practices Including Combating IUU Fishing in the Region (RPOA-IUU)
- (ii) undertaking, with support from interested Members, the NCP workshops as agreed at CCAMLR-XXXIV in South America and Southeast Asia (CCAMLR-XXXIV/09, Appendix III, paragraphs 21 to 23; CCAMLR-XXXIV, paragraph 3.21)
- (iii) further analysis of trade data to ensure accurate data is available to determine priority NCPs and Contracting Parties with direct trade relationships with NCPs
- (iv) engagement with Central American and Middle Eastern regions.

122. Australia thanked the Secretariat for its efforts to engage with Southeast Asian States through the RPOA-IUU, noted the challenges in engaging with Southeast Asian States and looked forward to working with the Secretariat in 2017.

123. SCIC thanked the Secretariat for its work and looked forward to the report by the Secretariat on the outcomes of this work at CCAMLR-XXXVI.

Trade data analysis

124. SCIC considered CCAMLR-XXXV/BG/12 Rev. 1 and BG/35, reporting on the analysis of the Food and Agriculture Organization of the United Nations (FAO) GLOBEFISH trade data to assess its utility to provide an accurate overview of the global trade of toothfish. SCIC noted that the objectives of the trade data analysis work in 2016 were to:

- (i) provide an overview of global trade dynamics of Patagonian (*Dissostichus eleginoides*) and Antarctic (*D. mawsoni*) toothfish per year for the last five years
- (ii) provide the volume and extent of the US trade in *D. eleginoides* and *D. mawsoni* per year for the last 10 years
- (iii) provide an overview of the trade dynamics of *D. eleginoides* and *D. mawsoni* per year for the last five years in the Southeast Asian region

- (iv) provide a trade data quality assessment
- (v) provide unit values of global toothfish trade for the last five years.

125. SCIC noted that the analysis compiled trade data for the national databases of 74 countries, including all major traders of toothfish with the exception of Viet Nam. Viet Nam's trade was estimated by examining the trade statistics of its trading partners.

126. SCIC noted that the analysis used a more robust estimation methodology, the Max of Partner Pair (MPP) methodology. SCIC noted that the MPP is considered reliable given that the incentive is almost always to underreport volumes, particularly in the case of a high-value and heavily regulated species such as toothfish.

127. SCIC also noted the following highlights:

- (i) an average annual volume of 25 054 tonnes of toothfish (*Dissostichus* spp.) was imported globally from 2009 to 2013, with a corresponding average annual value of US\$ 293 million
- (ii) 90% of global capture production is caught by vessels flagged to Argentina, Australia, Chile, France, Republic of Korea, New Zealand and the UK
- (iii) following landing, toothfish catch is generally exported, primarily in frozen, headed and gutted form, to various countries, mainly in North America, Europe and East and Southeast Asia
- (iv) the largest market for toothfish is the USA, whose imports over the 2009–2013 period represent 47% of the global total in volume terms, at an average of 11 683 tonnes per year, and 56% of the global total in value terms, at an average of US\$ 163.2 million per year
- (v) in Asia, the major importers of toothfish are China, HKSAR, Japan, Singapore and Thailand
- (vi) China, HKSAR and Singapore re-export a relatively large proportion of their import volume to various regional markets, with the latter serving as a processing centre and the former two primarily as transit points
- (vii) in Europe, it is the large Mediterranean seafood markets, particularly France, Italy and Spain, in addition to the UK, that account for the majority of toothfish imports
- (viii) the vast majority of national trade data authorities adhere to the basic harmonised system (HS) coding system, but there is significant variation in the level of disaggregation beyond the six-digit level. This variation exists both between countries and over time, in the latter case coinciding with the broad revisions of the HS coding system which take place every five years, the last in 2012.

128. SCIC agreed to the following terms of reference for an external trade and market specialist to complete the overview of global trade in toothfish in 2017:

- (i) undertake an analysis of the HS codes as they relate to *Dissostichus* spp.
- (ii) in collaboration with Contracting Parties, NCPs participating in the CCAMLR CDS and international organisations with competence over toothfish, undertake a further trade data quality assessment, including reported volumes, values and trade relationships
- (iii) undertake a further analysis of export–import differentials in trade data and CDS data
- (iv) undertake a comparison of global trade data with CDS data
- (v) develop a process for the annual analysis of trade data and reconciliation with CDS data.

129. The EU advised that it has funds available (€40 000) to support this action in 2017 on the condition that a 20% contribution by CCAMLR is provided and that the funds are committed before 31 December 2016.

e-CDS workshop

130. SCIC considered the summary report of the e-CDS workshop that was convened at the Secretariat in July 2016 (CCAMLR-XXXV/07). SCIC thanked the participants from Australia, Chile, Republic of Korea, New Zealand, Russia, South Africa, Singapore, Ukraine, Uruguay and the USA who attended the workshop.

131. SCIC noted that the e-CDS workshop had tested the new e-CDS and that it met all functional specifications in a user-friendly and logical way, with improved security and data quality constraints, including the management of reference data (CCAMLR-XXXV/07, paragraphs 4 and 5i to xi).

132. SCIC noted that the e-CDS workshop agreed that the inclusion of conversion factors for product types and size/grade categories would improve e-CDS data quality but that additional information was required to understand the issues and how they might be addressed in the e-CDS (CCAMLR-XXXV/07, paragraphs 6 and 7). SCIC tasked the Secretariat to:

- (i) with input from the Scientific Committee, industry and a wider range of e-CDS users, develop an understanding of the conversion factors for product types used in toothfish trade and how these may be applied in a logical way in the e-CDS
- (ii) formally request the Coalition of Legal Toothfish Operators (COLTO) to provide (i) greater detail of the co-mingling scenario, (ii) information on the size or grade categories used by industry globally, and (iii) views on the possibility of adopting a standard size or grade category that could be utilised in the e-CDS.

133. Some Members noted that the inclusion of conversion factors for product types and size/grade categories in the e-CDS should be considered very carefully and that no excessive burden should be imposed on the fishing industry in respect of reporting on conversion factors for product types and size/grade categories.

134. SCIC noted that the e-CDS has undergone further development, refinement and testing with support from e-CDS workshop participants and that the Secretariat was developing a range of training materials, including an e-CDS User Manual, e-CDS introductory videos and e-CDS user-specific guidelines for CCAMLR online support.

135. SCIC noted that the new e-CDS and all training materials would be made available for full user familiarisation by the first week of January 2017 and migration to the new e-CDS would be planned for completion by the end of February 2017.

136. SCIC noted that communication with all Members, CDS Contact Officers and e-CDS users would be a key priority during the implementation of the new e-CDS.

Conservation Measure 10-05

137. Following the advice of the e-CDS workshop, SCIC considered an amendment to the DCD, DED and DRED contained in CM 10-05 and detailed in CCAMLR-XXXV/07, paragraphs 8 to 16.

138. The proposed revisions to CM 10-05 were agreed and SCIC recommended the Commission revise this conservation measure.

Specially Validated DCD (SVDCD)

139. SCIC considered a proposal for a separate Specially Validated DCD (SVDCD) for implementation in the new e-CDS and CM 10-05 (CCAMLR-XXXV/07, paragraph 17 and Appendix 2). The proposed revision to CM 10-05 was agreed and SCIC recommended the Commission revise this conservation measure.

System of Inspection

140. SCIC considered the paper submitted by the UK, Australia and New Zealand (CCAMLR-XXXV/02) that reported on a number of policy issues arising in respect of CCAMLR inspections undertaken by the UK Royal Navy patrol vessel, the HMS *Protector*, in 2015/16. During 2015/16, the HMS *Protector* conducted four inspections of vessels flagged to CCAMLR Members. The HMS *Protector* also made radio contact with four CCAMLR licensed krill fishing vessels as they were unable to be boarded due to weather conditions.

141. SCIC noted that the following policy issues required further consideration:

- (i) facilitation of fully international inspection programs
- (ii) streamlining inspection forms
- (iii) the inspection of third-party transshipment vessels when they have recently transhipped with a CCAMLR licensed vessel
- (iv) guidance for radio inspections where boarding is not possible.

142. Russia noted that the current inspection format is in contradiction to the requirements established in paragraph 3(a) in the text of the current CCAMLR System of Inspection which provides for inspections carried out by designated inspectors from vessels of the designating Members.

143. The UK clarified that the inspections submitted in 2015/16 from the HMS *Protector* were submitted by UK designated inspectors since the vessel is UK-flagged and in accordance with the System of Inspection, colleagues from New Zealand and Australia acted as assistants to the inspectors. The proposal in CCAMLR-XXXV/02 was to suggest CCAMLR consider whether in the future to amend the System of Inspection to provide for wholly joint inspections to be undertaken.

144. Members noted that the international inspection exercises were valuable in building cooperation and collaboration in monitoring, surveillance and control efforts. The USA noted that a review should include stronger transshipment inspection provisions in CM 10-09. Chile thanked the UK, Australia and New Zealand for their efforts. Chile also informed it had conducted inspections during 2015/16 and offered support in drafting the proposals.

145. SCIC agreed that the UK, Australia and New Zealand, in consultation with other Members, should develop proposals for the improvement of the CCAMLR System of Inspection for CCAMLR-XXXVI.

146. SCIC considered CCAMLR-XXXV/BG/36 on CCAMLR inspections undertaken by New Zealand's HMNZS *Otago* during 2015/16. New Zealand informed SCIC that it carried out boarding and inspection activities in Subareas 88.1 and 88.2 in late 2015. During the patrol, eight inspections of fishing vessels flagged to CCAMLR Members were conducted. SCIC thanked New Zealand for its inspection activities. The EU noted the considerable deployment and means used by New Zealand to combat IUU fishing in the Convention Area.

147. SCIC commended all Members involved in inspections in 2015/16 and acknowledged the value of such inspections.

Proposals for new and revised measures

Conservation Measure 10-02

148. The EU proposed an amendment to CM 10-02 to ensure detailed vessel information is submitted in respect of replacement vessels (CCAMLR-XXXV/22). The EU noted that the provisions of CM 10-02 are required for vessels notified in accordance with CM 21-02 (paragraph 6i) and CM 21-03 (paragraph 2) and that CM 10-02 should be revised to include a reference to replacement vessels notified under CM 21-02 (paragraph 11) and CM 21-03 (paragraph 7).

149. SCIC agreed that CM 10-02 should also be revised to require the notification of fishing licences that have been revoked, suspended, relinquished or are otherwise no longer valid.

150. SCIC thanked the EU for its proposal and recommended that CM 10-02 be revised.

Conservation Measure 10-05

151. SCIC considered CCAMLR-XXXV/17, proposing amendments to CM 10-05 to broaden the scope for NCPs to participate in the CDS where they have seized or confiscated *Dissostichus* spp. catch. SCIC noted that Australia had undertaken a revision of CM 10-05 to ensure that NCPs can sell or dispose of catch in the legitimate market, consistent with the recommendation of the e-CDS workshop. SCIC recognised the broad support given to the preliminary options Australia presented at CCAMLR-XXXIV (CCAMLR-XXXIV, paragraphs 3.23 to 3.25). Australia proposed that a SVDCD and DED be issued by the Secretariat on behalf of the NCP, in exceptional circumstances for seized or confiscated catch, with support from a Contracting Party.

152. Members thanked Australia for its work on the proposed amendments to CM 10-05. The EU and the Republic of Korea noted that the amendments to CM 10-05 should further encourage NCPs to cooperate fully with the CDS. Some Members proposed that the proceeds from the sale of seized or confiscated catch should go to supporting the CDS and Port State actions to prevent IUU fishing. The USA stated that the proposed access should be restricted to a one-off basis, with NCPs needing to apply for the status of an NCP cooperating with CCAMLR by participating in the CDS on any subsequent occasion.

153. SCIC thanked Australia for its proposal and recommended that CM 10-05 be revised.

154. SCIC considered a revision to CM 10-05 proposed by Ukraine to clarify that a DCD is required for the intended transshipment and/or landing of *Dissostichus* spp. catch (CCAMLR-XXXV/29). Ukraine noted that the current definition of a DCD in CM 10-05 lacks clarity and may benefit from revision to specify that a DCD is issued when a vessel intends to transship and/or land toothfish.

155. Ukraine highlighted instances where vessels carrying toothfish had been refused port entry by Port or Coastal State authorities because no DCD had been issued for the toothfish on board. Ukraine noted that, where a vessel carrying toothfish seeks entry to a port where it does not intend to transship and/or land toothfish, a DCD should not be required.

156. Some Members expressed reservations about the changes proposed by Ukraine, noting the right of Port States to require a DCD upon entry to a port, regardless of the intention of the vessel. The USA noted that, while a complete DCD would include a Flag State confirmation number that is only assigned prior to landing or transshipment, a DCD can be issued with all information relating to the harvest included on that DCD prior to a Flag State confirmation number being assigned.

157. SCIC considered Ukraine's proposal, but did not agree that the current definition of a DCD in CM 10-05 required clarification.

Conservation Measures 10-06 and 10-07

158. SCIC considered the EU's proposal to improve the submission of information by Contracting Parties and NCPs in relation to IUU activities by permitting more time for such submissions and expanding the time frame for IUU activity that can be considered (CCAMLR-XXXV/08). The EU highlighted that for cases beyond the simple notification of

an IUU vessel sighting, the 30-day deadline was insufficient to gather, assess, compile and submit a report on information related to IUU activities. The EU further noted that information related to IUU activities is often exposed after the timeframe established in CMs 10-06 and 10-07 and that investigations may continue after the timeframe.

159. SCIC also considered the proposal to revise CMs 10-06 and 10-07 to include an obligation to notify vessel owners whose vessels have been included in the Draft CP-IUU Vessel List or Draft NCP-IUU Vessel List and an obligation for Flag State and vessel owners to notify the Secretariat of any changes to the name, flag or ownership of vessels included in the lists.

160. Members widely supported the proposal, noting that the proposal by the EU would strengthen the effectiveness of the conservation measures.

161. SCIC thanked the EU for its proposal and recommended that CMs 10-06 and 10-07 be revised.

Conservation Measure 10-09

162. SCIC considered the proposal by the USA and Australia to amend CM 10-09 to address a number of gaps in the monitoring and control of transshipments (CCAMLR-XXXV/24). It was noted that vessels authorised under CM 10-02 regularly tranship with Contracting Party-flagged vessels that are not authorised under CM 10-02 and with NCP-flagged vessels.

163. The USA and Australia proposed to revise CM 10-09 to include the establishment of a CCAMLR Record of Carrier Vessels and prohibit a Contracting Party-flagged vessel, or a vessel on the CCAMLR Record of Carrier Vessels, from transshipping inside the Convention Area with a vessel that is not authorised under CM 10-02, or included on the CCAMLR Record of Carrier Vessels. It was noted that the proposed amendments would assist in preventing support for, and concealment of, IUU fishing through transshipments, and improve the understanding of transshipment activities inside the Convention Area.

164. Members thanked the USA and Australia for their proposal. Some Members acknowledged that the revisions would lead to better monitoring of transshipment within the Convention Area. The EU noted that with transshipments occurring between Contracting Party vessels and NCP-flagged vessels, the proposed revision would assist in filling a gap that currently existed in monitoring efforts.

165. Australia and the USA noted concerns of some Members about the scope of the revisions, particularly to the extent they applied to NCPs and NCP-flagged vessels, the requirement for VMS, the timeline for implementation, an obligation on observers and the requirement for information relating to activities outside the Convention Area. Taking these concerns into account, SCIC recommended that CM 10-09 be revised. Some Members noted that assigning observers with additional tasks that exceed their specific scientific mandate might also contribute to these intimidating situations.

166. New Zealand expressed strong support for the proposed inclusion of information provisions in CM 10-09 that would describe transshipment activities in respect to toothfish that

take place outside the Convention Area. New Zealand stated that this reported information could assist CCAMLR Contracting Party Port States when trying to verify landed quantities of toothfish into their ports for the purposes of completing DCDs.

Conservation Measure 10-10

167. SCIC considered CCAMLR-XXXV/27 which proposed the removal of the status of partially compliant from CM 10-10, Annex 10-10/B, and the inclusion of two sub-categories, minor and serious, for the status of non-compliant. Chile noted that any issue of non-compliance should be considered non-compliant and that SCIC should focus its attention in determining whether a case of non-compliance was minor or serious. Chile noted that non-compliance with a conservation measure that undermines the efficacy of the measure or the objectives of the Convention, or has serious negative consequences, should be considered serious. Chile further highlighted that repeated non-compliance of a minor nature could require special attention, and possibly corrective action, by SCIC.

168. SCIC expressed appreciation to Chile for its work on the categories of non-compliance. It was noted that further clarification of the categories in CM 10-10/B would facilitate the work of SCIC. SCIC recommended that the revision to CM 10-10 be adopted by the Commission.

Conservation Measure 51-06

169. SCIC considered Ukraine's proposal to amend CM 51-06 to require 100% observer coverage for vessels targeting krill (CCAMLR-XXXV/31). Ukraine noted that uncertainties in Antarctic krill stock biomass prevent the implementation of feedback management (FBM) or to forecast the impact of ecosystem changes on the krill fishery. Ukraine highlighted that for the past five years, the krill fishery had overall observer coverage of 90% and that 92% of vessels had 100% observer coverage (WG-EMM-16/11). It was noted that at CCAMLR-XXXIV the Scientific Committee advised SCIC that 100% observer coverage on krill vessels was scientifically desirable (CCAMLR-XXXIV, paragraphs 3.70 to 3.73).

170. Many Members fully supported this proposal and noted it was a positive measure for the krill fishery. Some Members noted that 100% observer coverage was important in supporting CCAMLR's effort to develop an FBM system for krill fisheries. The Republic of Korea reported its concerns that the Commission should increase the observer coverage to 100% to ensure balance between the krill and toothfish fisheries.

Krill fishery regulation

171. SCIC considered CCAMLR-XXXV/26 which highlighted the difference between krill fishery regulation and the regulation of other fisheries in the Convention Area, most notably toothfish fisheries. Chile highlighted the differences in port inspection obligations (CM 10-03), catch certification requirements (CM 10-05), VMS requirements (CM 10-04) and observer coverage and noted that there is a clear gap in the monitoring and control of krill

fisheries. Chile noted that there was a need to improve the regulation of krill fisheries and proposed an increase in observer coverage over the next four years with 75% observer coverage required by 2018 and 100% observer coverage required by 2020.

172. Many Members thanked Chile for its work in highlighting the differences between krill fishery regulation and the regulation of other fisheries in the Convention Area. Many agreed that there should be regulatory consistency between the fisheries. The UK noted that observer coverage was already at 92% and that this should be at least maintained until 100% could be reached.

173. China noted that, as the established krill and exploratory toothfish fisheries were different in terms of value and management methods, the two fisheries should also be managed differently in relation to the level of observer coverage. Nevertheless, China noted the importance of scientific observers and expressed its willingness to further consider it at CCAMLR-XXXVI.

174. SCIC agreed that the matter required further consideration.

CCAMLR's regulatory framework

175. SCIC considered the Secretariat's proposal to amend CM 21-02 to ensure all activities targeting toothfish are consistent with CCAMLR's regulatory framework, including the reaffirmation of the objectives of research in exploratory fisheries and clarifying the definition of exploratory fisheries and the linkage to CM 21-04 (CCAMLR-XXXV/14).

176. SCIC noted there is also a need to specify the linkage to CM 51-04 in respect of exploratory fisheries for krill and to CM 41-01 in respect of exploratory fisheries for toothfish (CCAMLR-XXXV/BG/07). SCIC recalled that CM 41-01 provides an overarching measure that links to specific conservation measures that apply to each exploratory toothfish fishery.

177. CCAMLR-XXXV/14 highlighted the need to clarify the approach to managing toothfish research aimed at assessing fishery potential and the future development of fisheries in different areas.

178. Russia thanked the Secretariat and reminded Members that at the previous meeting it was suggested that in order to achieve mutual understanding of nomenclature and other terminology, a glossary of terms be produced (CCAMLR-XXXIV, paragraphs 9.14 and 9.21). Russia stated that this would assist in the drafting process and assist those Members for which English is not their first language.

179. Members thanked the Secretariat for the effort it had undertaken in clarifying the need to streamline the planning and management of toothfish research. Noting the importance of this work in providing a consistent approach across toothfish fisheries, many Members expressed their willingness to proceed with this proposal, including at this meeting. It was noted by several other Members that the proposed revision was complex in nature and that Members needed time to consider the proposal.

Conservation Measure 32-18

180. SCIC considered the proposal submitted by Argentina, Australia, Brazil, Chile, the EU, Namibia, South Africa, Uruguay and the USA to prohibit the finning of sharks caught in the CAMLR Convention Area (CCAMLR-XXXV/23). The paper proposed an amendment to CM 32-18 to require that all fins of any shark that is incidentally caught and that cannot be released alive remain naturally attached until the point of first landing.

181. The USA noted that most recently, the North-West Atlantic Fisheries Organisation (NAFO) adopted a recommendation requiring that fins remain attached to landed sharks. NAFO joins a number of other regional fisheries management organisations (RFMOs) that have responded to the 1995 FAO Code of Conduct for Responsible Fisheries and the 1999 FAO International Plan of Action for the Conservation and Management of Sharks. The EU highlighted that such a revision of the conservation measure would also ensure better by-catch data.

182. Many Members agreed that this revision was important to dissuade the wasteful practice of shark finning. The UK further noted that CCAMLR is part of the Antarctic Treaty System, and has an ecosystem approach beyond that of RFMOs; as such, CCAMLR should seek to maximise protection of all non-target species.

183. Japan reiterated its position from CCAMLR-XXXIV (CCAMLR-XXXIV, paragraph 3.57). China stated that a shark finning prohibition had no relationship to resource conservation in the Convention Area and maintained its position from CCAMLR-XXXIV (CCAMLR-XXXIV, Annex 6, paragraph 167) that such a proposal is beyond conservation of Antarctic marine living resources.

184. 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.

Current level of IUU fishing

185. SCIC considered CCAMLR-XXXV/12 Rev. 2, summarising information in relation to IUU fishing trends and activity from October 2015 to August 2016.

186. SCIC noted that no vessels included on the NCP-IUU Vessel List were reported as sighted by Members inside or outside the Convention Area in 2015/16.

187. SCIC noted that an unidentified vessel was sighted in Subarea 48.6 on 2 January 2016 and an unidentified vessel was detected on radar in Subarea 48.6 on 4 March 2016. SCIC noted that the first vessel sighting reported in Subarea 48.6 was in 2014 of the IUU-listed vessel *Viking* and, as in previous years, there was compelling evidence of IUU activity in Subarea 48.6 with the recovery of IUU gear.

188. SCIC also noted that IUU gear was reported from Subarea 48.2 and further noted with some concern that there was an apparent change in IUU activity with vessels potentially operating in Subareas 48.2 and 48.6.

189. SCIC considered Australia's estimate of IUU catch of *D. eleginoides* in 2015/16 in the Heard Island and McDonald Islands (HIMI) Exclusive Economic Zone (EEZ) and adjacent

waters of 0–50 tonnes (CCAMLR-XXXV/BG/21). SCIC noted that this estimate remains unchanged from the previous five fishing seasons. While reporting no detection of IUU fishing vessels in the HIMI EEZ, SCIC noted that there was a possibility that IUU fishing vessels may have made occasional forays into the EEZ.

190. SCIC considered CCAMLR-XXXV/BG/07 summarising IUU observations in Subarea 58.6 and Divisions 58.5.1 and 58.5.2 in 2015/16 and providing general information on fishing activities in Divisions 58.4.3 and 58.4.4 in 2015/16. SCIC noted that no observations of IUU fishing activity were detected but that fishing gear not belonging to licensed vessels was found.

191. SCIC thanked France for its paper and its continued efforts to detect, prevent and eliminate IUU fishing in the Convention Area.

192. SCIC considered CCAMLR-XXXV/BG/20 that outlined actions taken as part of Australia's multifaceted compliance program, and in cooperation with Southeast Asian countries through the RPOA-IUU, with other CCAMLR Members, and with other countries more broadly. Australia thanked Members for their cooperation and actions, and Singapore for its actions as a participant in the RPOA-IUU and for its assistance in furthering the NCP Engagement Strategy.

193. SCIC thanked Australia for its continuing efforts in combating IUU fishing. Chile extended its thanks for Australian information provided to Chilean authorities for their continued work in combating IUU fishing.

194. France offered special thanks to Australia and reaffirmed its commitment to the bilateral relationship with Australia. SCIC noted that the future French patrol vessel *Astrolabe* would be launched in 2017 and that France had entered into a bilateral arrangement with South Africa in an effort to further combat IUU fishing.

195. SCIC extended its thanks to France and Australia for their efforts against IUU fishing vessels. China further emphasised the international cooperation involved in apprehending the fishing vessel *Andrey Dolgov*.

196. In addition to thanking all Members involved in Southern Ocean patrols and enforcement, the UK noted that thanks should also be extended to the crews of patrolling vessels.

197. SCIC welcomed Spain's summary (CCAMLR-XXXV/BG/37) of its actions against IUU fishing in 2015/16. Members congratulated Spain on its political, legal and financial commitment to combatting IUU fishing, including through prosecution of crew members and beneficial owners. SCIC noted the cooperation between Spain and many other countries, non-government organisations, RFMOs and INTERPOL. SCIC was also informed as to developments in the ongoing Operation Sparrow and Operation Sparrow II investigations. Spain reiterated that two vessels, the *Northern Warrior* and *Antony*, currently impounded in the port of Vigo, should be listed on the NCP-IUU Vessel List.

198. New Zealand reaffirmed its commitment to tackling IUU fishing, particularly in light of three new vessels proposed for inclusion on the NCP-IUU Vessel List this year.

199. SCIC noted that following the investigation into the insurance provider of the *Thunder* in 2015, the UK had continued its efforts in raising the awareness within the London insurance market to ensure that insurance is not given to IUU vessels.

200. SCIC warmly thanked and congratulated Spain for its extensive and cooperative efforts in combatting IUU fishing and noted that after many years of effort, a significant outcome had been achieved, particularly important as it had impacted the beneficial owners of the IUU-listed vessels.

Satellite synthetic aperture RADAR imagery project

201. SCIC noted that during 2015 and 2016 the Secretariat, in collaboration with France, ran a satellite synthetic aperture RADAR imagery project that was supported by funding from the EU and the contracted services of Collecte Localisation Satellites (CLS) in France (CCAMLR-XXXV/12 Rev. 2, paragraphs 15 to 20).

202. SCIC noted that the project acquired RADAR satellite images to detect vessels during a five-month period covering Elan Bank (September 2015 to January 2016) and Ob and Lena Banks (November 2015 to January 2016). SCIC noted that:

- (i) 500 scenes over the two areas of interest were acquired covering a total area of nearly 10 million km² during the five-month trial
- (ii) 19 scenes out of 500 featured at least one echo significant enough to be reviewed by an analyst
- (iii) five of these echoes corresponded with vessels with a high level of confidence (two vessel identities were confirmed using AIS and VMS data)
- (iv) seven echoes corresponded with vessels with a lower level of confidence
- (v) two echoes corresponded with icebergs
- (vi) ten echoes, likely representing three vessels, could not be correlated with VMS or AIS data and their identity remains unknown.

203. SCIC thanked France, the EU and the Secretariat for their work in the satellite imagery project and noted that future options for using satellite imagery should be considered. SCIC noted that the EU did not currently have funding to support another project but may in the future. SCIC welcomed France's offer to continue working with the Secretariat to provide processing and analysis of satellite images should the work continue. SCIC noted that the costs of satellite imagery are becoming less prohibitive and that Members may have access to satellite images of the Convention Area through the European Earth observation programme Copernicus. SCIC tasked the Secretariat to develop a draft proposal for CCAMLR-XXXVI providing options to use satellite imagery in the future including a comparison between satellite options.

204. SCIC considered CCAMLR-XXXV/BG/17 which provided an overview of INTERPOL's Project Scale and work undertaken as part of Project Scale that has significantly disrupted the operations of a number of IUU-listed vessels operating in the Convention Area.

205. SCIC noted that Project Scale is funded entirely from grants from the Government of Norway, the Pew Charitable Trusts and the US Department of State and that Project Scale does not receive funding from INTERPOL's core budget.

206. The Antarctic and Southern Ocean Coalition (ASOC) and COLTO jointly summarised important developments in eliminating IUU fishing in the Southern Ocean (CCAMLR-XXXV/BG/08). ASOC and COLTO provided recommendations for CCAMLR so that continued progress can be made against IUU fishing in the Convention Area. The recommendations included:

- (i) supporting and expanding the satellite imagery project trial initiated by the Secretariat over the past year
- (ii) mandating that all vessels report simultaneously to their Fisheries Monitoring Centre and to the Secretariat on an hourly basis
- (iii) supporting the proposal from the Secretariat that CCAMLR provide funding support for INTERPOL's Project Scale
- (iv) adopting the proposal from the USA and Australia on transshipment
- (v) agreeing to report to the Secretariat information on enforcement action taken against nationals and developing a database with all such data, subject to appropriate confidentiality requirements.

207. ASOC and COLTO recommended amending CMs 10-06 and 10-07 to regulate the intersessional listing and de-listing of vessels on the IUU vessel lists.

208. COLTO and ASOC further reported that they were pleased with the significant progress CCAMLR has made in eliminating IUU fishing over the past several years. ASOC and COLTO stated that continued progress would enhance CCAMLR's reputation as a leader in this area, and help make progress against the global problem of IUU fishing.

209. SCIC noted the case study on the *Hong Jin No. 707* presented in CCAMLR-XXXV/BG/27.

210. ASOC made the following statement:

'In 2013, the Republic of Korea refused to validate the DCDs of the *Hong Jin No. 707* after suspecting that the vessel had fished in jurisdictional waters within FAO Statistical Area 41. The Korean Ministry of Fisheries suspended the Hongjin Corporation from fishing in the Convention Area for three years after determining that the DCDs contained misreporting. After determining there was a discrepancy between the reported catch and the landed catch, Korea imposed a three-year suspension on Hongjin from fishing in the Convention Area. Hongjin formally objected to this penalty in court, and its objection was upheld. The Korean Ministry of Fisheries has appealed this decision. In the meantime, Korea has been obliged to submit a notification to CCAMLR for the vessel to fish in the upcoming 2016/17 season. Korea has indicated that it will continue to work to improve its domestic legislation to fight IUU fishing. In the meantime, ASOC recommended that the Commission take action

to prevent the vessel from fishing in the Convention Area. ASOC stated that if a known IUU vessel is allowed to operate in the Convention Area this fishing season, it will set a negative precedent and damage the reputations of both CCAMLR and Korea. To prevent this, ASOC recommended the Commission ask Korea to withdraw the *Hong Jin No. 707*'s notification or block the notification for the *Hong Jin No. 707*.'

211. SCIC thanked ASOC and COLTO for their work.

IUU vessel lists

212. SCIC noted that three new vessels, the *Andrey Dolgov* (CCAMLR-XXXV/12 Rev. 2, paragraphs 4, 9 and 10 to 13, Appendix 1; COMM CIRC 16/49), the *Northern Warrior* and *Antony* (CCAMLR-XXXV/12 Rev. 2, paragraph 9a; COMM CIRC 16/69) had been included in the Draft and Provisional NCP-IUU Vessel List and agreed that all three vessels should be included in the NCP-IUU Vessel List for 2016/17.

213. China reported on the progress of the investigation of the *Andrey Dolgov*. China expressed its appreciation to the Secretariat and Contracting Parties that helped China in the seizure of the vessel. China stated that it supported the inclusion of the *Andrey Dolgov* in the NCP-IUU Vessel List. China stated it will contribute the remaining proceeds from the sale of seized toothfish cargo after the settlement of relevant costs incurred (e.g. storage), in order to support the efforts in combating IUU fishing activities in the Convention Area and other relevant projects.

214. SCIC commended all those involved in the seizure of the *Andrey Dolgov*'s catch and noted that DNA testing had revealed that the catch consisted of *D. mawsoni*, indicating it was caught in the Convention Area, as such it was considered as IUU catch. The UK requested that some biological samples be kept from the catch so that genetic analysis could be conducted in future, to identify the most likely origin of the catch.

215. Noting that SCIC considered the seized cargo of the *Andrey Dolgov* as being IUU catch, China indicated that it would be in a position to sell confiscated catch. SCIC agreed that this was appropriate.

216. SCIC noted that the IUU-listed vessel *Viking* was seized by Indonesia's Navy on 25 February 2016 operating in waters off Tanjung Berakit in the Riau Islands province south of Singapore. On 14 March 2016, Indonesian authorities sunk the vessel in the waters off Pangandaran, West Java, Indonesia. The vessel should be removed from the NCP-IUU Vessel List.

217. SCIC noted that IHS Sea-web reports the IUU-listed vessel *Itziar II* as a total loss as of November 2015 but that this information was not verified and the vessel should remain on the NCP-IUU Vessel List until it can be confirmed as a total loss.

218. The Proposed NCP-IUU Vessel List for 2016/17 has been provided in Appendix II for adoption by the Commission.

Advice from the Scientific Committee

219. SCIC considered advice from the Scientific Committee in respect of the CCAMLR tagging protocol, net cleaning, observer coverage in the krill fishery and bird mitigation measures (SC-CAMLR-XXXV, paragraph 12.1).

220. SCIC thanked the Chair of the Scientific Committee for his time.

221. Russia noted that the Scientific Committee was still discussing a number of issues in relation to the analysis of high catch-per-unit-effort (CPUE) data reported from small scale research units (SSRUs) 882A–B in 2014/15 (CCAMLR-XXXIV, paragraph 5.41) and considered that some important elements related to submitted data should be investigated further.

222. Russia asked the Scientific Committee Chair to reconfirm the willingness of the Scientific Committee to undertake further analysis of the data collected from the SSRUs 882A–B in 2014/15, with a detail focus on: (i) reconciling the VMS data with reported haul locations, (ii) the relationship between hauling speed and number of fish caught per unit effort, and (iii) catch-size distribution and tagging activities conducted during research fishing.

223. The Chair of the Scientific Committee reported that WG-SAM and WG-FSA had given clear consideration to this matter. He reported that WG-FSA, apart from the representative of Russia, had noted that occasional high and low CPUE values occur in the data from all Members' vessels and were not anomalies. The Scientific Committee Chair further noted that there would always be data outliers in CPUE data, both at the higher and lower scale, and that scientifically, it was trends and patterns that were of concern, for example in cases where only high CPUE catches were reported. The Chair noted that analysis presented by New Zealand to WG-FSA considered a number of variables, and that WG-FSA had noted that the relationship between line length and hauling times was non-linear, and that other variables could be considered. The Scientific Committee Chair reported that further work would be undertaken on these other variables, to be presented to WG-SAM next year.

Other SCIC business

224. SCIC welcomed the ASOC update on the discussions about beginning Phase 2 of the Polar Code at the International Maritime Organization (IMO) (CCAMLR-XXXV/BG/25). Phase 2 of the Code will address vessels not covered by the Safety of Life at Sea (SOLAS) Convention, including fishing vessels. ASOC reported that at the 96th session of IMO's Maritime Safety Committee (MSC) in May 2016, three papers were submitted providing information on non-SOLAS vessels in polar waters and recent incidents. Member States and international organisations were invited to submit further information to MSC 97, which takes place in November 2016. Consequently, ASOC urged the Secretariat and Members to provide comprehensive information on incidents in polar waters involving fishing vessels, and encouraged Commission Members to submit to IMO's MSC national reports of incidents and accidents involving fishing vessels in the Southern Ocean.

225. Although IMO's work is ongoing, given the seriousness of recent incidents involving fishing vessels in the Convention Area, ASOC stated it was appropriate for CCAMLR to

introduce additional measures to protect human life and the environment. These include requiring all licensed vessels to meet at least the ICE-1C ice classification standard, as has been discussed before at CCAMLR and introducing a new conservation measure two-tier level of training for fishing vessel crews in the CCAMLR area so that they would be prepared for the unique conditions encountered in the Southern Ocean.

226. SCIC noted New Zealand's search and rescue responsibilities in the Southern Ocean. New Zealand urged CCAMLR Members to lobby the IMO to have the second phase of the Polar Code included on the biennium agenda, so that the important work of including fishing vessels in the Polar Code can continue.

227. SCIC noted that this was the last year that Mr Urrutia would be the Chair of SCIC and that a new Chair, Ms J. Kim (Republic of Korea) had been nominated by Members.

228. SCIC further noted that a Vice-Chair was also required.

229. SCIC offered its sincere thanks to Mr Urrutia for his efforts in guiding SCIC over the last four years, noting that SCIC had undergone significant changes during his term as Chair and that his leadership had assisted in the implementation of many changes. Members congratulated Ms Kim on her nomination and offered their best wishes for her term as Chair of SCIC.

CCAMLR Compliance Report

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 10-01							
Korea, Republic of	<i>Kingstar</i>	15 Jan 2016	<p>The vessel was inspected by Chile on 14 December 2015 in Punta Arenas. It was reported that vessel's buoys were not marked with the correct vessel markings as required by paragraph 5.</p> <p>The vessel was inspected by Chile on 14 April 2016 in Punta Arenas. Full compliance with CM 10-01 was reported.</p>	<p>1. On 3 December 2015, the <i>Greenstar</i>, a sister vessel of the <i>Kingstar</i>, experienced an engine breakdown. To assist the <i>Greenstar</i>, the <i>Kingstar</i> retrieved the <i>Greenstar</i>'s fishing gears and made a call at the port of Punta Arenas on 12 December 2015 with the gears retained on board.</p> <p>2. Chilean port inspectors noticed that the gears on board the <i>Kingstar</i> had a marking and call sign of a different vessel (<i>Greenstar</i>).</p> <p>3. The vessel operator explained to the Chilean port inspectors that the <i>Kingstar</i> had retrieved the fishing gear for the <i>Greenstar</i>, which had experience a technical failure and would hand over the gears to the <i>Greenstar</i>, which was scheduled to enter the port of Punta Arenas on December 15, 2015. This explanation was included in the inspection report.</p> <p>Further Action: No further action needed</p> <p>Preliminary Status: Compliant</p>	01 Sep 2016		No compliance status assigned
Russian Federation	<i>Oladon 1</i>	11 Jan 2016	<p>This vessel was inspected by New Zealand on 3 December 2015 in Subarea 88.1. It was reported that the International Radio Call Sign (IRCS) painted onto the side of the vessel was only 0.6 metres high and not the required minimum of 1 metre on (Annex 10-01/A, paragraph 1(iii)(a)).</p> <p>Photos were provided in the inspection report.</p>	<p>In accordance with paragraph 1(i) of CM 10-01, the name of the vessel and international radio call sign (IRCS) must be marked on the side of the vessel and the superstructure. The IRCS was marked on the side of the vessel in accordance with CM 10-01. An additional IRCS was painted on the superstructure, the size of which did not allow this to be done in the larger format. Nevertheless, with one IRCS on the side of the vessel in accordance with the provisions of CM 10-01 it is not mandatory to have a second IRCS.</p> <p>Further Action: Not required</p> <p>Preliminary Status: Compliant</p>	30 Aug 2016	Further action required	Non-compliant

(continued)

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 10-02							
South Africa	<i>Koryo Maru No. 11</i>	03 Aug 2016	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subarea 48.6 between 29 December 2015 and 22 March 2016.</p> <p>The observer reported that the vessel detected on radar an unidentified vessel in Subarea 48.6 on 4 March 2016.</p> <p>Annex 10-02/A requires that a vessel master that sights a fishing vessel in the Convention Area to document as much information as possible on each such sighting and shall forward a report containing the information to their Flag State as soon as possible. The Flag State shall submit to the Secretariat any such reports.</p>	Nil response.		Additional information required in 60 days	
Conservation Measure 22-07							
South Africa	<i>El Shaddai</i>	20 Jul 2016	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subareas 58.6 and 58.7 between 15 March and 6 June 2016.</p> <p>The observer reported that there was poor rotation and handling of VME buckets (used to record VME indicator units).</p> <p>Paragraph 3 requires vessels to collect line segment specific data on the number of VMS indicator units.</p>	Nil response.		Additional information required in 60 days	

(continued)

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 23-01							
Uruguay	<i>Rambla</i>	03 Aug 2016	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline in Subarea 48.3 between 9 April and 18 June 2016.</p> <p>The observer reported that by-catch was often over-looked or not recorded at all. It was further reported that no record was kept by the officer on watch of by-catch landed, dropped or discarded for the duration of the fishing trip.</p> <p>Paragraph 2 requires that vessels provide a total of all species caught including by-catch.</p>	<p>An adequate system to account for the catch landed was set up. Two manual counters were placed on the bridge, with direct view of the operations at the hauling station astern; and a camera was set up to view the bow area. Rays liberated were meticulously counted, and the obligations regarding declaration of all species caught, including by-catch, were met. When multiple lines with abundant catch were being hauled at the same time data could not be recorded in real time.</p> <p>Preliminary Status: Additional information required</p>	25 Aug 2016	Additional information required	Non-compliant
Conservation Measure 24-01							
Chile	<i>Puerto Williams</i>	03 Aug 2016	<p>The vessel achieved a tagging rate of 0.6 fish per tonne of green weight caught. The vessel caught 6.64 tonnes of toothfish and tagged four <i>Dissostichus mawsoni</i>. The vessel was required to meet a minimum tagging rate of five fish per tonne of green weight caught (CCAMLR-XXXIV, paragraph 5.52 and SC-CAMLR-XXXIV, paragraphs 3.252 to 3.264).</p>	<p>The Delegation of Chile acknowledges the facts that constitute an instance of non-compliance with the Commission’s measures. Although the Chilean fisheries authority understands the reasons given by the operator to explain the low tagging rate (which will be included in the survey report to be submitted to the next meeting of the Working Group on Fish Stock Assessment), we are fully aware that they are no justification for this case of non-compliance. The Chilean fisheries authority has given the operator instructions to the effect that if the research fishing is to continue it should submit beforehand a compliance plan that includes evidence of the relevant personnel having received adequate training, and of the necessary changes having been made to ensure that the research plan will be followed, so that the required tagging rate can be achieved. The Chilean fisheries authority will supervise this training process.</p> <p>Preliminary Status: Non-compliant</p>	31 Aug 2016	No further action required	Non-compliant

(continued)

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 25-02							
Uruguay	<i>Rambla</i>	03 Aug 2016	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline in Subarea 48.3 between 9 April and 18 June 2016.</p> <p>The CCAMLR observer reported that the aerial extent of the streamer line was designed for ease of recovery and as a result the streamer line sagged and the streamers dragged in the water. The observer reported that three different towed objects were used to maintain tension on the tori line and it was not until the vessel increased their setting speed to eight knots (set 28 onwards) that the aerial extent of the line was maximised. Prior to this increase in speed only 6–7 streamer lines were aloft during setting. From set 28 onwards, 9–10 streamer lines were aloft. 20 bird mortalities were reported by the CCAMLR observer from sets 1–27 and no bird mortalities occurred from interactions with fishing gear after set 28.</p> <p>Annex 25-02/A encourages vessels to optimise the aerial extent of the streamer line to ensure it protects the hookline as far astern of the vessel as possible (paragraph 1).</p> <p>The CCAMLR observer reported that the bird exclusion device (BED) was ineffective at deterring birds from reaching the hook-line.</p> <p>Annex 25-02/B encourages vessels to use BEDs that demonstrate an ability to deter birds from flying directly into the area where the line is being hauled (paragraph 1(i)).</p>	<p>Two streamer lines, one each side of the hook line, were used. Both met the standards and measures required. During the trip their length was changed to adapt them as needed, and three different towed objects were added to increase their efficiency when the boat was deploying its fishing lines at a speed lower than 8 knots. Line sink rate tests were carried out successively by three scientific observers with the aim of optimising the effectiveness of the section above the water.</p> <p>The conservation measure does not explicitly state the type or number of weights or towed objects required to create tension in the line. The fact that three towed objects were used shows the willingness of the crew to abide by the stipulations of the conservation measure and their commitment to maximising its effectiveness.</p> <p>The bird exclusion device was set up to deter birds from approaching the mother line. Its design had been refined with respect to the two previous trips (2014/15). In calm conditions, when the buoys showed hardly any movement, some birds managed to access the exclusion area. In spite of the large numbers of birds present during some sets, there were no incidents of bird by-catch during any of the hauling manoeuvres carried out with the bird exclusion device set up (100%).</p> <p>Pieces of cloth were attached to the access points on both sides of the stern so that only the lights necessary for the security of the vessel were kept on. Also, navigation lights were turned off any time that it was possible to do so.</p> <p>Preliminary Status: Additional information required</p>		No action required	Compliant

(continued)

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 25-02 (continued)							
Uruguay (continued)	<i>Rambla</i> (continued)		<p>The CCAMLR observer reported that sacks were placed over the unused port and starboard sides of the stern access points to help reduce light from the stern of the vessel on 28 April 2016. The starboard sack was not very effective and several sacks should have been joined together to make a more effective light barrier.</p> <p>On 29 April 2016 the Uruguayan national observer recommended all navigation lights be turned off to further reduce light pollution on the stern of the vessel.</p> <p>Paragraph 5 requires that during longline fishing at night only the minimum ship's lights necessary for safety should be used.</p>				
Conservation Measure 25-03							
Korea, Republic of	<i>Sejong</i>	20 Jul 2016	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for krill fishing in Subareas 48.1 and 48.3 between 18 January and 17 August 2015.</p> <p>The observer reported in their cruise report that during 40% of shooting and hauling events offal was discharged by the vessel.</p> <p>The observer reported in their logbook 13 instances where offal was discharged by the vessel during shooting and hauling events.</p> <p>Paragraph 3 prohibits the discharge of offal and discards during the shooting and hauling of trawl gear.</p>	<p>The investigation on these incidents found that the discharge of offal had not taken place intentionally but due to a structural problem that causes an overflow or spillage of krill in the process of being transferred to the processing facilities.</p> <p>Further Action: The Korean government instructed the vessel operator to make necessary changes in the processing facility to prevent krill from overflowing or spillage.</p> <p>Preliminary Status: Partially compliant</p>	01 Sep 2016	No further action required	Non-compliant

(continued)

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 25-03 (continued)							
Norway	<i>Antarctic Sea</i>	20 Jul 2016	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for krill fishing in Subarea 48.1 between 20 November 2015 and 29 January 2016.</p> <p>The observer reported that 1000 kilograms of krill catch was discarded on hauls 118 and 120 in Hughes Bay, northern Gerlache Strait, due to problems with the continuous pumping system.</p> <p>Paragraph 3 prohibits the discharge of offal and discards during the shooting and hauling of trawl gear.</p>	<p>The vessel owner has confirmed the information reported by the observer that some krill was discarded on hauls 118 and 120 due to problems with the continuous pumping system.</p> <p>In accordance with the procedures established on board the vessel, the trawl shall be emptied by pumping up all the krill before it is hauled back on deck. However, incidents have occurred where krill left in the aft end of the trawl when hauling could not reach the hose opening, resulting in small amounts of krill being discarded. Such unwanted discard has occurred in a few situations where it has been necessary to haul the trawl back quickly due to sudden weather changes.</p> <p>The vessel owner is committed to comply with this measure and is considering technical solutions to solve this challenge.</p> <p>Preliminary Status: Non-compliant</p>	01 Sep 2016	No further action required	Non-compliant
Norway	<i>Antarctic Sea</i>	20 Jul 2016	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for krill fishing in Subarea 48.2 between 20 November 2015 and 29 January 2016.</p> <p>The observer reported that 800 kilograms of krill catch was discarded on hauls 997 and 978 in north of Coronation Island.</p> <p>Paragraph 3 prohibits the discharge of offal and discards during the shooting and hauling of trawl gear.</p>	<p>The vessel owner has confirmed the information reported by the observer that some krill was discarded on hauls 997 and 978 due to problems with the continuous pumping system.</p> <p>In accordance with the procedures established on board the vessel, the trawl shall be emptied by pumping up all the krill before it is hauled back on deck. However, incidents have occurred where krill left in the aft end of the trawl when hauling could not reach the hose opening, resulting in small amounts of krill being discarded. Such unwanted discard has occurred in a few situations where it has been necessary to haul the trawl back quickly due to sudden weather changes.</p> <p>The vessel owner is committed to comply with this measure and is considering technical solutions to solve this challenge.</p> <p>Preliminary Status: Non-compliant</p>	01 Sep 2016	No further action required	Non-compliant

(continued)

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 26-01							
Korea, Republic of	<i>Sejong</i>	20 Jul 2016	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for krill fishing in Subareas 48.1 and 48.3 between 18 January and 17 August 2015.</p> <p>The observer reported in their cruise that the vessel dumped krill catch. The observer described that once the container that retained krill was full, the excess was dumped at sea. It was further noted that the vessel's krill meal machine was only able to process 4 tonnes of krill a day and the krill was assessed by the technician for processing and if the krill quality was ranked low, it was also dumped at sea.</p> <p>Paragraph 6 prohibits the dumping or discharging of discards.</p>	<p>This incident has been brought to the Korean government's attention during its review of the observer's report for the 2013/14 and 2014/15 fishing seasons.</p> <p>The government forwarded the case to the police, which are still working on the case. While the police investigation is still on-going, the Korean government has taken a series of measures including, (i) a two month suspension of the vessel's operation (1 February to 31 March 2016), (ii) having an extra observer (non-Korean national) on board the vessel, (iii) educational sessions for the crew and the master and (iv) structural changes in the processing facilities on board the vessel.</p> <p>Further Action: Depending on the result of the Police investigation, additional measures may be taken.</p> <p>Preliminary Status: Non-compliant</p>	01 Sep 2016	Additional information required	Non-compliant
Korea, Republic of	<i>Sejong</i>	20 Jul 2016	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for krill fishing in Subareas 48.1 and 48.3 between 18 January and 17 August 2015.</p> <p>The observer reported in their cruise report that the vessel dumped oil sludge at sea. The observer described that the engine master collected all oil sludge and stored it in the engine room. On checking the engine room, the observer reported seeing the oil sludge.</p>	<p>The observer assumed that the oil sludge had been discarded because he could not find it from the spot where oil sludge is usually kept. However, the oil sludge had been moved from the space next to the main engine room to the space in the stern of the vessel. The oil sludge kept at the stern part of the vessel was landed in Lima, Peru, for disposal in accordance with the relevant procedure for waste disposal.</p> <p>Further Action: No further action needed</p> <p>Preliminary Status: Compliant</p>	01 Sep 2016	No action required	Compliant

(continued)

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 26-01 (continued)							
Korea, Republic of (continued)	<i>Sejong</i> (continued)		<p>On checking the engine room again, the observer noted that no oil sludge was found and the engine master reported to the observer that it had been dumped in Subareas 48.1 and 48.3. It was noted that there was an incinerator on-board the vessel for oil sludge but it was not used for this purpose.</p> <p>Paragraph 5 prohibits the dumping or discharging of oil or fuel products or oily residues into the sea.</p>				
New Zealand	<i>San Aotea II</i>	11 Jan 2016	<p>The vessel was inspected by New Zealand on 5 December 2015 in Subarea 88.1. It was reported that offal from the processing of fish was seen to be escaping through grates in the factory floor and potentially out to sea.</p> <p>Paragraph 6 prohibits the dumping or discharging of offal.</p>	<p>Background</p> <p>New Zealand CCAMLR Inspectors boarded and inspected the vessel <i>San Aotea II</i> on 5 December 2015 in Subarea 88.1. During this inspection, the CCAMLR Inspectors identified some areas of the factory floor that were open to offal entering the vessel's sumps.</p> <p>The specific areas identified were;</p> <ol style="list-style-type: none"> 1. The port factory sump forward 2. The port factory sump aft 3. The starboard sump stern 4. The port sump aft. <p>An investigation was commenced by the Ministry for Primary Industries (MPI) which included a post-trip inspection in Timaru and an investigative meeting with the vessel management team of the <i>San Aotea II</i>. In that meeting, there was detailed discussion regarding the configuration of the vessel's offal management systems, including the specifications of the sump pumps.</p>	01 Sep 2016	No further action required	Non-compliant

(continued)

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 26-01 (continued)							
New Zealand (continued)	<i>San Aotea II</i> (continued)			<p>Conclusions</p> <p>With regard to points 1 (port factory sump forward) and 2 (port factory sump aft), MPI does not believe that the offal retention mitigation measures in place were sufficient to prevent offal from entering the sump area and potentially exiting the vessel into the sea. As such, it is the finding of the investigation that a breach of CM 26-01 (6) took place.</p> <p>With the benefit of post-trip port inspection information, MPI has concluded that the alleged breaches relating to points 3 (starboard sump stern) and 4 (port sump aft) the <i>San Aotea II</i> was not in breach of CM 26-01 (6).</p> <p>We also note, that immediate corrective action was taken by the captain of the <i>San Aotea II</i> in respect of all four areas identified by the CCAMLR Inspectors, shortly after the inspectors departed the vessel with photographs depicting those corrective actions transmitted to MPI.</p> <p>As a result of the conclusions drawn above, the operator and skipper of the <i>San Aotea II</i>, were formally warned by MPI for a breach of CM 26-01 and if such a breach is detected in the future, prosecution action will be considered.</p> <p>Further Action: Changes have been made to the pre-trip inspections that are carried out on New Zealand flagged vessels before they leave port for the CCAMLR fisheries. These changes have been made so that more focus is now directed at inspecting the offal management systems that have been put in place by the respective vessels. Any areas of concern will be highlighted to the vessel operator so that remedial action can be carried out to avoid any breaches of CM 26-01 while in the CCAMLR Convention Area.</p> <p>Preliminary Status: Non-compliant</p>			

(continued)

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 26-01 (continued)							
South Africa	<i>El Shaddai</i>	20 Jul 2016	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subarea 58.7 between 01 September and 6 November 2015.</p> <p>The observer reported that a plastic 5 litre water bottle was deliberately thrown overboard by the vessel's second mate. The observer further reported that on eight occasions, large pieces of plastic were left unsecured on deck.</p> <p>Paragraph 5 prohibits the dumping or discharging of garbage.</p>	Nil response.		Additional information required in 60 days	
Conservation Measure 31-02							
Russian Federation	<i>Palmer</i>	22 Jan 2016	<p>A fishery closure notification for Subarea 88.2 SSRU H was issued by the Secretariat on 17 January 2016 (0700 UTC).</p> <p>The notified fishery closure date and time for Subarea 88.2 SSRU H was 18 January 2016 (1200 UTC).</p> <p>A daily catch and effort report was submitted by the vessel on 19 January and reported that it set 5 120 hooks on 18 January 2015.</p> <p>The vessel was queried via email by the Secretariat to ensure the data contained in the daily catch and effort report was correct and the vessel confirmed it was.</p>	<p>According to the vessel's documents, the crew commenced the last longline set on 17 January 2016 and it was completed at 00:35 hrs on 18 January 2016; hauling was conducted from 10:33 to 14:09 on 18/01/2016. Therefore, the Palmer hauled the last longline in SSRU 882H two hours after the prescribed time for completing fishing operations (1200 UTC) in this area. This breach was not intentional but was related to the incorrect calculation of the time required for hauling, taking into account the deterioration of weather conditions. The vessel owner has been informed of the need to prevent further breaches of this kind in the future.</p> <p>Further Action: Not required</p> <p>Preliminary Status: Partially compliant</p>	30 Aug 2016	Further action required	Non-compliant

(continued)

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 31-02 (continued)							
Russian Federation (continued)	<i>Palmer</i> (continued)		<p>Paragraph 1 requires a vessel to remove all fishing gear from the water by the notified closure date and time following the fishery closure notification issued by the Secretariat.</p> <p>Paragraph 2 requires that upon receipt of a fishery closure notification issued by the Secretariat no longlines may be set within 24 hours of the notified closure date and time.</p> <p>If such notification is received less than 24 hours before the closure date and time, no further longlines may be set following receipt of that notification.</p>				
Conservation Measure 41-01							
Japan	<i>Shinsei Maru No. 3</i>	20 Jul 2016	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subarea 48.6 between 11 December 2015 and 10 March 2016.</p> <p>The observer reported that there was poor handling of fish during tagging operations.</p> <p>Annex 41-01/C, paragraph 1 requires that vessel to cooperate with the CCAMLR scientific observer in undertaking the tagging program.</p>	<p>We think that our vessel does not conduct tagging in inappropriate way. When the observer is on board, he and crews check fish mutually then, after the confirmation of bleeding, only fishes which are judged to be appropriate for tagging are tagged and released. The specific procedure is as follows and it is also implemented as same standard during the observer's absence.</p> <p>i) Our vessel determines a number and size of fish which will be tagged at the beginning of each operation based on the tagging overlap table. At the above determination, they set the number to exceed the lower limit of the consumption of TAC.</p> <p>ii) They limit the tagged fish to only the fish of which a hook hung in the mouth (*1), and they usually use a net and/or cage (*2) except for, from a security perspective, the unavoidable cases due to sea condition. In addition, crews bring up all fish with utmost care, regardless of whether or not tagged, to the deck that so it does not get damaged.</p>		No action required	Compliant

(continued)

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 41-01 (continued)							
Japan (continued)	<i>Shinsei Maru No. 3</i> (continued)			<p>iii) After hauling, fish which will be tagged is checked again by crews (*3) and only fish which are considered to be suitable is tagged and released.</p> <p>*1: It is determined easily, because these fishes come up from head at the hauling.</p> <p>*2: Gaff is only used to steady the nets and cages.</p> <p>*3: Even for the fish which seems to be fine, there are some cases that its bones and/or brain are damaged depending on the condition of hook sticking.</p> <p>iv) And since active fish does not have particularly a high commercial value, the vessel side has no economic motive to select an injured fish as a target of tagging.</p> <p>Anyway, the vessel's company gave an instruction to all crews to be more careful about the handling of fish and communication with observer to avoid giving any misunderstanding to the observer.</p> <p>Further Action: No action required</p> <p>Preliminary Status: Compliant</p>			
Japan	<i>Shinsei Maru No. 3</i>	20 Jul 2016	<p>Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subarea 48.6 between 11 December 2015 and 10 March 2016.</p> <p>The observer reported that in attempting to verify the vessel's conversion factor, it was impossible to keep track of individual fish and the crew were uncooperative in the process.</p>	<p>It is true that the observer, at the beginning of last fishing period, requested our vessel to cooperate in making a measurement of body weight both before and after freezing. Our vessel side replied and explained that, due to freeze dehydration, it was difficult to use the weight assumed after freezing as index to estimate a conversion factor. The observer was at least satisfied with such vessel's view and consulted with his office. As a result of this communication, he notified clearly to our vessel side that the sampling and measurement after freezing is unnecessary.</p>	31 Aug 2016	No action required	Compliant

(continued)

Party	Vessel	Recorded date	Implementation summary – Secretariat	Response – Contracting Party	Response date	SCIC response	Status
Conservation Measure 41-01 (continued)							
Japan (continued)	<i>Shinsei Maru No. 3</i> (continued)	20 Jul 2016	Annex 41-01/A, paragraph 2, requires a vessel to ensure sufficient samples are made available to the on-board observers to enable collection of all data required as described in the CCAMLR <i>Scientific Observers Manual</i> (Section 1, Annex I, paragraph vi).	Therefore, we do not think that the Japanese vessel's tagging practice is against the CCAMLR conservation and management measure and the crews are less willing to cooperate with the investigation for conversion factors. Further Action: No action required Preliminary Status: Compliant			
South Africa	<i>El Shaddai</i>	20 Jul 2016	Observer data was received for one cruise under the Scheme of International Scientific Observation for longline fishing in Subareas 58.6 and 58.7 between 15 March and 6 June 2016. The observer reported that there was inappropriate handling of fish during tagging operations. Annex 41-01/C, paragraph 1, requires that vessel to cooperate with the CCAMLR scientific observer in undertaking the tagging program.	Nil response.		Additional information required in 60 days	

Non-Contracting Party IUU Vessel List 2016/17

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>Andrey Dolgov</i>		8514772		• Landing IUU catch (25 May 2016)	2016	• Maruha Corporation • Taiyo Namibia • Taiyo Susan • Sun Tai International Fishing Corp • STD Fisheries Co. Ltd • Red Star Co. Ltd • Poseidon Co. Ltd
<i>Antony</i>		7236634	PQMG	• Supporting IUU-listed vessels	2016	• Atlanti Pez • Urgora S de RL • World Oceans Fishing SL
<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

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Heavy Sea</i>		7322926	3ENF8	<ul style="list-style-type: none"> Sighted 58.5.1 (03 Feb 2004) Fishing 57 (29 Jul 2005) 	2004	<ul style="list-style-type: none"> C & S Fisheries S.A. Muner S.A. Meteros Shipping Meteora Shipping Inc. Barroso Fish S.A.
<i>Itziar II</i>	Nigeria	6803961	5NTV3	<ul style="list-style-type: none"> Undocumented landing Singapore (24 Sep 2002) Fishing 58.4.3b (22 Apr 2004) Sighted 58.4.3b (02 Jul 2006) Sighted 58.4.3b (24 Nov 2006) Sighted 58.4.3b (25 Jan 2007) Sighted 58.4.3b (07 Jan 2008) Fishing 58.5.1 (28 Feb 2008) Sighted 58.5.1 (01 Apr 2008) Sighted 88.2 (16 Dec 2009) 	2003	<ul style="list-style-type: none"> Monteco Shipping Transglobe Investments Ltd Capensis
<i>Koosha 4</i>	Iran, Islamic Republic of	7905443	9BQK	<ul style="list-style-type: none"> Sighted 58.4.1 (20 Jan 2011) Sighted 58.4.1 (15 Feb 2011) 	2011	<ul style="list-style-type: none"> Pars Paya Seyd Industrial Fish
<i>Kunlun</i>		7322897	3CAG	<ul style="list-style-type: none"> Sighted 58.5.2 (31 Jan 2004) Sighted 58.5.1 (10 May 2006) Sighted 58.4.1 (21 Jan 2010) Sighted 58.4.1 (13 Feb 2011) Towing <i>Baiyangdian 57</i> (01 Apr 2012) Sighted 58.6 (01 Jul 2012) Sighted 58.4.2 (28 Jan 2013) Sighted 57 (10 Mar 2013) Fishing 58.5.1 (13 May 2013) Sighted 57 (07 Sep 2013) Sighted 58.4.1 (30 Mar 2014) Sighted 57 (14 Apr 2014) Sighted 57 (14 Dec 2014) Hauling 5841H (07 Jan 2015) Sighted 58.4.1 (11 Jan 2015) Sighting 57 (26 Feb 2015) 	2003	<ul style="list-style-type: none"> Navalmar S.A. Meteora Development Inc Vidal Armadores S.A. Rajan Corporation Rep Line Ventures S.A. Stanley Management Inc

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Limpopo</i>		7388267		<ul style="list-style-type: none"> • Fishing 58.5.2 (21 Sep 2003) • Sighted 58.5.1 (03 Dec 2003) • Fishing 58.4.3b (23 Feb 2005) • Fishing 58.4.3b (14 Dec 2005) • Sighted 58.4.3b (25 Jan 2007) 	2003	<ul style="list-style-type: none"> • Grupo Oya Perez (Kang Brothers) • Lena Enterprises Ltd • Alos Company Ghana Ltd
<i>Northern Warrior</i>		8808903	PJSA	<ul style="list-style-type: none"> • Supporting IUU-listed vessels 	2016	<ul style="list-style-type: none"> • SIP • Areapesca SA • Snoek Wholesalers • Southern Trading Group • South Atlantic Fishing NV
<i>Perlon</i>		5062479	5NTV21	<ul style="list-style-type: none"> • Sighted 58.5.1 (03 Dec 2002) • Sighted 58.5.1 (04 Jun 2003) • Sighted 58.4.2 (22 Jan 2004) • Sighted 58.4.3b (11 Dec 2005) • Fishing 58.4.1 (26 Jan 2006) • Sighted 58.4.3b (07 Dec 2006) • Sighted 58.4.1 (30 Dec 2006) • Sighted 58.4.1 (16 Dec 2008) • Gear sighted (10 Feb 2009) • Fishing 58.5.1 (08 Jun 2010) • Sighted 51 (10 Feb 2012) • Sighted 57 (20 Jul 2014) • Sighted, boarded 57 (22 Apr 2015) 	2003	<ul style="list-style-type: none"> • Vakin S.A. • Jose Lorenzo SL • Americagalaica S.A.
<i>Ray</i>		6607666	V3RB2	<ul style="list-style-type: none"> • Fishing 58.4.3b (23 May 2006) • Fishing 58.4.2 (18 Feb 2007) • Fishing 58.4.3b (24 Mar 2007) • Fishing 58.4.3b (12 Jan 2008) • Fishing 58.4.3b (09 Jan 2009) • Fishing 58.4.3b (20 Jan 2009) 	2006	<ul style="list-style-type: none"> • Arniston Fish Processors Pty Ltd • Vidal Armadores S.A. • Nalanza S.A. • Argibay Perez J.A. • Belfast Global S.A.

(continued)

Vessel name	Flag	IMO Number	Call sign	Nature and date of activity(ies)	Year listed	Ownership history
<i>Tchaw</i>		6818930		<ul style="list-style-type: none"> • Fishing 58.4.3b (25 Feb 2005) • Fishing 58.4.4a (02 Aug 2005) • Sighted 58.4.3b (11 Dec 2005) • Fishing 58.4.2 (01 Feb 2006) • Fishing 58.4.3b (14 Mar 2007) 	2005	<ul style="list-style-type: none"> • Arcosmar Fisheries Corporation • JMS Lopez • Premier Business • His-To Company Ltd • Jose Manuel Salgueiro
<i>Zemour 1</i>	Mauritania	9319856	9LU2119	<ul style="list-style-type: none"> • Supporting activities of IUU vessels 51 (16 May 2008) • Sighted 58.4.3b (22 Apr 2009) • Sighted 57 (07 Dec 2009) • Fishing 58.4.1 (07 Apr 2010) • Sighted 58.4.1 (29 Jan 2012) • Sighted 58.4.1 (30 Jan 2012) • Sighted 58.4.1 (31 Jan 2012) • Sighted 57 (24 Apr 2012) • Fishing 58.6 (03 Jul 2012) • Sighted 57 (28 May 2013) • Sighted 57 (04 Jul 2013) • Sighted 58.4.1 (20 Jan 2014) • Sighted 57 (13 May 2014) • Sighting 57 (08 Dec 2014) • Hauling 5841H (06 Jan 2015) 		<ul style="list-style-type: none"> • Mabenal S.A. • Vidal Armadores S.A. • Omunkete Fishing Pty Ltd • Gongola Fishing JV (Pty) Ltd • Eastern Holdings
<i>Zemour 2</i>	Mauritania	9042001	3CAE	<ul style="list-style-type: none"> • Undocumented landing Malaysia (01 Aug 2004) • Fishing 58.4.3a (22 Feb 2005) • Fishing 58.4.3a (28 Apr 2005) • Fishing 58.4.3b (16 Dec 2005) • Fishing 58.4.3b (01 Jul 2009) • Fishing 58.4.2 (27 Jan 2010) • Fishing 58.4.3b (04 Apr 2010) • Fishing 58.4.1 (13 Feb 2011) • Sighted 57 (16 May 2012) • Sighted 57 (20 Oct 2012) • Sighted 57 (28 May 2013) • Sighted 57 (01 Jul 2013) • Sighted 57 (13 May 2014) • Sighted 57 (14 Dec 2014) • Fishing 5841H (12 Jan 2015) 		<ul style="list-style-type: none"> • Viarsa Fishing Company/Navalmar S.A. • Global Intercontinental Services • Rajan Corporation • Redlines Ventures S.A.

Trade Data Specialist – Terms of reference

Term: 12 months

Job title: Trade and market specialist

Reports to: Fishery Monitoring and Compliance Manager

Terms of reference
<p>Following the work undertaken to complete the Overview of Global Trade in Toothfish (<i>Dissostichus</i> spp.), the trade data specialist will:</p> <ol style="list-style-type: none">1. undertake an analysis of the Harmonized System (HS) codes as they relate to <i>Dissostichus</i> spp.2. in collaboration with Contracting Parties, non-Contracting Parties participating in the CCAMLR CDS and international organisations with competence over toothfish, undertake a further trade data quality assessment, including reported volumes, values and trade relationships3. undertake a further analysis of export–import differentials in trade data and Catch Documentation Scheme for <i>Dissostichus</i> spp. (CDS) data4. undertake a comparison of global trade data with CDS data5. develop a process for the annual analysis of trade data and reconciliation with CDS data.

**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 Chair of the Standing Committee on Administration and Finance (SCAF), Mr A. Lluberás (Uruguay), facilitated discussions on Item 4 of the Commission's agenda.

Examination of Audited Financial Statements for 2015

2. Noting that a full audit had been carried out on the 2015 Financial Statements, and that the Auditor's Report, which was distributed to Members in March 2016 (COMM CIRCs 16/27 and 16/30), had identified no incidents of non-compliance with Financial Regulations or International Accounting Standards, SCAF accepted the Financial Statements as presented in CCAMLR-XXXV/03.

Secretariat matters

Executive Secretary's report

3. The Executive Secretary introduced CCAMLR-XXXV/05, noting his report included:
- (i) a second-year implementation report for the Secretariat's Strategic Plan (2015–2018)
 - (ii) a fifth annual implementation report on the Secretariat's Staffing and Salary Strategy
 - (iii) 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).
4. SCAF expressed appreciation for the detailed reporting by the Secretariat, noting that the Strategic Plan provided a valuable tool to report on tasks and activities supported during the last intersessional period. SCAF advised that the current format and scope of reporting should be maintained for future reports.

Intersessional Correspondence Group on Sustainable Financing (ICG-SF)

5. The Executive Secretary noted that, in response to a request from CCAMLR-XXXIV, during the last 12 months the Intersessional Correspondence Group on Sustainable Financing (ICG-SF), working through the e-group, had undertaken further work associated with the tasks identified at CCAMLR-XXXIV (CCAMLR-XXXIV, paragraph 4.4). Following CCAMLR-XXXIV, the ICG-SF agreed that the tasks to be addressed in 2016 would be (i) a preliminary assessment of the economic value of marine resources harvested in CCAMLR fisheries,

(ii) options for consolidating CCAMLR's Special Funds, (iii) further consideration of the administrative component of notification fees, and (iv) an examination of options for an alternative presentation of the budget.

The economic value of marine resources harvested by CCAMLR-managed fisheries

6. During the year, the Secretariat coordinated an assessment of the economic value of marine resources harvested in CCAMLR fisheries (CCAMLR-XXXV/10). This was undertaken utilising the services of short-term contracted natural resource economists with the cooperation of fishing industry from CCAMLR Members.

7. One of the experts contracted, Dr S. Jennings, reported to SCAF that the assessment was based on calculating the annual value of harvests from CCAMLR fisheries (for the period 2011–2015), at the point of landing, excluding processing, transport and marketing costs, termed the gross value of product (GVP). The results showed the total GVP for CCAMLR toothfish, krill and icefish fisheries in the CAMLR Convention Area was conservatively estimated to be US\$346.9 million in 2015, with the five-year average for the period 2011–2015 at US\$294.2 million. The average contribution over this period to the total GVP of CCAMLR fisheries for toothfish, krill and icefish was 74.1%, 23.6% and 2.3% respectively. Dr Jennings noted that economic data to support an analysis of the value of the toothfish was generally available through the Catch Document Scheme for *Dissostichus* spp. (CDS) and public sources, but that extremely limited data was available to support an economic valuation for krill (this study solely relying on the data provided by the fishing industry with regard to the krill fishery and the icefish fishery).

8. In response to questions from the Committee, Dr Jennings explained the current formula for the assessment of Member contributions to the General Fund, noting that it consists of two components. The total Members' contributions account for approximately 72% of CCAMLR's General Fund Budget (the balance is generated from other income sources). Approximately 4.5% of Members' contributions are generated from a fishery component based on the relative harvest (in tonnes) of toothfish, krill and other marine species. The balance of Members' contributions is equally shared among all Members. SCAF noted that the proportional weighting assigned to the different species groups may have been an attempt to reflect the value of CCAMLR fisheries in 2001 when the formula was last reviewed by the Commission (CCAMLR-XX, paragraph 3.18). While not a recommendation of the study, and noting the preliminary nature of the analysis and uncertainties associated with available data, it may be appropriate to undertake a thorough review of the formula so that the economic value of each fishery is taken into consideration. This will involve additional work on data availability and data quality.

9. SCAF expressed appreciation for the report, noting that this was the first time that an assessment of this nature had been attempted. SCAF recommended that the Commission note:

- (i) with appreciation, the cooperation of the fishing industry in responding to requests for information to support the study

- (ii) on the basis of data from 2011–2015, the average annual value of each fishery is US\$217 million for toothfish, US\$69 million for krill and US\$6.8 million for icefish, noting the preliminary nature of the study
- (iii) the harvesting component of Members' contributions represents an average of 4.5% of Members' total contributions to the General Fund Budget for the last five years. Based on the preliminary findings of the study, the harvested component reflects 0.05% of the estimated GVP from CCAMLR toothfish, krill and icefish fisheries
- (iv) its concerns regarding the quality of data available to support detailed analysis of the value of CCAMLR fisheries.

10. SCAF also recommended that the Commission provide advice in relation to:

- (i) the policy and future requirements in relation to quantities and values for different products from the krill fishery (noting that the current information concerning the anticipated composition of different products from the krill fishery provided at the time of notification (Conservation Measure (CM) 21-03, Annex 21-03/A) does not appear to be used in any way by the Commission)
- (ii) a possible review of the assessed contribution formula. In considering this matter, SCAF recalled that the possibility of a review of the Members' contribution formula was first considered in 2013 and was tentatively scheduled for work during the 2016/17 intersessional period (refer CCAMLR-XXXII/24). SCAF recommends that the Commission tasks the ICG-SF to undertake the following additional work to be commenced during the 2016/17 intersessional period:
 - (a) review the assessed contribution arrangements that apply in other multilateral fisheries conservation and management bodies
 - (b) assess information requirements to support the assessment of the value of all CCAMLR fisheries, at an appropriate interval, including that information currently requested under CM 21-03 in relation to krill
 - (c) assess the implications for Members, and the Secretariat, if the information requirements identified above were to be adopted by the Commission
 - (d) consider alternative contribution formulae that might be considered by the Commission to utilise the information generated above
 - (e) propose a timeline for this work.

The administrative component of notification fees

11. SCAF recalled that notification fees were originally considered by the Commission in 2001 to: (i) provide an incentive for those notifying to actually proceed to fish in the fisheries notified, and (ii) to recover costs incurred by the Secretariat in administering notifications

(CCAMLR-XX, paragraph 3.24). A scheme for the recovery of costs for new and exploratory fisheries was introduced in 2003 (CCAMLR-XXII, paragraphs 3.16 to 3.23). Consideration of extending this policy to krill fisheries was first considered in 2008 (CCAMLR-XXVII, paragraph 8.17). Although cost recovery was taken up in the Performance Review (recommendation 7.1.1.2) it was not until 2013 that the Commission introduced a cost-recovery policy for notifications associated with krill fisheries to be applied for notifications for the 2015/16 season (CCAMLR-XXXII, paragraph 4.3). The application of the policy applying to cost recovery for krill fishery notifications was clarified at CCAMLR-XXXIV (CCAMLR-XXXIV, paragraph 4.4 and Annex 7, paragraphs 19 to 27 and 30).

12. Following the decision of the Commission at CCAMLR-XXXIV relating to krill notification fees (CCAMLR-XXXIV, Annex 7, paragraph 22), at the request of CCAMLR-XXXIV for further consideration of notification fees (CCAMLR-XXXIV, paragraph 4.4), the ICG-SF:

- (i) reviewed the workflow and administrative costs incurred in processing notifications
- (ii) considered any differences in the administrative tasks associated with notifications for different fisheries.

13. During the intersessional period, the Secretariat provided the ICG-SF with a workflow and associated costs covering the annual notification process for krill fisheries and for new and exploratory fisheries. It was noted that costs equate to approximately A\$2 736 for each notification processed for new and exploratory and krill fisheries in addition to costs associated with IT, website and finance hardware and systems (amortised over four years), meeting support and other administrative costs.

14. SCAF noted that apart from the investment in systems development and associated supporting procedures in respect of notifications submitted in accordance with CM 21-03, experience in 2015/16 demonstrated that there are minimal additional variable costs associated with supporting Member notifications for krill fisheries relative to notifications for new and exploratory toothfish fisheries.

15. SCAF noted that the current versions of the relevant conservation measures relating to notifications for either new fisheries, under CM 21-01, or krill fishing notified under CM 21-03, do not include a reference to the administration fee. SCAF recommend revision of CMs 21-01 and 21-03 to replicate the provisions of CM 21-02 in relation to administration costs (CM 21-02, paragraph 15).

16. The Republic of Korea considered that the cost recovery scheme should apply on a subarea basis. Most Members recalled that the decision in 2015 was based on the advice from the Scientific Committee to facilitate the spatial distribution of fishing effort across all subareas in Area 48.

17. SCAF agreed to continuing the fee level, and its application per conservation measure (CCAMLR-XXXIV, Annex 7, paragraph 22) that applied for notifications for the 2015/16 season, to notifications for future seasons. In agreeing to this it was recognised that stability in the fee that applies to notifications was desirable both for the perspective of preparing the Commission's budget and from the perspective of industry.

18. China proposed that efforts should be made to reduce the administrative costs associated with notifications over time.

19. SCAF agreed that the cost-recovery policy should be periodically reviewed to assess the appropriateness of the level of fees charged as it relates to services provided by the Secretariat to support notifications. It was also noted that, should the Commission adopt other measures to improve income to the Commission, the reliance on revenue generated from notifications could reduce. With further streamlining of administrative processes, the potential for a reduction in the administrative component of the notification fee could improve over time.

Consolidation of Special Funds

20. The Secretariat reported that options for consolidating Special Funds had been discussed with CCAMLR's Auditors (CCAMLR-XXXV/09). The Auditors had suggested consolidating the presentation of the Special Funds in the Statement of Financial Position as they are listed in detail in the Statement of Changes in Equity. SCAF agreed that this will simplify the Statement of Financial Position and endorsed the Secretariat's proposal for this to be implemented in the 2016 Financial Statements.

Budget presentation

21. SCAF noted that, during the year, the ICG-SF e-group participants had exchanged views on the format for presentation of CCAMLR budgets. It noted that the consensus view has been applied to the presentation of the draft and provisional budgets for 2017, 2018 and 2019 (see COMM CIRC 16/61). Two Members also expressed a preference for the Equity and Special Funds to be presented in the same table format. The Secretariat undertook to explore this option for the presentation of budgets in 2017.

Future work for ICG-SF

22. SCAF reminded the Commission that the work of the ICG-SF had resulted in the implementation of a range of cost-reduction and income-generating initiatives over the last five years that had realised financial benefits which contributed to zero nominal growth in Members' contributions since 2014. However, SCAF advised the Commission that these initiatives were not sufficient to guarantee sustainable financing of the Commission and there is a need to consider additional measures. This could include a reduction in Secretariat services or an increase in income to the Commission.

23. SCAF recommended the Commission endorse the advice provided in paragraphs 10 and 33 as the basis for future work of the ICG-SF.

Budgets 2016, 2017 and 2018

24. SCAF approved the revised budget for 2016, which included a projected deficit of A\$108 000 to be carried forward in the General Fund, as presented in Appendix I. SCAF noted with concern that, on the basis of a similar income and expenditure trend experienced since 2013, and maintenance of a zero nominal growth in Members' contributions to the budget, the surplus currently held in the General Fund would be progressively eroded through to 2020 when the surplus was forecast to be almost exhausted. It was noted that a reduced balance in the General Fund adversely impacted miscellaneous income from interest earned on deposits and that arrears, which currently amount to A\$700 000, are placing significant pressure on the budget.

25. SCAF approved a General Fund budget for 2017 comprising total forecast expenditure of A\$4 768 500 against forecast total income of A\$4 496 000 resulting in a deficit of A\$272 500. This is to be funded from reserves accumulated in the General Fund over previous years. As noted at CCAMLR-XXXIV (CCAMLR-XXXIV, Annex 7, paragraph 15), CCAMLR does not have working capital, so depletion of the General Fund balance through annual deficits will have an adverse impact on future interest income streams. The budget for 2017 is presented as Appendix II. The aggregate Member contributions for 2017 have been maintained at the 2014 level representing four years of zero nominal growth.

26. SCAF endorsed expenditure from Special Funds relating to the database redevelopment initiative from the Korean Contribution Fund, the General Science Capacity Fund for scholarships and the ongoing commitment of funds from the CCAMLR Ecosystem Monitoring Program (CEMP) and CDS Funds.

27. In considering utilisation of funds held in Special Funds, SCAF noted that the EU had offered extra-budgetary funding amounting to €40 000 as a contribution to a project to continue the analysis of international trade in toothfish. The funding was contingent on a contribution, which may be in-kind, equivalent to 20% of the EU contribution. On the basis that the Secretariat was confident that the condition associated with the provision of the funds could be complied with, SCAF endorsed the proposal and thanked the EU for its offer.

28. CCAMLR-XXXV/24 was not referred to SCAF by the Standing Committee on Implementation and Compliance (SCIC).

29. The Scientific Committee requested funding for the following initiatives:

- (i) Joint SC-CAMLR-IWC Workshop (A\$11 000)

Funding was requested to support the participation of CCAMLR experts in the proposed 1.5 day workshop. SCAF recommended that the Scientific Committee explore options for remote engagement in the workshop, noting that the Commission would be asked to provide funding support for a more substantive workshop with the International Whaling Commission (IWC) planned for 2018.

- (ii) Species profiles (A\$9 000 per year for four years: A\$36 000)

SCAF advised that, due to a tight budgetary situation, this proposal was not supported.

(iii) Possibility to consider financial support to conveners of working groups

The Scientific Committee advised that the capacity for Members to more actively engage in the work of the Scientific Committee would be strengthened if the Commission offered to financially support conveners to working group meetings. Such a facility would encourage more Members to offer to serve as conveners and contribute to ongoing efforts to assist with burden sharing among Members. It would also mean that the impact on delegations providing conveners could be limited as the funds now used to support conveners on national delegations could be assigned to support an alternative national expert.

SCAF recommended that the ICG-SF examine the Scientific Committee's request during the 2016/17 intersessional period.

(iv) Database systems redevelopment

The Scientific Committee emphasised the critical role of data to its work and the need for efficient systems to support the administration of CCAMLR data. It proposed that SCAF allocate additional resources to this project in order to increase the rate of progress with the redevelopment. SCAF noted that the Data Management Group that is being considered by the Scientific Committee might also be asked to advise on the redevelopment work plan and the availability of resources to support the work plan.

SCAF noted that progress had been constrained by the limited funding support available from the General Fund. In early 2015, the project benefitted from funding that had become available through the Korean Contribution Fund. The current balance in the Korean Contribution Fund is A\$430 000, which is adequate to support project activities for the next 18 months. The Executive Secretary advised that expenditure from the Korean Contribution Fund in 2016/17 would include the recruitment, on an 18-month contract, of a business analyst experienced in data systems development, data quality assurance and processes and delivery of data to users.

30. SCAF noted the revised forecast budget for 2018. The 2018 budget is indicative only and is based on the Commission's policy of zero real growth in Members' contributions. As a result of the revision during the meeting of SCAF, Appendices III and IV have been updated.

31. SCAF recalled the application of zero nominal growth for the calculation of the equal share of Members' contributions through to 2017 (CCAMLR-XXXIV, paragraph 4.7). The forecast of the budget for 2018 is based upon the application of the Commission's policy of zero real growth for the calculation of the equal share of Members' contributions.

32. Italy noted that the current financial situation was unsustainable and that the resumption of zero real growth in Members' contributions from 2018 was clearly not the solution in the face of an increasing budget deficit. Italy insisted that urgent action was required to broaden the scope of income streams to the Commission and to reduce costs in order to make it possible for the Commission to pursue its institutional goals.

33. SCAF recommends that the Commission request the Secretariat to provide:

- (i) additional options to reduce Secretariat costs complete with a timeline

- (ii) explicit options, initially to the ICG-SF, then to SCAF in 2017, concerning additional revenue options for the Commission's consideration at CCAMLR-XXXVI.

34. SCAF advised the Commission, as a result of revisions to the projections through to 2020 considered during SCAF, that the budget outlook has improved (paragraph 24). Instead of a forecast deficit budget in 2020 of A\$496 241, with an associated estimated end-of-year balance of A\$243 110, the deficit is forecast to be A\$349 172, with a resulting end-of-year balance of A\$578 916. This forecast is contingent on no major unexpected expenditure items being approved and for income to continue as budgeted for 2017. SCAF noted that although this is an improvement in the financial situation of the Commission, the revised situation remains unsustainable. As a result, the work identified in paragraph 23 should be a high priority with all options to be considered.

35. SCAF also recommended that, as the surplus in the General Fund currently serves as a reserve fund, and the balance in the General Fund continues to be reduced, the ICG-SF examine options for establishing an appropriate reserve fund, such as a Working Capital Fund, for the Commission. The ICG-SF should consider an appropriate balance to be maintained in such a Fund, any implications for the Financial Regulations, its administration and the relationship between the Fund and the General Fund, among other considerations.

Selection process for the next Executive Secretary

36. SCAF recommended that the Commission endorse the selection process for the next Executive Secretary as revised by SCAF (CCAMLR-XXXV/06 Rev. 1).

Other business

37. The Executive Secretary advised SCAF that the current lease on the CCAMLR Headquarters will expire in April 2020. The Secretariat has initiated discussions with both the Tasmanian State Government and with the landlord regarding office accommodation arrangements beyond the lease expiry. The Secretariat undertook to keep Members informed of any developments.

38. SCAF reviewed current arrangements for the administration of Special Funds held on behalf of the Commission by the Secretariat. It recommended that the Secretariat, in consultation with the auditors, review the current policies and procedures associated with the administration of these Funds. Once complete, the procedures will be placed on the website where they will be available to Members to guide the preparation of funding proposals, including reporting and accountability responsibilities, associated with the Special Funds.

39. SCAF noted with appreciation the Secretariat's efforts to recover losses on investments that were experienced during the Global Financial Crisis (CCAMLR-XXXII, Annex 7, paragraph 22). It noted that these efforts were ongoing and that the Secretariat would update Members as any new information becomes available.

40. The Vice-Chair position for SCAF remains vacant. Members are invited to consider nominating a candidate in the intersessional period.

Close of the meeting

41. Members thanked the Chair for his effective stewardship and management of the meeting.
42. The Chair extended his appreciation for the cooperation and productive engagement of all Members and the professional support of the Secretariat.
43. The Chair declared the meeting closed.

Commission for the Conservation of Antarctic Marine Living Resources
Revised Budget for the Year Ended 31 December 2016

	General Fund adopted 2015	General Fund Revised	Equity Funds				Special Funds										Total	
			Asset Replacement Fund	Fisheries Notifications Fund	Staff Replacement Fund	Korean Contribution Fund	Contingency	Observer	VMS	CDS	Compliance	MPA	Scientific	Enforcement	General Science Capacity	CEMP		Satellite Trial Fund
	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$
Income																		
Members' General Fund Contributions	3 272 000	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	0	0	0
Interest	180 000	170 000	0	0	0	0	0	3 300	400	34 000	800	400	0	400	2 000	24 000	0	235 300
Staff Assessment Levy	525 000	525 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	525 000
Fund transfers – incl. SC Fund	90 000	95 000	0	0	0	0	(95 000)	0	0	0	0	0	0	0	0	0	0	0
Sales (Tagging)	30 000	30 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	30 000
Miscellaneous Income	386 000	383 000	25 000	374 000	0	0	90 000	0	0	0	0	0	0	0	0	0	0	195 506
Total Income	4 483 000	4 475 000	25 000	374 000	0	0	(5 000)	3 300	400	34 000	800	400	0	400	2 000	24 000	195 506	4 934 300
Expenditure																		
Salaries and Allowances	3 120 000	3 076 000	0	374 000	0	0	0	0	0	0	0	0	0	0	0	0	0	3 450 000
Equipment	200 000	200 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	200 000
Insurance and Maintenance	230 000	230 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	230 000
Training	15 000	15 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15 000
Meeting Facilities	340 000	340 000	4 444	0	0	0	0	0	0	0	0	0	0	0	0	0	0	344 444
Travel	180 000	160 000	0	0	0	0	0	0	0	0	0	0	0	0	30 000	0	0	190 000
Printing and Copying	21 000	15 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15 000
Communications	42 000	42 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	42 000
Sundry	90 000	90 000	0	0	0	50 000	0	0	0	260 520	0	0	50 000	0	0	490 000	342 172	940 520
Rent/COGS	418 000	415 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	415 000
Total Expenditure	4 656 000	4 583 000	4 444	374 000	0	(50 000)	0	0	0	260 520	0	0	50 000	0	30 000	490 000	342 172	5 841 964
Surplus/(Deficit)	(173 000)	(108 000)	20 556	0	0	(50 000)	(5 000)	3 300	400	(226 520)	800	400	(50 000)	400	(28 000)	(466 000)	(146 666)	(907 664)
Balance at 1 January 2016	1 016 803	1 774 281	306 096	363 920	135 846	463 642	205 000	131 028	16 463	1 797 763	30 564	66 961	51 363	13 942	228 648	1 201 331	146 666	6 933 514
Balance at 31 December 2016	843 803	1 666 281	326 652	363 920	135 846	413 642	200 000	134 328	16 863	1 571 243	31 364	67 361	1 363	14 342	200 648	735 331	0	6 025 850

Commission for the Conservation of Antarctic Marine Living Resources
Draft Budget for the Year Ended 31 December 2017

	General Fund	Equity Funds				Special Funds										Total
	A\$	Asset Re- placement Fund	Fisheries Notifica- tions Fund	Staff Re- place- ment Fund	Korean Contri- bution Fund	Contin- gency	Ob- server	VMS	CDS	Compli- ance	MPA	Scien- tific	Enforce- ment	General Science Capacity	CEMP	A\$
		A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$
Income																
Members' General Fund Contributions	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	0
Interest	170 000	0	0	0	0	0	2 800	350	33 000	700	1 500	0	300	4 300	16 000	228 950
Staff Assessment Levy	540 000	0	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	0
Sales (Tagging)	30 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	30 000
Miscellaneous Income	394 000	25 000	374 000	0	0	90 000	0	0	0	0	0	0	0	0	0	883 000
Total Income	4 496 000	25 000	374 000	0	0	0	2 800	350	33 000	700	1 500	0	300	4 300	16 000	4 953 950
Expenditure																
Salaries and Allowances – Revised	3 176 000	0	374 000	0	0	0	0	0	0	0	0	0	0	0	0	3 550 000
Equipment	200 000	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	230 000
Training	15 000	0	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	0	349 444
Travel	180 000	0	0	0	0	0	0	0	0	0	0	0	0	45 000	0	225 000
Printing and Copying	15 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15 000
Communications	44 000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	44 000
Sundry	140 000	0	0	0	50 000	0	0	0	0	0	0	0	0	0	192 299	382 299
Rent/COGS	423 500	0	0	0	0	0	0	0	0	0	0	0	0	0	0	423 500
Total Expenditure	4 768 500	4 444	374 000	0	(50 000)	0	0	0	0	0	0	0	0	45 000	192 299	5 334 243
Surplus/(Deficit)	(272 500)	20 556	0	0	(50 000)	0	2 800	350	33 000	700	1 500	0	300	(40 700)	(176 299)	(380 293)
Balance at 1 January 2017	1 666 281	326 652	363 920	135 846	413 642	200 000	134 328	16 863	1 571 243	31 364	67 361	1 363	14 342	200 648	735 331	5 879 184
Balance at 31 December 2017	1 393 781	347 208	363 920	135 846	363 642	200 000	137 128	17 213	1 604 243	32 064	68 861	1 363	14 642	159 948	559 032	5 033 886

Commission for the Conservation of Antarctic Marine Living Resources
Forward Estimate for the Year Ended 31 December 2018

	General Fund	Equity Funds				Special Funds								Total	
		Asset Replace-ment Fund	Fisheries Notifi-cations Fund	Staff Replace-ment Fund	Korean Contri-bution Fund	Contin-gency	Ob-server	VMS	CDS	Com-pliance	MPA	En-force-ment	General Science Capacity	CEMP	
	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$
Income															
Members' General Fund Contributions	3 349 500	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	170 000	0	0	0	0	0	2 900	350	33 500	700	1 500	300	3 400	12 000	224 650
Staff Assessment Levy	555 000	0	0	0	0	0	0	0	0	0	0	0	0	0	555 000
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	405 000	25 000	374 000	0	0	90 000	0	0	0	0	0	0	0	0	894 000
Total Income	4 599 500	25 000	374 000	0	0	0	2 900	350	33 500	700	1 500	300	3 400	12 000	4 975 650
Expenditure															
Salaries and Allowances	3 303 500	0	374 000	0	0	0	0	0	0	0	0	0	0	0	3 677 500
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	30 000	0	210 000
Printing and Copying	15 000	0	0	0	0	0	0	0	0	0	0	0	0	0	15 000
Communications	44 000	0	0	0	0	0	0	0	0	0	0	0	0	0	44 000
Sundry	90 000	0	0	71 000	50 000	0	0	0	0	0	0	0	0	0	211 000
Rent/COGS	433 500	0	0	0	0	0	0	0	0	0	0	0	0	0	433 500
Total Expenditure	4 856 000	4 444	374 000	71 000	50 000	0	0	0	0	0	0	0	30 000	0	5 385 444
Surplus/(Deficit)	(256 500)	20 556	0	(71 000)	(50 000)	0	2 900	350	33 500	700	1 500	300	(26 600)	12 000	(409 794)
Balance at 1 January 2018	1 393 781	347 208	363 920	135 846	363 642	200 000	137 128	17 213	1 604 243	32 064	68 861	14 642	159 948	559 032	5 397 528
Balance at 31 December 2018	1 137 281	367 764	363 920	64 846	313 642	200 000	140 028	17 563	1 637 743	32 764	70 361	14 942	133 348	571 032	4 674 092

The presentation of the budget forecast for 2018 reflects the Commission's policy of zero real growth, adopted in 1998.

SCAF notes that the level of Members' contributions from 2018 should be considered as part of an overall strategy for sustainable financing of the Commission.

Members' Contributions 2016, 2017, 2018
 General Fund Contributions – Payable by 31 May
 (all amounts in Australian dollars)

Member	Contributions 2016	Balance outstanding 18 August 2016	Draft contributions 2017	Forecast contributions 2018
Argentina	124 375	741	123 942	126 996
Australia	136 596		138 730	144 129
Belgium	124 375		123 942	126 996
Brazil	124 375	249 609	123 942	126 996
Chile	129 628		128 859	131 881
China	137 209	137 209	141 196	144 745
European Union	124 375		123 942	126 996
France	150 757		150 246	151 898
Germany	124 375		123 942	126 996
India	124 375		123 942	134 568
Italy	124 375		123 942	126 996
Japan	127 593		124 942	126 996
Korea, Republic of	146 826		145 613	127 996
Namibia	124 375	124 501	123 942	145 326
New Zealand	130 329		129 227	126 996
Norway	181 879		187 951	131 309
Poland	124 375		123 942	193 643
Russia	126 491		126 187	126 996
South Africa	125 765	125 954	125 254	129 604
Spain	126 628		125 521	128 411
Sweden	124 375		123 942	128 394
Ukraine	126 558	315 185	128 200	126 996
UK	132 241		131 770	132 574
USA	124 375		123 942	128 066
Uruguay	125 375	105 428	124 942	126 996
Total	3 272 000		3 272 000	3 349 500

Procedures for the Appointment of the Executive Secretary of CCAMLR

Introduction

1. The extended term of the current Executive Secretary of Secretariat of CCAMLR is due to expire on 19 April 2018. The paper proposes selection and appointment procedures, for review and adoption at CCAMLR-XXXV, to support the appointment of the next Executive Secretary at CCAMLR-XXXVI.

Advertisement

2. Members will agree on the text of an advertisement for the post of Executive Secretary (see Attachment for a draft of the advertisement, for review). The advertisement will be placed on the CCAMLR website and highlighted on the homepage with a link to relevant supplementary information.

3. The approved advertisement will also be placed by the Secretariat, at the direction of the Chair of the Commission, in national and international publications and websites. Websites should be used as a preference whenever available and should be linked to the recruitment page on the CCAMLR website (see Attachment for an outline of the website page).

4. Members should agree on the placements of the advertisement by the Chair. Before a Member additionally places the advertisement, it should notify the Secretariat of its plans and confirm that the placement has not already been made by another Member.

Eligible applicants

5. Applicants must satisfy the following selection criteria:

- be a citizen/national of a State Member of the Commission
- have experience of the operations of international, regional and/or intergovernmental organisations
- demonstrate a high level of managerial and leadership experience and proven competence, in such areas as:
 - the selection and management of administrative, technical and scientific staff
 - the preparation of financial budgets and the management of expenditures and associated programs of work
 - the organisation of meetings and provision of Secretariat support for high-level committees

- demonstrated ability to direct processes of change at the substantive and management levels within large institutions of national or international scope
- familiarity with Antarctic affairs
- familiarity with fisheries and/or ecosystem management
- a university degree, academic degree, or equivalent qualification
- professional competency in English with proficiency in at least one of the other three languages of the Commission desirable.

Personal applications

6. Applications may be made by eligible persons directly.

Submission of applications

7. Applications must be submitted electronically to the Chair through the dedicated portal on the CCAMLR website which will be established for this purpose.

Receipt of applications

8. Each applicant will be notified by the Chair of receipt of his or her application.

Member nominations

9. Each Member of the Commission may endorse candidates who have submitted applications by the due date. Members should not forward their endorsements, if any, until after the closing date for applications. It is not compulsory for Members to endorse applicants, however, should a Member choose to do so, it will cover the attendance costs of its nominees should that person, or persons, be shortlisted for interview.

Availability of applications

10. Each application received by the Chair will be translated by the Secretariat into each of the official languages of the Commission and posted to a password-protected section of the CCAMLR website only accessible to authorised representatives of CCAMLR Members.

Ranking of applicants

11. From among applications received, each Member will notify the Secretariat of its 10 preferred candidates in order of preference. On receipt of all the Commission Members' preferences, the Chair will aggregate individual applicants' rankings, awarding 10 points for a first preference, 9 points for a second preference etc. A timeline for this process is included in the accompanying Attachment.

Short list

12. The candidates with the five highest aggregate scores will be shortlisted for interview. If any shortlisted candidate withdraws their application, they will be replaced by the next ranked candidate.

Interview process

13. The Chair will arrange for Members of the Commission to be advised of shortlisted candidates. Shortlisted candidates will be invited to the next meeting of the Commission where the Chair of the Commission will make arrangements for the final selection process. The final selection will be as agreed after consultation with Heads of all Delegations in accordance with Article XII, paragraph 1, of the Convention.

14. Travel and per diem expenses of candidates invited for final selection will be reimbursed by the Commission except where a Member of the Commission pays for these costs directly. Members are strongly urged to assume these costs. (Note: A line item in the amount of A\$30 000 is included in the 2017 budget for these costs. If all Members of the Commission assume these costs for their citizens/nationals, there will be no drawdown against this line item.)

15. The shortlisted candidates will be notified of the final selection decision of the Commission.

Start date

16. The chosen candidate will report to the Secretariat Headquarters two full weeks before the departure of the incumbent Executive Secretary in mid-April 2018 in order to allow for a transition.

Advertisement

Executive Secretary of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)

The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) invites applications for the position of Executive Secretary.

CCAMLR is an international organisation, with Headquarters in Hobart, Australia, responsible for giving effect to the objectives and principles of the Convention on the Conservation of Antarctic Marine Living Resources which provides for the conservation and rational use of marine living resources in waters adjacent to Antarctica.

The Executive Secretary manages an administrative, technical and scientific staff; presents and manages the Commission budget and associated programme of work; and organises the meetings of the Commission, the Scientific Committee and their subsidiary bodies.

Selection criteria

Applicants must satisfy the following selection criteria:

- Applicants must be citizens/nationals of a Member of the Commission.
- Experience of the operations of international, regional and/or intergovernmental organisations.
- Demonstration of a high level of managerial and leadership experience and proven competence, in such areas as:
 - the selection and management of administrative, technical and scientific staff
 - the preparation of financial budgets and the management of expenditures
 - the organisation of meetings and provision of secretariat support for high level committees.
- Demonstrated ability to direct processes of change at the substantive and management levels within large institutions of national or international scope.
- Familiarity with Antarctic affairs.
- Familiarity with fisheries and/or ecosystem management.
- A university degree, academic degree, or equivalent qualification.
- Professional competency in English with proficiency in at least one of the other three languages of the Commission desirable.

Salary and allowances

The appointment will be for a term of four years with the possibility of one additional four-year appointment. Details of remuneration and allowances are available on request from the Finance and Administration Manager, CCAMLR Secretariat (recruitment@ccamlr.org).

Availability

Unless otherwise agreed with the Chair of the Commission, the individual selected for the post of Executive Secretary must be available to commence work on 5 April 2018 for a two-week period of transition with the incumbent Executive Secretary and will assume the post on 20 April 2018.

Additional information

Please consult the CCAMLR website at www.ccamlr.org for complete information on duties, selection criteria, staff regulations and the application process.

Equal employment opportunity

CCAMLR is an equal opportunity employer.

Closing date

Applications must be received no later than 2400 h Australian Eastern Standard Time (GMT + 10) 15 May 2017. Applicants are requested to submit their applications as soon as practically possible.

Standard Application Form

A Standard Application Form (set out below) must accompany the application.

(Candidates should upload the Standard Application Form, a cover letter, *curriculum vitae* or resume and names and contact details of three (3) referees with professional knowledge of the applicant's competencies)

Name:

Address:

Phone:

Fax:

Email address:

Citizenship:

University and Advance Degrees

(List degrees and years awarded)

Shortlisted applicants will be required to bring copies of academic certificates or other qualifications, as applicable, to interview.

Language Proficiency in English, French, Russian, Spanish

(Note level)

(Secretariat will insert check-off ratings grid)

Professional and management experience (250 word limit for each of the following 5 questions)

(Include additional information elaborating on this summary in resumé)

1. Experience or detailed knowledge of the operations of international, regional and/or intergovernmental organisations.
2. Demonstration of a high level of managerial and leadership experience and proven competence, in such areas as:
 - (a) the selection and management of administrative, technical and scientific staff

- (b) the preparation of financial budgets and the management of expenditures
 - (c) the organisation of meetings and provision of Secretariat support for high-level committees.
3. Demonstrated ability to direct processes of change at the substantive and management levels within large institutions of national or international scope.
 4. Familiarity with Antarctic affairs.
 5. Familiarity with fisheries and/or ecosystem management.

Competencies (250 word limit for each of the following 3 competencies)

The incumbent should be able to demonstrate the following:

1. Lead and motivate a team of senior and mid-level managers in a multicultural setting.
2. Determine and communicate a clear strategic direction, including interdisciplinary dimensions, and set clear program priorities.
3. Translate strategy into sustainable action and effectively plan, mobilise and manage resources to deliver expected results.

Referees and testimonials

Provide the name and full contact details for three (3) referees with professional knowledge of the applicant's competencies. Only the referees for shortlisted candidates will be contacted.

Recruitment page of the CCAMLR website

- The Advertisement
- Duties of the Executive Secretary
 1. Is responsible overall for ensuring the effective and efficient operation of the Secretariat.
 2. Creates an environment that promotes staff development and maximises their contribution to the organisation.
 3. Institutes systematic strategic/corporate planning for the Secretariat, in consultation with the Commission.
 4. Coordinates, supports and liaises with the Chairpersons of the Commission, Scientific Committee and its subsidiary bodies, the Standing Committee on Administration and Finance and the Standing Committee on Implementation and Compliance and any ad hoc groups established, in the management of their respective meetings and implementation of work programs for these meetings.
 5. Manages the necessary preparations and follow-up for all CCAMLR meetings, including for the intersessional work of the Scientific Committee and its subsidiary bodies as well as for any ad hoc groups established.
 6. Cooperates and liaises with other international organisations on matters of relevance to CCAMLR.
 7. Appoints and manages all scientific, technical and administrative staff necessary for CCAMLR to achieve its objective, develops individual staff work programs and/or assists in this.
 8. Develops and implements a performance assessment process for all staff members, including the Executive Secretary.
 9. Oversees the collection, collation and dissemination of information on harvesting, illegal, unregulated and unreported fishing, catch documentation and other data as required and in accordance with the conservation measures and CCAMLR objectives, and provides regular reports on the status of these databanks to the Commission and Scientific Committee.
 10. Is responsible for the preparation of the financial budgets for expenditure and forecast budgets for the Commission's consideration, and ensures that expenditure is in accordance with the approved budgets.
- Link to Staff and Financial Regulations
- List of Member Contacts
- Application Process including link to portal for lodgement and uploading of files
- The application portal will include:
 - checklist for information to be submitted (including relevant Member)
 - uploading document facilities
 - automatically advise the Chair of lodgement of application

- automatically acknowledge receipt
- automatically notify relevant Member contact.

Applications must:

- (i) include a completed standard application form together with a cover letter, *curriculum vitae* or resume and names and contact details of three (3) referees with professional knowledge of the applicant's competencies.
- (ii) be submitted via the portal on the website no later than 2400 h Australian Eastern Standard Time (GMT + 10) 15 May 2017.

Recruitment timeline

Placement of advertisement by Secretariat	No later than 1 January 2017
Placement of advertisements by Members	No later than 1 February 2017
Deadline for submission of applications (including application form)	No later than 2400 h Australian Eastern Standard Time (GMT + 10) 15 May 2017
Applications posted to password-protected page of the CCAMLR website by Secretariat	In language of submission, within one week of receipt. Translations to follow as soon as practically possible.
Endorsements by Members	No later than 15 June 2017
Notification by Members of 10 preferred applicants (in priority order)	No later than 31 July 2017
Shortlisted applicants notified	No later than 31 August 2017

Financial Implications of Recruiting the Executive Secretary

A. 2017 BUDGET	
1. International advertising in periodicals	A\$20 000
In possibly two periodicals, for example <i>New Scientist</i> or <i>Economist</i> .	
2. Travel and per diem expenses for short-listed applicants	A\$30 000
Approximately A\$6 000 per person, based on five people, including subsistence costs. (This item could be reduced to zero if each Member assumed the travel and per diem expenses for each of its citizens/nationals on the short list.)	
TOTAL 2017 in General Fund Budget	A\$50 000
B. 2018 FORECAST BUDGET	
1. Airfares for relocation of Executive Secretary	A\$24 000 ¹
Approximate economy costs for a family of four.	
2. Installation grant	A\$9 000
Based on 30 days Hobart per diem rate for one person.	
3. Removal costs	A\$40 000 ¹
Approximate cost based upon up to one international shipping container.	
4. Sundry	A\$7 000 ¹
Insurance and storage of goods, vehicle expenses.	
5. Changeover	A\$12 000
Two-week handover period.	
TOTAL 2018 in General Fund Budget	A\$92 000

¹ These amounts are already provided in the Staff Replacement Fund.

**CCAMLR decision on the Undertaking of a
Second Performance Review in CCAMLR**

CCAMLR decision on the Undertaking of a Second Performance Review in CCAMLR

1. The Commission for the Conservation of the Antarctic Living Marine Resources (CCAMLR) undertook a Performance Review in 2008 which resulted in wide-ranging recommendations benefitting the Commission.
2. CCAMLR decided against this background, in accordance with Article IX.1, to undertake a second Performance Review.
3. The Second Performance Review (PR2) of CCAMLR that builds on the results of the First Performance Review shall be conducted during the 2016/17 intersessional period. A final report shall be submitted to Contracting Parties at the latest at the 2017 CCAMLR annual meeting.
4. PR2 shall evaluate the following:
 - (i) Progress in implementing the recommendations from the First Performance Review (PR1). This will also include advice on options for moving forward on PR1 recommendations that are under consideration or are work-in-progress. This assessment would be based on the full suite of recommendations from PR1, guided by, but not limited to, the Secretariat matrix on the status of recommendations maintained on the website.
 - (ii) Special attention will be devoted to issues on which PR1 recommendations have yet to be taken up by the Commission or the Scientific Committee (CCAMLR-XXXIII/10, Appendix I). For those issues, PR2 should consider afresh whether such issues remain of concern, and if so, provide revised recommendations.
 - (iii) PR2 will also consider whether any further work would be desirable on issues covered by PR1 recommendations. This could include, for example, revisions to those recommendations to accommodate ongoing matters including marine protected areas, the fight against illegal, unreported and unregulated (IUU) fishing and supporting measures to accompany compliance and implementation matters.
5. PR2 could consider any other matters relevant to the objectives of the CAMLR Convention, including the discussions of the 2015 CCAMLR Symposium held in Santiago, Chile.

Composition

6. The Review Panel will be composed of eight members, as follows:
 - (i) four experts from CCAMLR Members: selected among internationally recognised experts who have experience in the CCAMLR context and a thorough understanding of the CAMLR Convention

- (ii) two external experts: internationally recognised experts in the fields specified below, but with no involvement or direct experience with CCAMLR
- (iii) one representative from the Committee for Environmental Protection (CEP)
- (iv) one non-Governmental organisation (NGO) representative.

7. The Review Panel shall be appointed by the Commission. Panel members shall be independent and participate in their personal capacity. Their expertise should cover the relevant areas of environmental management, fisheries science and legal matters, including compliance and enforcement issues and the fight against IUU fishing.

8. The Panel membership should aim at reflecting the CCAMLR Membership in terms of regions, fishing and non-fishing nations and developing and developed countries.

Selection

9. CCAMLR Members may provide in writing two names, each accompanied by a one-paragraph curriculum vitae (CV), for categories (i) and (ii) ((i) four experts from CCAMLR Members and (ii) two external experts) to the Chair of the Commission, through the Secretariat, by 31 December 2016.

10. The Chair of the Commission, through the Secretariat, shall provide to Members, by 15 January 2017, two lists containing the names proposed by the Members for the appointment of the four experts who have experience in the CCAMLR context and the two external experts to the Review Panel.

11. The Members shall immediately acknowledge receipt of the communication. Members may respond in writing to the Chair of the Commission, through the Secretariat, within 30 days, indicating their vote for two experts from each list.

12. In case of a tie between two candidates, a run-off vote will be run in which case additional time will be required to finalise the selection.

13. The Chair of the Commission, immediately after the end of the 30-day period shall, through the Secretariat, inform Members of the names of the experts from each category receiving the most votes.

14. Once these individuals have been identified, the Secretariat shall write to each person selected by the Members for appointment to the Review Panel, indicating CCAMLR's desire to appoint them and seeking their positive response.

15. The NGO expert will be recommended to the Commission by the NGOs accredited as official observers to CCAMLR. The name of the NGO expert selected will be communicated in writing to the Chair of the Commission, through the Secretariat, by 31 December 2016.

16. The representative from the CEP will be recommended to the Commission by this body. The name of the selected individual will be communicated in writing to the Chair of the Commission, through the Secretariat, by 31 December 2016.

17. The Chair of the Commission will provide the name of the NGO expert to the Members of the Commission together with the two lists of candidates mentioned above.

Meetings of the Review Panel

18. The Review Panel will appoint a Chair. The Review Panel will meet in Hobart, Australia, unless a more cost-effective location is identified at a date convenient to all panel members. Economy-class travel and subsistence costs will be available to Panel members, if requested, to support their participation. Costs will be borne preferably through voluntary contributions. In the event that there are outstanding costs, these will be borne by the CCAMLR budget.

19. The review will include a desktop study with questionnaires and interviews, carried out in support of this work, addressed to all CCAMLR Members and observers.

20. The CCAMLR Secretariat shall provide logistical support and information to the Review Panel and shall not form part of this Panel.

21. The Review Panel shall decide by consensus. In the event consensus cannot be reached, individual members of the Panel may include their views in the Panel's report.

Timeline

22. The final report and the conclusions (including recommendations) of PR2 shall be communicated by the Panel Chair through the Executive Secretary to CCAMLR Contracting Parties, observers and the Chair of the Commission at the latest 45 days in advance of the 2017 annual meeting at which they will be considered firstly by SCIC, SCAF and the Scientific Committee and then by the Commission for discussion and action, if needed.

23. SCIC, SCAF and the Scientific Committee shall report to the Commission the results of their discussions on this issue, including their plans for addressing any of the recommendations made by PR2 and tracking progress in that regard.

24. The final report shall be placed on the CCAMLR website after the discussion at CCAMLR-XXXVI.