

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

**REPORT OF THE EIGHTEENTH MEETING
OF THE COMMISSION**

HOBART, AUSTRALIA
25 OCTOBER – 5 NOVEMBER 1999

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November 1999

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Abstract

This document is the adopted record of the Eighteenth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources held in Hobart, Australia from 25 October to 5 November 1999. Major topics discussed at this meeting include: review of the Report of the Scientific Committee; illegal, unreported and unregulated fishing in the Convention Area; assessment and avoidance of incidental mortality of Antarctic marine living resources; new and exploratory fisheries; current operation of the System of Inspection and the Scheme of International Scientific Observation; compliance with conservation measures in force; review of existing conservation measures and adoption of new conservation measures; management under conditions of uncertainty; and cooperation with other international organisations including the Antarctic Treaty System. The Reports of the Standing Committee on Administration and Finance and the Standing Committee on Observation and Inspection are appended.

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REPORT OF THE EIGHTEENTH MEETING OF THE COMMISSION (Hobart, Australia, 25 October to 5 November 1999)

OPENING OF THE MEETING

1.1 The Eighteenth Annual Meeting of the Commission for the Conservation of Antarctic Marine Living Resources was held in Hobart, Tasmania, Australia from 25 October to 5 November 1999 under the Chairmanship of Dr A.E. Muthunayagam (India).

1.2 All 23 Members of the Commission were represented: Argentina, Australia, Belgium, Brazil, Chile, European Community, France, Germany, India, Italy, Japan, Republic of Korea, New Zealand, Norway, Poland, Russian Federation, South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay.

1.3 Bulgaria, Canada, Finland, Greece, Netherlands and Peru were invited to attend the meeting as observers. Netherlands attended.

1.4 The Antarctic and Southern Ocean Coalition (ASOC), the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the Food and Agriculture Organisation of the United Nations (FAO), the Forum Fisheries Agency (FFA), the Inter-American Tropical Tuna Commission (I-ATTC), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Indian Ocean Fisheries Commission (IOFC), the Intergovernmental Oceanographic Commission (IOC), the World Conservation Union (IUCN), the International Whaling Commission (IWC), the Scientific Committee on Antarctic Research (SCAR), the Scientific Committee on Oceanic Research (SCOR), the South Pacific Commission (SPC) and the United Nations Environment Programme (UNEP) were invited to attend the meeting as observers. ASOC, IUCN, IWC and SCAR attended.

1.5 Mauritius and Namibia were invited to attend as observers in accordance with CCAMLR-XVII, paragraph 15.2. Both were represented at the meeting. Also invited were a number of non-Contracting Parties who were known to have interests in fishing or trade of *Dissostichus* spp. in the Convention Area: Belize, Denmark (in respect of the Faroe Islands), Panama, Portugal, Seychelles and Vanuatu. Denmark was represented.

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 Chairman welcomed all Members and introduced His Excellency the Honourable Sir Guy Green, AC, KBE, Governor of Tasmania.

1.8 His Excellency welcomed CCAMLR's progress towards conducting a krill synoptic survey in the Convention Area and commended the Members that had committed vessels to participate in the survey.

1.9 His Excellency referred to the conservation measures which CCAMLR adopted at the Seventeenth Meeting with respect to illegal, unregulated and unreported fishing and hoped that the Commission would continue to reach agreement on measures of a kind which would complement those which were already in place. He also wished the Commission well in its endeavour to further develop a Catch Documentation Scheme and encouraged Members to bear in mind the necessity to maintain an appropriate balance between the values that underpin international trade agreements and those that underpin international conservation agreements.

1.10 In concluding his address, His Excellency suggested that the Commission should feel encouraged by the knowledge that what it was doing was fundamentally right and sensible, and that its endeavours had substantial popular support.

ORGANISATION OF THE MEETING

2.1 In opening this agenda item, the Chairman noted that this would be a particularly important meeting, with some complex issues to be resolved. In this respect, there was a broad range of expectations, not only from within the organisation but also from outside: from the media, from non-governmental organisations and from individuals concerned with the living resources of Antarctica.

2.2 The Chairman explained that the Commission endeavours to exert effective control over the fishing activities taking place in contravention of the Convention or of the spirit in which it was negotiated. The proposed Catch Documentation Scheme is an important and qualitative advance in the process of applying firmly Article II of the Convention. The Chairman noted that the success of the scheme depends not only on cooperation between Members to reach agreement on the scheme, but also on the subsequent commitment of Members, including ensuring that sufficient resources would be available for its implementation. The Chairman encouraged the Commission to continue to be a leader in the field of management of marine living resources, to promote the objectives of the Commission and to set examples to other international organisations with similar goals.

Adoption of the Agenda

2.3 The Provisional Agenda (CCAMLR-XVIII/1) had been distributed prior to the meeting and was adopted without amendment (Annex 3).

Report of the Chairman

2.4 The Chairman reported on intersessional activities. He informed the meeting that there had been no changes to the CCAMLR membership during the past year. However, he was pleased to be able to report that Namibia and Vanuatu had notified the Commission that they are acceding to the Convention and that Namibia also intends to apply for membership of the Commission. Fourteen reports had been received from Members detailing their activities in the Convention Area in 1998/99. Further reports were expected to be presented during the meeting.

2.5 There had been a number of CCAMLR intersessional meetings. An ad hoc meeting of CCAMLR Members, held in Brussels, Belgium, in April, prepared a draft of a CCAMLR Catch Documentation Scheme. The Scientific Committee's Working Group on Ecosystem Monitoring and Management (WG-EMM) met in Tenerife, Spain, and the Working Group on Fish Stock Assessment (WG-FSA) met in Hobart, Australia.

2.6 For the 1998/99 season, 55 inspectors from eight Member countries had been designated under the CCAMLR System of Inspection. Under the CCAMLR Scheme of International Scientific Observation, 41 programs had been completed by observers from four Member countries. A number of fisheries had been open in the 1998/99 season with reported catches from fisheries for krill (*Euphausia superba*) 103 318 tonnes, toothfish (*Dissostichus* spp.) 13 119 tonnes, mackerel icefish (*Champtocephalus gunnari*) 267 tonnes, and crabs (*Paralomis* spp.) 4 tonnes (see also paragraphs 4.3 to 4.6). Thirteen Members participated in fisheries in the 1998/99 season.

2.7 During the year, the Commission and the Scientific Committee had been represented by observers at a number of international meetings as listed in section 11 of this report and also in section 11 of SC-CAMLR-XVIII.

2.8 The observer from Namibia conveyed to the Commission personal greetings from the Minister of Fisheries and Marine Resources of Namibia, Dr A. Iyambo. The observer reiterated the position of Namibia as stated at last year's meeting (CCAMLR-XVII, paragraph 2.20). He also drew to the attention of the Commission that Namibia has revised its Sea Fisheries Act to empower the Government to enforce conservation, management and regulatory measures that include taking responsibility for vessels of Namibia fishing outside the Exclusive Economic Zone (EEZ). This will enable Namibia to ensure that its vessels adhere to the conservation measures adopted by the Commission. This legislation would come into force early next year. The Parliament of Namibia has already approved Namibia's accession to the CCAMLR Convention. Namibia is depositing an instrument of accession and documentation supporting its request to become a Member of the Commission and asked Members to support its application.

2.9 The Chairman of the Commission, on behalf of all Members, welcomed the decision of Namibia and expressed his confidence that Namibia would participate at the next meeting of CCAMLR as a Member of the Commission.

2.10 In respect of the Faroe Islands, the observer from Denmark thanked the Commission for the invitation to participate at this meeting. He advised the Commission that the Faroe Islands is a self-governing community within the Kingdom of Denmark and that its fishery policy is solely decided and managed by the Faroese Home Government. At present, the Faroe Islands is an active partner in a number of bilateral and multilateral fisheries agreements, including Northwest Atlantic Fisheries Organisation (NAFO) and Northeast Atlantic Fisheries Commission (NEAFC). The main area for the Faroese fisheries is and will be the North Atlantic. The Faroe Islands has only very limited experience of fishing in Antarctic waters. However, the Faroe Islands is ready to fully respect the principles laid down in the CCAMLR Convention taking into account the importance of safeguarding the environment and protecting the integrity of the ecosystem of Antarctic waters. The Faroe Islands is not now in a position to consider membership of CCAMLR. In concluding, the observer stated that discussions at the meeting would provide an important input in further deliberations by the Faroe Islands on relations with CCAMLR.

FINANCE AND ADMINISTRATION

3.1 The Chairman of the Standing Committee on Administration and Finance (SCAF), Mr I. Ybáñez Rubio (Spain), presented the report of the Committee (Annex 4), outlined the results of its discussions and noted the recommendations for decision by the Commission.

Examination of Audited Financial Statements for 1998 and 1999

3.2 Noting that the audit performed on the 1998 statements had been a review only, the Commission accepted the audited Financial Statements for 1998.

3.3 The Commission decided that as a review audit had been performed on the 1997 and 1998 Financial Statements, a full audit will be required for the 1999 Financial Statements.

Members' Contributions

3.4 The Commission agreed that the contribution amounts advised to Members at the end of the annual meeting would be final, and would be advised in such a form as to enable Members to process the demand for payment.

3.5 The Commission noted with concern the financial difficulties which arose in 1999 due to the timing of payment of Members' contributions. To prevent the situation from happening again, the Commission adopted the following revised Financial Regulation 5.6:

'5.6 Except in the first financial year when contributions shall be paid within 90 days of the end of the first Commission meeting, contributions shall be due for payment on the first day of the financial year (i.e. the due date) and shall be paid not later than 60 days after that date. The Commission has the authority to permit extensions to the due date of up to 90 days for individual Members who are unable to comply with this regulation due to the timing of the financial years of their governments. However, in the case referred to in Regulation 5.5(a), contributions by a new Member shall be made within 90 days following the date on which its membership becomes effective. If payment is made after the due date in United States dollars, the net payment received by the Commission shall be equivalent to the amount of Australian dollars payable on the due date.'

3.6 In accordance with the revised Financial Regulation 5.6, the Commission extended the due date in 2000 to 1 April for the following Members:

Argentina;
France;
Italy;
Japan;
Republic of Korea;
Russia;
South Africa; and
United Kingdom.

3.7 The Commission noted that the revised text of Financial Regulation 5.6, as included in paragraph 3.5 above, was the result of a compromise to resolve the problem in the short term. It agreed that it would review Financial Regulation 5.6 as a matter of urgency at its next meeting, on the understanding that it shall continue to authorise a small number of extensions until consensus can be reached. It was anticipated that the number of Members requiring such extensions to the due date would reduce significantly next year.

3.8 The Commission noted that Members had agreed to consult with their Finance Ministries before the next meeting in order to explore all opportunities for moving to the new payment schedule. To assist Members to expedite such transition, the Chairman was directed to write to the competent financial authorities in each Member State advising of the changed requirements and the necessity for them to be complied with as early as possible.

3.9 Sweden noted that the amended financial rule, although intended to solve the cash-flow problem of the Secretariat, as a matter of fact would not be able to do so, if not all Members made an effort to comply with the shorter time limit for contributions of Member States. It was therefore the understanding that the possibility for the Commission to grant extensions of the due date of up to 90 days was only to be used as a temporary measure in order to give Members time to adapt to the new rules.

3.10 Japan reminded Members that the financial regulation in its previous form did not preclude the possibility of Members paying at an earlier date if they wished to do so.

3.11 Argentina noted that, notwithstanding the fact that it had a 31 December financial year end, it had asked to be included as an exemption under the financial regulation in order to obtain the flexibility needed for time to change to the new payment timing requirements.

3.12 In considering Article XIX.6 of the Convention, the Commission interpreted the extent of default as being the period commencing when a contribution is payable, if the whole or part of the previous contribution is outstanding, and ending when both those contributions are paid in full.

Contribution Formula for 2000

3.13 The Commission noted that SCAF had not had sufficient time to fully consider options for a contribution formula to be used for the forthcoming years and agreed to establish an intersessional correspondence group, to be coordinated by Belgium and supported by the Secretariat, to develop a proposal or series of proposals for discussion at next year's meeting. The Commission agreed to use for 2000 the contribution formula used in 1999.

Management Review of the Secretariat

3.14 The Chairman of SCAF advised the Commission that the Committee had noted that the majority of recommendations arising from the management review had been substantially or fully implemented.

3.15 New Zealand noted that a number of key recommendations of the management review had not yet been completed, including strategic planning and the introduction of performance assessments for all staff members. The Commission agreed that the Executive Secretary should provide a written report for next year to enable the Commission to focus its future discussions.

3.16 New Zealand also noted that the Committee had not yet addressed the issue of the performance criteria of the Executive Secretary and invited Members to consider the matter intersessionally. Spain recalled the opposition already expressed in SCAF by some parties on this matter and reaffirmed its continued opposition.

3.17 In accordance with the advice of SCAF, based on a review performed by the United Nations (UN), the Commission agreed to revise the level of its post of Administration Finance Officer to P3 on the UN pay scale with effect from the next anniversary of the incumbent's contract.

Review of Budget for 1999

3.18 The Commission noted the advice of SCAF that while the overall budget adopted in 1998 was not expected to be exceeded, it had been found necessary to make reallocations between budget items and subitems. As a result of this, the Commission adopted a revised budget for 1999 as presented in the 'expected outcome' column of Appendix 2 of Annex 4.

Budget for 2000

3.19 The Commission noted the advice of SCAF on the Scientific Committee budget for 2000 and agreed to approve the inclusion of this at A\$150 200 in the Commission's budget.

3.20 Australia addressed the issue of the Australian Goods and Services Tax, as raised by SCAF, and advised that the policy was still being developed for all international organisations within Australia. Australia supported the suggestion that a letter be sent by the Chairman of the

Commission to the Australian Government but could not anticipate a positive decision on the matter. The Commission asked the Chairman to write to the Australian Government in the way suggested by SCAF.

Overall Budget

3.21 The Commission noted that the 2000 budget presented by SCAF represented a real increase. In referring to the reservation expressed in SCAF (Annex 4, paragraph 32) Germany stated:

‘In all international organisations, the Government of Germany pursues the objective of a nominal zero growth of the budget. This also applies to CCAMLR. However, in light of the importance of the Catch Documentation Scheme and our commitment that we share with all delegations here to see it implemented as quickly and efficiently as possible and to provide the scheme with the necessary means, we are prepared to deviate exceptionally from our normal position. We are prepared to support this year’s budget on the understanding that the Catch Documentation Scheme will be adopted by the Commission this year. This notwithstanding, Germany urges the Executive Secretary to provide a draft budget for 2001 that is based on a nominal zero growth.’

3.22 The Commission agreed with this condition for 2001, which had also been proposed by SCAF, and, noting that the increase was required to enable the Commission to address effectively the issues that it currently faces, accepted the budget for 2000 as presented in Appendix 2.

3.23 Some Members expressed their continuing concern with the fact that more work was being requested of the Secretariat by the Commission and the Scientific Committee year after year, and that it was unreasonable to continue to request a zero growth in the budget under these circumstances.

Forecast Budget for 2001

3.24 In considering the forecast budget for 2001, as presented by SCAF, the Commission noted the extent of assumptions that have had to be made in many expenditure items.

3.25 To assist in achieving zero growth in the budget when it is agreed at the next meeting, the Commission considered the possible savings that could be generated if the WG-EMM meeting in 2001 was to be held in the Secretariat offices in Hobart. The Commission noted the advice of the Scientific Committee on this issue and asked it to provide the Commission next year with detailed comments on such a possibility. The Commission will then be in a position to make a decision on the possibility of holding meetings of WG-EMM in Hobart in alternate years. It asked the Scientific Committee to not finalise arrangements for its 2001 meeting before the next Commission meeting so that any decision of the Commission on this matter could be implemented.

Investment Policy

3.26 The Commission noted that the existing investment policy of the Commission was no longer appropriate for the conditions currently prevailing in Australia and adopted the revised Financial Regulation 8.2 as set out in paragraph 38 of the SCAF report (Annex 4).

Chairman and Vice-Chairman

3.27 The Commission noted the advice of SCAF that the Chairman (Spain) and Vice-Chairman (Germany) had been reappointed for a second two-year term.

SCIENTIFIC COMMITTEE

4.1 The Chairman of the Scientific Committee, Dr D. Miller (South Africa) reported on the meeting of the Scientific Committee. The Commission noted the general recommendations, advice, research and data requirements of the Scientific Committee. Substantive matters arising from the deliberations of the Scientific Committee were discussed under other parts of the agenda: illegal, unregulated and unreported (IUU) fishing (section 5); incidental mortality and marine debris (section 6); new and exploratory fisheries (section 7); CCAMLR Scheme of International Scientific Observation (section 8); and management under uncertainty (section 10). The Commission thanked Dr Miller for a comprehensive report.

Intersessional Activities

4.2 Three scientific meetings were held during the 1998/99 intersessional period:

- (i) the planning meeting for the CCAMLR 2000 Krill Synoptic Survey of Area 48 (Cambridge, UK, 8 to 12 March 1999);
- (ii) the meeting of WG-EMM (Santa Cruz de Tenerife, Spain, 19 to 29 July 1999); and
- (iii) the meeting of WG-FSA, including ad hoc WG-IMALF (Hobart, Australia, 11 to 21 October 1999).

Fishery Status and Trends

4.3 The total reported catch of krill during the 1998/99 split-year (1 July 1998 to 30 June 1999) was 103 318 tonnes, and this was taken in Area 48 by Argentina (6 524 tonnes), Japan (71 318 tonnes), Poland (18 554 tonnes), Republic of Korea (1 228 tonnes) and Ukraine (5 694 tonnes). This represents an increase of 23 000 tonnes compared to the catch reported in the previous split-year.

4.4 The Commission noted that Japan, Poland, the Republic of Korea and Uruguay planned to fish for krill during the 1999/2000 season at levels similar those of the last season. Argentina (one vessel), Germany (possibly one vessel), Russia (possibly one vessel), Ukraine (three to four vessels) and the USA (two vessels) may also fish during this season. In addition, Canada may also fish for krill in 1999/2000.

4.5 The total catch of finfish reported from the Convention Area during the 1998/99 split-year was 18 006 tonnes (SC-CAMLR-XVIII, paragraph 2.9), of which *Dissostichus eleginoides* accounted for 17 435 tonnes. This species was reported from Subareas 48.3 (4 567 tonnes) and 58.6 (1 938 tonnes) and Divisions 58.5.1 (5 399 tonnes) and 58.5.2 (5 531 tonnes). In comparison, the total reported catch of finfish was 11 419 tonnes in 1997/98.

4.6 There had been no reported fishing for crab or squid during the 1998/99 split-year, and limited fishing for crab (4 tonnes) was conducted in Subarea 48.3 in September 1999.

Dependent Species

4.7 The Commission noted that there were no proposals for new CEMP sites. However, Conservation Measure 82/XIII, which affords protection to the Cape Shirreff CEMP site, was due for review under the five-year cycle defined in Conservation Measure 18/XIII. The Commission agreed that continued protection of the Cape Shirreff CEMP site is necessary, and endorsed a review of the plan for Cape Shirreff (section 9).

4.8 It was noted that the Subgroup on Designation and Protection of CEMP Sites had been tasked with minor technical revision of the management plans for both Cape Shirreff and Seal Islands (SC-CAMLR-XVIII, paragraphs 4.21 to 4.24).

4.9 The Scientific Committee's comments in relation to the proposal for the Balleny Islands Specially Protected Area (SPA) Management Plan (CCAMLR-XVIII/24) were noted (SC-CAMLR-XVIII, paragraphs 4.26 to 4.31). The Commission endorsed the recommendation that the details of the proposal be referred to the Subgroup on Designation and Protection of CEMP Sites, and that this subgroup should consider further development of a methodology for the assessment of proposals for marine protected areas forwarded in accordance with Annex V of the Protocol (see also section 11).

Harvested Species

Krill Resources

4.10 Plans for the CCAMLR 2000 Krill Synoptic Survey of Area 48 (hereinafter referred to as the CCAMLR-2000 Survey) were well advanced. The survey will be conducted in January–February 2000 by four vessels, one each from Japan, Russia, UK and USA. The survey will provide a new estimate of krill biomass (B_0) in Area 48 for use in setting precautionary catch limits in the krill fishery. A two-week workshop scheduled in La Jolla, USA, during May–June 2000 will analyse data from the survey and estimate B_0 . This estimate will be examined at the meeting of WG-EMM in July 2000 and the results of the survey will be used to subdivide the precautionary catch limit for Area 48 into smaller areas.

4.11 The Commission noted that knowledge about krill fisheries remains limited. It endorsed the request for information on conversion factors (CFs), the economics of the fishery and the breakdown of catches by product type (SC-CAMLR-XVIII, paragraphs 2.6 to 2.8). The Commission urged Members involved in these fisheries to submit this information. It was agreed that market information was sought for a general understanding of the economic factors underpinning the fisheries, and that proprietary information was not required.

4.12 The Commission noted that data collected by Japanese scientists and national observers aboard krill trawlers are regularly analysed and reported to WG-EMM.

Finfish Resources

4.13 The Commission noted that differences between the CFs calculated by observers and those used by the fishing vessels to report their catches suggest that there might be errors in

reported catches of *Dissostichus* spp. Catches from some fisheries, particularly in Subarea 48.3, may be underestimated because inappropriate CFs are being used by most vessels when reporting their catches (SC-CAMLR-XVIII, paragraphs 5.41 to 5.51).

4.14 The Commission endorsed the recommendation that the procedure set out in the *Scientific Observers Manual* be adopted as a standard method for measuring CFs, not only by observers, but also by vessel masters (see section 9). Vessel masters and observers were encouraged to cooperate in the establishment of CFs to avoid duplication of work and possible inconsistencies in results.

Conversion Factors

4.15 The Commission noted the Scientific Committee's concern expressed in paragraphs 5.41 to 5.51 of its report (SC-CAMLR-XVIII) that the CFs from product weight to whole weight of *D. eleginoides* used by vessels in reporting their catch can differ by as much as 15% from those established by scientific observers.

4.16 The Commission endorsed the Scientific Committee's recommendation that the procedure set out in the *Scientific Observers Manual* be adopted as a standard method for measuring CFs, not only by observers but also by vessel masters (Annex 9). Accordingly, the Commission requested the Secretariat to circulate details of the standard method to Members in the form of a Commission Circular as guidelines for vessel masters and observers to cooperate in the establishment of CFs to avoid duplication of work and possible inconsistencies in results.

Ecosystem Monitoring and Management

4.17 The Commission noted developments in the assessment of the Antarctic marine ecosystem (SC-CAMLR-XVIII, section 6), including: the development of composite standard indices to underpin ecosystem analysis; the documentation and archiving of the krill yield model; the need for comparable estimates of predator abundance; the need to evaluate the generalised yield model; and the need to simulate precautionary approaches to management.

4.18 The Commission endorsed the need to deploy scientific observers (either international or national) aboard commercial krill vessels during the CCAMLR-2000 Survey, and encouraged Members to implement this requirement. The information provided would be important to the interpretation of survey results in relation to fishing operations taking place at the same time as the survey and over various spatial scales.

4.19 The Commission joined the Scientific Committee in thanking Dr I. Everson (UK) for his role as convener of WG-EMM from 1995 to 1999 and his significant contribution for laying solid foundations for the integration of the Working Group on Krill (WG-Krill) and the Working Group for the CCAMLR Ecosystem Monitoring Program (WG-CEMP). The Commission noted that Dr R. Hewitt (USA) had been appointed as the next Convener of WG-EMM.

Research Exemption

4.20 The Commission noted the notifications under Conservation Measure 64/XII of scientific research surveys planned for the 1999/2000 intersessional period

(SC-CAMLR-XVIII, section 8). With the exception of the experimental pot fishing for *D. eleginoides* planned by the UK in Subarea 48.3, the total catch of finfish and krill in each of the surveys notified for 1999/2000 was expected to be less than 50 tonnes.

4.21 The Commission agreed that the catch of *D. eleginoides* taken in pots would be deducted from the catch limit for that species in Subarea 48.3 in the 1999/2000 season in accordance with the provisions of Conservation Measure 64/XII (see section 9).

CCAMLR Data Management

4.22 The Commission noted the ever-increasing number of tasks allocated by the Scientific Committee and its working groups to the Data Management group of the Secretariat (SC-CAMLR-XVIII, section 10). In spite of increasing efficiencies in data management, the increased amount of work continued to place increasing demands on the Secretariat's resources.

Publications

4.23 The Commission noted the following publications for 1998/99:

- (i) *Schedule of Conservation Measures in Force, 1998/99*;
- (ii) annual reports;
- (iii) *CCAMLR Scientific Abstracts* covering papers presented in 1998;
- (iv) revised sections of the *Scientific Observers Manual*;
- (v) revised sections of the *CCAMLR Inspectors Manual*;
- (vi) revised sections of the *CEMP Standard Methods*;
- (vii) *Statistical Bulletin*, Volume 11; and
- (viii) *CCAMLR Science*, Volume 6.

4.24 The Commission endorsed the recommendation of the Scientific Committee to continue publishing *CCAMLR Science* (SC-CAMLR-XVIII, paragraph 12.3). The Commission noted the pending publication of the document *Understanding CCAMLR's Approach to Management* and its synopsis (SC-CAMLR-XVIII, paragraphs 12.7 and 12.8).

Activities of the Scientific Committee during the 1999/2000 Intersessional Period

4.25 The Commission endorsed the following activities of the Scientific Committee planned for the 1999/2000 intersessional period:

- (i) CCAMLR-2000 Survey (January–February 2000);
- (ii) B₀ Workshop (two-week period, May–June 2000);
- (iii) meeting of WG-EMM (17 to 28 July 2000); and
- (iv) meeting of WG-FSA (9 to 19 October 2000).

4.26 It was noted that the workshop on the management of *C. gunnari* had been deferred until a time after 2000.

Scientific Committee Budget

4.27 The Commission noted the budget of the Scientific Committee for 2000, and the forecast budget for 2001 (SC-CAMLR-XVIII, section 14 and Table 8). This budget included participation of the Data Manager at the B₀ Workshop, and one other staff of the Secretariat to provide secretarial support.

4.28 The Commission noted other expenditures associated with:

- (i) participation by the Chairman of the Scientific Committee in the proposed 2000 meeting of the Committee on Environmental Protection (CEP);
- (ii) additional data processing arising from the likely submissions of observer data from krill fisheries; and
- (iii) development of web-based news groups in support of the work of the Scientific Committee and its working groups.

Vice-Chairpersons

4.29 The Commission congratulated Drs E. Fanta (Brazil) and S. Nicol (Australia) on their appointments as vice-chairpersons of the Scientific Committee during 2000 and 2001, and thanked the outgoing vice-chairmen Drs V. Siegel (European Community) and K. Shust (Russia).

ILLEGAL, UNREPORTED AND UNREGULATED FISHING IN THE CONVENTION AREA

Information provided by Members in Accordance with Articles X and XXII of the Convention and the System of Inspection

5.1 The Commission considered the advice of the Standing Committee on Observation and Inspection (SCOI) on this matter (Annex 5, paragraphs 2.1 to 2.47).

5.2 In the 1998/99 season, Members reported sightings of 16 vessels in the Convention Area, possibly operating contrary to the objective of the Convention (Annex 5, paragraphs 2.1 to 2.6). Flags of identified vessels were Argentina (1), Belize (1) and Panama (1). France further reported (SCOI-99/14) that four vessels engaged in IUU fishing in the Kerguelen EEZ (two vessels from Chile, one from Argentina and one from Belize) had been subject to legal and administrative proceedings; two other vessels engaged in IUU fishing had been sighted. The sighted vessels were under flags of Cyprus (1) and Belize (1). The Commission noted that some details of sightings of vessels listed by France in SCOI-99/14 are absent, e.g. coordinates, vessel call signs and ports of registration. These details are usually required for CCAMLR Flag States to initiate investigations of sighting reports. France agreed to submit missing details via the Secretariat.

5.3 Argentina sought clarification of the UK statement included in paragraph 2.12 of the SCOI report (Annex 5). It was found that the comment of the UK questioned the upper limit of the estimated IUU catches in Subarea 48.3 by WG-FSA (SC-CAMLR-XVIII, Annex 5, paragraph 3.33) and not the validity of the information supplied by Argentina and used thereafter in this calculation.

5.4 The advice received from the Scientific Committee with respect to the evaluation of catches taken in IUU *Dissostichus* spp. fishing indicated that current IUU effort seems to be concentrated in the Indian Ocean in Area 58 (SC-CAMLR-XVIII, paragraphs 5.24 to 5.38). The Scientific Committee had expressed concern at the emergence of Division 58.4.4 (Ob and Lena Banks) over the past year as a site for IUU fishing. The Scientific Committee also advised that although estimates of IUU *Dissostichus* spp. catches have decreased (from 38 000 to 42 000 tonnes in 1996/97, 33 583 tonnes in 1997/98 to 10 773 tonnes in 1998/99), the difficulties in estimating such catches have increased. It drew to the attention of the Commission to the potential similarities between the implications for future sustainability of *Dissostichus* spp. stocks as a consequence of IUU fishing and the collapse of *Notothenia rossii* stocks due to overfishing in the late 1970s. It noted that, as was the case for previous years, the figures for IUU catches in 1998/99 should be viewed as minimum estimates only.

5.5 Based on advice received from SCOI and the Scientific Committee, the Commission concluded that the level of IUU fishing in the Convention Area continued to be unacceptable and the most stringent measures possible should be taken to deal with such activity. This should include adopting a Catch Documentation Scheme and an Action Plan that are to be developed during this meeting (see paragraphs 5.10 to 5.50 below).

5.6 The Commission endorsed the recommendation of SCOI on the standardisation of sighting reports and directed the Secretariat to develop and circulate the standard format to all Members for action (Annex 5, paragraph 2.10).

5.7 The Commission agreed with a proposal put forward by New Zealand and supported by the European Community that all Parties should seek opportunities to further the effective exchange of information in relation to all aspects of sightings and inspections of vessels in relation to IUU fishing. Such information could be exchanged in a number of ways, both formally through the Secretariat and informally between Parties.

Implementation and Effectiveness of Measures Adopted in 1998

5.8 The Commission considered the advice of SCOI on the implementation of enforcement-related measures adopted in 1998 (Annex 5, paragraphs 2.15 to 2.19).

5.9 The Commission noted that most Members with vessels fishing in the Convention Area have introduced VMS or are committed to introduce VMS in accordance with Conservation Measure 148/XVII, and that all licence details for fishing vessels were submitted to the Secretariat as required under Conservation Measure 119/XVII. However, the Commission encouraged Members to take necessary steps to actively implement the provisions of Conservation Measures 118/XVII and 147/XVII in respect to port inspections of vessels of non-Contracting and Contracting Parties respectively (Annex 5, paragraph 2.18).

Development of a Catch Documentation Scheme for *Dissostichus* spp.

5.10 At last year's meeting the Commission endorsed the importance of developing a system which would establish a framework for tracking the landings and trade flows of *Dissostichus* spp. from the Convention Area through a Catch Documentation Scheme (CCAMLR-XVII, paragraphs 5.16 to 5.25).

5.11 At CCAMLR-XVII, the Commission considered two drafts of the scheme submitted by Australia and the USA. Work on the Catch Documentation Scheme continued at an ad hoc meeting of CCAMLR Members held in Brussels, Belgium, in April 1999, chaired by Dr D. Agnew (UK), at which the European Community presented a revised scheme. Further

intersessional discussions resulted in a revised draft scheme, sponsored by the USA, European Community and Australia. It was submitted to the Commission for consideration as CCAMLR-XVIII/22.

5.12 On behalf of all co-sponsors, the USA presented the revised draft to the Commission and described its structure and content.

Members' Statements

5.13 In opening this item, the Chairman highlighted the importance of a Catch Documentation Scheme not only to CCAMLR but to the rest of the world. Urgent action was required by Members of CCAMLR to agree on a procedure to combat IUU fishing as this was undermining the effectiveness of CCAMLR. This conservation measure would complement the other measures already in place and he acknowledged the strong will of all Members to establish a Catch Documentation Scheme.

5.14 The Commission was addressed, on behalf of Australia, by Senator the Honourable Robert Hill, the Australian Minister for the Environment and Heritage, who welcomed the opportunity to again address the Commission at a specially convened session.

Senator Hill emphasised the high priority that the Australian Government places on the work of the Commission in addressing the vital conservation challenges currently posed by IUU fishing in the Antarctic and sub-Antarctic regions. Senator Hill commented that he was pleased that his fellow Environment Ministers from CCAMLR Contracting Parties as well as non-Contracting Parties had strongly supported measures, including a Catch Documentation Scheme, to address these issues. This support reinforced the Communiqué issued by those 23 Ministers and representatives who, at the invitation of the New Zealand Government, attended the 'Ministerial Meeting on Ice' at Scott Base in January 1999. Senator Hill stated that the XXIIIrd Meeting of the Antarctic Treaty Consultative Parties in Lima, Peru, in May 1999 had also stressed the importance of addressing the IUU toothfish fishing issue and had urged CCAMLR to deal effectively with the issue at its eighteenth meeting.

Senator Hill stressed that failure to deal promptly and effectively with the IUU fishing issue by the adoption of an effective Catch Documentation Scheme would not only have serious conservation consequences but would also damage the reputation of CCAMLR as an effective international conservation body, and emphasised that CCAMLR must introduce a scheme that would eliminate market access to all shipments of illegally caught and unreported fish. He urged all Parties to put aside any minor concerns they may have and adopt such a scheme at the current meeting.

5.15 Delegations of the European Community, New Zealand, Norway, South Africa, Brazil, Chile, Japan and Russia made statements. These are presented in the following paragraphs.

5.16 The European Community:

The European Community stated that, in its view, there was now a commitment among Members to introduce an effective Catch Documentation Scheme. Since the 1998 annual meeting, one had witnessed that commitment at the intersessional meeting held in Brussels, Belgium, last April and in the work that has ensued.

For its part, the European Community and its Member States had continued their internal work on the scheme; a scheme which, once adopted, will be directly applicable in all fifteen Member States of the Community.

A pre-requisite to the successful implementation of the scheme is the introduction by CCAMLR Members of separate classification codes in trade statistics. From January 2000, the European Community would have such a system in place.

The scheme will not be a panacea for all the current problems relating to IUU fisheries. However, it will constitute an important additional element in the range of actions already taken by CCAMLR to combat this phenomenon.

CCAMLR must also engage non-Contracting Parties early in the implementation of the scheme.

Although further refinements were needed in the texts during this session, the Community is confident that an effective scheme will be adopted at this session.

5.17 New Zealand:

New Zealand referred to world attention having been focussed on illegal fishing in the Southern Ocean; its deployment of a Royal New Zealand Navy vessel to CCAMLR waters; its hosting of a 'Ministerial Meeting on Ice' for Ministers and officials from 24 Antarctic Treaty Consultative Parties to reflect on the problem; and to ATCM-XXIII's unanimous call for Treaty Parties to adopt measures at the CCAMLR meeting to deal effectively with the problem.

New Zealand noted that during the meeting information had been received which indicated that vessels flagged by Contracting Parties may be involved in illegal fishing. In other cases New Zealand noted that nationals and companies from Contracting Parties were involved and using 'Flag State responsibility' as a shield. This was unacceptable. New Zealand emphasised that CCAMLR was at an important stage in its history despite having been conceived as a forward looking and innovative structure by the Antarctic Treaty Consultative Parties. New Zealand noted that the efforts of its own vessels demonstrated complete compliance with all CCAMLR measures and its industry had been ready to introduce a voluntary catch document scheme for some time. New Zealand emphasised that CCAMLR was a significant part of the Antarctic Treaty System and was not primarily a fisheries agency. The Treaty System needed to be responsive to the wider concerns of civil society who had themselves done much to deal with the problem. New Zealand was confident, given the good progress made, that an effective Catch Documentation Scheme would be adopted.

New Zealand thanked Senator Hill (Australia) and Mr Tucker Scully (USA) for their personal efforts, regretting that the Honourable Simon Upton could not be present.

5.18 Norway:

Norway takes the problem of IUU fishing in the CCAMLR Convention Area and the Southern Ocean very seriously. Norway has been a strong supporter of all new measures directed at the prevention of IUU fishing both by vessels flying the flags of CCAMLR Contracting Parties and those flying the flags of non-Contracting Parties, as well as measures relating to the role of Port States.

At last year's meeting a new approach was discussed, namely the introduction of a Catch Documentation Scheme for *Dissostichus* spp. It is important that such a scheme builds on the principle of Flag State responsibility, is easy to implement, is effective and conforms to international trade regulations. Following some intersessional work (both formally and informally) and constructive discussions here in Hobart, CCAMLR should now be in a position to adopt a scheme fulfilling

these objectives at this meeting. Norway would also like to commend the co-sponsors for their constructive efforts. Norway believes that the introduction of the Catch Documentation Scheme is a strong signal to poachers and will be a valuable instrument to be used in combating IUU fishing in the CCAMLR Convention Area. In this respect it is important that the measure is duly notified to the 'outside' world. The scheme should be implemented at national levels as soon as possible. In order to have a workable system, it is also crucial that all Contracting Parties establish specific fish codes for the identification of import and export of Patagonian toothfish.

At this meeting, Norway presented a paper describing an additional approach in order to counteract IUU fishing within areas under the responsibility of regional fisheries management organisations. Inspired by the recent developments in the international arena, like the adoption of the UN Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks (the UN Implementing Agreement), the FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (the FAO Compliance Agreement) and the FAO Code of Conduct for Responsible Fishing, Norway has established a measure that implies the denial of licences to vessels that have participated in fishing operations that contravene regulatory measures laid down by regional fisheries organisations such as CCAMLR. This implies that a given vessel may also be denied a fishing licence in Norwegian waters if it is operated by those who have not participated in IUU fishing. The measure is directed at the vessel itself, the physical vessel, which is the means used in undermining the effectiveness of conservation measures. Vessels which previously have taken part in an unregulated fishery in the northeast Atlantic have been denied a licence in Norwegian waters even after being flagged to another State. It should be noted that such vessels would also not be allowed to fly the Norwegian flag. The Norwegian experience so far is that these new measures have led to vessel owners thinking more than twice before engaging in unregulated fisheries on the high seas. Some vessel owners have already found that the second-hand value of their vessels in the northeast Atlantic has almost disappeared. This is due to the fact that ship brokers are aware of these vessels and advise potential buyers accordingly.

The situation for Patagonian toothfish is now so serious that it calls for additional regulatory measures at a national level. Unfortunately the Norwegian initiative has so far received a lukewarm reception in CCAMLR as only New Zealand spoke in favour of such an approach. Norway would ask all Contracting Parties to study the Norwegian paper carefully in order to be prepared for a more fruitful discussion at CCAMLR-XIX. Norway is also prepared to introduce such an approach when the Australian initiative aiming to address IUU fishing in FAO will be on the agenda in 2000. Norway also believes that the rejection of fishing licences is also a potentially effective measure against IUU fishing if enforced by all Contracting Parties of CCAMLR, and has adopted domestic regulations to that effect.

Finally, Norway mentioned a topic which is of some concern to it. The UN Implementing Agreement was signed in New York in August 1995. This is an important instrument which could be used in CCAMLR's effort to counteract IUU fishing on the high seas. More than four years have now passed and major players have so far not ratified the agreement. This includes most of the Parties sitting around this table. At this stage six more ratifications are needed before the agreement enters into force. Norway urged all Members of CCAMLR to ratify the UN Implementing Agreement as soon as possible.

5.19 South Africa:

During the course of this year's meetings, the Delegation of South Africa has noted with deep concern that the problem of IUU fishing for toothfish in the Convention Area continues to persist.

Information now available, such as historical records of landings of toothfish at ports of Namibia and Mauritius and import figures for the USA and Japan, clearly confirms earlier reports presented by South Africa, of very high levels of such fishing in the Indian Ocean sector of the Convention Area. The permanent damage that this has already caused, for example in the South African EEZ around the Prince Edward Islands where catch rates have fallen to about 10% of their initial levels, regrettably now only bears testimony to CCAMLR's collective inability to effectively address this serious problem, both as individual States and as a Commission.

South Africa is most appreciative of the constructive approach and the various measures taken by the Commission towards combating this problem in recent years, but fears that, as before, the Commission's best efforts may in retrospect appear to be a case of too little too late. South Africa's distress is aggravated by a continuation of intelligence reports that illegal fishing in the South African EEZ is continuing as this meeting takes place. South Africa is also concerned about new trends in IUU fishing such as transshipment at sea, the using of new landing sites such as Mozambican ports and growing exports to new markets in non-Contracting Party States such as China. These new developments, clearly driven by a growing consumer demand and rising prices for toothfish products, present new challenges to the Commission and its Member States which need to be faced.

The situation in South Africa's view demands the highest possible level of cooperation between Members of this Commission, first to see to it that their citizens do not participate in such irresponsible fishing practices, and second, to agree on effective and decisive action at this meeting to combat the problem. For this reason, South Africa lends its strong support towards speedy implementation of the proposed Catch Documentation Scheme.

South Africa also believes that more needs to be done to promote efficiency in the identification of vessels that may be participating in IUU fishing. In his evaluation of illegal fishing activities in the Kerguelen region, the distinguished representative from France reported difficulties concerning this aspect. South Africa believed that expansion of the data bank of the Commission concerning vessels active in the Convention Area through adding appropriate photographic images and by not limiting information to only include details about vessels permitted to fish in the Convention Area, could greatly assist towards better identification of vessels fishing in contravention of conservation measures.

Finally, the Delegation of South Africa also wished to take this opportunity to thank in particular its CCAMLR neighbours in the Indian Ocean sector of the Convention Area for the close cooperation already established in their collective efforts towards combating IUU fishing for toothfish in their part of the world. South Africa looked forward towards even closer and more effective cooperation in time to come. It believed that such efforts will ultimately be successful in protecting toothfish stocks elsewhere in the Convention Area from a fate similar to that of the Prince Edward Islands resources.

5.20 Brazil:

Brazil commended Senator Hill for the high political profile and importance he has attributed in recent times to the issue of IUU fishing in the Convention Area and stated that this was proof of the very prominent position which Australia has taken in the conservation of the world environment. IUU fishing in the Convention Area poses a serious threat not only to the future of one species, but to the very credibility of CCAMLR and the Antarctic Treaty System as a whole. The Commission for the Conservation of Antarctic Marine Living Resources, by its very title, is intended to conserve Antarctic marine resources and should take care not to be seen as an organisation which accepts IUU fishing by a few countries while others simply look on passively. It is high time that fishing states and importing nations assume their responsibilities in the rational management, not only of these species, but of all the marine living resources available to mankind. History should not be allowed to repeat itself to the point where yet another fish stock is completely depleted. Brazil commends the efforts of the nations who have taken the lead in drafting the proposed Catch Documentation Scheme and hopes that this will be an important step forward towards the conservation of marine living resources in Antarctica.

5.21 Chile:

Chile thanked the Chairman for his guidance in this discussion and Minister Hill for the importance, scope and quality of his intervention. Important steps had been taken by the Commission to deter IUU fishing, but the current session of CCAMLR should succeed in adopting the Catch Documentation Scheme, and improving on the effectiveness of the current measures, through, *inter alia*, the strengthening of a policy intended to seek cooperation from non-Contracting Parties whose flag vessels should refrain from undermining the CCAMLR conservation regime, and through other activities which would be outlined during discussion of Item 13.

5.22 Japan:

Japan fully understands the problems caused by so-called IUU fishing in the Convention Area in light of the conservation of resources.

Japan is proud of its contribution to the work dealing with the problems of IUU fishing within CCAMLR waters in a constructive manner for years.

As a responsible country which had introduced the custom code for *Dissostichus* spp., Japan believes that trade information provided by Japan has been helpful to this complicated work, including development of a Catch Documentation Scheme for *Dissostichus* spp. in order to cope with IUU fishing.

However, with respect to the scheme, Japan's basic position on this matter was as follows. Firstly, the scheme should not be a trade restriction measure. Secondly, implementation of the scheme should not discriminate against non-Contracting Parties to CCAMLR. Thirdly, the scheme should be effective and not be problematic to Member States in regard to its implementation.

On the basis of this position, Japan will continue to contribute to the work of developing the scheme in a constructive manner and would like to emphasise that it is essential for Member States to cooperate with each other on this matter.

5.23 Russia:

The Russian Federation has already voiced its deep concern regarding the increase in the level of IUU fishing for toothfish in the CCAMLR Convention Area and believes that the Catch Documentation System currently being developed must be adopted at this meeting.

This conservation measure would be a keystone in CCAMLR's efforts to guarantee the conservation and rational exploitation of Antarctic marine living resources on a scientific basis.

Unfortunately, IUU fishing is now also occurring in other parts of the World Ocean and trade in IUU-caught fish has become widespread.

Russia believes that the Catch Documentation Scheme must be adopted in a form acceptable to all CCAMLR Members and that it would be an example to the world fishing community of an effective way to stop IUU fishing.

Moreover, in addition to steps taken by CCAMLR, it would also be appropriate to establish bilateral or trilateral cooperation between CCAMLR Members as well as with third parties who could be encouraged to take part in activities aimed at fulfilling the aims and objectives of the Convention.

5.24 France:

France would sincerely like to thank the chairman of the working group for the difficult work he has accomplished in drafting this most valuable text, which is being adopted with hope, and concerning which France has of course no reservations.

5.25 The Commission established an informal task group under the chairmanship of Dr Agnew which prepared during the meeting a final draft of a conservation measure on a Catch Documentation Scheme for *Dissostichus* spp. (CDS) together with an Explanatory Memorandum on its introduction and a policy to enhance cooperation between CCAMLR and non-Contracting Parties.

5.26 The Commission adopted Conservation Measure 170/XVIII 'Catch Documentation Scheme for *Dissostichus* spp.' (Annex 6). In accordance with Article IX.6(c) of the Convention, Conservation Measure 170/XVIII will come into force on 4 May 2000*.

5.27 The European Community suggested that it would be desirable if Members could introduce the scheme as soon as possible and preferably before 4 May 2000*, i.e. before the date on which Conservation Measure 170/XVIII becomes binding under the Convention. It would also require that the Secretariat prepare and circulate as early as possible, the required letters to all non-Contracting Parties concerned regarding the introduction of the scheme.

5.28 The Commission agreed that the date on which the conservation measure becomes binding under the Convention could not be changed. Nevertheless, Members are urged to implement the measure as soon as possible, and preferably before the start of the next fishing season for *Dissostichus* spp.

5.29 The Commission adopted an Explanatory Memorandum on the Introduction of the Catch Documentation Scheme for Toothfish (*Dissostichus* spp.) (Annex 7). The memorandum sets out the rationale for the adoption of the scheme and an explanation of its action.

* A formal notification to Members of conservation measures adopted at CCAMLR-XVIII was issued on 9 November 1999 (COMM CIRC 99/107). Therefore, subject to provisions of Article IX.6(b) of the Convention, the conservation measures will become binding on all Members on 7 May 2000.

5.30 The Commission agreed that the text of Conservation Measure 170/XVIII and the Memorandum should be communicated immediately to all interested States. Importing Parties should ensure that States exporting *Dissostichus* spp. to them are aware of the requirements of the conservation measure, and should, *inter alia*, communicate to the exporting States the conservation measure, the memorandum and the policy to enhance cooperation between CCAMLR and non-Contracting Parties (see paragraphs 5.49 and 5.50).

5.31 The Commission agreed that for the scheme to be effective, all the information on the *Dissostichus* spp. catch documents submitted to the Secretariat under paragraph 13 of Conservation Measure 170/XVIII and paragraphs A7 and A10 of the annex to the measure, could be available to Contracting Parties. However, acknowledging that some of the information on the *Dissostichus* spp. catch documents is commercially confidential, only designated officials of each Contracting Party will have access to the confidential information related to the scheme, which is compiled by the Secretariat.

5.32 Notwithstanding the need to prevent distribution of CDS data that are commercially sensitive, the Commission agreed that the Scientific Committee and its subsidiary bodies needed access to the CDS data and noted that the present Rules of Access and Use of CCAMLR Data may not be suitable to balance these potentially conflicting requirements. As an interim measure, the Commission agreed to apply the present Rules for Access and Use of CCAMLR Data to the CDS data for one year; to request the Scientific Committee and SCOI to provide advice to the next meeting of the Commission about what the subsequent rules of access to CDS data should be; and to include this matter as an agenda item for further discussion at CCAMLR-XIX.

5.33 It also agreed that it is the responsibility of each Contracting Party to properly protect such information, including the establishment of procedures that enable import authorities to investigate *Dissostichus* spp. catch documents without unnecessary distribution of confidential information.

5.34 The Commission expressed its appreciation for the constructive approach that had been taken by all Parties to negotiate the scheme, and thanked especially the chairman of the drafting group, Dr Agnew, and those countries and individuals who had put a great effort into constructing this scheme.

5.35 The Commission also extended its congratulations to those Members who had initiated work on the scheme and who had worked actively on its drafting and the preparation of its final version for adoption at this meeting.

5.36 Chile considered that the adoption of the scheme was a very welcome step towards applying pressure in order to deter IUU fishing, and the proliferation of trade in the illegally caught product. Chile has pledged to assist this process by voluntarily agreeing to extend the effect of the measure to its jurisdictional maritime areas, while reserving the right to require additional verification of catch documents, including, *inter alia*, the use of VMS in relation to catches of *Dissostichus* spp. taken by its flag vessels within the territorial waters and EEZ of Chile. Chile rejoices in this achievement and will continue to support an integrated set of measures, including a CCAMLR vessel register and a comprehensive policy to deter non-Contracting Parties from undermining the CCAMLR conservation measures.

5.37 Argentina stated that with respect to the application of Conservation Measures 147/XVIII and 170/XVIII which Argentina strongly supports, it expressly reserves its sovereignty rights over the Falklands/Malvinas, South Georgia and the South Sandwich Islands and its surrounding waters. In this regard the Argentine Government reserves its right to expand this declaration further at a later stage. This statement applies also to the explanatory memorandum. This has no mandatory character and is not to be used for any interpretation of objectives.

5.38 New Zealand also advised that it has agreed, on a voluntary basis, to extend the application of the conservation measure to waters within its EEZ without prejudice to its rights under international law.

5.39 South Africa stated that the adoption of the scheme is the most important step that the Commission has taken in relation to combating the continuing problem of IUU fishing. South Africa has repeatedly expressed its concern with this problem, especially in relation to the EEZ around Prince Edward Islands and neighbouring waters inside the Convention Area. Like Chile and New Zealand, South Africa would like to emphasise that it is not reserving its position to protect sovereignty rights in the adoption of this conservation measure as it usually does with respect to other conservation measures. It should not be interpreted as compromising these rights in any way. Instead, this should be seen as a reflection of the importance with which South Africa views the full and unrestricted implementation of this conservation measure.

5.40 Australia noted the importance of accurate information on the origins of catches of *Dissostichus* spp., including from outside the Convention Area. Australia urged all Parties to implement VMS as soon as possible on all their flag vessels fishing for *Dissostichus* spp. on the high seas outside the Convention Area.

5.41 France advised that it has no reservation with respect to the scheme.

5.42 Russia suggested that information on the adoption of the scheme be passed on to other international fisheries organisations in order to assist them with their fight against IUU fishing in their waters.

5.43 The Chairman of the Commission congratulated all Members on the adoption of the scheme and emphasised that the new era, which has just begun for the Commission, has also placed new responsibilities on its Members and the Secretariat to achieve the objectives of the new conservation measure.

Examination of Additional Measures

Collection of Landings and Trade Statistics for *Dissostichus* spp.

5.44 As requested by the Commission (CCAMLR-XVII, paragraph 5.30), a number of Members, including the USA, European Community and Norway reported to SCOI on the introduction of new classification codes in trade statistics for *Dissostichus* spp. The Commission endorsed the recommendations of SCOI on the matter as contained in paragraphs 2.22 and 2.23 of Annex 5, and reinforced the importance for all Parties to introduce classification codes in trade statistics – an important pre-requisite for the effective implementation of the proposed Catch Documentation Scheme. It also endorsed the Committee's suggestion to direct the Secretariat to write to Canada and Peru as Acceding States, requesting the submission of trade statistics for *Dissostichus* spp. (Annex 5, paragraphs 2.21 and 2.23).

5.45 Following last year's request by the Commission to non-Contracting Parties, Namibia and Mauritius had provided the Commission with information on landings of *Dissostichus* spp. in their ports (Annex 5, paragraph 2.25). The information provided by Namibia and Mauritius was used by the Scientific Committee in its evaluation of the level of IUU fishing in the Convention Area (see paragraph 5.4).

5.46 The Commission welcomed the cooperation being developed with both States and thanked them for the information provided. The Commission endorsed the recommendation of

SCOI that non-Contracting Parties be invited to submit the required information on landings in a standard format, whenever possible (Annex 5, paragraph 2.35). This would optimise the utilisation of such information by Members.

5.47 Both Namibia and Mauritius indicated their willingness to take into account details required by the Commission. Namibia noted that with the coming into force in early 2000 of its new fisheries legislation, this task would be easier to accomplish. The Secretariat was requested to circulate the list of details required to all non-Contracting Parties concerned.

5.48 The Commission agreed to implement a procedure recommended by SCOI for the processing of information on landings received by the Secretariat and its distribution to Contracting Parties for comment and later for reference (Annex 5, paragraphs 2.36 to 2.38).

Development of an Action Plan

5.49 A proposal for an action policy to enhance cooperation between CCAMLR and non-Contracting Parties was discussed at CCAMLR-XVII. Following discussions intersessionally, including at the CDS meeting in Brussels (Belgium), Australia submitted a revised draft policy as CCAMLR-XVIII/BG/51. Additional revisions were submitted by the European Community in CCAMLR-XVIII/BG/52. Further discussions during the Commission meeting with the Catch Documentation Scheme group resulted in the text in Annex 8 being adopted by the Commission.

5.50 The Commission noted that it would be helpful if Contracting Parties were to include, as part of their annual Member's Activities Report, information on significant demarches they have made to non-Contracting Parties.

CCAMLR Vessel Register

5.51 The Commission agreed that both need and merits of the establishment of a Vessel Register be further considered at the next meeting. Following a proposal from New Zealand, supported by Australia and South Africa, the Commission reminded Members of the decision taken at CCAMLR-XVII (paragraph 5.56) to submit photographs of their vessels to be stored in the vessel database currently maintained by the Secretariat (Annex 5, paragraph 2.41).

Other Actions

5.52 The Commission noted that a proposal of Norway for additional measures to counteract activities of non-Contracting Parties would be considered at the next meeting (Annex 5, paragraph 2.46).

ASSESSMENT AND AVOIDANCE OF INCIDENTAL MORTALITY OF ANTARCTIC MARINE LIVING RESOURCES

Marine Debris

6.1 A summary of current activities of Members in respect to surveys of beached marine debris is summarised in CCAMLR-XVIII/BG/14. In addition, Members' Reports on Assessment and Avoidance of Incidental Mortality in the Convention Area were received from

Australia (CCAMLR-XVIII/BG/31), Brazil (BG/40), Japan (BG/25), New Zealand (BG/20), Republic of Korea (BG/36), Poland (BG/13), South Africa (BG/11), UK (BG/12), Ukraine (BG/19), Uruguay (BG/18) and USA (BG/35). Results of investigations on marine debris and entanglement of marine animals were submitted by Chile (CCAMLR-XVIII/BG/39), Republic of Korea (SC-CAMLR-XVIII/BG/10), and UK (CCAMLR-XVIII/BG/7).

6.2 As agreed last year, the Commission this year received advice from the Scientific Committee on the impact of marine debris on Antarctic animals and on the accumulation of beached marine debris, its composition and origin (SC-CAMLR-XVIII, paragraphs 4.82 to 4.90).

6.3 In particular, the Scientific Committee drew the Commission's attention to the following:

(i) Atlantic Ocean (Area 48) –

- The number of entangled Antarctic fur seals (37) at Bird Island, South Georgia, increased by about 84 to 86% compared to the 1997/98 figure.
- The number of entangled Antarctic fur seals (10) at Signy Island, South Orkneys, also increased compared to the 1997/78 figure, but was lower than in 1996/97.
- The continued presence of plastic packaging bands (including transparent bands) was reported at three sites (Bird Island, Signy Island and Cape Shirreff).
- Birds soiled with paint, tar and oil were noted at South Georgia, indicating that vessels could be the source of this pollution.
- Increased summer totals of marine debris at South Georgia at times when no licensed fishing occurred.

(ii) Indian Ocean (Area 58) –

- Standardised surveys at Marion Island revealed a slight decrease in fishery-related items found in association with albatross nests, apparently as a consequence of decreased IUU fishing activity in the area; the most common items were rope nooses and fishing hooks.

6.4 Based on the abovementioned advice, the Commission concluded that problems with marine debris pollution, mainly originating from fishing vessel activities, are unfortunately persisting.

6.5 More information is clearly required to establish the origin and extent of pollution in Antarctic waters. In this connection, the Commission recalled that it has approved the additional task for scientific observers on board vessels to collect data on garbage disposal and lost fishing gear (see paragraph 8.21).

6.6 New Zealand informed the Commission that each of its two longline vessels which operated in Subarea 88.1 in 1998/99 returned three tonnes of non-biodegradable waste to their ports at the end of exploratory fishing. Similarly, South African fishing vessels also returned non-biodegradable waste to their ports. New Zealand proposed that all CCAMLR Flag States should be encouraged to follow this example and to retain all non-biodegradable waste on board vessels for disposal in ports.

6.7 Chile advised the Commission that residues of plastic incineration had been found at Cape Shirreff. This indicates that vessels are disposing of such residues at sea. Taking this information into account, the Commission reminded Members of the necessity to fully comply with the regulation concerning use and disposal of plastic packaging bands contained in Conservation Measure 63/XV.

6.8 The Commission recalled that storing plastic and other non-biodegradable materials on board vessels in Antarctic waters is compulsory under MARPOL Annex V and, in particular, Annex IV to the Protocol on Environmental Protection to the Antarctic Treaty.

6.9 Accordingly, the Commission urged all CCAMLR Flag States to comply with the requirements of Annex IV to the Protocol of Environmental Protection to the Antarctic Treaty. In accordance with the licence provision of Conservation Measure 119/XVII, Members were also urged to ensure that their fishing vessels intending to operate in the Convention Area had adequate storage capacity for the retention of garbage aboard if the vessels are not equipped with incinerators.

Incidental Mortality of Marine Animals during Fishing Operations

Trawl fishing

6.10 Since the prohibition of the use of net monitor cables in the Convention Area, very few cases of incidental mortality of seabirds and marine mammals have been reported from trawl fisheries in the Convention Area.

6.11 The Commission discussed a number of operational aspects of trawl fisheries related to the disposal at sea of waste and to deck-lighting requirements in the context of minimising incidental mortality of seabirds and marine mammals in trawl fisheries (SC-CAMLR-XVIII, paragraphs 4.79 to 4.81).

6.12 The Commission decided that trawl fishing requires rules on avoidance of incidental mortality similar to those established for longline fishing under Conservation Measure 29/XVI. Accordingly, Conservation Measure 173/XVIII was adopted.

Longline Fishing

6.13 The Commission noted the advice provided by the Scientific Committee on this matter (SC-CAMLR-XVIII, paragraphs 4.42 to 4.78). Based on available information, the Scientific Committee concluded that there continued to be substantial reductions (e.g. by 65% in Subarea 48.3 and by 70% in Subareas 58.6 and 58.7) in seabird by-catch during longline fishing in the Convention Area in 1998/99 compared to 1997/98. This trend has been evident over the past three years and is directly attributable to improved compliance with Conservation Measure 29/XVI and the later commencement of the fishing season in most areas (SC-CAMLR-XVIII, paragraphs 4.46 to 4.49).

6.14 The Commission concluded that significant progress had been achieved by CCAMLR Members in the reduction of seabird by-catch during longline fishing in the Convention Area. If IUU fishing in the Convention Area were to be eliminated, seabird by-catch in longline fisheries in CCAMLR waters would practically stop.

6.15 However, the Commission realised that due to the geographical range of distribution of most vulnerable species of seabirds, the problem of by-catch would persist in waters to the north of the Convention Area. A concentrated international effort is needed to eliminate this

serious problem. In this connection, the Commission recalled its request to Members to implement by 2001 their own National Plans of Action in support of the FAO International Plan of Action on the Reduction of Incidental Catch of Seabirds in Longline Fisheries (IPOA–Seabirds) (CCAMLR-XVII, paragraph 6.27). The Commission also noted that the Valdivia Group has generated a program on albatross protection under the Bonn Convention.

6.16 The Commission encouraged Members to continue experiments on underwater longline setting devices. The first ever commercial trial of such a device in the Convention Area demonstrated its potential in the elimination or, at least, substantial reduction of seabird by-catch (SC-CAMLR-XVIII, paragraph 4.73). The Commission also endorsed the Scientific Committee's recommendation that further line-weighting experiments be conducted (SC-CAMLR-XVIII, paragraph 4.52).

6.17 The Commission welcomed the publication of the book *Identification of Seabirds of the Southern Ocean. A Guide for Scientific Observers aboard Fishing Vessels* which was published by CCAMLR and the National Museum of New Zealand in 1999. The Commission noted the importance of the guide in assisting CCAMLR to gather more accurate data on incidental by-catch of seabirds, and thanked the sponsors for supporting this publication.

6.18 New Zealand invited Commission Members to participate in an international forum for fishers on solving the incidental capture of seabirds in demersal and pelagic longline fisheries, during the fourth quarter of 2000 (SC-CAMLR-XVIII/BG/16).

6.19 There were several suggestions put forward by the Scientific Committee (e.g. SC-CAMLR-XVIII, paragraphs 4.72 and 4.76(iv)), and also by some Members of the Commission on possible amendments to Conservation Measure 29/XVI. However, the Commission agreed with the Scientific Committee that Conservation Measure 29/XVI should be retained unchanged for 1999/2000. The Commission will consider proposals for amending this measure at the next meeting.

6.20 In the meantime, the Commission reminded Members of their obligation to comply in full with all provisions of Conservation Measure 29/XVI (see also paragraph 8.6).

NEW AND EXPLORATORY FISHERIES

New and Exploratory Fisheries in 1998/99

7.1 The Commission noted that fishing had taken place in only one of the new fisheries (Conservation Measure 162/XVII) and four of the exploratory fisheries (Conservation Measures 151/XVII, 166/XVII, 167/XVII and 169/XVII) endorsed for the 1998/99 season. With the exception of the exploratory longline fishery in Subarea 88.1, where a total of 298 tonnes of *Dissostichus mawsoni* was taken, the level of fishing in new and exploratory fisheries had been very small (<1 tonne of *Dissostichus* spp. or 4 tonnes of crab).

7.2 The Commission also noted that the Scientific Committee and WG-FSA had spent increasing amounts of time each year developing advice on precautionary limits for these fisheries. However, there remained a paucity of fishery information on *Dissostichus* spp. in a number of subareas and divisions, even though new or exploratory fisheries had been notified for these areas, in some cases over the previous four fishing seasons. The concern is further heightened by the fact that substantial amounts of IUU fishing are believed to have occurred in some of these areas (see section 5).

New and Exploratory Fisheries in 1999/2000

7.3 Notifications for new and exploratory fisheries for *Dissostichus* spp. in 1999/2000 had been submitted in relation to longlining in Subareas 48.6, 58.6, 58.7, 88.1, 88.2 and Divisions 58.4.3, 58.4.4, 58.5.1, 58.5.2 and trawling in Divisions 58.4.1, 58.4.2 and 58.4.3. The notification for trawling in Division 58.4.2 was for a mixed species fishery.

7.4 Notifications were as follows:

- (i) exploratory longline fishery for *D. eleginoides* in Subarea 58.6 outside the EEZs of South Africa and France notified by South Africa (CCAMLR-XVIII/8);
- (ii) new longline fishery for *D. eleginoides* in Subarea 48.6 and Division 58.4.4 notified by South Africa (CCAMLR-XVIII/9);
- (iii) exploratory longline fishery for *Dissostichus* spp. in Subarea 88.1 notified by New Zealand (CCAMLR-XVIII/10);
- (iv) new trawl fishery in Division 58.4.2 notified by Australia (CCAMLR-XVIII/11);
- (v) exploratory trawl fishery in Divisions 58.4.1 and 58.4.3 notified by Australia (CCAMLR-XVIII/12);
- (vi) exploratory longline fishery for *Dissostichus* spp. for Subareas 58.6, 88.1, 88.2 and Divisions 58.5.1 and 58.4.4 outside the EEZs of South Africa and France notified by Chile (CCAMLR-XVIII/13);
- (vii) new longline fishery notified by Uruguay in Division 58.4.4 outside the South African EEZ (CCAMLR-XVIII/14); and
- (viii) new and exploratory longline fisheries for *D. eleginoides* in Subareas 58.6 and 58.7 and Divisions 58.4.3, 58.4.4, 58.5.1 and 58.5.2 outside the EEZs of South Africa, Australia and France, notified by France (CCAMLR-XVIII/20).

7.5 In addition, the European Community had submitted a notification (CCAMLR-XVIII/21) on behalf of Portugal for new and exploratory fishing for *Dissostichus* spp. in Subareas 48.6, 58.6, 88.1, 88.2 and Divisions 58.4.3 and 58.4.4 outside the Australian, French and South African EEZs. This had only been received by the Secretariat on 1 October 1999.

7.6 At the time of adoption, Chile announced that in relation to its notification (CCAMLR-XVIII/13), it intended to conduct a single fishing trip to Subarea 88.1 during the 1999/2000 season (paragraph 9.40).

7.7 Japan informed the Commission that it had received expressions of interest from industry sources regarding participation in new and exploratory fisheries for *Dissostichus* spp., but that it had decided not to proceed with notifications due to insufficient information on the development of these fisheries. The Commission agreed that Japan's decision should not be construed as prejudicing the rights of other Members to participate in these fisheries in the future.

7.8 The Commission noted that the Scientific Committee had found that the information provided in many of the notifications submitted for 1999/2000 was seriously deficient in terms of the requirements set out in paragraph 3 of Conservation Measure 31/X and paragraph 2 of Conservation Measure 65/XII. This had seriously jeopardised the ability of the Scientific Committee and WG-FSA to provide advice on the likely consequences to the target and by-catch species should the notified fisheries commence (SC-CAMLR-XVIII, paragraph 9.9).

7.9 The Commission reaffirmed the need for notifications for new and exploratory fisheries to be submitted on time, and for each notification to comprehensively address all of the requirements defined in the respective conservation measure. New Zealand noted that its notifications had been fully consistent with Conservation Measure 65/XII.

Calculation of Precautionary Catch Levels

7.10 The Commission noted that WG-FSA had repeated the 1998 procedure for the calculation of precautionary catch levels, and compared these results with a refined version that had been developed at WG-FSA-99. The refinement involved the use of an adjustment based on relative areas of seabed which may be classified as recruitment areas (SC-CAMLR-XVIII, paragraphs 9.10 and 9.11). The procedure had originally been developed in an attempt to investigate the possible effects of IUU catches. WG-FSA had used agreed methods incorporating assumptions that it had believed to be the most appropriate given the available information.

7.11 In reviewing the results of these calculations, the Scientific Committee had agreed that in a number of cases the calculated yield levels were far in excess of any possible precautionary catch levels appropriate for those subareas or divisions (e.g. SC-CAMLR-XVIII, Table 7). The instances of clearly inappropriate calculated yields were therefore taken to indicate that the methods and assumptions themselves must be flawed.

7.12 The Commission noted that the Scientific Committee had agreed that it was no longer appropriate to use these methods for estimating precautionary yield levels for new and exploratory fisheries for *Dissostichus* spp., while information is absent on recruitment and stock status (SC-CAMLR-XVIII, paragraph 9.16).

7.13 Given this situation, especially in respect of the wide deficiency in the types of information required under Conservation Measure 65/XII, the Scientific Committee agreed that the submission of a research plan should be a prerequisite for the commencement of any future new or exploratory fishery (SC-CAMLR-XVIII, paragraph 9.18). The Scientific Committee had considered how to incorporate this research activity into the development plans for new and exploratory fisheries. Two approaches were needed:

- (i) research surveys to estimate standing stock and recruitment; and
- (ii) a sampling design to be implemented during commercial fishing operations.

7.14 The Commission noted that there had been considerable discussion about suitable sampling designs and how these might be implemented during commercial fishing, and that two considerations were paramount:

- (i) a desire to obtain objective data from normal commercial operations; and
- (ii) a need to obtain information over as large an area as possible.

7.15 The Commission agreed that in view of the high level of IUU fishing in many parts of the Convention Area, it was unrealistic to regard fisheries for *Dissostichus* spp. as new (SC-CAMLR-XVIII, paragraph 7.23). As a consequence, all proposals for new and exploratory *Dissostichus* spp. fisheries in 1999/2000 should be considered as being for exploratory fisheries. It also agreed that a fundamental element in the development of a management approach for these fisheries should be to carry out fisheries-independent surveys to estimate the recruitment of young *Dissostichus* spp. in the various areas subject to notification. However, it was recognised that fishing vessels undertaking exploratory fisheries are likely to be the only vessels able to undertake research to estimate the average density of *Dissostichus* spp. in the above areas in the short term, since given the size of many such areas it will be some time before large fisheries-independent surveys can be coordinated amongst

several institutions or Members (SC-CAMLR-XVIII, paragraph 9.25). Such surveys of *Dissostichus* spp. have been undertaken in the past as an integral part of the early development of some fisheries, e.g. longline fishing for *D. eleginoides* in Subarea 48.4 and trawl fishing for *D. eleginoides* in Division 58.4.3. A similar approach was adopted for crab fishing in Subarea 48.3.

7.16 The Commission recalled that it had endorsed a number of principles to be applied to new fisheries for *D. eleginoides* in 1996 and that these were not inconsistent with the above approach. Such principles include a dispersal of fishing effort to avoid overfishing in localised areas, and a permitted level of fishing fixed at a responsible level (CCAMLR-XV, paragraphs 6.7 and 6.8). The Scientific Committee advised that spreading the effort using fine-scale area limitation constitutes key elements in protecting local stocks of *Dissostichus* spp. from depletion (SC-CAMLR-XVIII, paragraph 9.49).

7.17 The Commission endorsed the advice of the Scientific Committee that catch limits for statistical subareas or divisions should be limited to levels that enable prospecting by commercial vessels and to enable research activities to be undertaken (SC-CAMLR-XVIII, paragraph 9.47). In the past this procedure has been applied to the longline fishery for *Dissostichus* spp. in Subarea 48.4.

Fisheries-based Research Plan

7.18 The Commission endorsed the fisheries-based research plan for new and exploratory fisheries proposed by the Scientific Committee (SC-CAMLR-XVIII, paragraphs 9.25 to 9.43). It was agreed that the components of the fisheries-based research activity proposed for the 1999/2000 season should include:

- (i) the identification of small-scale research units (SSRUs) (see SC-CAMLR-XVIII, paragraph 9.30 and Figure 1) for assessing the relative density of *Dissostichus* spp. using CPUE;
- (ii) measures to ensure:
 - (a) sufficient hauls are undertaken in each area to provide the statistical power for detecting differences in *Dissostichus* spp. density that will influence management advice on catch limits in each area;
 - (b) the effort is distributed over the whole area in order to ensure the CPUE is most likely to reflect the average density of fish in the SSRU; and
 - (c) minimum characteristics of each haul needed for maintaining a minimum standard sampling methodology.

7.19 It was noted that the research activity would be desirable in successive years in order to provide all of the information necessary to characterise the distribution of the stocks in the different statistical and biological units.

7.20 In respect to the notification for the new trawl fishery in Division 58.4.2, the Commission agreed that the research proposal was appropriate for that fishery (CCAMLR-XVIII/11). This proposal requires some flexibility in the placement of the research operation but the approach is consistent with the dimensions of the SSRUs described above.

7.21 The Commission agreed that a common sampling methodology is required for all research units to ensure a common distribution and density of samples in the different fishing

grounds, including the application of these requirements to both longline and trawl fisheries. As a result, it should be possible to obtain a coherent set of data that will enable analyses of the distribution and some aspects of the dynamics of these stocks.

Catch Limits

7.22 The Commission noted that the Scientific Committee had indicated four options for the establishment of catch levels for exploratory fisheries for *Dissostichus* spp. notified for 1999/2000.

7.23 On the advice of the Scientific Committee the Commission agreed that:

- (i) the nominal catch level for *D. mawsoni* in Division 58.4.2 should be 500 tonnes (SC-CAMLR-XVIII, paragraph 9.51);
- (ii) the proposals for exploratory fisheries in Divisions 58.5.1 and 58.5.2 would not be viable (SC-CAMLR-XVIII, paragraph 9.50); and
- (iii) only a nominal catch should be taken on BANZARE Bank in Divisions 58.4.1 and 58.4.3 (SC-CAMLR-XVIII, paragraph 9.45).

7.24 The Commission agreed to retain the fine-scale rectangle catch limit of 100 tonnes to protect stocks from local depletion (SC-CAMLR-XVIII, paragraph 9.49). The Commission agreed that this fine-scale limitation could be used as a basis for determining a nominal total catch level per statistical subarea or division, while recognising the need to vary the nominal catch according to the amount of potential fishable area in those statistical subareas or divisions. In this context, a total catch could be determined by summing the fine-scale rectangle limit across the number of fine-scale rectangles covering the fishable grounds in each of these statistical subareas or divisions. As in the past, the Commission agreed to discount the estimated total catch to 50% for *D. eleginoides* and 25% for *D. mawsoni* to take account of uncertainties in abundances in these stocks. These discount factors are consistent with those used in the past (SC-CAMLR-XV, paragraph 8.17) and take into account advice of the Scientific Committee regarding these stocks (SC-CAMLR-XVIII, paragraph 9.46).

7.25 Table 1 provides the information used to calculate nominal maximum catches using a precautionary approach. These catches were calculated for each of the subareas or divisions for which exploratory fisheries proposals were considered. For each subarea and division, the amount of potential fishable area is given along with the approximate number of fine-scale rectangles covering that potential fishable area. These catches were derived using the steps in the following example for *D. eleginoides* (north of 60°S) for the proposed exploratory longline fishery in Subarea 48.6. The fine-scale limitation of 100 tonnes is summed across 9.1 fine-scale rectangles in the area, giving a figure across all fine-scale rectangles of 910 tonnes. This is then discounted to 50% to give a precautionary catch of 455 tonnes in Subarea 48.6 north of 60°S.

Table 1: Information for developing option 3 from the Scientific Committee for determining precautionary catch levels in exploratory fisheries for *Dissostichus* spp. in 1999/2000. L – longline, T – trawl, E – *Dissostichus eleginoides*, M – *Dissostichus mawsoni*.

Subarea / Division	Fishing Gear / Species		Fishable Seabed Areas for Proposals (km ²)	Approx. No. of Fine-scale Rectangles	Nominal Maximum Catch (tonnes)
48.6 ¹	L	E	28 070	9.1	455
48.6 ²	L	M	56 146	18.2	455
58.4.2	T	M	129 059	41.8	500 ^{3,4}
58.4.3 ⁵	L	E	Elan Bank 15 552	5.0	250
			BANZARE Bank 75 186	24.4	300 ⁴
58.4.3/1	T	E	Elan Bank 9 054	2.9	145
			BANZARE Bank 54 244	17.6	300 ⁴
58.4.4	L	E	22 743	7.4	370
58.5.1 ⁵	L	E	6 354	2.1	0 ⁶
58.5.2 ⁵	L	E	1 083	0.4	0 ⁶
58.6 ⁵	L	E	27 763	9.0	450
58.7	L	E	6 445	2.1	0 ⁷
88.1 ⁸	L	E	10 838	3.5	175
88.1 ⁹	L	M	236 391	76.6	1 915
88.2	L	M	30 986	10.0	250

¹ North of 60°S

² South of 60°S

³ Divided into 150 tonnes per 10° longitude SSRU (see paragraphs 7.20 and 7.26)

⁴ Not using calculations for other subareas/divisions

⁵ Outside EEZs

⁶ Based on Scientific Committee advice that these fisheries are unlikely to be viable (see also paragraph 7.23)

⁷ Subject to Conservation Measure 160/XVII (see also paragraph 7.28)

⁸ North of 65°S

⁹ South of 65°S

7.26 The Commission agreed that, for large statistical subareas or divisions the spreading of effort can be enhanced by subdividing the catch between SSRUs. In this case, the Commission agreed to the proposal of the Scientific Committee that the catch of *D. mawsoni* should be limited to 150 tonnes in each SSRU in Division 58.4.2 (SC-CAMLR-XVIII, paragraph 9.52) and that the catch limit in Subarea 88.1 for *D. mawsoni* (south of 65°S) be divided equally between the four SSRUs in that area.

7.27 The Commission agreed that the catch on BANZARE Bank should remain at a low level relative to the nominal catches being estimated for other areas described in paragraph 7.25 (paragraph 7.22). The Commission agreed that a catch limit of 150 tonnes would be appropriate for the exploratory trawl fishery for this coming year to enable prospecting over this large bank (see paragraph 9.53). An equivalent catch level for the exploratory longline fishery for this coming season was considered to be 300 tonnes, taking into account the selection of larger fish by longline fishing vessels and the larger seabed area accessible by these operations.

7.28 In respect of the nominal maximum catch ascribed to Subarea 58.7 in Table 1, the Commission recognised that Conservation Measure 160/XVII prohibits directed fishing on *D. eleginoides*, other than for scientific research in accordance with Conservation Measure 64/XII, in this subarea until such time that a survey of *D. eleginoides* has been carried out and a decision is made by the Commission to reopen the fishery. The inclusion of a nominal maximum catch for this subarea in Table 1 is for illustrative purposes only and in the interest of a consistent demonstration of the approach outlined in paragraph 7.25.

7.29 The Commission endorsed the proposed work plan of the Scientific Committee detailed in SC-CAMLR-XVIII, paragraphs 9.53 to 9.55, to assess how these fisheries can be developed in a manner consistent with the objectives of the Commission.

OBSERVATION AND INSPECTION

Report of SCOI

8.1 The Chairman of SCOI, Mr G. Bryden (New Zealand), presented those sections of SCOI report which related to this agenda item (Annex 5, paragraphs 3.1 to 8.2). The parts of SCOI's report concerning IUU fishing were submitted and discussed under Agenda Item 5.

8.2 The Commission endorsed the recommendations of SCOI concerning the election of Mr Bryden as Chairman and Captain M. Fontanot (Uruguay) as Vice-Chairman. The term of these appointments is for one year, after which the Vice-Chairman will take over as Chairman of SCOI for two years. The Commission noted that the decision with respect to a one-year term did not establish a precedent and that subsequent appointments would be for two-year terms as required by the Commission's Rules of Procedure.

8.3 The Commission discussed in detail the advice received from SCOI and took a number of decisions as reported below.

Operation of the System of Inspection and Compliance with Conservation Measures

8.4 Information received from Members on the implementation of conservation measures in 1998/99 was noted (Annex 5, paragraphs 3.2 and 3.3). In addition, France informed the Commission that it also has in place the legislative procedure to give effect to national fisheries regulations for the French EEZ around Kerguelen and Crozet Islands (Division 58.5.1 and Subarea 58.6).

8.5 The Commission noted the advice of SCOI relating to compliance with Conservation Measure 29/XVI (reduction of seabird mortality in longline fisheries) (Annex 5, paragraphs 3.7 to 3.10). The Commission also noted the advice from the Chairman of the Scientific Committee that the level of compliance with some elements of Conservation Measure 29/XVI remained extremely low, especially with respect to line weighting (SC-CAMLR-XVIII, paragraphs 4.50 to 4.55).

8.6 The Commission agreed that Members need to ensure compliance by their longline vessels with all aspects of Conservation Measure 29/XVI (Annex 5, paragraph 3.10). National authorities should ensure that licences issued to vessels in accordance with Conservation Measure 119/XVII include a special requirement for full compliance with Conservation Measure 29/XVI. Further discussions of the Commission's actions with respect to seabird by-catch in longline fisheries are given in paragraphs 6.13 to 6.20.

8.7 The Commission noted discussions at SCOI on the application of VMS for krill fishing vessels (Annex 5, paragraphs 3.13 to 3.24).

8.8 The European Community and Japan further elaborated their positions to the Commission with respect to the application of Conservation Measure 148/XVII to krill fishing vessels (Annex 5, paragraphs 3.13 to 3.20). The European Community reiterated its proposal that VMS should be applied to all krill fishing vessels. Japan and some other Members did not accept this proposal.

8.9 Following a proposal from New Zealand, supported by the USA, the Commission encouraged Members whose vessels are engaged in krill fishing to consider the implementation of VMS on board their vessels in the near future (Annex 5, paragraph 3.15).

8.10 The Commission welcomed the opportunity for scientific observers to be placed, in accordance with the Scheme of International Scientific Observation, on board Japanese krill fishing vessels in Area 48 for the duration of the CCAMLR-2000 Survey (Annex 5, paragraph 3.17).

8.11 The European Community drew to the attention of the Commission that catch statistics in Table 5 of the Scientific Committee Report (SC-CAMLR-XVIII) are listed by Flag State without indicating which States are members of the European Community. The Commission agreed that the Scientific Committee be advised that all catch statistics for CCAMLR Flag States which are also members of the European Community should be listed by Flag State grouped under the heading 'European Community'.

8.12 The Commission took note of information considered by SCOI on the implementation of the System of Inspection in 1998/99, including CCAMLR inspectors deployed at sea, areas covered and inspections undertaken (Annex 5, paragraphs 3.25 and 3.26). It also noted that CCAMLR inspectors found the compliance with conservation measures to be satisfactory on all three vessels inspected (CCAMLR-XVIII/BG/15; Annex 5, paragraph 3.27).

8.13 France advised the Commission that its national inspectors also worked in 1998/99 within the EEZ around Kerguelen and Crozet Islands (Division 58.5.1 and Subarea 58.6).

8.14 The Commission further noted information submitted by Chile and Argentina on actions taken in respect to their flag vessels which had been involved in infringements of conservation measures reported by inspectors designated both at international and national level (Annex 5, paragraphs 3.28 to 3.31).

8.15 The Commission noted that information exchange by CCAMLR Members on matters related to the System of Inspection and enforcement-related measures has considerably improved with the establishment of the CCAMLR website (Annex 5, paragraph 3.33).

8.16 Decisions of the Commission on amendments proposed by SCOI to the text of the System of Inspection with respect to reporting requirements are summarised below in paragraph 8.25.

Operation of the Scheme of International Scientific Observation

8.17 The Commission noted with satisfaction that the quality, content and timing of submission of reports from scientific observers had improved considerably (SC-CAMLR-XVIII, paragraphs 3.2 to 3.4). It joined the Scientific Committee in congratulating all scientific observers and coordinators of national observation programs for their great efforts.

8.18 The Commission noted the advice from the Scientific Committee and SCOI that, whenever possible, two scientific observers should be deployed on longline fishing vessels (SC-CAMLR-XVIII, paragraph 3.21; Annex 5, paragraph 4.4).

8.19 Several Members of the Commission emphasised that any decision on placing observers on board fishing vessels should take into account such practical aspects as vessel size and availability of accommodation for observers.

8.20 The Commission endorsed the recommendation from SCOI that Members be reminded that they are responsible for vessels' compliance with submitting catch and effort reports and fine-scale data under the relevant conservation measures (Annex 5, paragraph 4.6; SC-CAMLR-XVIII, paragraph 3.24).

8.21 The Commission endorsed the recommendation of the Scientific Committee that the following two tasks be added to the list of tasks of scientific observers as contained in the *Scientific Observers Manual*:

- (i) to weigh a sample of longline weights while the vessel is alongside the wharf (SC-CAMLR-XVIII, paragraph 3.15; Annex 5, paragraph 4.5); and
- (ii) to collect information on fishing gear loss and garbage disposal by fishing vessels at sea (SC-CAMLR-XVIII, paragraph 3.17).

8.22 The Commission recalled its decision of last year to review after a two-year period the effectiveness and the need to continue the collection of data on vessel sightings by scientific observers (CCAMLR-XVII, paragraph 8.17; SC-CAMLR-XVIII, paragraph 3.22; Annex 5, paragraph 4.8). In preparation for the review at the next meeting of the Commission, the Secretariat was asked to compile all reports of sightings received from observers during the trial period.

Review of SCOI Working Arrangements

8.23 The Commission noted that, due to other commitments, the review of SCOI working arrangements could not be undertaken at this year's meeting. The Commission agreed that, as a priority, Members should continue to analyse and review SCOI's working arrangements during the intersessional period in order to discuss the issue at the next meeting, taking into account proposals prepared by the Secretariat (CCAMLR-XVIII/19; Annex 5, paragraphs 5.1 to 5.5). Members should take into account that any review should not be conducted in isolation with the work of the Commission, Scientific Committee and its subsidiary bodies.

8.24 In respect of reporting requirements, the Commission approved a set of recommendations made by SCOI (Annex 5, paragraph 5.10) to reduce of the number of reports, avoid duplication between reports and improve report deadlines.

8.25 Following recommendations from SCOI, the Commission adopted amendments to the System of Inspection. The revised text, which will be published in the *Schedule of Conservation Measures in Force, 1999/2000*, is as follows:

- Amend paragraph I(f) to read:
 - (f) Names of Inspectors shall be communicated to the Secretariat within fourteen days of designation.
- Amend paragraph IV to read:
 - IV. Each Contracting Party shall provide to the Secretariat:
 - (a) One month before the commencement of the research cruise and in accordance with Conservation Measure 64/XII 'The Application of Conservation Measures to Scientific Research', the names of all vessels intending to conduct fishing for research purposes.

- (b) Within seven days of the issuance of each permit or licence in accordance with Conservation Measure 119/XVII 'Licensing and Inspection Obligations of Contracting Parties with regard to their Flag Vessels Operating in the Convention Area', the following information about licences or permits issued by its authorities to its flag vessels authorising them to fish in the Convention Area:

name of the vessel;
time periods authorised for fishing (start and end dates);
area(s) of fishing;
species targeted; and
gear used.

- (c) By 31 August, an annual report of steps it has taken to implement the inspection, investigation and sanction provisions of Conservation Measure 119/XVII 'Licensing and Inspection Obligations of Contracting Parties with regard to their Flag Vessels Operating in the Convention Area'.

- Amend paragraph XII by inserting a new sentence at the start as follows:

The Flag State shall, within fourteen days of the laying of charges or the initiation of proceedings relating to a prosecution, inform the Secretariat of this information, and shall continue thereafter to inform the Secretariat as the prosecution develops or is concluded.

The next sentence should start with the words 'In addition,'.

8.26 The Commission further noted that a number of improvements were related to the submission of information by Members in electronic format and to the circulation of such information by means of the CCAMLR website (Annex 5, paragraph 5.10). It was recalled that, when doing so, confidentiality of information should always be taken into consideration.

8.27 The Commission noted that the proposed improvements should not impact on the CCAMLR budget, taking into account the conditions listed in paragraph 5.10 of Annex 5.

8.28 The Commission directed the Secretariat to implement, as appropriate, agreed recommendations relating to improved reporting and also to circulate to Members the revised guidelines for the preparation and submission of the reports concerned. The Secretariat was also asked to take into account any special requests received from Members for the intersessional circulation of hard copies of some reports.

8.29 Taking into account Conservation Measure 148/XVII, the Commission was requested by SCOI to clarify whether paragraph 7.22 from the Report of CCAMLR-XV has been superseded in whole or in part by later decisions of the Commission and if not, whether the language of paragraph 7.22 is mandatory or hortatory. Paragraph 7.22 relates to the provision by Members of positional information for vessels fishing in the Convention Area.

8.30 The Commission advised that provisions of paragraph 7.22 were in part superseded by later decisions of the Commission, including adoption of Conservation Measure 148/XVII. Those provisions of paragraph 7.22 that remain in force are not mandatory.

CONSERVATION MEASURES

9.1 All conservation measures adopted at the Eighteenth Meeting are contained in Annex 6.

Catch Documentation Scheme

9.2 The implementation of the Catch Documentation Scheme for *Dissostichus* spp. (Conservation Measure 170/XVIII) is discussed under Section 5.

Timing of the Fishing Season for Longlining

9.3 The Commission recalled earlier discussions on both the extent and the mitigation of incidental mortality of seabirds arising from longline fishing (section 6; CCAMLR-XVII, paragraphs 9.3 to 9.13 and earlier reports). The advice of the Scientific Committee (SC-CAMLR-XVIII, paragraphs 4.42 to 4.78) and ad hoc WG-IMALF (SC-CAMLR-XVIII/BG/23) was also noted. The Commission agreed that the timing of the fishing season for longlining in the 1999/2000 season would be as follows:

- 1 April to 30 September in Division 58.4.2; and
- 1 May to 31 August in Divisions 58.4.3, 58.4.4, 58.5.1, 58.5.2 and Subareas 48.3, 48.4 and 58.6.

9.4 In the absence of new advice for Division 58.4.1 and Subareas 48.6, 88.1 and 88.2, the Commission agreed that the timing of the fishing season used in these areas in 1998/99 would be applied to the 1999/2000 season. In these areas full compliance with Conservation Measure 29/XVI would be required.

Review of Existing Conservation Measures

CEMP Sites

9.5 The Commission noted that the Scientific Committee had reviewed the Management Plan of the Cape Shirreff CEMP site (Conservation Measure 82/XIII), in accordance with the procedures for affording protection to CEMP sites (Conservation Measure 18/XIII, Annex B Cape Shirreff) (SC-CAMLR-XVIII, paragraph 4.41).

9.6 The Commission noted the importance of the long-term CEMP research being conducted by Chile and the USA, and agreed to extend protection to the Cape Shirreff CEMP site for an additional five years.

Euphausia superba

9.7 The Commission noted that the forthcoming CCAMLR-2000 Survey would provide a new estimate of krill biomass in Area 48, and that this would form the basis of a revision of the precautionary limits for krill in Area 48 (SC-CAMLR-XVIII, paragraphs 5.13 and 5.14). The Commission looked forward to receiving this information at its next meeting.

9.8 The Commission agreed that Conservation Measures 32/X (Area 48), 45/XIV (Division 58.4.2) and 106/XV (Division 58.4.1) should remain in force.

Dissostichus spp.

9.9 The Commission noted the advice of the Scientific Committee for the longline fishery for *D. eleginoides* in Subarea 48.3 (SC-CAMLR-XVIII, paragraphs 5.69 to 5.77). The estimated yield for the 1999/2000 season was 5 310 tonnes, and this was higher than last year's estimate (3 550 tonnes) for two main reasons:

- (i) the increase in the estimate of mean recruitment; and
- (ii) the revision of the selectivity pattern to include all fish >79 cm.

9.10 It was also noted that in the analysis of available data for the most recent season, the standardised CPUE has increased since the 1997/98 season. This may be partially explained by the recruitment to the fishery of the strong 1989 year class (age 4 in 1992/93 – SC-CAMLR-XVIII, Annex 5, Table 38).

9.11 The Commission also noted that experimental pot fishing for *D. eleginoides* had been notified for Subarea 48.3 from January to June 2000, with an expected catch of 400 to 600 tonnes of the target species (CCAMLR-XVIII/BG/38). The Scientific Committee had advised that the catch of *D. eleginoides* taken in pots should be deducted from the catch limit for that species in Subarea 48.3 in the 1999/2000 season in accordance with the provisions of Conservation Measure 64/XII (SC-CAMLR-XVIII, paragraph 8.4).

9.12 The Commission agreed that the proposed research on pot fishing on *D. eleginoides* in Subarea 48.3 shall be conducted in accordance with the notification submitted by the UK as CCAMLR-XVIII/BG/38. This research will be restricted to a single vessel flagged to the UK, and fishing will target that part of the stock that is exploited by the longline fishery. The catch of *D. eleginoides* taken in the pot experiment will be considered as part of the general fishery for *D. eleginoides* in Subarea 48.3, and all CCAMLR data reporting requirements will be met, including five-day catch and effort reports and fine-scale data. The Commission agreed that the UK experiment will cease when a total of 600 tonnes of *D. eleginoides* has been taken in the experiment, or the catch limit has been reached for *D. eleginoides* in Subarea 48.3, whichever is sooner.

9.13 The Commission also agreed that any *D. eleginoides* taken in the pot fishery for crabs should also be taken into consideration when monitoring the catch limit for *D. eleginoides* in Subarea 48.3 (SC-CAMLR-XVIII, paragraph 8.5).

9.14 The Commission agreed that the catch limit for *D. eleginoides* in Subarea 48.3 in the 1999/2000 season be set at 5 310 tonnes, and that other management measures for this fishery should remain as for the 1998/99 season. Accordingly, Conservation Measure 154/XVII was revised and adopted as Conservation Measure 179/XVIII.

9.15 The Commission noted the advice of the Scientific Committee for the longline fishery for *D. eleginoides* and *D. mawsoni* in Subarea 48.4 (SC-CAMLR-XVIII, paragraph 5.79). There had been no longline fishing reported in this subarea since the 1992/93 season, and the existing catch limit was considered a precautionary harvest level which was based on the results of an exploratory fishing trip (SC-CAMLR-XII, Annex 5, paragraphs 6.1 to 6.4). The Commission agreed that 28 tonnes be adopted as an appropriate catch limit for a precautionary harvest strategy for *D. eleginoides* and *D. mawsoni* in Subarea 48.4 and that the season in this fishery should remain linked to the season for the longline fishery for *D. eleginoides* in Subarea 48.3. Accordingly, Conservation Measure 156/XVII was revised and adopted as Conservation Measure 180/XVIII.

9.16 The Commission noted the advice of the Scientific Committee for the trawl fishery for *D. eleginoides* in Division 58.5.2 (SC-CAMLR-XVIII, paragraphs 5.85 and 5.86). The estimated yield for the 1999/2000 season was 3 585 tonnes, and was similar to the previous estimates of yield.

9.17 The Commission agreed that the catch limit for *D. eleginoides* in Division 58.5.2 in the 1999/2000 season be set at 3 585 tonnes, and that other management measures for this fishery should remain as for the 1998/99 season. Accordingly, Conservation Measure 158/XVII was revised and adopted as Conservation Measure 176/XVIII.

9.18 A prohibition on directed fishing on *Dissostichus* spp. except in accordance with specific conservation measures in the 1999/2000 season was adopted as Conservation Measure 172/XVIII. This measure covered Subarea 48.5, Division 58.4.1 east of 90°E, Division 58.5.1 and longline fishing areas in Division 58.5.2.

Champscephalus gunnari

9.19 The Commission noted the advice of the Scientific Committee for the midwater trawl fishery for *C. gunnari* in Subarea 48.3 (SC-CAMLR-XVIII, paragraphs 5.107 to 5.111):

- (i) most Members of the Scientific Committee agreed that the total catch limit for *C. gunnari* in Subarea 48.3 should be revised to 4 036 tonnes for the period 1 December 1999 to 30 November 2000;
- (ii) one Member noted that the low catch in this fishery indicates that the stock remains at a low level and that a survey is needed before setting any catch limit;
- (iii) in order to protect spawning concentrations, there should be a closed season in the fishery for *C. gunnari* in Subarea 48.3 between 1 March and 31 May 2000;
- (iv) the closed season should apply to the areas where spawning is known to take place, but the Scientific Committee was not in a position at this stage to provide unequivocal advice on the extent of the area within Subarea 48.3 which needed to be protected; and
- (v) other management measures for this fishery set for the 1998/99 season should remain in force.

9.20 The Commission considered this advice, and agreed that the catch limit for *C. gunnari* in Subarea 48.3 in the 1999/2000 season be set at 4 036 tonnes, and that the fishery be closed from 1 March to 31 May 2000. Accordingly, Conservation Measure 153/XVII was revised and adopted as Conservation Measure 175/XVIII.

9.21 The Commission noted the advice of the Scientific Committee for the trawl fishery for *C. gunnari* on the Heard Island Plateau part of Division 58.5.2 (SC-CAMLR-XVIII, paragraphs 5.116 and 5.117). The estimated yield for the 1999/2000 season was 916 tonnes in accordance with this year's short-term yield calculations, and the fishery should remain closed on Shell Bank.

9.22 The Commission agreed that the catch limit for *C. gunnari* on the Heard Island Plateau part of Division 58.5.2 in the 1999/2000 season be set at 916 tonnes, and that other management measures for this fishery should remain as for the 1998/99 season. Accordingly, Conservation Measure 159/XVII was revised and adopted as Conservation Measure 177/XVIII.

Electrona carlsbergi

9.23 In the absence of new advice, the Commission agreed to extend the existing management regime for the trawl fishery for *E. carlsbergi* in Subarea 48.3 to the 1999/2000 fishing season. Accordingly, Conservation Measure 155/XVII was revised and adopted as Conservation Measure 174/XVIII.

Martialia hyadesi

9.24 The Commission agreed that the existing management regime for the exploratory jig fishery for *M. hyadesi* in Subarea 48.3 be maintained for the 1999/2000 fishing season (SC-CAMLR-XVIII, paragraph 5.133). Accordingly, Conservation Measure 165/XVII was revised and adopted as Conservation Measure 183/XVIII.

Paralomis spp.

9.25 The Commission endorsed the great utility of the experimental harvest regime for the pot fishery for crab in Subarea 48.3, as set out in Conservation Measure 150/XVII. However, it agreed that Phase 2 in this measure should be eliminated because no need had been identified at this time. The Commission agreed that the existing catch limits for this fishery, as set out in Conservation Measure 151/XVII, be maintained for the 1999/2000 fishing season (SC-CAMLR-XVIII, paragraphs 5.128 to 5.130).

9.26 The Commission noted that experimental pot fishing for *D. eleginoides* may result in significant levels of by-catch, particularly crabs, and it was agreed that this should also be taken into consideration when monitoring the catch limit for crabs in this subarea (SC-CAMLR-XVIII, paragraph 8.5).

9.27 Accordingly, Conservation Measures 150/XVII and 151/XVII were revised and adopted as Conservation Measures 150/XVIII and 181/XVIII respectively.

Other Taxa

9.28 In the absence of new advice, the Commission agreed that the prohibition of directed fishing on *Gobionotothen gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus*, *Lepidonotothen squamifrons* and *Patagonotothen guntheri* in Subarea 48.3 should be extended. Accordingly, Conservation Measure 152/XVII was revised and adopted as Conservation Measure 171/XVIII.

9.29 The Commission noted the general advice of the Scientific Committee on by-catch (SC-CAMLR-XVIII, paragraphs 7.7 to 7.10). It was agreed that the existing management regime for by-catch in Division 58.5.2 be extended to the 1999/2000 season. Accordingly, Conservation Measure 157/XVII was revised and adopted as Conservation Measure 178/XVIII.

Other Measures

9.30 The Commission noted the Scientific Committee's advice that few data are available to undertake assessments in the areas for which exploratory fishing on *Dissostichus* spp. had been proposed for 1999/2000 (SC-CAMLR-XVIII, paragraph 9.26). Assessments are therefore

urgently required to identify appropriate catch levels for such fishing and the Commission endorsed the Scientific Committee's advice as a basis for developing research plans for fishing vessels to implement during the period they are prospecting in the exploratory fishing grounds. Accordingly, Conservation Measure 182/XVIII was adopted along with its two annexes (one being a data collection plan and the other being a research plan) as a protocol for the general implementation of exploratory fisheries for *Dissostichus* spp. in the Convention Area for the 1999/2000 season.

9.31 The Commission revised Conservation Measures 147/XVII so as to align this measure with Conservation Measure 170/XVIII (Catch Documentation Scheme for *Dissostichus* spp.). Accordingly, Conservation Measure 147/XVIII was adopted.

9.32 The Commission agreed that Conservation Measures 2/III¹, 3/IV, 4/V, 5/V², 6/V², 7/V, 18/XIII, 19/IX³, 29/XVI⁴, 31/X⁴, 32/X, 40/X, 45/XIV, 51/XII, 61/XII, 62/XI, 63/XV, 64/XII⁴, 65/XII⁴, 72/XVII, 73/XVII, 82/XIII, 95/XIV, 106/XV, 118/XVII, 119/XVII⁴, 121/XVI⁴, 122/XVI⁴, 129/XVI, 146/XVII³, 148/XVII, and 160/XVII⁵ should remain in force as they stand. Resolutions 7/IX and 10/XII also remain in force.

Lapsed Measures

9.33 Conservation Measures 149/XVII, 151/XVII, 152/XVII, 153/XVII, 154/XVII, 155/XVII, 156/XVII, 157/XVII, 158/XVII, 159/XVII, 161/XVII⁴, 162/XVII, 163/XVII, 164/XVII⁵, 165/XVII, 166/XVII, 167/XVII, 168/XVII⁶ and 169/XVII lapsed at the end of the 1998/99 season.

New Conservation Measures

9.34 A new general measure to reduce the incidental mortality of seabirds and marine mammals in the course of trawling was discussed under section 6. The Commission agreed that the requirements of Conservation Measure 30/X³ be included in this measure. Conservation Measure 173/XVIII was adopted, and Conservation Measure 30/X was subsumed in this measure.

Exploratory Fisheries for *Dissostichus* spp.

9.35 The Commission agreed to the following approach in developing conservation measures for exploratory fisheries for *Dissostichus* spp. in the 1999/2000 season:

- (i) the timing of the fishing season for longlining as set out in paragraphs 9.3 and 9.4;
- (ii) precautionary catch limits as set out in Table 1; and

¹ As amended by Conservation Measure 19/IX which came into force on 1 November 1991 except for waters adjacent to Kerguelen and Crozet Islands.

² Conservation Measures 5/V and 6/V, which prohibit directed fishing for *Notothenia rossii* in Subareas 48.1 and 48.2 respectively, remain in force but are currently encompassed within the provisions in Conservation Measures 72/XVII and 73/XVII respectively.

³ Except for waters adjacent to the Kerguelen and Crozet Islands

⁴ Except for waters adjacent to the Kerguelen, Crozet and Prince Edward Islands

⁵ Except for waters adjacent to the Prince Edward Islands

⁶ Except for waters adjacent to the Crozet and Prince Edward Islands

- (iii) a generic format, where applicable, for conservation measures dealing with longlining.

9.36 The Commission agreed that the exploratory longline fishery for *Dissostichus* spp. in Subarea 48.6 would be limited to European Community (Portuguese-flagged) and South African-flagged vessels only. The catch limit was set at 455 tonnes of *Dissostichus* spp. north of 60°S, and 455 tonnes of *Dissostichus* spp. south of 60°S. The fishing season to the north of 60°S was defined as the period from 1 March to 31 August 2000, and the fishing season to the south of 60°S was defined as the period from 15 February to 15 October 2000. Accordingly, Conservation Measure 184/XVIII was adopted.

9.37 The Commission agreed that the exploratory longline fishery for *Dissostichus* spp. in Division 58.4.3 outside areas of national jurisdiction would be limited to European Community (Portuguese-flagged) and French-flagged vessels only. With respect to the discussion in paragraph 7.27, the catch limit was set at 300 tonnes on BANZARE Bank and 250 tonnes on Elan Bank of *Dissostichus* spp., and the fishing season in that region was defined as the period from 1 May to 31 August 2000. Accordingly, Conservation Measure 187/XVIII was adopted.

9.38 The Commission agreed that the exploratory longline fishery for *Dissostichus* spp. in Division 58.4.4 would be limited to European Community (Portuguese-flagged) and Chilean, French, South African and Uruguayan-flagged vessels only. The catch limit was set at 370 tonnes of *Dissostichus* spp. north of 60°S, and the fishing season in that region was defined as the period from 1 May to 31 August 2000. Accordingly, Conservation Measure 188/XVIII was adopted.

9.39 The Commission agreed that the exploratory longline fishery for *D. eleginoides* in Subarea 58.6 would be limited to European Community (Portuguese-flagged), Chilean, French and South African-flagged vessels only. The catch limit was set at 450 tonnes of *D. eleginoides*, and the fishing season was defined as the period from 1 May to 31 August 2000. Accordingly, Conservation Measure 189/XVIII was adopted.

9.40 The Commission agreed that the exploratory longline fishery for *Dissostichus* spp. in Subarea 88.1 would be limited to European Community (Portuguese-flagged), Chilean and New Zealand-flagged vessels only. The catch limit was set at 175 tonnes of *Dissostichus* spp. north of 65°S, and 1 915 tonnes of *Dissostichus* spp. south of 65°S. The fishing season in this subarea was defined as the period from 1 December 1999 to 31 August 2000. The Commission agreed that paragraph 3 of Conservation Measure 29/XVI shall not apply to the directed fishery by New Zealand, and fishing associated with its research plan (CCAMLR-XVIII/10), south of 65°S. It was also agreed that fishing for *Dissostichus* spp. shall be prohibited within 10 n miles of the coast of the Balleny Islands. Accordingly, Conservation Measure 190/XVIII was adopted.

9.41 The Commission agreed that the exploratory longline fishery for *Dissostichus* spp. in Subarea 88.2 would be limited to European Community (Portuguese-flagged) and Chilean-flagged vessels only. The catch limit was set at 250 tonnes of *Dissostichus* spp. south of 65°S, and the fishing season in that region was defined as the period from 15 December 1999 to 31 August 2000. Accordingly, Conservation Measure 191/XVIII was adopted.

9.42 In reference to its notification for exploratory fisheries referred to in Conservation Measures 184/XVIII, 187/XVIII, 188/XVIII, 189/XVIII, 190/XVIII and 191/XVIII, the European Community and its Member States reiterated that Member States of the Community had transferred to the European Community their competencies on fisheries. By virtue of this exclusive Community competence, the European Community is entitled and obliged to regulate internal or external fishing activities of its Member States. Vessels flying the flag of a Member State in all regional fisheries organisations, as well as in the UN Convention on the Law of the Sea (UNCLOS), are considered to be Community vessels, whether or not a specific provision to this effect is included in the respective Conventions.

9.43 As a Contracting Party of CCAMLR, the European Community, and consequently all its Member States and all Community vessels, are bound by CCAMLR's conservation and control measures, irrespective of whether those Member States are Members of CCAMLR or not. In that regard, the European Community has responsibilities for the monitoring of activities of its vessels with respect to CCAMLR obligations.

9.44 With respect to Conservation Measures 184/XVIII, 187/XVIII, 188/XVIII, 189/XVIII, 190/XVIII and 191/XVIII, the majority of the Members of the Commission took the position that any fishing by a Portuguese-flagged vessel would be in contravention of the Convention unless Portugal had acceded to the Convention prior to the initiation of such activities.

9.45 The European Community and its Member States stated that it had taken careful note of the Members' views expressed above. The European Community, however, fully reserved its rights under the Convention in relation to Community vessels.

9.46 The Commission called upon Portugal to consider favourably early accession to the Convention.

9.47 Argentina expressed a formal reservation in relation to paragraphs 9.42 to 9.46 above.

9.48 New Zealand notified the Commission both prior to this meeting and again at this meeting, that it has a formal objection to the notification of Portugal, submitted by the European Community, to enter the fishery, and its position that fishing by a Portuguese vessel in the Convention Area prior to Portugal acceding to the Convention would be in contravention of the Convention. New Zealand reserves its rights under the Convention.

9.49 Chile did not oppose the adoption of a conservation measure that regulates an activity in a specific area of the Convention. A lack of consensus could have an adverse impact on the fisheries and the operation of the management and conservation regime. However, Chile reiterated its position regarding the obligations established by the Convention with respect to the Flag States and which can not be delegated. Only Flag States can take on these obligations in the legal and political context of the Antarctic Treaty System and all obligations pertaining to CCAMLR that are not within the scope of fisheries and the environment. All these obligations require that activities in the Convention Area can only be conducted by State Parties to the Convention that become Members of the Commission.

9.50 Australia placed on the record of the meeting that it considered that the notification of the European Community on behalf of Portugal was inconsistent with the Convention. Australia reserves its rights under the Convention.

9.51 Argentina wished to associate itself with the views of New Zealand, Chile and Australia. In agreeing with these views, Argentina also wished to reserve its rights under the Convention.

9.52 Russia and South Africa also wished to associate themselves with the views of New Zealand, Chile and Australia. In addition, South Africa stressed that the Commission's position with regard to the notification of the European Community on behalf of Portugal should not set a precedent.

9.53 The Commission noted that a trawl survey conducted on BANZARE Bank in Divisions 58.4.1 and 58.4.3 found a low abundance of *Dissostichus* spp. (SC-CAMLR-XVIII, paragraph 9.45). In view of this, it was agreed not to use the nominal maximum catch for this area (paragraph 7.25) for the exploratory trawl fishery notified by Australia. Instead, the Commission agreed to set a catch limit of 150 tonnes of *Dissostichus* spp. on BANZARE Bank (paragraph 7.27).

9.54 The Commission agreed that the exploratory trawl fishery for *Dissostichus* spp. in Divisions 58.4.1 (west of 90°E) and 58.4.3 would be conducted by Australian-flagged vessels

only. With respect to the discussion in paragraph 7.27, the catch limit was set at 150 tonnes of *Dissostichus* spp. on BANZARE Bank, and 145 tonnes of *Dissostichus* spp. on Elan Bank. The fishing season was defined as the period from 1 December 1999 to 30 November 2000. Accordingly, Conservation Measure 185/XVIII was adopted.

9.55 The Commission noted the concern of the Scientific Committee regarding the catch limits of 500 tonnes proposed for *Lepidonotothen kempfi*, *Trematomus eulepidotus* and *Pleuragramma antarcticum* in the trawl fishery notified by Australia in Division 58.4.2 (SC-CAMLR-XVIII, paragraph 9.51). However, the paucity of information on these species had precluded further advice.

9.56 The Commission agreed that the exploratory trawl fishery for *Dissostichus* spp., and the new trawl fishery for *Chaenodraco wilsoni*, *L. kempfi*, *T. eulepidotus* and *P. antarcticum* in Division 58.4.2 would be conducted by Australian-flagged vessels only. The catch limit was set at 500 tonnes of *Dissostichus* spp., 500 tonnes of *C. wilsoni*, and 300 tonnes for each of the other three target species *L. kempfi*, *T. eulepidotus* and *P. antarcticum*. The fishing season was defined as the period from 1 December 1999 to 30 November 2000. Accordingly, Conservation Measure 186/XVIII was adopted.

9.57 The Commission noted the difficulties which the Scientific Committee and WG-FSA had encountered from time to time due to the late submission of notifications for new and exploratory fisheries. The Commission agreed that, in future, the Scientific Committee should not consider late notifications (see also paragraph 7.9).

9.58 Australia advised the Commission that any fishing or fishery research activities in those parts of Divisions 58.4.3 and 58.5.2 which constitute the Australian EEZ around the Australian territory of Heard and McDonald Islands must have the prior approval of Australian authorities. The Australian EEZ extends up to 200 n miles from the territory. Australia regards unauthorised fishing in its waters as a serious matter that undermines efforts to ensure that fishing occurs only on an ecologically sustainable basis. Australia seeks the assistance of other CCAMLR Members in ensuring their nationals are aware of the boundaries 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. These controls include a limit on the number of fishing concessions issued. Presently, fishing concessions are fully subscribed and no further concessions are available to be issued in 1999/2000. Any enquiries about fishing in the Australian EEZ should be made initially to the Australian Fisheries Management Authority. As Australia advised the Commission in an earlier agenda item, Australia has amended its legislation to provide increased penalties for fishing illegally in Australia's EEZ, including the immediate forfeiture of foreign vessels found engaged in such activities.

MANAGEMENT UNDER UNCERTAINTY

10.1 The Commission noted the work in progress of the Scientific Committee on matters related to management under uncertainty (SC-CAMLR-XVIII, section 7).

Management of *Dissostichus* spp.

10.2 In respect to the management of *Dissostichus* spp., new information on growth and natural mortality had been presented to WG-FSA. However, there was still considerable scope for improving these estimates. For example, further information on mortality might arise from analysis of tagging experiments. Such studies may also provide information on migrations of these species to and from spawning and feeding grounds.

Assessment of Catch Limits in Mixed-gear Fisheries

10.3 The Commission noted the early progress made in setting catch limits which satisfy CCAMLR's decision rules in determining an appropriate combined catch for trawl and longline fisheries within the same assessment area. The interim measure proposed by the Scientific Committee (SC-CAMLR-XVIII, paragraph 7.6) was endorsed.

General By-catch Provisions

10.4 Progress was also made with the development of a general by-catch measure. The Commission noted the paucity of information on the abundance of by-catch species, and especially those of the families Rajidae and Macrouridae caught in longline fisheries. The Commission endorsed the following general points aimed at reducing by-catch in new and exploratory fisheries (both longline and trawl) within the Convention Area (SC-CAMLR-XVIII, paragraphs 7.8 to 7.9):

- (i) the maximum by-catch rate of macrourids was set at 18% by mass of the *Dissostichus* spp. catch per fine-scale rectangle;
- (ii) the maximum by-catch rate of rajids was set at 10 to 15% by mass of the *Dissostichus* spp. catch per fine-scale rectangle;
- (iii) when a by-catch proportion is exceeded, the vessel must move a minimum distance of 5 n miles from the fishing location (in longlining the fishing location is defined as the mid-point between the setting location and the hauling location); and
- (iv) the level trigger below which it would not be necessary to move from a fishing location once the by-catch proportion was exceeded was set at 100 kg (total catch).

10.5 The Commission noted that it was essential that data collection requirements, commensurate with those for target species, be specified in conservation measures for new and exploratory fisheries. It was also noted that some Members had begun collecting data on the abundance of by-catch in new and exploratory fisheries.

Scientific Basis of a Regulatory Framework

10.6 The Commission noted the progress made in defining a regulatory framework for the development of CCAMLR fisheries (SC-CAMLR-XVIII, paragraphs 7.11 to 7.23). The Chairman of the Scientific Committee had formed a small ad hoc task group during the intersessional period to work on the regulatory framework, and the findings had been discussed by WG-FSA and the Scientific Committee.

10.7 It was noted that the development of a unified regulatory framework is an iterative process which may take some time to complete, and requires consideration of:

- (i) steps in the development of a fishery;
- (ii) procedures to guide the development of a fishery; and
- (iii) designation of the status of the different levels of the fishery.

10.8 The Commission noted that steps in the development of a fishery would include:

- (i) definition of the entry level requirements for undeveloped fisheries, irrespective of whether they might currently be classified as 'new' or 'exploratory';

- (ii) a notification procedure which contains a clear statement of the harvest strategy;
- (iii) research and data collection plans as well as the development of precautionary harvest strategies at scales of individual vessels and areas; and
- (iv) consideration of the currency of assessments with respect to situations where fishing had lapsed and was likely to be resumed.

10.9 The procedure to guide the development of a fishery would include:

- (i) determination of the status of individual stocks; and
- (ii) estimation of yield using models based on decision rules (e.g. krill yield model, generalised yield model).

10.10 The Commission recognised the importance of setting precautionary harvest strategies during the early stages of the development of fisheries, and conducting research to assess the status of stocks, determine catch limits and evaluate harvest strategies.

10.11 The Commission endorsed the priorities for future work set out by the Scientific Committee (SC-CAMLR-XVIII, paragraphs 7.21 and 7.22) aimed at:

- (i) refining the fishery development framework from SC-CAMLR-XVIII/BG/25;
- (ii) identifying data requirements from both commercial operations and research surveys;
- (iii) developing robust procedures for assessment; and
- (iv) determining the status of individual fisheries.

10.12 The Commission agreed that these activities should be addressed by the ad hoc task group in time for a draft document to be considered at the meetings of the Scientific Committee and its working groups in 2000.

10.13 Chile associated itself with the European Community in supporting the idea of a conceptual basis of a regulatory framework for all stages and procedures to govern the development of a fishery. In praising the work of the task group which had addressed this matter (SC-CAMLR-XVIII/BG/25), Chile made three remarks: (i) although priority had to be awarded to new and exploratory fisheries, the exercise should encompass the total cycle of a fishery; (ii) transition from one stage to another required refinement; and (iii) a stronger scientific component, including research and data collection as well as precautionary approaches should be incorporated in every stage of the fishery, not forgetting the advice of the Chairman of the Scientific Committee that CCAMLR should avoid another crisis such as the depletion of *N. rossii*.

10.14 The Commission endorsed the recommendation of the Scientific Committee that the advance notification scheme set out in Conservation Measure 65/XII should be applied to all notifications of new and exploratory fisheries for *Dissostichus* spp. because the high level of IUU fishing for these species in many parts of the Convention Area had rendered it unrealistic that such fisheries be regarded as 'new' (SC-CAMLR-XVIII, paragraph 7.23).

COOPERATION WITH OTHER ELEMENTS OF THE ANTARCTIC TREATY SYSTEM

Twenty-third Antarctic Consultative Party Meeting

11.1 The Executive Secretary reported on his participation at ATCM-XXIII (CCAMLR-XVIII/BG/28). The statement of the CCAMLR Observer as presented at ATCM-XXIII is reproduced in CCAMLR-XVIII/BG/5. In particular, the Executive Secretary drew the attention of the Commission to the ATCM-XXIII's call for Antarctic Treaty Consultative Parties that are also CCAMLR Members to take effective measures to conserve stocks of *Dissostichus* spp., including the adoption of a Catch Documentation Scheme (ATCM Resolution 3, 1999).

11.2 The Chairman of the Scientific Committee represented CCAMLR at the Second Meeting of the Committee for Environmental Protection (CEP) of ATCM (CCAMLR-XVIII/BG/23). He advised that his attendance at CEP had formalised establishment of a constructive link between the two bodies. He also noted that CEP was represented at this meeting of the Commission by Dr A. Press (Australia).

11.3 Among matters discussed by CEP, the following were of particular interest to CCAMLR:

- (i) CCAMLR's anticipated involvement in the provision of support to SCAR on the preparation of the State of the Antarctic Environment Report; and
- (ii) a proposal of New Zealand to expand the Balleny Islands SPA to include all of the Balleny Islands as well as the surrounding marine area.

11.4 CCAMLR was also represented at the Second Workshop on Antarctic Protected Areas by Dr J. Valencia (Chile) (CCAMLR-XVIII/BG/34). There were several major topics discussed at the workshop that were of particular interest to CCAMLR, such as criteria for identification of new areas and assessment of the effectiveness of existing and new protected areas.

11.5 Following statements made by New Zealand, Sweden, Australia, UK and Chile, the Commission commended the work of CCAMLR observers and noted with satisfaction the development of new important links between CCAMLR and the ATCM.

11.6 With respect to the ATCM Resolution 3 (1999) 'Support for CCAMLR', the Commission noted that it should be taken into account by Members in their work on the adoption and implementation of the CCAMLR Catch Documentation Scheme. The Commission noted that all Members strongly supported the efforts to deal with IUU fishing in the Convention Area.

11.7 The Commission noted the provision of Article 11 of the Protocol on Environmental Protection to the Antarctic Treaty and the CEP Rules of Procedure which provide observer status to the Chairman of the CCAMLR Scientific Committee at annual meetings of CEP. The Commission agreed that such participation would be important in the development of greater cooperation between CCAMLR and ATCM.

11.8 To this end, the Commission agreed that the Chairman of the Scientific Committee shall, *ex officio*, attend as an observer the annual meetings of CEP.

11.9 Sweden made the following statement:

'Sweden expressed its gratitude to the Executive Secretary and the Scientific Committee Chairman for the reports from the ATCM in Lima. Sweden

appreciates that CCAMLR is represented in this way at the ATCM meetings and would like to thank them for their active and knowledgeable participation, which demonstrates the important links between CCAMLR and the Antarctic Treaty. This linkage also has its bearing on the ecosystem encompassing both the continent and the surrounding waters.

It is incumbent upon us in the CCAMLR Commission to engage ourselves – in loyalty and respect of the aims and objectives of CCAMLR – in such a way that the delicate balance in the Antarctic ecosystem is not violated.

This approach calls for a close cooperation and Sweden is especially happy to note that CCAMLR – in Lima – offered to lend support to the work to be undertaken in collecting material for a study to be prepared by SCAR for CEP III, which could eventually lead to a decision to start work on a State of the Antarctic Environment Report (SAER). Sweden notes with appreciation that the Scientific Committee has already asked its working groups, WG-EMM and WG-FSA, to consider what relevant information they may be able to provide for the SAER, so that this information be forwarded to CEP. And I note with pleasure that GOSEAC has identified key variables that should be considered in assessing the status of the Antarctic environment.’

11.10 New Zealand presented to the Commission a proposal for an enlarged SPA encompassing the Balleny Islands and surrounding marine area (CCAMLR-XVIII/24). A draft management plan for the SPA was submitted to the meeting of CEP during ATCM-XXIII and also to WG-EMM. New Zealand suggested that the Commission could consider endorsing, in principle, the concept of a marine refuge around the Balleny Islands to be established as an Antarctic SPA under Annex V to the Protocol of Environmental Protection to the Antarctic Treaty. In the meantime, New Zealand proposed creating an appropriately-sized ecological refuge.

11.11 The Commission noted that the New Zealand proposal had been reviewed by GOSEAC (SC-CAMLR-XVIII/BG/27). GOSEAC had suggested that the scientific justification for the protection of the marine area be included in the draft management plan for the SPA and that feeding grounds of birds and seals be shown on the map included in this proposal. It was also suggested that the area proposed be presented as a Multiple Use Area that contains some Protected Areas.

11.12 The Commission, in dealing with the proposal, took note of advice on the matter received from the Scientific Committee (SC-CAMLR-XVIII, paragraphs 4.25 to 4.31).

11.13 Further discussions by the Commission of the New Zealand proposal are reflected in paragraph 4.9.

11.14 New Zealand suggested that a new agenda item could be included on CCAMLR’s agenda: ‘Antarctic Specially Protected Areas which include Marine Areas.’

Cooperation with SCAR

11.15 There was no full meeting of SCAR in 1999. The SCAR Observer, Dr Fanta presented her report (CCAMLR-XVIII/BG/46) and elaborated on points of interest to CCAMLR on a number of SCAR-related activities including meetings of GOSEAC (SC-CAMLR-XVIII/BG/27), Group of Specialists on Seals, SCAR Subcommittee on Evolutionary Biology of Antarctic Organisms (SC-CAMLR-XVIII/BG/29) and SCAR

Subcommittee on Bird Biology. The Report of the Scientific Committee also contains a number of details describing the work of SCAR of relevance to CCAMLR (SC-CAMLR-XVIII, paragraphs 11.33 to 11.35).

11.16 The Commission, in particular, took note that:

- (i) new terms of reference of GOSEAC include a number of areas which are of common interest with CCAMLR;
- (ii) GOSEAC expressed great concern about the high amount of IUU catches of *Dissostichus* spp. in the CCAMLR Convention Area;
- (iii) SCAR had requested:
 - (a) comments from GOSEAC on the criteria to be used to determine how far impacts originated from human activities cause harm to the environment;
 - (b) a scientific definition of dependent and associated ecosystems; and
 - (c) definition of irreparable damage to the environment by different types of marine pollution;
- (iv) a list of key variables for which data should be assembled for an Antarctic State of the Environment Report was compiled by GOSEAC; and
- (v) a list of standard techniques for environmental monitoring has been reviewed and will be published at the beginning of 2000.

11.17 Dr Fanta noted that the link between SCAR and CCAMLR should be strengthened and a closer collaboration established which would speed up the provision of results to both organisations.

11.18 Australia suggested that, given the importance of the required cooperation between CCAMLR and SCAR, it might be appropriate for the Scientific Committee Chairman to represent the Commission at SCAR meetings.

11.19 The Commission noted that since the Scientific Committee had not yet considered this as an option, it would not be possible to make a commitment for the Scientific Committee Chairman at this time.

11.20 In the meantime, it was agreed that given the fortuitous timing of the next SCAR meeting and the SCAR Working Group on Biology (10 to 14 July, Tokyo, Japan), which will be attended by Dr Fanta (Vice-Chairperson, Scientific Committee), Dr Fanta be nominated to represent CCAMLR at the SCAR meeting to be held in Tokyo, Japan, from 10 to 22 July 2000.

COOPERATION WITH OTHER INTERNATIONAL ORGANISATIONS

Reports of Observers from other International Organisations

12.1 The Commission received reports from IUCN and ASOC Observers.

12.2 The observer from IUCN reflected on a number of initiatives undertaken in the past by IUCN on matters related to CCAMLR. He also offered the following comments in an endeavour to contribute constructively to issues being addressed at the present meeting of CCAMLR:

- (i) both effective port control and trade measures are required to combat trade of IUU-caught fish;
- (ii) non-Contracting Parties, including States with important ports and markets, should be encouraged to accede to the CCAMLR Convention;
- (iii) regional tuna commissions should continue to be encouraged to investigate and report on seabird by-catch in longline fisheries falling within their competence;
- (iv) CCAMLR Members should adopt by 2001 their national plans in support of the FAO IPOA–Seabirds;
- (v) CCAMLR is invited to support South Africa’s nomination of the seven species of petrels at risk from longline fisheries in the Southern Ocean to Appendix II of the Bonn Convention; and
- (vi) IUCN considers that the adoption of Marine Protected Areas may help in the management of *Dissostichus* spp. fisheries and the reduction of seabird by-catch.

12.3 The observer from ASOC expressed his organisation’s extreme concern with the substantial amount of IUU fishing throughout the Southern Ocean. ASOC considered that the creation of a sufficiently severe enforcement regime is urgently required. It believed, reluctantly, that a crucial step towards ending IUU fishing is for CCAMLR to place a moratorium on legal fisheries for *Dissostichus* spp. Such a moratorium would require concomitant trade sanctions under the Convention on International Trade in Endangered Species (CITES). The observer stated that it makes no sense to conduct ‘legal’ fishing when the real catch is already far above what CCAMLR itself estimates as a precautionary level. He suggested that the moratorium should be maintained until such time as IUU fishing has been eliminated, all *Dissostichus* spp. stock parameters are available, a trade system for the verification of catch origin is in place and incidental catches of seabirds are eliminated.

Reports of CCAMLR Representatives at 1998/99 Meetings of other International Organisations

12.4 The Commission received reports from its observers at a number of meetings of international organisations.

Meeting of FAO and non-FAO Regional Fisheries Bodies

12.5 Italy reported on its attendance at the FAO and non-FAO Regional Fisheries Bodies meeting held in February 1999 in Rome, Italy (CCAMLR-XVIII/BG/3). The main objectives of the meeting were to exchange views and experience with respect to common issues relating to fisheries bodies and to discuss strategies for the promotion of the Code of Conduct for Responsible Fishing and recently adopted international agreements. Several conclusions of the meeting are of major importance to CCAMLR, especially with regard to the use of ‘flags of convenience’ and the application of the ecosystem approach to management. The meeting concluded that FAO should act as a communication channel among regional fisheries bodies.

12.6 The Executive Secretary, who also attended the meeting, drew the attention of the Commission to his correspondence regarding the FAO Review of Measures taken by Regional Marine Fisheries Bodies (CCAMLR-XVIII/BG/26). In this review, FAO had not included recent activities of CCAMLR related to the development and implementation of the precautionary approach to fisheries management. The Executive Secretary suggested, subject to

the approval of the Commission, that FAO could assist CCAMLR in the dissemination of a synopsis of its publication *Understanding CCAMLR's Approach to Management*. This publication, which is being prepared by the Scientific Committee, gives an accurate account of the development and implementation by CCAMLR of the precautionary approach to fisheries management. FAO has agreed with this proposal and copies of the synopsis will be made available to FAO for distribution.

FAO Committee on Fisheries

12.7 CCAMLR was represented at the Twenty-third session of COFI by the Executive Secretary (CCAMLR-XVII/4). The meeting agenda included a number of issues of interest to CCAMLR. Among these issues were progress with the implementation of the FAO Code of Conduct for Responsible Fisheries, management of fleet capacity, shark fisheries and incidental catch of seabirds in longline fisheries, and ecosystem approaches to fisheries developments.

IWC

12.8 The CCAMLR Observer to the IWC, Prof. B. Fernholm (Sweden), presented the report on the Fifty-first meeting of IWC (CCAMLR-XVIII/BG/44). IWC continues to have difficulties coming to agreement on a number of questions, including the establishment of a new Revised Management Scheme (RMS), the lifting of the Moratorium on Commercial Whaling, and acceptance of the Southern Ocean Sanctuary and agreement on new sanctuaries. Of direct interest to CCAMLR is the endorsement by IWC of SOWER 2000 (Southern Ocean Whale and Ecosystem Research) – a collaborative effort between the IWC, SO-GLOBEC and CCAMLR. Conducting whale sighting surveys during the CCAMLR-2000 Survey will help achieve the objectives of SOWER 2000. A workshop held by IWC in March 1999 considered the establishment of close cooperation between IWC, SO-GLOBEC and CCAMLR.

ICCAT

12.9 The CCAMLR Observer (European Community) reported on the Eleventh Special Meeting of ICCAT (CCAMLR-XVIII/BG/49). The Commission's attention was drawn specifically to a number of recommendations and resolutions:

- (i) prohibition of landing and transshipment from vessels of non-Contracting Parties which have committed serious infractions;
- (ii) establishment of closed seasons and areas for the use of aggregation devices to reduce the capture of juvenile fish in purse-seine fisheries; and
- (iii) establishment of a working group on criteria for the allocation of quotas under ICCAT.

I-ATTC

12.10 The European Community represented CCAMLR as an observer to the Sixty-third, Sixty-fourth and Sixty-fifth Meetings of I-ATTC. The main issues of relevance to CCAMLR were the debate on fish aggregating devices and their impact on the status of stocks of juvenile tuna, a catch limit on juvenile fish, and the establishment of a compliance working group.

CCSBT

12.11 Japan, observer to the Fifth Meeting of CCSBT (CCAMLR-XVIII/BG/43), informed the Commission that CCSBT has adopted a resolution requesting other fishing nations and entities operating within the range of southern bluefin tuna to reduce their fleet capacity. It has also developed procedures for inviting non-Contracting Parties involved in the fishery to become members and to be involved in the setting of quotas. Development of a Trade Information Scheme was discussed at a workshop last July.

Indian Ocean Tuna Commission

12.12 The Commission noted the IOTC Observer's report (CCAMLR-XVIII/BG/32).

Nomination of CCAMLR Representatives to 1999/2000 Meetings of International Organisations

12.13 The following observers were nominated to represent CCAMLR at intersessional meetings in 1999/2000:

- (i) Sixteenth Regular Meeting of ICCAT, 15 to 22 November 1999, Brazil – Brazil;
- (ii) Sixth Annual Commission Meeting of CCSBT, 29 to 30 November 1999, Canberra, Australia – Australia;
- (iii) FAO Working Party on Status and Trends of Fisheries, 30 November to 3 December 1999, FAO, Rome – Italy;
- (iv) FAO Technical Meeting on the Measurement of Fishing Capacity, 29 November to 3 December 1999, Mexico – European Community;
- (v) Fourth Session of the IOTC Commission, 13 to 16 December 1999, Japan – Japan;
- (vi) International Convention of Monitoring Control and Surveillance of Fishing Activities, 25 to 27 January 2000, Santiago, Chile – Chile;
- (vii) Eleventh Meeting of CITES, 10 to 20 April 2000, Gigiri, Kenya – New Zealand;
- (viii) Fifty-second Annual Meeting of IWC, July 2000, Australia – Sweden;
- (ix) Twenty-fourth Antarctic Treaty Consultative Meeting (venue and dates to be determined) – Executive Secretary;
- (x) CEP (venue and dates to be determined) – Chairman of the Scientific Committee;
- (xi) the Third Workshop on Antarctic Specially Protected Areas (venue and dates to be determined) – Chile;
- (xii) Secretariat of the Pacific Community (Regional Technical Meeting) (venue and dates to be determined) – France;
- (xiii) the Second Conference of Fisheries' Managers of the Pacific Community (venue and dates to be determined) – France;

(xiv) I-ATTC, Sixty-sixth Meeting, 14 and 15 June 2000, Costa Rica; and

(xv) XXVI SCAR, 10 to 22 July 2000, Tokyo, Japan – Brazil (Dr Fanta) (see paragraph 11.20 above).

12.14 In accordance with existing practice, wherever possible, each CCAMLR representative was nominated from a Member State hosting a meeting or, if a meeting is held in countries outside CCAMLR's membership, from a Member State attending the meeting (CCAMLR-XIII, paragraphs 12.9 to 12.15).

12.15 Chile noted that although the Commission nominated observers to the 1999/2000 meetings in accordance with existing practice, in future it may be better to consider nominating observers who could make an effective contribution on behalf of CCAMLR to particular meetings of international organisations. The Commission, noting the discussions on this matter at its 1994 meeting (CCAMLR-XIII, paragraphs 12.9 to 12.15), agreed to reconsider this matter in depth at its next meeting.

CONSIDERATION OF THE IMPLEMENTATION OF THE OBJECTIVE OF THE CONVENTION

13.1 Chile presented a paper commenting on various aspects of the implementation of the objective of the Convention (CCAMLR-XVIII/BG/50 Rev. 1). In doing so, Chile first made the following statement:

‘The position of the Government of Chile regarding the sovereign rights of the Argentine Republic over the Falkland (Malvinas) and its so-called ‘dependencies’, San Pedro or South Georgia, as well as the South Sandwich inadvertently omitted from the footnote, has been reiterated in successive Presidential Declarations and in the initiative traditionally taken by Chile at the United Nations. Although such matters are alien to this forum, that is not entirely the case of the correspondence mentioned in the footnote which reflected:

- doubts concerning the right of the United Kingdom to invoke the Chairman's Statement;
- inconvenience of such invocation, given the *sub lite* character of the concerned territories with regard to which the Argentine Republic would have at least the same rights of invocation, which she has refrained from exercising;
- damage for the claimants' position in the precedent adopted by the United Kingdom introducing, at least in appearance, a differentiation between areas located to the north and to the south of parallel 60°S; and
- rejection of unilateral actions when, going beyond and contradicting the spirit of the Chairman's Statement, they disrupt and undermine instead of contributing to the objective of the Convention.

This document concerns exclusively the last of the four points identified in our correspondence with the United Kingdom and I believe that there is yet much to be accomplished both in terms of avoidance of unilateral actions or, when these become necessary, to apply them in a manner not only consistent but also conducive to the strengthening of the multilateral framework.’

13.2 Argentina referred to this statement and responded:

‘The Delegation of Argentina has recently received the document CCAMLR-XVIII/BG/50 Rev. 1. It wishes to recall that during the 1998 Commission meeting various delegations requested that the statement by Chile on this point be circulated during the intersessional period so that it could be considered during the present meeting. The lack of available time has not permitted an in-depth study of the document, although on a first reading of its contents it would seem to be a reflection, in many ways valuable, on a complex issue. However, the document contains certain statements with which the Delegation of Argentina does not concur.

In relation to the point which relates to the application and interpretation of the Convention and to the Statement of the Chairman of 19 May 1980, the Delegation of Argentina reiterates the basic position of its Government which may be found in the notes to the Executive Secretary of 18 July and 3 October 1996 and in other related and complementary notes and documents, paragraphs 13.1 to 13.13 and 13.39 of the Report of the Fifteenth Meeting of the Commission, paragraphs 9.59, 9.60 and 9.66 of the Report of the Sixteenth Meeting of the Commission and paragraphs 4.13 and 4.18 of the Report of SCOI last year.

Given the lack of time referred to above, the Delegation of Argentina does not wish to expand on matters which were, as mentioned above, of great complexity although it would like, by way of example, to recall briefly that, in matters arising from the interpretation of legal texts, legal norms exist which are applicable in international law, specifically, general principles of law, including, *inter alia*, the principle of *effet utile* (recalled in point 13.4 of the Report of the Fifteenth Meeting of the Commission), which is without doubt a norm with compulsory content which should be taken into account when undertaking the corresponding legal analysis.

After this meeting Argentina will analyse the document with sufficient time and will make any comments which may be appropriate through the Secretariat.’

13.3 France expressed a general reservation regarding the text of the Delegation of Chile. Furthermore, the Delegation of France considered that as a priority, CCAMLR should take action against illegal fishing.

13.4 The UK also made reference to the Chilean paper:

‘Earlier this week the distinguished representative of Chile introduced his paper (CCAMLR-XVII/BG/50 Rev. 1) on Item 13 (Consideration of the implementation of the objective of the Convention). It confirmed that the 1980 Chairman’s Statement applies to South Georgia and the South Sandwich Islands, even if the reasoning may not be fully in accord with our own. The paper had been revised, the day after it was first circulated, by the addition of a footnote to make it clear that, although Chile recognises that the United Kingdom has “control” over the territory, it does not recognise our sovereignty. So far, so good. However, in introducing the paper the Chilean delegate made a lengthy “interpretative declaration” putting a gloss on the footnote. The gloss apparently seeks to cast doubt on the applicability of the Chairman’s Statement to South Georgia and the South Sandwich Islands.

Not only does this changing situation indicate a degree of doubt as to the Chilean position, but other matters he referred to also require me to make this statement.

I will make four points. First, South Georgia and the South Sandwich Islands is *not* a dependency of the Falkland Islands. In the past it was, for convenience, administered as such. But since 1985 it has been a separate territory with its own Constitution. Moreover, sovereignty over the territory has a quite different legal basis from that of the Falkland Islands. (And I trust, Mr Chairman, that the Falkland Islands will not again be brought up in this Commission. To do so is unlikely to be conducive to our work.)

Secondly, as I mentioned at the 1996 meeting of the Commission (paragraph 13.18 of the report), in 1955 the United Kingdom commenced proceedings against Argentina in the International Court of Justice for a ruling on sovereignty over the territory, but since Argentina did not agree to accept the jurisdiction of the Court, the case had to be discontinued. The argument that while the sovereignty dispute is unresolved we should not invoke the Chairman's Statement, and not exercise coastal state jurisdiction, is therefore not one we can accept.

Thirdly, the 200 n miles Maritime Zone established around the South Georgia and the South Sandwich Islands extends south of 60°S into the Antarctic Treaty area, but the fishing legislation for the Zone does not apply south of 60°S. This restraint on our part is to avoid any complications with the Antarctic Treaty.

Fourthly, the Chilean statement echoes the view, expressed many times by Argentina, that our exercise of coastal state jurisdiction is "unilateral" and contrary to the "spirit" of the Convention. As I have made clear before (report of the 1996 meeting, paragraph 13.23), the serious threat to toothfish stocks from IUU fishing was the reason we decided to exercise our jurisdiction in what is a crucial part of the CCAMLR area for marine resources. Our action has resulted in one of the few real successes in recent years for the objectives of the Convention. The requirement to fish in accordance with the conservation measures is written into the territory's legislation. By this means, consistency with the measures is achieved. Furthermore, we have studiously refrained from placing reservations on any measure – as we would be entitled to do under the Chairman's Statement. This is in contrast to the growing practice of some other Members. Observer programs are commonplace around South Georgia. The System of Inspection is routinely exercised there, and tough enforcement measures are taken. Our fisheries management, which includes, as a priority, scientific research, is barely mirrored elsewhere in the Conventions waters. The net result is a sustainable fishery. These are hardly matters which are inconsistent with the objectives of our Convention.

Lastly, our Argentine and Chilean colleagues may feel the need to make further statements. That is their right. I will only say – as our French colleague has said before – our time is limited and would be better spent tackling the immediate and increasing menace of poaching (including by all too many vessels registered with Members of this Commission), rather than in unproductive exchanges on a matter which is all too well known to us all.

I also request that this statement be reproduced verbatim in our report.'

13.5 Argentina responded:

'The Delegation of Argentina has heard the declaration made by the United Kingdom on this last day of the CCAMLR meeting. Clearly, the Delegation of Argentina does not share the points of view expressed and, naturally, rejects them. At the same time, Argentina reiterates its basic position, as explained in the notes dated 18 July and 3 October 1996, as well as in complementary and related notes,

in the Reports of the Fifteenth and Sixteenth Meeting of the Commission (CCAMLR-XV, paragraphs 13.1 to 13.13 and 13.39, CCAMLR-XVI, paragraphs 9.59, 9.60 and 9.66) and paragraphs 4.13 and 4.18 of the SCOI Report in 1998. The Delegation of Argentina reserves its right to respond *in extenso* to the Declaration of the United Kingdom, at some time after the end of this meeting of the Commission.

On this occasion, very briefly and by way of a preliminary comment, the Delegation of Argentina advises, once more, that the essence of the British argument, the premises upon which it is built and the conclusions derived from it, rest upon repeated hypotheses which are not only unconvincing, but devoid of sound legal grounds. For example, it is sufficient to assert that the British argument precludes elementary criteria and interpretative rules of international law. As if trying, Mr President, by reiterating what is said several times, to turn it into the truth.

Given this, the arguments of the United Kingdom cannot invalidate the position held by Argentina, which is different and well founded. It is also worthwhile to reflect now upon the British offer referred to by the British Delegation, made in the decade of the 50s, which proposed to take this sovereignty dispute before the International Court of Justice. In this respect, the Delegation of Argentina wishes to point out that the British Delegation has forgotten to mention that the offer included Antarctic areas under the jurisdiction of Argentina, but not the Malvinas/Falkland Islands. As Argentina has already recalled during this meeting of the Commission, the controversy between Argentina and the United Kingdom refers to sovereignty upon the Malvinas/Falkland, South Georgia and Sandwich Islands, that is to say, upon the three Antarctic archipelagos and adjacent waters.'

13.6 Chile advised the Commission:

'Chile expressed its appreciation for the statements of a number of delegations, and took full account of them in order to direct any future discussions of the subject. Chile also referred to: the United Kingdom's statement about the administrative structure of the territories concerned, an invocation of the judicial procedure to be followed in Antarctic controversies that was superseded by the Antarctic Treaty, and to an apparent misunderstanding regarding its cooperative and non unilateral approach to decisions within the framework of the Convention.'

13.7 Uruguay stated:

'The Delegation of Uruguay listened attentively to the statements made in full plenary by various delegations of friendly countries that have promoted and upheld the Antarctic System and, thus, this Convention.

The Delegation of Uruguay also examined the excellent document (CCAMLR-XVIII/BG/50 Rev.1) presented by the Delegation of Chile, and listened carefully to the explanation given by the Head of the Chilean Delegation.

This document gives a comprehensive and profound analysis on which we agree in general but, given the wide scope of the subjects focused upon, they deserve to be given more detailed attention.

In these circumstances, the Delegation of Uruguay reaffirms the opinions expressed at the 1996 meeting of the Commission and hopes that the Parties involved will work towards finding a quick solution to the controversies that contribute nothing towards achieving the objectives of this Convention, either by

unilaterally implementing the conservation measures or by making repeated statements about geographical areas which are the basis of controversies of another nature.

Therefore, the Delegation of Uruguay appeals these friendly countries, and pillars of the Antarctic System, either to take the necessary steps towards finding the best solution to their controversies or to remove them from the ambit of the Convention.'

13.8 Chile then introduced CCAMLR-XVIII/BG/50 Rev. 1, stressing that consideration of Agenda Item 13 in a systematic manner should constitute, *mutatis mutandis*, the equivalent within CCAMLR of Agenda Item 'Operation of the Antarctic Treaty System' in the Antarctic Treaty Consultative meetings. It considered that, assuming that the illegal fishery may be seen as the main challenge to the objective of the Convention, some inherent weaknesses in the CCAMLR system had allowed such a challenge to develop. But even if the IUU was finally defeated, implementation of the objective could remain an unfinished task.

13.9 The document analysed six areas where Chile believed that cooperation among Members should be intensified and referred as well to other international instruments, such as UNIA, the FAO Compliance Agreement and Code for Responsible Fishing, quoting from the relevant provisions of the three legal bodies to support the emerging consensus on the extent of States' rights and obligations in the conservation of marine living resources. Chile considered that CCAMLR should also look towards other international and regional fisheries organisations and willingly cooperate with them in the pursuit of its own objective. The paper indicated that the ecosystem management approach represented CCAMLR's great achievement and Chile thanked the Executive Secretary for enlisting FAO's support for a wider distribution of the book *Understanding CCAMLR's Approach to Management*.

13.10 Several Members noted, in particular, the comments of Chile with respect to interaction with other international organisations. They believed that such interaction was increasingly prevalent and important and that this would require further consideration at future meetings of the Commission. The Republic of Korea considered, however, that increased interaction with CITES would not be appropriate. Both New Zealand and the USA identified certain aspects of CCAMLR's position in the Antarctic system as requiring clarification.

13.11 Spain made the following observation:

'The Delegation of Spain sincerely thanked the Delegation of Chile for the preparation of document CCAMLR-XVIII/BG/50 Revision 1 and considers it to contain many interesting proposals which will have to be extensively considered by Members during the forthcoming meetings of the Commission.

Nevertheless, with respect to item a) of the document, the Delegation of Spain understands that it encompasses assertions which are not devoid of controversy and which thus require a thorough examination.

Therefore, the Delegation of Spain reserves its legal position concerning item a) and requests that Member States can reflect on the entire document during the intersessional period.

On the other hand, with respect to the sovereignty controversy itself between Argentina and the United Kingdom, both claiming jurisdiction over the South Georgia and South Sandwich Islands, the Delegation of Spain wishes to reiterate its position on this question, which was previously explained during the discussions at CCAMLR-XV on the 'Interpretation and Implementation of the

Convention and the 1980 Declaration of the Chairman in relation to Subareas 48.3 and 48.4'. The position is explained in the CCAMLR-XV report, item 13, paragraph 13.35.

In this context, the Delegation of Spain still reserves its legal position concerning the essence of the sovereignty controversy between Argentina and the United Kingdom over Subareas 48.3 (South Georgia Islands) and 48.4 (South Sandwich Islands).

Similarly, Spain continues to encourage both parties to persevere in their bilateral efforts, outside CCAMLR's ambit, to reach a solution, and to abstain from adopting unilateral measures which would make it more difficult to reach such solution.'

13.12 Other Members also expressed general appreciation of the fact that Chile had presented so many important and thought-provoking issues to the meeting, but many also noted that the paper being presented had only been available for a day. Due to the lack of time available at the meeting to give full consideration to such complex matters, they therefore found it necessary to advise a general reservation in respect of the issues presented.

13.13 The Commission agreed that this item should continue to be included in its agenda for future years.

ELECTION OF VICE-CHAIRMAN OF THE COMMISSION

14.1 It was noted that Uruguay would complete its term as Vice-Chairman of the Commission at the conclusion of the Eighteenth Meeting. Russia was elected to serve in this position from the end of the 1999 meeting until the end of the meeting in 2001. It was noted that this appointment would be appropriate not only in reflecting the valuable contribution which Russia makes to the Commission, but also would be consistent with the desire of the Commission to balance the chairmanship and vice-chairmanship in terms of harvesting activities of the Members.

APPOINTMENT OF THE EXECUTIVE SECRETARY

15.1 The Commission agreed to extend the tenure of the Executive Secretary for a further year until February 2002. In order to solicit applications for his replacement from the widest possible range of candidates, it was agreed that the search for the new Executive Secretary be initiated at CCAMLR-XIX in accordance with agreed procedures.

15.2 The Commission instructed SCAF to clarify the terms of tenure of an Executive Secretary and consider an amendment to the Rules of Procedure at the next meeting to reflect the consensus of Parties that an Executive Secretary should serve no more than two consecutive terms.

NEXT MEETING

16.1 The Commission decided that the following states, who have acceded to the Convention, Bulgaria, Canada, Finland, Greece, Netherlands and Peru and the following

intergovernmental and non-governmental organisations: ASOC, CCSBT, CEP, FAO, FFA, I-ATTIC, ICCAT, IOC, IOFC, IUCN, IWC, SCAR, SCOR, SPC and UNEP be invited to attend CCAMLR-XIX as observers.

16.2 The Commission recognised the valuable contribution made by the Governments of Denmark (in respect of the Faroe Islands), Mauritius and Namibia to the work of the Commission at CCAMLR-XVIII and it was agreed that they should again be invited to attend CCAMLR-XIX as observers. The Commission also agreed to again invite Belize, Panama, Portugal, Seychelles and Vanuatu, as it believed those Parties may be interested in, and be able to contribute to, the work of the Commission.

16.3 The European Community explained that exceptional diplomatic circumstances had prevented Portugal from being represented at CCAMLR-XVIII.

16.4 The Commission agreed with the suggestion of Chile that the Permanent Commission for the South Pacific be invited and encouraged to attend as they were interested in areas adjacent to the Convention Area, and concerned with issues in common with the Commission.

16.5 Due to China's involvement in the trade of *Dissostichus* spp., the Commission agreed that the Chairman should write a letter to the Government of China inviting it to attend CCAMLR-XIX as an observer.

Date and Location of Next Meeting

16.6 Members agreed that the 2000 meeting of the Commission and the Scientific Committee be held at the Wrest Point Hotel in Hobart, Australia, during the period 23 October to 3 November 2000. Heads of Delegation were requested to be in Hobart for a Heads of Delegation meeting on 22 October 2000.

16.7 Members were reminded that the 2000 meeting would be taking place at the same time as the Paralympics and shortly after the Olympic Games, both of which will take place in Sydney, Australia. While arrangements have been made to ensure that all meeting services are committed for the period of the 2000 meeting, delegates were advised to ensure that travel arrangements for the meeting be made as early as possible.

OTHER BUSINESS

17.1 Argentina presented the following statement to the Commission:

'The Delegation of Argentina wishes to express its appreciation for the excellent performance of the Secretariat during this meeting. It is pleased to see that the efficiency and professionalism of the Secretariat's staff has increased over the years. However, we would like to ask you, as Chairman of the Commission, to ensure that in future the Executive Secretary exercises extreme care when accepting modifications to drafts submitted by delegations with respect to their own statements to be included in the reports so that the Secretariat staff takes instructions only from their immediate superiors.

The Republic of Argentina reserves its right to respond after this CCAMLR meeting to the British note, which it rejects, and was distributed together with COMM CIRC 99/106 of 19 October 1999. In this note, the UK appears unaware that an error in the Secretariat's translation of Argentina's note, dated 6 August 1999 and distributed with COMM CIRC 99/83, had already been rectified in

COMM CIRC 99/90. The UK makes inaccurate and incorrect references with respect to the waters surrounding the Malvinas/Falkland Islands. In this respect, Argentina reiterates on this occasion that it does not recognise the UK as a Coastal State in the Southwest Atlantic, nor in the Convention Area.

Argentina reserves its right to expand on the UK statement at a further stage.'

17.2 In response, the UK made the following statement:

'Reference was made this morning by Argentina to inaccuracies in the United Kingdom's note of 18 October replying to Argentina's letter of 6 August. We have re-examined this matter very carefully. Our note, Mr Chairman, is wholly accurate.

The original letter of 6 August from Argentina contained two references to the Falkland/Malvinas Islands. Both references in our view were wholly inappropriate in a communication to this Commission. In the amended translation of the letter from Argentina which was circulated as COMM CIRC 99/90, there was deletion of one of those references to the Falkland Islands. But either deliberately, or otherwise, a reference to the Falkland Islands was retained in line 2 of that revision. The retention of that reference is in our view also inappropriate in a communication to this Commission.

It was from this point of departure that our note of 18 October was constructed. We contest that its contents are accurate.

However, Mr Chairman, we note the comments made by Argentina this morning and await any further communication on this matter.'

17.3 Argentina replied:

'The Delegation of Argentina clearly does not agree with the statement made by the Delegation of the United Kingdom, where inaccurate and erroneous concepts are reiterated. Further to our statement presented in paragraph 17.1, the Delegation of Argentina recalls that the unilateral actions of the United Kingdom, which were challenged by Argentina in its note of 6 August 1999, refer exclusively to those carried out in the CCAMLR Area. Therefore, as soon as the error in the Secretariat's translation was noticed, the Government of Argentina sought an immediate rectification. The error consisted in an added reference to the Malvinas/Falkland Islands relating them to the unilateral actions mentioned above.

The sole reference made in the note to the Malvinas/Falkland, South Georgia and South Sandwich Islands, is valid because in that instance, the reference was made by Argentina in defence of its sovereign rights with respect to the subject of controversy. In this respect, the subject of controversy on sovereignty between the Republic of Argentina and the United Kingdom involves the three Southern archipelagos and surrounding waters.

The Delegation of Argentina rejects the concepts expressed by the British delegation and reaffirms its position as stated in paragraph 17.1.'

REPORT OF THE EIGHTEENTH MEETING OF THE COMMISSION

18.1 The Report of the Eighteenth Meeting was adopted.

CLOSE OF THE MEETING

19.1 Mr Scully, on behalf of the delegates, thanked the Chairman, Dr Muthunayagam, and the Secretariat for its support. Significant advances had been made during the meeting, including the establishment of the Catch Documentation Scheme. Dr Muthunayagam's leadership, patience and good humour had been greatly appreciated.

19.2 In closing the meeting, the Chairman thanked the Chairmen of the Scientific Committee (Dr Miller), SCOI (Mr Bryden) and SCAF (Mr Ybáñez Rubio), and the drafting groups on conservation measures (Mr Scully) and Catch Documentation Scheme (Dr Agnew). He also thanked all delegates for their participation and hard work.

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LIST OF DOCUMENTS

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CCAMLR-XVIII/1	Provisional Agenda for the Eighteenth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources
CCAMLR-XVIII/2	Provisional Annotated Agenda for the Eighteenth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources
CCAMLR-XVIII/3	Examination of the audited financial statements for 1998 Executive Secretary
CCAMLR-XVIII/4	Review of the 1999 budget, draft 2000 budget and forecast budget for 2001 Executive Secretary
CCAMLR-XVIII/5	Vacant
CCAMLR-XVIII/6	Review of Members' annual reporting obligations Secretariat
CCAMLR-XVIII/7	Publication of <i>CCAMLR Science</i> Secretariat
CCAMLR-XVIII/8	Notification of South Africa's intention to initiate an exploratory fishery Delegation of South Africa
CCAMLR-XVIII/9	Notification of South Africa's intention to initiate new/exploratory fisheries Delegation of South Africa
CCAMLR-XVIII/10	Notification of New Zealand's intention to continue an exploratory fishery Delegation of New Zealand
CCAMLR-XVIII/11	Notification of Australia's intention to initiate a new fishery Delegation of Australia
CCAMLR-XVIII/12	Notification of Australia's intention to initiate an exploratory fishery Delegation of Australia
CCAMLR-XVIII/13	Proposal by Chile for an exploratory fishery of <i>Dissostichus</i> spp. (<i>D. eleginoides</i> and <i>D. mawsoni</i>) in the CCAMLR Convention Area Delegation of Chile
CCAMLR-XVIII/14	Notification of Uruguay's intention to initiate a new fishery Delegation of Uruguay
CCAMLR-XVIII/15	Timing of payment of Members' contributions Executive Secretary

CCAMLR-XVIII/16	Review of formula for calculating Members' contributions Executive Secretary
CCAMLR-XVIII/17	Proposal to revise investment policy Executive Secretary
CCAMLR-XVIII/18	UN review of CCAMLR salaried positions Delegation of the USA
CCAMLR-XVIII/19	Review of working arrangements for the Standing Committee on Observation and Inspection (SCOI) Secretariat
CCAMLR-XVIII/20	Notification of France's intention to initiate new and exploratory fisheries Delegation of France
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CCAMLR-XVIII/25	Report of the Standing Committee on Observation and Inspection (SCOI)
CCAMLR-XVIII/26	Report of the Standing Committee on Administration and Finance (SCAF)

CCAMLR-XVIII/BG/1 Rev. 1	List of documents
CCAMLR-XVIII/BG/2	List of participants
CCAMLR-XVIII/BG/3	Report on the meeting of FAO and non-FAO regional fisheries bodies or arrangements CCAMLR Observer (Italy)
CCAMLR-XVIII/BG/4	Report on the Twenty-Third Session of the Committee on Fisheries (COFI) Executive Secretary
CCAMLR-XVIII/BG/5	Report of the CCAMLR Observer to ATCM XXIII Executive Secretary
CCAMLR-XVIII/BG/6	Beach debris survey – Main Bay, Bird Island, South Georgia, 1997/98 Delegation of the United Kingdom

CCAMLR-XVIII/BG/7	Beach debris survey Signy Island, South Orkney Islands, 1998/99 Delegation of the United Kingdom
CCAMLR-XVIII/BG/8	Late payment of contributions – the necessity for tighter regulations Executive Secretary
CCAMLR-XVIII/BG/9	Implementation of conservation measures in 1998/99 Secretariat
CCAMLR-XVIII/BG/10	Summary of current conservation measures and resolutions – 1998/99 Secretariat
CCAMLR-XVIII/BG/11	Report on assessment and avoidance of incidental mortality in the Convention Area 1998/99 South Africa
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CCAMLR-XVIII/BG/14	CCAMLR activities on monitoring marine debris in the Convention Area Secretariat
CCAMLR-XVIII/BG/15	Implementation of the System of Inspection and other CCAMLR enforcement provisions in the 1998/99 season Secretariat
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CCAMLR-XVIII/BG/18	Relevamiento de desechos marinos 1998/99 Delegación de Uruguay
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CCAMLR-XVIII/BG/20	New Zealand report on lost fishing gear, marine debris and the assessment and avoidance of incidental mortality in Statistical Subarea 88.1 in the 1998/99 season Delegation of New Zealand
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CCAMLR-XVIII/BG/22	Beach litter accumulation at sub-Antarctic Marion Island – 1998/99 Delegation of South Africa
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CCAMLR-XVIII/BG/24	International conference, monitoring, control and surveillance on fishing activities Santiago, Chile, 25–27 January 2000 Secretariat
CCAMLR-XVIII/BG/25	Report on assessment and avoidance of incidental mortality in the Convention Area 1998/99 Japan
CCAMLR-XVIII/BG/26	On the exchange of information with FAO on CCAMLR activities Executive Secretary
CCAMLR-XVIII/BG/27	Implementación de las medidas de conservación de la CCRVMA en Chile Delegación de Chile
CCAMLR-XVIII/BG/28	Report of the CCAMLR Observer at the XXIIIrd Antarctic Treaty Consultative Meeting Executive Secretary
CCAMLR-XVIII/BG/29	Information on trade in <i>Dissostichus</i> spp. Delegation of Australia
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CCAMLR-XVIII/BG/31	Report on assessment and avoidance of incidental mortality in the Convention Area 1998/99 Australia
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CCAMLR-XVIII/BG/33	Implementation by the United States of Conservation Measure 148/XVII, automated satellite-linked vessel monitoring systems (VMS) Delegation of the USA
CCAMLR-XVIII/BG/34	Report to CCAMLR of the observer to the Second Workshop on Antarctic Protected Areas CCAMLR Observer (J. Valencia, Chile)
CCAMLR-XVIII/BG/35	Report on assessment and avoidance of incidental mortality in the Convention Area 1998/99 USA

- CCAMLR-XVIII/BG/36 Report on assessment and avoidance of incidental mortality in the Convention Area 1998/99
Republic of Korea
- CCAMLR-XVIII/BG/37 Summary of measures taken to combat illegal, unregulated and unreported fishing in the Convention Area for the year to 30 June 1999
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- CCAMLR-XVIII/BG/38 Notification of research vessel activity in the Convention Area
Delegation of the United Kingdom
(This document was presented to the meeting of WG-FSA as WG-FSA-99/41)
- CCAMLR-XVIII/BG/39 Synthesis of marine debris survey at Cape Shirreff, Livingston Island, during the Antarctic season 1998/99
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- CCAMLR-XVIII/BG/40 Report on assessment and avoidance of incidental mortality in the Convention Area 1998/99
Brazil
- CCAMLR-XVIII/BG/41 Report of the Antarctic and Southern Ocean Coalition (ASOC) to the XVIIIth Meeting of the Convention on the Conservation of Antarctic Marine Living Resources
Submitted by ASOC
- CCAMLR-XVIII/BG/42 Ad hoc Workshop of the APEC Fisheries Working Group on Fisheries Management
Delegation of Japan
- CCAMLR-XVIII/BG/43 The report of the CCSBT5 and 5(2) as the Observer from CCAMLR
CCAMLR Observer (Japan)
- CCAMLR-XVIII/BG/44 Observer's report from the 51st Meeting of the International Whaling Commission
CCAMLR Observer (Prof. B. Fernholm, Sweden)
- CCAMLR-XVIII/BG/45 List of vessels of CCAMLR Members intending to harvest marine living resources in the Convention Area during the year beginning 1 July 1999
Secretariat
- CCAMLR-XVIII/BG/46 Report of the SCAR Observer to CCAMLR
Observer (E. Fanta, Brazil)
- CCAMLR-XVIII/BG/47 Première Conférence des Directeurs des Services des Pêches des pays et territoires membres de la Communauté du Pacifique
Observateur de la CCAMLR (France)
- CCAMLR-XVIII/BG/48 The Catch Documentation Scheme under WTO rules
Submitted by IUCN
- CCAMLR-XVIII/BG/49 Informe de la undécima reunión extraordinaria de la Comisión Internacional para la Conservación del Atún Atlántico
Delegación de Comunidad Europea

CCAMLR-XVIII/BG/50 Rev. 1	Consideration of the implementation of the objective of the Convention Delegation of Chile
CCAMLR-XVIII/BG/51	Policy to enhance cooperation between CCAMLR and non-Contracting Parties Delegation of Australia
CCAMLR-XVIII/BG/52	Policy to enhance cooperation between CCAMLR and non-Contracting Parties Delegation of the European Community

CCAMLR-XVIII/MA/1	Report of Member's activities in the Convention Area 1998/99 South Africa
CCAMLR-XVIII/MA/2	Report of Member's activities in the Convention Area 1998/99 Poland
CCAMLR-XVIII/MA/3	Report of Member's activities in the Convention Area 1998/99 New Zealand
CCAMLR-XVIII/MA/4	Report of Member's activities in the Convention Area 1998/99 Ukraine
CCAMLR-XVIII/MA/5	Report of Member's activities in the Convention Area 1998/99 Norway
CCAMLR-XVIII/MA/6	Report of Member's activities in the Convention Area 1998/99 Chile
CCAMLR-XVIII/MA/7	Report of Member's activities in the Convention Area 1998/99 Uruguay
CCAMLR-XVIII/MA/8	Report of Member's activities in the Convention Area 1998/99 Russia
CCAMLR-XVIII/MA/9	Report of Member's activities in the Convention Area 1998/99 France (available in French only)
CCAMLR-XVIII/MA/10	Report of Member's activities in the Convention Area 1998/99 Germany
CCAMLR-XVIII/MA/11	Report of Member's activities in the Convention Area 1998/99 United Kingdom
CCAMLR-XVIII/MA/12	Report of Member's activities in the Convention Area 1998/99 Japan
CCAMLR-XVIII/MA/13	Report of Member's activities in the Convention Area 1998/99 Australia
CCAMLR-XVIII/MA/14	Report of Member's activities in the Convention Area 1998/99 Italy

CCAMLR-XVIII/MA/15	Report of Member's activities in the Convention Area 1998/99 USA
CCAMLR-XVIII/MA/16	Report of Member's activities in the Convention Area 1998/99 Argentina (available in Spanish only)
CCAMLR-XVIII/MA/17	Report of Member's activities in the Convention Area 1998/99 Republic of Korea
CCAMLR-XVIII/MA/18	Report of Member's activities in the Convention Area 1998/99 Brazil
CCAMLR-XVIII/MA/19	Report of Member's activities in the Convention Area 1998/99 Spain (available in Spanish only)

SC-CAMLR-XVIII/1	Provisional Agenda for the Eighteenth Meeting of the Scientific Committee for the Conservation of Antarctic Marine Living Resources
SC-CAMLR-XVIII/2	Provisional Annotated Agenda for the Eighteenth Meeting of the Scientific Committee for the Conservation of Antarctic Marine Living Resources
SC-CAMLR-XVIII/3	Report of the Working Group on Ecosystem Monitoring and Management (Santa Cruz de Tenerife, Spain, 19 to 29 July 1999)
SC-CAMLR-XVIII/4	Report of the Working Group on Fish Stock Assessment (Hobart, Australia, 11 to 21 October 1999)

SC-CAMLR-XVIII/BG/1 Rev. 2	Catches in the Convention Area 1998/99 and related data Secretariat
SC-CAMLR-XVIII/BG/2	Report of the CCAMLR Observer at the 1998 ICES Symposium CCAMLR Observer (D.G.M. Miller, Chairman of the Scientific Committee)
SC-CAMLR-XVIII/BG/3	Observer's report from the 51st Meeting of the Scientific Committee of the International Whaling Commission Grenada, 3–15 May 1999 CCAMLR Observer (K.-H. Kock, Germany)
SC-CAMLR-XVIII/BG/4	Attendance at the 23rd Session of the Committee on Fisheries of the Food and Agriculture Organisation of the United Nations Rome, Italy, 15–19 February 1999 CCAMLR Observer (J. Cooper, South Africa)
SC-CAMLR-XVIII/BG/5	Entanglement of Antarctic fur seals <i>Arctocephalus gazella</i> in man-made debris at Bird Island, South Georgia during the 1998 winter and 1998/99 pup-rearing season Delegation of the United Kingdom

- SC-CAMLR-XVIII/BG/6 Entanglement of Antarctic fur seals *Arctocephalus gazella* in man-made debris at Signy Island, South Orkney Islands, 1998/99
Delegation of the United Kingdom
- SC-CAMLR-XVIII/BG/7 Anthropogenic feather soiling, marine debris and fishing gear associated with seabirds at Bird Island, South Georgia, 1998/99
Delegation of the United Kingdom
- SC-CAMLR-XVIII/BG/8 Data management: report on activities during 1998/99
Secretariat
- SC-CAMLR-XVIII/BG/9 Report on the 18th session of the Coordinating Working Party on Fisheries Statistics (CWP-18)
Secretariat
- SC-CAMLR-XVIII/BG/10 Monitoring results of marine debris at King Sejong Station, Antarctica, during 1997–1999
Delegation of the Republic of Korea
- SC-CAMLR-XVIII/BG/11 Summary of scientific observations on longline fisheries conducted in the 1998/99 season in accordance with the Scheme of International Scientific Observation and national observation programs
Secretariat
- SC-CAMLR-XVIII/BG/12 Calendar of meetings of relevance to the Scientific Committee – 1999/2000
Secretariat
- SC-CAMLR-XVIII/BG/13 Report of the World Conservation Union (IUCN) to the XVIIIth meeting of the Convention on the Conservation of Antarctic Marine Living Resources
IUCN Observer (J. Cooper, South Africa)
- SC-CAMLR-XVIII/BG/14 Marine debris and fishing gear associated with seabirds at sub-Antarctic Marion Island – 1998/99
Delegation of South Africa
- SC-CAMLR-XVIII/BG/15 Report on the international conference on integrated fisheries monitoring
Sydney, Australia, 1–5 February 1999
CCAMLR Observer (Chairman of the Scientific Committee)
- SC-CAMLR-XVIII/BG/16 International fishers forum: solving the incidental capture of seabirds
Delegation of New Zealand
- SC-CAMLR-XVIII/BG/17 First record of anti-*Brucella* antibodies in *Arctocephalus gazella* and *Leptonychotes weddellii* from Cape Shirreff, Livingston Island, Antarctica
Delegation of Chile
(available in Spanish and English)
- SC-CAMLR-XVIII/BG/18 Report on the Second International Symposium on Krill
Observer (S. Nicol, Australia)

- SC-CAMLR-XVIII/BG/19 FAO's fisheries global information system
Secretariat
- SC-CAMLR-XVIII/BG/20 On cooperation with UNEP (copies of correspondence)
Secretariat
- SC-CAMLR-XVIII/BG/21 Extracts from the Report of the Planning Meeting for
the 1999/2000 IWC/SOWER Cruise,
Tokyo, Japan, 27–30 September 1999
Secretariat
- SC-CAMLR-XVIII/BG/22 Progress report on the plans for the Russian contribution for the
CCAMLR Synoptic Survey
Delegations of Russia and the United Kingdom
- SC-CAMLR-XVIII/BG/23 IMALF assessment of new and exploratory fisheries by
statistical area
(Working Group on Fish Stock Assessment)
- SC-CAMLR-XVIII/BG/24 Fishery information for WG-FSA-99
Secretariat
(This document was presented to the meeting of WG-FSA as
WG-FSA-99/9)
- SC-CAMLR-XVIII/BG/25 Report of the ad hoc task group to consider a regulatory
framework for CCAMLR fisheries
- SC-CAMLR-XVIII/BG/26 Managing fisheries to conserve the Antarctic marine ecosystem:
practical implementation of the Convention on the Conservation
of Antarctic Marine Living Resources (CCAMLR)
Paper presented to ICES/SCOR Symposium on 'Ecosystem
Effects of Fishing', 15–19 March 1999
Montpellier, France
- SC-CAMLR-XVIII/BG/27 Report on activities of SCAR's Group of Specialists on
Environmental Affairs and Conservation
E. Fanta, Brazil, GOSEAC Liaison Officer
- SC-CAMLR-XVIII/BG/28 Research proposal for the Third International Coordination's
activities near the South Shetland Islands during the 1999/2000
austral summer period
Delegation of the Republic of Korea
- SC-CAMLR-XVIII/BG/29 Report on the activities of the SCAR Subcommittee on
Evolutionary Biology of Antarctic Organisms
CCAMLR Observer (E. Fanta, Brazil)
- SC-CAMLR-XVIII/BG/30 The ICES annual science conference
CCAMLR Observer (B. Sjöstrand, Sweden)

**AGENDA FOR THE EIGHTEENTH MEETING
OF THE COMMISSION**

AGENDA FOR THE EIGHTEENTH MEETING OF THE COMMISSION

1. Opening of the Meeting
2. Organisation of the Meeting
 - (i) Adoption of the Agenda
 - (ii) Report of the Chairman
3. Finance and Administration
 - (i) Report of SCAF
 - (ii) Audited Financial Statements for 1998 and Audit Requirement for 1999
 - (iii) Members' Contributions and Cash Flow
 - (iv) Budgets for 1999, 2000 and 2001
 - (v) Investment Policy
 - (vi) CCAMLR Site on the World Wide Web
 - (vii) Management Review of the Secretariat
4. Scientific Committee
5. Illegal, Unregulated and Unreported Fishing in the Convention Area
 - (i) Information Provided by Members in Accordance with Articles X and XXII of the Convention and the System of Inspection
 - (ii) Implementation and Effectiveness of Measures Adopted in 1998
 - (iii) Development of a Catch Documentation System for *Dissostichus* spp.
 - (iv) Examination of Additional Measures
 - (a) Collection of Landing and Trade Statistics for *Dissostichus* spp.
 - (b) Development of an Action Plan
 - (c) CCAMLR Vessel Register
 - (d) Other Actions
6. Assessment and Avoidance of Incidental Mortality of Antarctic Marine Living Resources
 - (i) Marine Debris
 - (ii) Incidental Mortality of Marine Animals During Fishing Operations
7. New and Exploratory Fisheries
8. Observation and Inspection
 - (i) Report of SCOI
 - (ii) Operation of the System of Inspection and Compliance with Conservation Measures
 - (iii) Operation of the Scheme of International Scientific Observation
 - (iv) Review of SCOI Working Arrangements
9. Conservation Measures
 - (i) Review of Existing Measures
 - (ii) Consideration of New Measures and Other Conservation Requirements
10. Management Under Uncertainty

11. Cooperation with Other Elements of the Antarctic Treaty System
 - (i) Twenty-Third Antarctic Treaty Consultative Party Meeting
 - (ii) Cooperation with SCAR
12. Cooperation with Other International Organisations
 - (i) Reports of Observers from International Organisations
 - (ii) Reports from CCAMLR Representatives at 1998/99 Meetings of International Organisations
 - (iii) Nomination of Representatives to 1999/2000 Meetings of International Organisations
13. Consideration of the Implementation of the Objective of the Convention
14. Election of Vice-Chairman of the Commission
15. Appointment of Executive Secretary
16. Next Meeting
 - (i) Invitation of Observers to Next Meeting
 - (ii) Date and Location of Next Meeting
17. Other Business
 - (i) Members' Reporting Obligations
18. Report of the Eighteenth Meeting of the Commission
19. Close of the Meeting.

**REPORT OF THE STANDING COMMITTEE
ON ADMINISTRATION AND FINANCE (SCAF)**

REPORT OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE (SCAF)

The Agenda as included as Appendix A to the Commission's Provisional Agenda (CCAMLR-XVIII/1) was adopted (Appendix I).

AUDITED FINANCIAL STATEMENTS

2. The Committee **recommended that the Commission accept the financial statements as presented in CCAMLR-XVIII/3**. The Committee noted from the audit report of the 1998 Financial Statements that there were no cases of non-compliance with Financial Regulations or International Accounting Standards. It also noted that the audit report had been provided on the basis of a review audit only and that it did not provide the same degree of assurance as would a full audit.

AUDIT REQUIREMENT

3. The Committee noted that the Commission had decided in 1994 that a full audit should be performed on average once every two years, and in 1995 that this would be required at least once every three years. As review audits have been performed for the past two years, the Committee **recommended that the Commission require a full audit to be performed on the 1999 Financial Statements**.

MEMBERS' CONTRIBUTIONS

4. The Committee received the advice of the Secretariat, as presented in CCAMLR-XVIII/15 and 18, on the serious cash flow problems that are arising as a result of the delay in receipt of contributions from many Members. It was agreed that action would need to be taken on three issues to rectify the situation:

- (i) to change the Financial Regulation so that earlier payment is required;
- (ii) to issue contribution notices earlier in order that Members' internal systems had sufficient time to process the demands; and
- (iii) to increase the incentives ensuring that the Financial Regulations are complied with.

5. There was general agreement that earlier payments than are currently experienced cannot be expected unless there is a formal requirement under the Financial Regulations. The Committee **recommended that the contribution amounts advised to Members at the end of the annual meeting be considered final, and will be advised in such a form as to enable Members to process the demand for payment**. This process complies with Financial Regulation 5.3:

'On approval of the budget for the financial year, the Executive Secretary shall send a copy thereof to all Members of the Commission notifying them of their contributions and requesting them to remit their contributions due...'

6. A number of Members noted that their governments' rules would prevent them from paying any earlier than is currently required.

7. As an interim measure, the Committee sought to accommodate these exceptional positions to avoid the Members concerned from having to breach the Financial Regulations. **The Committee recommended that the Commission adopt the following revised Financial Regulation 5.6:**

'5.6 Except in the first financial year when contributions shall be paid within 90 days of the end of the first Commission meeting, contributions shall be due for payment on the first day of the financial year (i.e. the due date) and shall be paid not later than **60** days after that date. **For 2000 the Commission may authorise extensions to the due date of up to 90 days for individual Members who are unable to comply with this Regulation due to the timing of the financial years of their governments.** However, in the case referred to in Regulation 5.5(a), contributions by a new Member shall be made within 90 days following the date on which its membership becomes effective. If payment is made after the due date in United States dollars the net payment received by the Commission shall be equivalent to the amount of Australian dollars payable on the due date.'

8. **The Committee recommended that, in accordance with the revised Financial Regulation 5.6, the Commission extend the due date in 2000 to 1 April for the following Members:**

**Argentina;
France;
Italy;
Japan;
Russia;
South Africa; and
United Kingdom.**

9. **The Committee recommended that the Commission review the extension and delay policy at its 2000 meeting taking into account the experience of the past year.**

10. Japan explained to the Committee that due to the Japanese government's financial rules it would be impossible for Japan to accept that the extension and delay policy be transitional only, but instead would need the Financial Regulation to permit payment at the later time each year.

11. Members agreed to consult with their Finance Ministries before the next meeting in order to explore all opportunities for moving to the new payment schedule.

12. The Committee considered the effectiveness of Article XIX.6 of the Convention and reviewed the definition of 'period of its default'. **It recommended that the Commission interpret this as being the period commencing when a contribution is payable, if the whole or part of the previous contribution is outstanding, and ends when both those contributions are paid in full.**

13. The Committee noted that the cash flow problems being encountered and the necessity to implement the steps noted above, have arisen mainly from the large number of contributions which are paid late in contravention of the Financial Regulations. Indeed, a significant number of contributions remained outstanding at the time of the meeting.

14. Argentina, Brazil, Russia and Uruguay advised that efforts were being made to pay the outstanding contributions as soon as possible, and particularly for these to be paid by the end of 1999. Ukraine advised that its 1998 contribution would be paid in 1999, but was unable to say when its 1999 contribution would be paid.

15. The Committee received the advice of the Secretariat that the revision of Financial Regulation 5.6, as specified in paragraph 7, above, would be insufficient to solve the cash flow problems in early 2000 if there are still any 1999 contributions outstanding at that time. The Committee noted that it was unsatisfactory that the Secretariat was required to rely on certain Member States volunteering to make their contribution early, but in the circumstances was grateful to note the commitment of the USA to make its 2000 contribution as early as possible. Any other Member able to make a similar commitment was encouraged to do so.

Contribution Formula for 2000

16. The formula being used to calculate Members' Contributions to the annual budget of the Commission was last agreed for the three years 1997, 1998 and 1999. The Committee considered that this formula should be subjected to a substantial review, and that this should commence as early as possible. Consequently, it **recommended that the Commission establish an intersessional correspondence group, to be coordinated by Belgium and supported by the Secretariat, to develop a proposal or series of proposals for discussion at next year's meeting.**

17. The Committee noted that it would be important that all Members with views on this issue should convey them to this group, and that active participants of the group should include both fishing and non-fishing Members.

18. The Committee **recommended that the Commission use the existing formula for the 2000 contributions.**

MANAGEMENT REVIEW OF THE SECRETARIAT

19. The Executive Secretary reported to the meeting on the progress during 1999 of the implementation of recommendations which had emanated from the Management Review of the Secretariat carried out in 1997. He referred to the 1998 SCAF report where it was noted that the majority of recommendations had already been fully or substantially implemented.

20. During 1999, implementation of outstanding matters continued, subject to the restriction of available resources. While the passing of time had made some of the more specific recommendations no longer completely appropriate, the Secretariat had identified three major areas to focus on for continuing improvement of resources. These three were: planning, documentation and delegation of responsibilities.

21. The Executive Secretary was able to point to examples of progress in these three areas, and particularly expressed his appreciation of the positive way that the staff had responded to additional tasks and responsibilities. The work of the Scientific Committee in providing an annual prioritised list of its requirements has also been of great assistance.

22. While resource limits and workload priorities tend to slow the implementation of changes in the Secretariat, the Executive Secretary assured the Committee that these changes are continuing.

23. The Committee noted that it had not yet addressed the issue of the performance criteria of the Executive Secretary. Members who consider that the development of such criteria is necessary were encouraged to present working papers to the next meeting of the Commission including suggestions for specific performance criteria that they consider appropriate. New Zealand offered to coordinate any such papers from Members for their consideration. Some Members considered that the establishment of such criteria is not appropriate.

24. The Committee received the notification from the USA of the results of the United Nations (UN) review of the professional staff positions. It noted that the review indicated that all positions are appropriately set except for that of the Administration Finance Officer. **The Committee recommended that the Commission revise the level of its post of the Administration Finance Officer to P3 on the UN pay scale with effect from the next anniversary of the incumbent's contract.**

REVIEW OF BUDGET FOR 1999

25. The Committee received the report of the Secretariat on the expected outcome of the 1999 expenditure budget as presented in CCAMLR-XVIII/4, and noted that while the total budget expenditure was not expected to be exceeded, a number of items and subitems were likely to be overspent. **The Committee recommended that the Commission adopt a revised budget for 1999 in accordance with the expected outcome for 1999 as presented in Appendix II.**

2000 BUDGET

26. The Chairman of the Scientific Committee presented to SCAF the Scientific Committee's budget for 2000 and explained the expenditure items included. **SCAF recommended that the Commission approve the Scientific Committee proposed budget of A\$150 200 for inclusion in the Commission's 2000 budget.**

27. The Chairman of the Scientific Committee expressed the expectation of the Scientific Committee for the publication in 2000 of the book *Understanding CCAMLR's Approach to Management* and of the continuing publication of *CCAMLR Science* beyond its current three-year trial period. He also indicated the possibility of additional resource requirements should observers be placed on krill vessels and their reports need processing.

28. The Committee received the advice of SCOI concerning possible financial implications of decisions made at its current meeting. SCAF noted that no changes to the 2000 budget would be required as a result of these decisions.

29. The Committee considered the information that was currently available on the proposed Catch Documentation Scheme and estimated that the cost to the Commission of implementing the scheme in 2000 would be approximately A\$10 000.

30. SCAF considered the draft budget for 2000 as presented by the Secretariat in CCAMLR-XVIII/4, with the addition of expenditure for implementing the Catch Documentation Scheme and for the upgrading of the Administration/Finance Officer position (paragraph 24, above).

31. The Committee noted that the budget increase is a result of the increased activities of the Commission and Scientific Committee, and that this increase in activity is necessary for the Commission to be able to address effectively the issues that it currently faces. The Executive Secretary noted that savings have been made in previous years and there was no longer scope for further savings in the normal activities of the Secretariat.

32. Notwithstanding the above, Germany noted that it would be unable to accept the budget at the time of the SCAF meeting as it represented a real increase from the previous year's adopted budget. With the understanding that Germany would be able to clarify its position when the Commission considers the budget issue, the Committee presented the budget for 2000, as presented in Appendix II, to the Commission for consideration.

33. The Committee noted that despite the fact that the Commission is exempt from Australian direct taxes, the forthcoming changes in the taxation system are expected to result in additional costs to the Commission. The Committee **recommended that the Commission direct the Chairman to write to the Australian Government urging that the new taxation system be implemented in such a way as to avoid additional costs to the Commission.**

FORECAST BUDGET FOR 2001

34. The Chairman of the Scientific Committee identified three possible areas from the Scientific Committee's work which could lead to additional expenditure in 2001: the translation and distribution of a fisheries data submission manual, the archiving of data from the krill survey and the publication of papers submitted to the 2000 krill workshop. He indicated that, particularly in the case of the last two items, the extent of the costs involved cannot be accurately determined.

35. In considering the forecast budget for 2001, as presented in Appendix II, SCAF noted the extent of assumptions that have had to be made in many expenditure items, including those referred to by the Scientific Committee Chairman.

36. It also noted that the inflation rate used for forecasting the 2001 expenditure was based on assumptions of the indirect impact of the changed Australian taxation system on the Commission's budget through staff salaries. Taking into account these assumptions, the forecast budget represents a real increase of A\$31 000 over the draft 2000 budget. The Committee **recommended that the Commission direct the Executive Secretary to work intersessionally to identify possible cost savings with a view to presenting to the next meeting a draft budget which has zero real increase in Member contributions.**

37. After considering advice from the Scientific Committee SCAF specifically **suggested that the Commission further discuss the cost savings which could be realised in holding meetings of WG-EMM at the CCAMLR Secretariat in Hobart in alternating years, beginning with a meeting in Hobart in 2001.**

INVESTMENT POLICY

38. The Committee noted that the existing investment policy of the Commission was no longer appropriate for the conditions currently prevailing in Australia. On the basis of advice from the Secretariat, incorporating approval of the Commission's Auditor, the Committee **recommended that the Commission adopt the following revised Financial Regulation:**

8.2 (a) The Executive Secretary may make short-term investments of moneys not needed for the immediate requirements of the Commission. Such investments shall be restricted to securities and other investments issued by **Australian institutions or Government bodies with current ratings, provided by a rating body approved by the Commission's auditor, indicating a strong capacity to pay.** The details of investment transactions and income derived shall be reported in the documents supporting the budget;

(b) With regard to moneys held in Trust or Special Funds for which use is not required for at least 12 months, longer-term investments may be authorised by the Commission provided such action is consistent with the terms under which the

moneys were lodged with the Commission. **Such investments shall be restricted to securities and other investments issued by Australian institutions or Government bodies with current ratings, provided by a rating body approved by the Commission's auditor, indicating a strong capacity to pay.**

CCAMLR SITE ON THE WORLD WIDE WEB

39. The Committee received advice from the Secretariat that the basic structure of the website was now intact and that the English language areas would soon be complemented by the other languages in the same format. The website is available for use as required by the Commission and the Scientific Committee.

40. The Secretariat recalled the details of the security provisions of the website, including means of access available that had been advised to Members during the year.

CHAIRMAN AND VICE-CHAIRMAN

41. The Committee congratulated Mr Ybáñez on his successful Chairmanship of SCAF this year and expressed their support of him continuing his term for another two years. Germany was also re-appointed as Vice-Chairman for another two years.

ADOPTION OF THE REPORT

42. The report of the meeting was adopted.

AGENDA

Standing Committee on Administration and Finance (SCAF)
(Hobart, Australia, 25 to 29 October 1999)

1. Meeting Arrangements
2. Examination of Audited Financial Statements for 1998
3. Audit Requirement for 1999 Financial Statements
4. Members' Contributions
 - (i) Timing of Members' Contributions
 - (ii) Contribution Formula
5. Review of Budget for 1999
6. Budget for 2000 and Forecast Budget for 2001
 - (i) Publications
 - (ii) Scientific Committee Budget
7. Investment Policy
8. CCAMLR Site on the World Wide Web
9. Management Review of the Secretariat
10. Any Other Business Referred by the Commission
11. Election of Chairman and Vice-Chairman of SCAF
12. Adoption of the Report.

**REVIEW OF 1999 BUDGET, BUDGET FOR 2000
AND FORECAST BUDGET FOR 2001**
(all amounts in Australian dollars)

1999 BUDGET		2000 DRAFT BUDGET				2001 FORECAST
Adopted in 1998	Expected Outcome	Variance	TOTAL	SCIENTIFIC COMMITTEE	ADMINIS- TRATION	
			Own Budget	Other	Total	
1 709 000	1 715 941	6 941	1 785 500			1 865 100
31 900	27 973	- 3 927	27 300			28 600
0	0	0	0			0
263 000	258 968	- 4 032	265 000			277 500
0	1 018	1 018	0			0
2 003 900	2 003 900	0	2 077 800			2 171 200
INCOME						
	Members' Contributions					
	Items from previous year					
	Interest					
	New Members' Contributions					
	Staff Assessment Levy					
	Surplus					
	Total					
EXPENDITURE						
Salaries and Allowances						
661 800	661 800	0	683 500	0	308 500	714 800
277 900	278 900	1 000	276 600	54 800	17 600	296 500
486 900	491 600	4 700	508 300	23 200	206 200	534 300
1 426 600	1 432 300	5 700	1 468 400	78 000	532 300	1 545 600
8 000	8 000	0	8 100	0	0	8 300
Capital Expenditure						
Communication						
27 400	27 400	0	31 400	4 000	1 900	32 900
19 400	19 400	0	19 700	0	13 500	20 300
9 700	10 200	500	10 400	0	1 100	10 200
10 600	10 600	0	11 300	0	0	11 100
67 100	67 600	500	72 800	4 000	16 500	74 500
Hire & Lease						
55 200	55 200	0	66 400	8 600	5 600	68 400
32 000	25 000	- 7 000	25 400	0	7 300	27 200
17 700	17 700	0	18 000	0	0	18 500
44 000	44 000	0	44 700	0	0	46 000
117 400	117 400	0	119 300	12 100	0	122 900
34 500	34 500	0	35 100	0	0	36 200
15 600	15 600	0	15 800	0	0	16 300
316 400	309 400	- 7 000	324 700	20 700	12 900	335 500
88 300	84 300	- 4 000	89 900	46 100	0	99 700
Travel						
Support Costs						
5 000	5 000	0	10 200	0	0	5 400
11 100	12 400	1 300	14 300	0	0	14 700
13 000	16 500	3 500	16 800	0	0	17 300
22 200	22 200	0	30 200	1 400	4 200	31 700
19 000	19 000	0	19 300	0	600	19 900
27 200	27 200	0	23 100	0	5 700	18 600
97 500	102 300	4 800	113 900	1 400	10 500	107 600
2 003 900	2 003 900	0	2 077 800	150 200	572 200	2 171 200

**REPORT OF THE STANDING COMMITTEE
ON OBSERVATION AND INSPECTION (SCOI)**

REPORT OF THE STANDING COMMITTEE ON OBSERVATION AND INSPECTION (SCOI)

OPENING OF THE MEETING

1.1 The meeting of the Standing Committee on Observation and Inspection (SCOI) was conducted from 25 to 29 October 1999 under the chairmanship of the Vice-Chairman Mr G. Bryden (New Zealand). Mr Bryden welcomed all participating delegations.

1.2 The Provisional Agenda of SCOI was distributed to Members as an attachment to the Provisional Agenda of the Commission (CCAMLR-XVIII/1). The Committee noted that the Commission had decided to deal with the 'Catch Documentation System' as a high-priority item and had referred it for consideration to a special open-ended working group. Therefore, the Committee deleted Item 2(iii) 'Catch Documentation System' from its Agenda.

1.3 It was agreed that discussions of Item 2(iv)(b) 'Development of an Action Plan' be deferred until the results of deliberations of the working group on the Catch Documentation Scheme were known.

1.4 There were no further amendments to the Agenda and it was adopted (Appendix I).

1.5 The list of papers considered by the Committee is given in Appendix II.

ILLEGAL, UNREGULATED AND UNREPORTED FISHING IN THE CONVENTION AREA

Information Provided by Members in Accordance with Articles X and XXII of the Convention and the System of Inspection

2.1 A summary of sightings of fishing vessels in the Convention Area during the 1998/99 season was submitted by the Secretariat (CCAMLR-XVIII/BG/15, Table 3). Further sighting reports were submitted by France (SCOI-99/9).

2.2 In total, sightings of 16 vessels were reported by Australia, Argentina and France. Flags of only four vessels were identified. They were of Argentina (1), Belize (2) and Panama (1).

2.3 Last year the Commission decided that scientific observers should collect factual data on sightings of fishing vessels in the Convention Area (CCAMLR-XVII, paragraphs 8.17 and 8.18). Only one report of a sighting of a vessel was received from the UK-designated CCAMLR observer on board the *Tierra del Fuego* (Chile). This report also describes sightings of several vessels by radar in Subarea 48.3 during the fishing season.

2.4 National observers working on board the following vessels also submitted sighting reports: *AustralLeader* and *Southern Champion* (Australia) and *Eldfisk* (South Africa). The sightings, containing factual information, were later reported to CCAMLR by national authorities (see CCAMLR-XVIII/BG/15, Table 3).

2.5 Argentina clarified to the meeting details of the sighting by an Argentine-designated CCAMLR inspector of the vessel *Isla Guamblin* (see SCOI-99/8 and SCOI-99/17). The inspector requested the vessel to leave CCAMLR waters immediately. According to

information available to the Argentine authorities, up to three more vessels were operating in contact with *Isla Guamblin* in Subarea 48.3. However, adverse weather prevented the use of helicopters and therefore the presence of these vessels was not confirmed.

2.6 New Zealand conducted aerial surveillance over Subareas 88.1 and 88.2 from December 1998 to March 1999. No unlicensed vessels were sighted during the 14 flights made.

2.7 New Zealand also raised the issue of the Belize-registered vessel *Salvora*. This vessel received worldwide media coverage in February this year and is the subject of an ongoing investigation by South Africa (SCOI-99/3). New Zealand suggested that in the case of the *Salvora*, it may be appropriate to apply the provisions of Article X of the Convention.

2.8. Chile suggested that a more prompt submission of sighting reports would improve cooperation among Members and facilitate any appropriate action that could be taken against the offending vessels.

2.9 Australia also noted the need for consistency in the reporting of sightings and identification of vessels. France drew the attention of the Committee to the fact that the identification of vessels is sometimes impossible, especially when vessels bear no proper markings or when observations are made by radar (SCOI-99/14).

2.10 The Committee noted that procedures for submitting notifications of sightings of vessels should be reviewed, and that the format for submitting details to the Secretariat be standardised for entry in the CCAMLR database. The Committee recommended that a standard format for reporting sightings be developed by the Secretariat and circulated among Members after the meeting. It was agreed that whenever possible, Members should submit sighting reports within the deadline for the submission of inspection reports, i.e. 15 days after the receipt of sighting reports by respective national authorities.

2.11 The Committee also considered the advice of the Scientific Committee's Working Group on Fish Stock Assessment (WG-FSA) regarding catches taken during illegal, unregulated and unreported (IUU) fishing in the Convention Area (SC-CAMLR-XVIII, Annex 5, paragraphs 3.29 to 3.44). This advice was based on information on sightings of vessels, landings of *Dissostichus* spp. in ports of non-Contracting Parties and also *Dissostichus* spp. import and export statistics.

2.12 In response to a question from the UK about the amount of IUU catches of *D. eleginoides* in Subarea 48.3, as calculated by WG-FSA, Argentina explained that the information contained in paragraphs 2.3 and 2.5 above was used by WG-FSA in the calculations of IUU catches following the approach adopted at its 1998 meeting (SC-CAMLR-XVIII, Annex 5, paragraph 3.32). The UK indicated that it was wholly unconvinced by the figures presented by Argentina which were not based on any factual information. In its opinion, they appeared to be derived solely from the subsequent inspection in port of the *Isla Guamblin*.

2.13 Taking into account information submitted by Members and the advice of WG-FSA, the Committee reiterated last year's advice to the Commission that the level of IUU fishing in the Convention Area continued to be unacceptable and that the most stringent measures possible should be taken to deal with such fishing.

2.14 In this connection New Zealand drew the attention of the Committee to the Communiqué agreed by Ministers and officials from 23 Antarctic Treaty Parties attending the 'Ministerial Meeting on Ice' held at Ross Island, Antarctica, from 25 to 28 January 1999. Representatives expressed their grave concern at the threat posed by continuing IUU fishing for *Dissostichus* spp. They pledged to work to meet these new challenges and to maintain the integrity of the Antarctic Treaty System.

Implementation and Effectiveness of Measures Adopted in 1998

2.15 In 1998/99 Members were required to report on the implementation of a number of conservation measures dealing directly with enforcement issues. A summary of Members' reports is summarised below:

Conservation Measure	Content of Reports	Information Reported
118/XVII	Port inspections by Contracting Parties of non-Contracting Parties vessels.	No reports received.
119/XVII	Details of fishing licences. Port inspections by Contracting Parties of their flag vessels.	Information was submitted by all Members as required. A report from Argentina: one vessel inspected (SCOI-99/8 and SCOI-99/17). New Zealand informed the meeting of inspections of two vessels returned from fishing in Subarea 88.1.
147/XVII	Inspections of vessels of one Contracting Party in ports of another Contracting Party.	Two verbal reports (one from the UK on inspection of a Korean vessel and one from Uruguay on inspection of two UK vessels).
148/XVII*	Implementation of VMS.	Argentina, Australia, New Zealand, Norway, Republic of Korea, South Africa, UK, Uruguay and USA have already implemented VMS; France will establish VMS in summer 2000 in relation to its overseas territories; Chile will establish VMS by January 2000; Russia and Ukraine will establish VMS by 31 December 2000; and The European Community has VMS which is fully compatible with CCAMLR requirements.

* This measure requires that all Members shall establish VMS by 31 December 2000.

2.16 In accordance with Conservation Measure 148/XVII (paragraph 6) Uruguay reported details to the Secretariat regarding vessel monitoring system (VMS) failure on board one of its vessels.

2.17 The Committee considered the concern expressed by the UK with respect to port inspections required under Conservation Measure 147/XVII. This was related to the fact that inspections could be carried out some months after vessels had fished in CCAMLR waters and their fishing licences under Conservation Measure 119/XVII could have expired by that time. The Committee noted that the objective of port inspections is to confirm that vessels have conducted activities in the Convention Area in accordance with CCAMLR conservation measures. In this case the question of licence validity at the time of inspection could be taken into account by the Port State.

2.18 The Committee noted with satisfaction that most Members have introduced VMS or have committed to introduce VMS in accordance with the deadlines established by Conservation Measure 148/XVII. However, Members' attention was drawn to the very small number of port inspections conducted in accordance with Conservation Measures 118/XVII and 147/XVII. The Committee, therefore, recommended to the Commission that steps be taken by Members to ensure the effective implementation of these measures.

2.19 A number of Members informed the Committee of developments in their domestic legislation in relation to IUU fishing in their national waters as well as on the high seas. South Africa advised on its legislation which enforces Port State Control over vessels entering South African waters with *Dissostichus* spp. on board or carrying toothfish longlines (CCAMLR-XVIII/MA/1). Norway noted that in accordance with a new domestic regulation 'an application of a licence to fish in Norwegian waters may be denied if the vessel or vessel's owner has taken part in fishing operations that contravene regulatory measures laid down by regional fisheries management organisations' (SCOI-99/10). Australia reported that they had made significant changes to Australian legislation concerning the apprehension, detention, forfeiture and fines relating to foreign vessels fishing illegally in the Australian Exclusive Economic Zone (EEZ).

Examination of Additional Measures

Collection of Landings and Trade Statistics for *Dissostichus* spp.

2.20 At last year's meeting the Commission recommended that Members introduce new classification codes in trade statistics for *Dissostichus* spp. at a national level. The USA informed the Committee that it had introduced codes, additional to those effective in 1998 and 1999, for fresh toothfish and toothfish exports. These new codes will become effective from 1 January 2000. The USA also advised that by 1 January 2000, Canada (an Acceding State to the Convention) would also implement these new trade codes. The European Community and Norway informed the Committee that new trade codes would be implemented by 1 January 2000. Australia informed the Committee that it would have trade codes in place by not later than 1 February 2000.

2.21 Pursuant to a suggestion of the USA, the Committee recommended that the Commission Chairman write to Canada and Peru as Acceding States, requesting submission of trade statistics for *Dissostichus* spp.

2.22 The Committee noted with satisfaction information from Members on the implementation of classification codes in trade statistics for *Dissostichus* spp. It agreed that the introduction of classification codes for *Dissostichus* spp. in trade statistics at a national level is an important prerequisite for the effective implementation of a Catch Documentation Scheme.

2.23 The Committee agreed that the Commission should reinforce the importance for all Parties to introduce classification codes in trade statistics for *Dissostichus* spp. in their domestic regulations.

2.24 The Committee considered a summary of *Dissostichus* spp. trade statistics prepared by the Secretariat on the basis of information received from Australia, USA and FAO (SC-CAMLR-XVIII/BG/1 Rev.1, also SCOI-99/13). Some discrepancies were noted in the statistics provided, possibly due to the fact that the Secretariat used a conversion factor for calculating whole fish weight from data on processed fish.

2.25 The Committee welcomed information provided by Namibia and Mauritius on landings of *Dissostichus* spp. in their ports (SCOI-99/11). This information on landings had been circulated to Members intersessionally.

2.26 The European Community has fully investigated the information received on vessels which were reported as vessels allegedly belonging to European Community Flag States (SCOI-99/12).

2.27 The European Community confirmed that it had immediately launched an investigation in relation to the vessels allegedly of Community origin listed in information received from

non-Contracting Parties. The results of the investigation to date indicate that four of the vessels alleged to be of Community origin were in fact not on the Community fishing register – that two Community vessels for which the Community possesses trade documentation had no *Dissostichus* spp. in their catches.

2.28 The European Community further noted that the receipt of such information after a long lapse of time (certain data referred to 1998) and incomplete and inaccurate in certain respects had naturally made the follow-up extremely difficult, in spite of the efforts made by the Community inspection authorities. Additional information will be forwarded by the EC to the Commission on the results of the investigations.

2.29 New Zealand noted that the information contained in SCOI-99/11 was extremely important. It indicated that the problem of IUU fishing within CCAMLR waters could as much be one of non-compliance by vessels flagged in Contracting Parties as one of activities of non-Contracting Parties. New Zealand called on all Contracting Parties to take steps to investigate the information in SCOI-99/11 to avoid a situation where a Contracting Party was *prima facie* in breach of its obligations under Article XXI of the Convention. New Zealand also encouraged Contracting Parties with more resources to provide technical assistance to developing states with undertaking investigations.

2.30 The European Community, referring to its letter of 5 July 1999 in response to COMM CIRC 99/60 and 99/66, encouraged non-Contracting Parties to continue their cooperation with CCAMLR and suggested a range of standard information that could be provided by them to assist the Commission. The Committee agreed on a range of information requirements (see paragraphs 2.34 to 2.37 below).

2.31 Further information was provided at the meeting by Ukraine and Russia concerning investigations of landings by their flag vessels reported by Namibia and Mauritius. These investigations concluded that all records of *Dissostichus* spp. landings were found to be unsubstantiated and/or in error.

2.32 Chile and Argentina, while recognising the difficulty of adequately processing the information provided in its present form, expressed their appreciation for the reports received from Namibia and Mauritius and suggested that these countries should be encouraged to continue and improve their reporting activity.

2.33 Taking into account the results of investigations carried out by the European Community, Ukraine and Russia, the Committee emphasised that information on landings should be accompanied by some standard details about the vessels. These details would enable Members to expediently consider any cases of landings which involve vessels of their flags.

2.34 SCOI expressed its appreciation for the information forwarded to it by the Namibian and Mauritius authorities. The Committee considered that such information on landings, transshipments and trade in *Dissostichus* spp. emanating from non-Contracting Parties sources constituted important additional information both from a control and scientific perspective.

2.35 In order to optimise the utilisation and the follow-up of such information, in particular by the Flag State(s), SCOI recommended that non-Contracting Parties be invited to submit information to CCAMLR, to the extent possible, in accordance with the following format:

- (i) whether the vessel is a fishing or cargo vessel; if it is a fishing vessel, what type of vessel (trawler/longliner);
- (ii) the name, international call sign and registration number of the vessel;
- (iii) the flag and port of registration;

- (iv) whether an inspection had been conducted by the Port State and, if so, its findings, including information on the fishing licence of the vessel concerned;
- (v) the species of fish involved, including the weight and form of catch, and whether it was landed or transhipped;
- (vi) if a fishing vessel, the location(s) in which it had operated according to the vessel's records and where it reported the catch as having been taken (CCAMLR or non-CCAMLR); and
- (vii) the nature of any matters requiring further investigation by the Flag State.

2.36 In order to ensure the follow-up by the Flag State(s) in a timely manner, the CCAMLR Secretariat, after initial examination of the information received, will transmit that information without delay to each of the relevant Flag State(s) concerned.

2.37 The Flag State(s) concerned shall notify the results of their follow-up to CCAMLR Secretariat as soon as possible.

2.38 One month after transmission of the information to all Flag State(s) concerned, it will be circulated by the Secretariat to all Members, together with results of investigations, if any, received from the Flag State(s).

Development of an Action Plan

2.39 Following the request from the Brussel's intersessional meeting, Australia submitted a paper (SCOI-99/18) proposing a revised policy to enhance cooperation between CCAMLR and non-Contracting parties. In line with paragraph 1.3, the proposed Action Plan was referred to the Commission.

CCAMLR Vessel Register

2.40 CCAMLR-XVII agreed that the issue of a Vessel Register should be developed further during the intersessional period (CCAMLR-XVII, paragraph 5.58). The Secretariat has provided a report on the status of the CCAMLR vessel database (SCOI-99/5). This database could be conveniently expanded to a comprehensive Vessel Register, when required.

2.41 The Committee requested Members to provide intersessionally to the Secretariat details of their vessel registers. It also agreed that the matter be considered further at the next meeting of SCOI. In this connection, the Secretariat noted the conclusion of its paper SCOI-99/5 that when a decision is made on the establishment of a Vessel Register, clear guidelines from the Commission should be provided as to what information should be recorded and how this information is to be collected and/or supplied by Members. Guidelines should also be provided for the access and use of information contained in the register. All costs involved in establishing and maintaining the Register should also be agreed upon.

2.42 In the meantime, the Committee agreed on the merit of maintaining a vessel database of the type developed by the Secretariat. New Zealand also commented that it would be useful to have this information on the CCAMLR website, and recommended that photographic images be included so that vessels can be identified more easily.

Other Actions

2.43 Norway presented its paper on 'Additional Measures to Counteract Activities by Non-Contracting Parties' (SCOI-99/19) which highlighted the effectiveness of this system in waters under its jurisdiction and adjacent high seas areas. Norway suggested that its legislation might serve as a model for CCAMLR and that CCAMLR incorporate the following text into Conservation Measure 118/XVII as a means of reducing IUU fishing.

2.44 The proposed wording is as follows:

'A licence to fish in areas under fisheries jurisdiction of Contracting Parties shall be denied if the fishing vessel in question has been prohibited to land and tranship fish pursuant to paragraphs 5 and 6 of the Scheme to Promote Compliance by Non-Contracting Party Vessels with the CCAMLR Conservation Measures. This measure does not affect the exercise by CCAMLR Contracting Parties of their sovereignty within their exclusive economic zones.'

2.45 The European Community noted that this proposal had been considered in other regional organisations, notably the Northwest Atlantic Fisheries Organisation (NAFO), and it had been rejected.

2.46 The European Community was not favourable to the approach proposed. New Zealand expressed support for the idea.

2.47 The Committee took note of the proposal by Norway for consideration at next year's meeting.

OPERATION OF THE SYSTEM OF INSPECTION AND COMPLIANCE WITH CONSERVATION MEASURES

Implementation of Conservation Measures in the 1998/99 Season

3.1 In accordance with Article XX(3) of the Convention, Members are required to inform the Commission of steps taken to implement and ensure compliance with conservation measures adopted by the Commission.

3.2 Australia, Chile, European Community, New Zealand, Norway, Russia, South Africa, Uruguay and the USA had previously informed the Commission that they have in place the legislative and administrative procedures required to give effect to conservation measures annually.

3.3 During 1998/99 additional information was received from Chile, Norway, South Africa, Ukraine and Uruguay. Chile, Ukraine and Uruguay reported on national procedures to ensure compliance with conservation measures (CCAMLR-XVIII/BG/27, MA/4 and MA/7).

3.4 The Committee considered all matters regarding the implementation of enforcement-related measures under Agenda Item 2 (paragraphs 2.15 to 2.19).

3.5 The Secretariat presented CCAMLR-XVIII/BG/9 on the implementation of conservation measures related to fisheries management, including the notifications of new and exploratory fisheries, reporting of catch and effort and compliance with measures to reduce mortality of seabirds in longline fisheries and the use of plastic packaging bands.

3.6 The Committee noted the information provided in CCAMLR-XVIII/BG/9 and that the Scientific Committee would later advise the Commission directly on any matters related to fisheries management.

3.7 The Committee recalled that last year the Commission reminded Members of the need to ensure full compliance with the implementation of Conservation Measures 29/XVI (reduction of seabird mortality in longline fisheries) and 63/XV (prohibition of the use of plastic packaging bands).

3.8 The Committee received advice from the Chairman of the Scientific Committee on this matter. The Scientific Committee's advice was based on reports of scientific observations conducted on board longline vessels fishing for *Dissostichus* spp.

3.9 The Chairman of the Scientific Committee pointed out that the level of compliance with some elements of Conservation Measure 29/XVI remained low, especially with respect to the use of prescribed weights in the course of fishing operations using the Spanish longline system. The Scientific Committee suggested that scientific observers be requested to weigh a sample of longline weights at random while the vessel is alongside the wharf. This procedure should preferably take place during a routine inspection by a Flag State (e.g. in accordance Conservation Measure 119/XVII).

3.10 Taking this advice into account, the Committee reiterated its past advice to the Commission that Members be requested to ensure full compliance with all elements of Conservation Measure 29/XVI, especially with the line-weighting regime. It also suggested that the Commission request Members, when inspecting vessels in ports, to ensure that vessels carry on board all gear required to comply in full with all aspects of Conservation Measure 29/XVI.

3.11 The Committee endorsed the Scientific Committee's proposal that the task of measuring a sample of weights be added to the list of tasks of scientific observers. It was considered by the Committee under Agenda Item 4 'Operation of the Scheme of International Scientific Observation' (see paragraph 4.6 below).

3.12 The Committee then considered whether any amendments should be made to the enforcement-related conservation measures currently in force.

3.13 Last year the European Community undertook to revise its proposal concerning requirements that the installation of VMS should apply to all of the fishing vessels operating in the Convention Area (CCAMLR-XVII, Annex 5, paragraph 2.51).

3.14 The European Community rejected the rationale whereby it was argued that because there was no apparent conservation problem on a fisheries resource, there was no need for the obligatory application of VMS. On the contrary, the European Community contended that international law places the responsibility for monitoring the activities of its flag vessels on the Flag State. In the case of krill, fishing vessels operating in the Convention Area, had neither scientific observers nor VMS on board, and this was unacceptable from a control perspective. It recommended that VMS should become obligatory for these vessels for the coming fishing season.

3.15 Argentina, Australia, New Zealand and Norway agreed that there was no reason for the exemption of VMS on krill vessels especially since it was possible that krill vessels could switch gear for fishing for other species and also be engaged in transshipment of other target species, e.g. *Dissostichus* spp. New Zealand urged all Members whose vessels operate in the krill fishery to consider implementing VMS in the very near future.

3.16 SCOI noted the advice of the Chairman of the Scientific Committee regarding the paucity of information on the operation of krill fisheries and associated by-catch. The Scientific

Committee encouraged the deployment of national or international observers on krill fishing vessels to collect and submit information in accordance with the CCAMLR Scheme of International Scientific Observation. The Scientific Committee also recommended that high priority should be given to the deployment of scientific observers (either international or national) aboard krill fishing vessels during the CCAMLR 2000 Krill Synoptic Survey in Area 48 (CCAMLR-2000 Survey) which is to be conducted during January and February 2000.

3.17 Japan noted that scientific observers could be placed on board fishing vessels for the CCAMLR-2000 Survey by means of bilateral arrangements concluded between interested Parties in accordance with the Scheme of International Scientific Observation.

3.18 However, Japan rejected the suggestion that any link existed between the objectives of scientific observation and the monitoring of vessels by means of VMS. Japan pointed out that for a number of years it has continuously supplied the required finer-scale information from krill vessels. Japan also noted that as krill vessels had not been implicated in any illegal activities, there was no need for the implementation of VMS on board these vessels. It further stated that, although it accepts the fact that the situation may change in the future, the rationale to do it now is absent at present.

3.19 The European Community and Australia put forward a proposal for an amendment of Conservation Measure 148/XVII, stating that 'with effect from 1 July 2000, VMS of vessels participating in a krill fishery is obligatory'.

3.20 Japan reiterated its arguments against the introduction of VMS for krill fishing vessels. As a responsible Flag State it uses methods other than VMS to monitor its krill fishing vessels. However, Japan did not exclude the possibility of reconsidering its position if there were rational grounds to do so.

3.21 Chile explained that in accordance with its domestic legislation, all fishing vessels are required to use VMS. At present Chilean vessels do not fish for krill. However, if such fishing is resumed, all Chilean vessels will be obliged to use VMS. Chile also invited Japan to consider a possible timetable for the implementation of VMS.

3.22 Poland, Ukraine and the Republic of Korea stated that there is no need to re-examine the exemption of krill fishing vessels from Conservation Measure 148/XVII. They concurred with the arguments put forward by Japan. Poland noted that the present level of krill fishing has no impact on krill resources and there is therefore no need to introduce compulsory VMS for krill vessels. Ukraine pointed out that at present it did not intend to change its position with respect to the current exemption from VMS for krill fishing vessels.

3.23 The USA stated that it will enter the krill fishery this season and noted that its vessels will use VMS. The USA urged all krill fishing Members to do the same.

3.24 The European Community regretted that not all Members involved in krill fishing were able to agree with the proposed measure. It reiterated its position that VMS should become obligatory for all fishing vessels.

Inspections Undertaken in the 1998/99 Season

3.25 A summary of information received from Members regarding inspectors designated, the actual number of inspectors deployed at sea and the duration of their trips and areas covered was submitted by the Secretariat (CCAMLR-XVIII/BG/15). Details of the work of the UK-designated CCAMLR inspectors were also given in SCOI-99/6. The information contained in CCAMLR-XVIII/BG/15 was updated during the meeting.

3.26 In total, Members designated 55 inspectors, 17 of whom were deployed on board vessels which fished in Subareas 48.1, 48.2, 48.3 and 88.1 and Divisions 58.4.3, 58.5.1 and 58.5.2.

3.27 Three at-sea inspections were reported to the Secretariat. All inspections were carried out in Subarea 48.3 by CCAMLR inspectors designated by the UK (CCAMLR-XVIII/BG/15 and SCOI-99/7). The three vessels inspected were the longliners *Illa da Rua* (Uruguay), *Isla Sofia* and *Tierra del Fuego* (Chile). Compliance with conservation measures by all three vessels inspected was found to be satisfactory

Actions of Flag States in respect of Inspections Undertaken

3.28 Chile informed the Committee of the action it had taken against vessels flying its flag, which had been involved in infringements of CCAMLR conservation measures reported by inspections undertaken both at international and national level (SCOI-99/4). The paper gives details of court proceedings for the period from 1992 to September 1999 which have been initiated with respect to 10 vessels.

3.29 Argentina reported that at present, legal proceedings are being carried out in relation to presumed infringements of conservation measures by the following Argentine vessels: *Estela*, *Marunaka*, *Magallanes I*, *Vieirasa Doce*, *Cristal Marino* and *Isla Guamblin*. With respect to the latter, the proceedings have been initiated following an inspection related to the infringement of conservation measures in Subarea 48.3.

3.30 In addition, Argentina reported and commented on the conclusion of proceedings whereby Argentine vessels have been fined and in some cases, their permits have been suspended.

3.31 The Committee thanked both Chile and Argentina for the information supplied and emphasised the importance of the need to provide such information under paragraph XII of the System of Inspection.

Improvements to the System of Inspection

3.32 The Secretariat reported on its work regarding the implementation of the System of Inspection and decisions taken at CCAMLR-XVII on the improvement of the system. All tasks have been accomplished within the deadlines prescribed.

3.33 As part of the development of the CCAMLR website, the Secretariat has created a secure SCOI page and placed on it information about the implementation of the System of Inspection and other enforcement-related activities. This page has been in operation since April 1999, and is regularly updated as new information is received from Members.

3.34 At its 1998 meeting, the Committee agreed that Members should continue discussions, on a bilateral basis, on the interpretation of paragraph III(b) of the System of Inspection (CCAMLR-XVI, Annex 5, paragraphs 1.54 to 1.56). No reports have been received on the subject and the Committee encouraged Members to continue discussions during the 1999/2000 intersessional period.

3.35 Amendments to the text of the System of Inspection to take account of reporting requirements are discussed further in the report under Item 5 'Review of SCOI Working Arrangements'.

OPERATION OF THE SCHEME OF INTERNATIONAL SCIENTIFIC OBSERVATION

Observations Undertaken in the 1998/99 Season

4.1 SC-CAMLR-XVIII/BG/11 contains information on observer programs undertaken during the intersessional period. In total, international and national observers conducted 32 programs on board longliners, eight programs on board trawlers and one program on board a crab fishing vessel.

4.2 The advice received from the Chairman of the Scientific Committee contained the following points relating to the implementation of the Scheme of International Scientific Observation:

- (i) much of the information on vessel activities contained in observer reports could be utilised by SCOI in its work;
- (ii) preferably two observers should be deployed on each fishing vessel in order to share their duties equally between observations of fish, and seabird and marine mammal interactions;
- (iii) scientific observers should weigh a sample of longline weights while the vessels in alongside the wharf; this procedure should preferably take place during a routine inspection by a Flag State (e.g. under Conservation Measure 119/XVII);
- (iv) a vessel's compliance with Conservation Measures and the submission of catch and effort reports and fine-scale biological data collected during the vessel's activities, remains the firm responsibility of the Flag State; and
- (v) scientific observers should continue to collect factual data on IUU fishing for another year before the effectiveness and the need for this task will be reviewed by the Commission.

4.3 The Committee considered advice received from the Chairman of the Scientific Committee. It noted that scientific observer reports contain information on activities of fishing vessels which could be of importance to the work of SCOI.

4.4 It recommended to the Commission that preferably two scientific observers be deployed on each fishing vessel.

4.5 The Committee endorsed the recommendation of the Scientific Committee that an additional task to weigh a sample of longline weights while the vessel is alongside the wharf, be added to the list of tasks in the *Scientific Observers Manual*.

4.6 The Committee recommended that Members be reminded that Flag States are responsible for vessels' compliance with the submission of catch and effort reports and fine-scale biological data under the relevant conservation measures.

4.7 With respect to the latter, the Committee recalled the 1997 recommendation of the Scientific Committee and the Commission's decision on a similar matter (CCAMLR-XVI, paragraph 8.23 and SC-CAMLR-XVI, paragraphs 3.20 and 3.21).

4.8 The Committee noted that the collection of factual data on sightings of vessels in the Convention Area should be continued in 1999/2000 and recalled its decision to review the process next year.

REVIEW OF SCOI WORKING ARRANGEMENTS

5.1 Last year, the Commission noted that the issues addressed by SCOI had increased considerably over recent years and decided to re-examine the terms of reference and operation of SCOI. To meet this concern, the Commission agreed that the tasks assigned to SCOI, its terms of reference, Secretariat support needed for its work and the SCOI agenda (CCAMLR-XVII, paragraph 8.21) should be considered intersessionally.

5.2 To this end, the Secretariat prepared and circulated a set of proposals to assist Members in their consideration of the work of SCOI (CCAMLR-XVIII/19).

5.3 The Committee thanked the Secretariat for the timely preparation and circulation of proposals. Several Members noted that the highest priority issue, i.e. the development of a Catch Documentation Scheme, had prevented Members from considering in detail the required revision of the work undertaken by SCOI both during the intersessional period and at the meeting.

5.4 The Committee agreed that as a priority, Members should continue to analyse and review SCOI's working arrangements during the intersessional period. Members should take into consideration the fact that any review of the working arrangements of SCOI cannot be considered in isolation from the Commission, Scientific Committee and its subsidiary bodies.

5.5 However, the USA recommended that from an organisational point of view the following changes could be made at the meeting to help Members to prepare for the work of SCOI:

- (i) a list of SCOI and Commission documents should be provided together with each agenda item;
- (ii) SCOI papers should be available on the CCAMLR website in a password protected area before the meeting; and
- (iii) at the beginning of each meeting the Committee should select which papers need to be discussed in detail and which need to be used only for reference purposes.

5.6 The Committee agreed that such changes would be of benefit to its work from an organisational point of view.

5.7 In conjunction with the revision of SCOI's working arrangements, the Commission also asked the Secretariat to examine intersessionally whether changes could be made to Member's reporting obligations in order to reduce the number of reports, duplication between reports and to improve the report deadlines (CCAMLR-XVII, paragraph 8.19).

5.8 The Committee noted that CCAMLR-XVIII/6, prepared by the Secretariat, contains a number of proposals, which could be considered at the meeting. It was further noted that although some proposals would require changes to be made to the text of the System of Inspection, others could be implemented through Commission report language.

5.9 The USA convened a special task group to develop proposals on reporting obligations. The group took into account the advice received from the Chairman of the Scientific Committee.

5.10 The Committee considered the group's recommendations and made the following recommendations to the Commission:

SCOI recommended that the Commission direct the following changes in reporting obligations by Contracting Parties and in data handling by the Secretariat:

- (i) Direct Members to continue to submit annual Members' Activities Reports by 10 September, consider the recommendations of the Scientific Committee (SC-CAMLR-XVIII, paragraph 18.1) on information Members might include in their activities reports, and submit the activities reports in electronic, preferably web-compatible, format;
- (ii) Direct the Secretariat to place Members' Activities Reports on the general access page of the CCAMLR website in the language of presentation and discontinue distribution of hard copies of the activity reports at the annual meetings;
- (iii) Discontinue the Members' Reports on Assessment and Avoidance of Incidental Mortality once the Secretariat, in consultation with the Scientific Committee, has designed a standard form for submission of the data generally included in the report. Once the standard form is developed and approved, it will be used to submit data directly to the CCAMLR database;
- (iv) Direct the Secretariat to place and update the list of Designated Inspectors on secure password-protected pages of the CCAMLR website and discontinue publishing the list in the *Inspectors Manual*;
- (v) Once the Secretariat has developed a standard format for reporting the number, dates and statistical area/subarea/division of inspection, discontinue providing information on inspection effort in the Members' Activities Reports and submit it separately each year, using the standard format, 30 days before the annual CCAMLR meeting;
- (vi) Direct the Secretariat to place inspection reports (including supplementary information), on secure password-protected pages of the CCAMLR website and to discontinue publication as hard copy;
- (vii) Direct the Secretariat to place information on prosecution and sanctions imposed with respect to activities of vessels considered to be in contravention of CCAMLR measures on secure password-protected pages of the CCAMLR website;
- (viii) Direct the Secretariat to place the annual Members' reports of actions taken to implement Conservation Measure 119/XVII on secure password-protected pages of the CCAMLR website;
- (ix) Direct the Secretariat to place Members' reports of inspections of non-Contracting Party vessels conducted in accordance with Conservation Measure 118/XVII on secure password-protected pages of the CCAMLR website immediately after receipt;
- (x) Discontinue submission of information presently due 1 May on vessels intending to harvest or conduct fishing for research purposes;
- (xi) Direct the Secretariat to place details of licences or permits issued to flag vessels of Contracting Parties for fishing in the Convention Area supplied by Members, as required by the System of Inspection and Conservation Measure 119/XVII, on secure password-protected pages of the CCAMLR website;
- (xii) Direct the Secretariat to place the information required by paragraph 6 of Conservation Measure 148/XVII on disruptions in VMS transmissions (including details of the vessel involved), on secure password-protected pages of the CCAMLR website;

- (xiii) Continue submission of reports on the establishment and implementation of VMS, as required by paragraph 7 of Conservation Measure 148/XVII;
- (xiv) Direct the meeting of SCOI-19 to consider the level of detail of information on vessel movements which Members should submit on vessels to which Conservation Measure 148/XVII applies;
- (xv) Direct the Secretariat to place the details of research cruises and plan for surveys as required by Conservation Measure 64/XII on secure password-protected pages of the CCAMLR website, but continue to make hard copies of the details available to the Scientific Committee until the Committee advises that hard copies are no longer necessary;
- (xvi) Direct the Secretariat to place information on research cruises which do not include sampling by fishing gear on secure password-protected pages of the CCAMLR website and discontinue publication of this information in the *Inspectors Manual*;
- (xvii) Direct the Secretariat to continue to place the details of planned scientific observation program required by paragraph C of the Scheme of Scientific Observation on secure password-protected pages of the CCAMLR website;
- (xviii) Direct the Secretariat to provide hard copies of information on general pages and password-protected pages of the CCAMLR website to any Member who notifies the Secretariat that it does not have or has had a failure in its technical means to access the CCAMLR website. Members who lack the technical means to convey information electronically may submit it in writing;
- (xix) Amend the System of Inspection as follows:
 - Amend paragraph I(f) to read:
 - (f) Names of Inspectors shall be communicated to the Secretariat within fourteen days of designation.
 - Amend paragraph IV to read:
 - IV. Each Contracting Party shall provide to the Secretariat:
 - (a) One month before the commencement of the research cruise and in accordance with Conservation Measure 64/XII ‘The Application of Conservation Measures to Scientific Research’ the names of all vessels intending to conduct fishing for research purposes.
 - (b) Within seven days of the issuance of each permit or licence in accordance with Conservation Measure 119/XVII “Licensing and Inspection Obligations of Contracting Parties with regard to their Flag Vessels Operating in the Convention Area”, the following information about licences or permits issued by its authorities to its flag vessels authorising them to fish in the Convention Area;
 - Name of the vessel;
 - Time periods authorised for fishing (start and end dates);
 - Area(s) of fishing;
 - Species targeted; and
 - Gear used.

- (c) By 31 August an annual report of steps it has taken to implement the inspection, investigation, and sanctions provisions of Conservation Measure 119/XVII “Licensing and Inspection Obligations of Contracting Parties with regard to their flag vessels operating in the Convention Area”;

- Amend paragraph XII by inserting a new sentence at the start as follows:

The Flag State shall, within fourteen days of the initiation of a laying of charges or court proceedings relating to a prosecution, inform the Secretariat of this information, and shall continue thereafter to inform the Secretariat as the prosecution develops or is concluded.

The next sentence should start with ‘In addition,’.

- (xx) Direct the Secretariat to provide information submitted by Members on assessment and avoidance of incidental mortality, on the implementation of Conservation Measure 119/XVII and details of inspection effort, prosecutions and sanctions taken with respect to vessels fishing in contravention of CCAMLR conservation measures, inspections of non-Contracting Party vessels, and establishment and implementation of VMS in summary form to Members for review during annual meetings of the SCOI, Commission and the Scientific Committee;
- (xxi) Direct the Secretariat to develop mechanisms on the website for notifying Members of updates to the CCAMLR website; and
- (xxii) Direct the Secretariat to follow all the deadlines established by the System of Inspection and conservation measures when placing all information mentioned above on the CCAMLR website.

5.11 The Secretariat informed the Committee that these changes to the reporting obligations and the means by which the Secretariat circulates information should not impact on the budget provided that:

- (i) there is no conflict with the Secretariat’s current priorities;
- (ii) there is not a large degree of duplication of information, i.e. hard copies being circulated to a large number of Members in addition to posting information on a website; and
- (iii) the majority of information received from Members is in electronic format.

5.12 SCOI discussed the continuing application of paragraph 7.22 of the Report of CCAMLR-XV. Paragraph 7.22 notes that, ‘The Commission agreed that the effectiveness of paragraph IV of the System of inspection could be improved by obtaining positional information including movements by vessels in and out of the Convention Area and CCAMLR statistical areas. This would require information to be conveyed among Members via the Secretariat in as close to real time as possible.’ The Science Officer informed SCOI that no Members have responded to requests by the Secretariat for this information.

5.13 SCOI requested the Commission to consider:

- (i) whether paragraph 7.22 has been superseded in whole or in part, and if not
- (ii) whether the language of paragraph 7.22 is mandatory or hortatory.

ADVICE TO SCAF

6.1 The recommendations described in paragraph 5.11 relate to the distribution of information by means of the CCAMLRL website. Extra funds could be required if these recommendations are implemented in a relatively short period of time. The Committee, however, realised that given the present levels of funds, the Secretariat would be able to fully implement all of the Committee's recommendations by the time of the next meeting of CCAMLRL (see also paragraph 5.12).

OTHER BUSINESS

7.1 There was no other business proposed under this agenda item.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

8.1 The Committee elected Mr G. Bryden (New Zealand) to the position of Chair and Mr M. Fontanot (Uruguay) to the position of Vice-Chair.

8.2 The Committee recommended to the Commission that these officers should serve a one-year term until the end of the 2000 annual meeting. At the end of that term the Vice-Chair should assume the Chair.

ADOPTION OF THE REPORT

9.1 The report of the 1999 Meeting of the Standing Committee on Observation and Inspection was adopted.

CLOSE OF THE MEETING

10.1 The Chairman thanked delegates for their hard work during the Committee's deliberations.

10.2 The meeting was closed.

AGENDA

Standing Committee on Observation and Inspection (SCOI)
(Hobart, Australia, 25 to 29 October 1999)

1. Opening of Meeting
2. Illegal, Unreported and Unregulated Fishing in the Convention Area
 - (i) Information Provided by Members in Accordance with Articles X and XXII of the Convention and the System of Inspection
 - (ii) Implementation and Effectiveness of Measures Adopted in 1998
 - (iii) Development of a Catch Documentation System for *Dissostichus* spp.
 - (iv) Examination of Additional Measures
 - (a) Collection of Landing and Trade Statistics for *Dissostichus* spp.
 - (b) Development of an Action Plan
 - (c) CCAMLR Vessel Register
 - (d) Other Actions
 - (v) Advice to the Commission
3. Operation of the System of Inspection and Compliance with Conservation Measures
 - (i) Implementation of Conservation Measures in the 1998/99 Season
 - (ii) Inspections Undertaken in the 1998/99 Season
 - (iii) Actions of Flag States in Respect of Inspections Undertaken
 - (iv) Improvements to the System of Inspection
 - (v) Advice to the Commission
4. Operation of the Scheme of International Scientific Observation
 - (i) Observations Undertaken in 1998/99 Season
 - (ii) Improvements to the Scheme
 - (iii) Advice to the Commission
5. Review of SCOI Working Arrangements
6. Advice to SCAF
7. Other Business
8. Election of the Chairman of the Committee
9. Adoption of the Report
10. Close of Meeting.

LIST OF DOCUMENTS

Standing Committee on Observation and Inspection (SCOI)
(Hobart, Australia, 25 to 29 October 1999)

SCOI-99/1	Provisional agenda
SCOI-99/2	List of documents
SCOI-99/3	Report on inspection and implementation of sanctions – 1998/99 Delegation of South Africa
SCOI-99/4	Informe sobre procesos judiciales sustanciados en Chile por infracciones a la normativa vigente de la CCRVMA desde 1992 al 16 de Septiembre de 1999 Delegación de Chile
SCOI-99/5	On the establishment of a CCAMLR Vessel Register Secretariat
SCOI-99/6	Deployment of UK-designated CCAMLR inspectors and observers during the 1998/99 fishing season Delegation of the United Kingdom
SCOI-99/7	Reports of inspection Secretariat
SCOI-99/8	Sighting of fishing vessel in the Convention Area and implementation of Conservation Measure 119/XVII Delegation of Argentina
SCOI-99/9	Sighting of fishing vessel in the Convention Area in 1998/99 Delegation of France
SCOI-99/10	Information on Norway's regulations with respect to unregulated fisheries on the high seas Delegation of Norway
SCOI-99/11	Information on landings of toothfish in ports of non-contracting parties, Mauritius and Namibia Secretariat
SCOI-99/12	Comments of the European Community on information provided by non-contracting parties on landings of toothfish Delegation of the European Community
SCOI-99/13	Summary of trade data for <i>Dissostichus eleginoides</i> (Appendix B from SC-CAMLR-XVIII/BG/1)
SCOI-99/14	Évaluation de la pêche illicite dans les eaux françaises adjacentes aux îles Kerguelen pour la saison 1998/99 (1 ^{er} juillet 1998 – 30 juin 1999) Informations générales sur la zone CCAMLR 58 Délégation française

SCOI-99/15	Catches from IUU fishing of <i>Dissostichus</i> spp. and unregulated seabird by-catch (Extracts from SC-CAMLR-XVIII, Annex 5 – report of WG-FSA)
SCOI-99/16	Vessel monitoring system – UK compliance with Conservation Measure 148/XVII Delegation of the United Kingdom
SCOI-99/17	Informe de la inspección realizada al buque palangrero <i>Isla Guamblin</i> Delegación de Argentina
SCOI-99/18	The adoption of a policy to enhance cooperation between CCAMLR and non-Contracting parties Delegation of Australia
SCOI-99/19	Unregulated fisheries in the CCAMLR area on stocks regulated by CCAMLR: additional measures to counteract activities by non-Contracting parties Delegation of Norway
SCOI-99/20	Report of the Task Group on Members' Reporting Obligations Convener, USA
SCOI-99/21	Proposal from the European Community and Australia on an amendment to Conservation Measure 148/XVII
SCOI-99/22	Members' annual reporting obligations – discussion text
Other Documents	
CCAMLR-XVIII/6	Review of Members' annual reporting obligations Secretariat
CCAMLR-XVIII/19	Review of working arrangements for the Standing Committee on Observation and Inspection (SCOI) Secretariat
CCAMLR-XVIII/22	Catch Documentation Scheme Delegations of Australia, European Community and USA
CCAMLR-XVIII/BG/9	Implementation of conservation measures in 1998/99 Secretariat
CCAMLR-XVIII/BG/15	Implementation of the System of Inspection and other CCAMLR enforcement provisions in the 1998/99 season Secretariat
CCAMLR-XVIII/BG/24	International conference, monitoring, control and surveillance on fishing activities Santiago, Chile, 25–27 January 2000 Secretariat
CCAMLR-XVIII/BG/27	Implementación de las medidas de conservación de la CCRVMA en Chile Delegación de Chile

- CCAMLR-XVIII/BG/29 Information on trade in *Dissostichus* spp.
Delegation of Australia
- CCAMLR-XVIII/BG/33 Implementation by the United States of Conservation
Measure 148/XVII, automated satellite-linked vessel monitoring
systems (VMS)
Delegation of the USA
- CCAMLR-XVIII/BG/37 Summary of measures taken to combat illegal, unregulated and
unreported fishing in the Convention Area for the year to 30 June
1999
Delegation of Australia
- SC-CAMLR-XVIII/BG/1 Catches in the Convention Area 1998/99
Secretariat

CONSERVATION MEASURES ADOPTED AT CCAMLR-XVIII

CONSERVATION MEASURES ADOPTED AT CCAMLR-XVIII

CONSERVATION MEASURE 147/XVIII¹ Provisions to ensure Compliance with CCAMLR Conservation Measures by Vessels, including Cooperation between Contracting Parties

1. Contracting Parties shall undertake inspections of those fishing vessels that intend to land or tranship *Dissostichus* spp. at their ports. The inspection shall be for the purpose of determining that the catch to be unloaded or transhipped is accompanied by the *Dissostichus* catch document required by Conservation Measure 170/XVIII, that the catch agrees with the information recorded on the document and, if the vessel carried out harvesting activities in the Convention Area, that these activities were carried out in accordance with CCAMLR conservation measures.
2. To facilitate these inspections, Contracting Parties shall require vessels to provide advance notice of their entry into port. The inspection shall be conducted within 48 hours of port entry and shall be carried out in an expeditious fashion. It shall impose no undue burdens on the vessel or its crew, and shall be guided by the relevant provisions of the CCAMLR System of Inspection.
3. In the event that there is evidence that the vessel has fished in contravention of the CCAMLR conservation measures, the catch shall not be landed or transhipped. The Contracting Party will inform the Flag State of the vessel of its inspection findings and will cooperate with the Flag State in taking such appropriate action as is required to investigate the alleged infringement, and, if necessary, apply appropriate sanctions in accordance with national legislation.

¹ Except for waters adjacent to the Kerguelen and Crozet Islands

CONSERVATION MEASURE 150/XVIII Experimental Harvest Regime for the Crab Fishery in Statistical Subarea 48.3 for the 1999/2000 Season

The following measures apply to all crab fishing within Statistical Subarea 48.3 for the 1999/2000 fishing season. Every vessel participating in the crab fishery in Statistical Subarea 48.3 shall conduct fishing operations in accordance with an experimental harvest regime as outlined below:

1. Vessels shall conduct the experimental harvest regime in the 1999/2000 season at the start of their first season of participation in the crab fishery and the following conditions shall apply:
 - (i) every vessel when undertaking an experimental harvesting regime shall expend its first 200 000 pot hours of effort within a total area delineated by twelve blocks of 0.5° latitude by 1.0° longitude. For the purposes of this conservation measure, these blocks shall be numbered A to L. In Annex 150/A, the blocks are illustrated (Figure 1), and the geographic position is denoted by the coordinates of the northeast corner of the block. For each string, pot hours shall be calculated by taking the total number of pots on the string and multiplying that number by the soak time (in hours) for that string. Soak time shall be defined for each string as the time between start of setting and start of hauling;

- (ii) vessels shall not fish outside the area delineated by the 0.5° latitude by 1.0° longitude blocks prior to completing the experimental harvesting regime;
 - (iii) vessels shall not expend more than 30 000 pot hours in any single block of 0.5° latitude by 1.0° longitude;
 - (iv) if a vessel returns to port before it has expended 200 000 pot hours in the experimental harvesting regime the remaining pot hours shall be expended before it can be considered that the vessel has completed the experimental harvesting regime; and
 - (v) after completing 200 000 pot hours of experimental fishing, it shall be considered that vessels have completed the experimental harvesting regime they shall be permitted to commence fishing in a normal fashion.
2. Data collected during the experimental harvest regime up to 30 June 2000 shall be submitted to CCAMLR by 31 August 2000.
 3. Normal fishing operations shall be conducted in accordance with the regulations set out in Conservation Measure 181/XVIII.
 4. For the purposes of implementing normal fishing operations after completion of the experimental harvest regime, the Ten-day Catch and Effort Reporting System set out in Conservation Measure 61/XII shall apply.
 5. Vessels that complete experimental harvest regime shall not be required to conduct experimental fishing in future seasons. However, these vessels shall abide by the guidelines set forth in Conservation Measure 181/XVIII.
 6. Fishing vessels shall participate in the experimental harvest regime independently (i.e. vessels may not cooperate to complete phases of the experiment).
 7. Crabs taken by any vessel for research purposes will be considered as part of any catch limits in force for each species taken, and shall be reported to CCAMLR as part of the annual STATLANT returns.
 8. All vessels participating in the experimental harvest regime shall carry at least one scientific observer on board during all fishing activities.

**LOCATIONS OF FISHING AREAS FOR THE EXPERIMENTAL
HARVEST REGIME OF THE EXPLORATORY CRAB FISHERY**

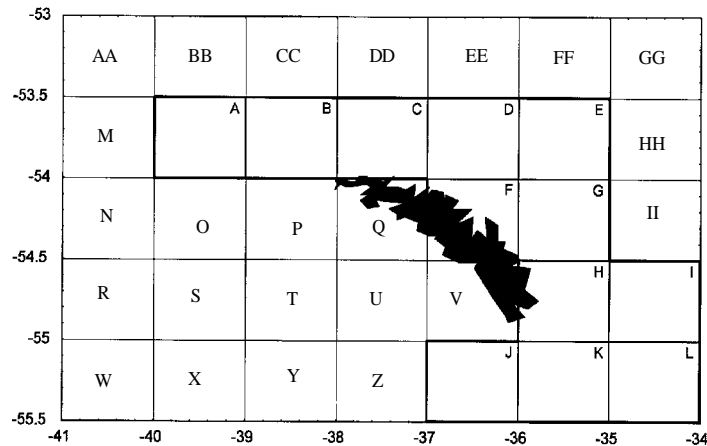


Figure 1: Operations area for Phase 1 of the experimental harvest regime for the crab fishery in Statistical Subarea 48.3.

**CONSERVATION MEASURE 170/XVIII
Catch Documentation Scheme for *Dissostichus* spp.**

The Commission,

Concerned that illegal, unregulated and unreported (IUU) fishing for *Dissostichus* spp. in the Convention Area threatens serious depletion of populations of *Dissostichus* spp.,

Aware that IUU fishing involves significant by-catch of some Antarctic species, including endangered albatross,

Noting that IUU fishing is inconsistent with the objective of the Convention and undermines the effectiveness of CCAMLR conservation measures,

Underlining the responsibilities of Flag States to ensure that their vessels conduct their fishing activities in a responsible manner,

Mindful of the rights and obligations of Port States to promote the effectiveness of regional fishery conservation measures,

Aware that IUU fishing reflects the high value of, and resulting expansion in markets for and international trade in, *Dissostichus* spp.,

Recalling that Contracting Parties have agreed to introduce classification codes for *Dissostichus* spp. at a national level,

Recognising that the implementation of a Catch Documentation Scheme for *Dissostichus* spp. will provide the Commission with essential information necessary to provide the precautionary management objectives of the Convention,

Committed to take steps, consistent with international law, to identify the origins of *Dissostichus* spp. entering the markets of Contracting Parties and to determine whether *Dissostichus* spp. harvested in the Convention Area that is imported into their territories was caught in a manner consistent with CCAMLR conservation measures.

Wishing to reinforce the conservation measures already adopted by the Commission with respect to *Dissostichus* spp.,

Inviting non-Contracting Parties whose vessels fish for *Dissostichus* spp. to participate in the Catch Documentation Scheme for *Dissostichus* spp.,

hereby adopts the following conservation measure in accordance with Article IX of the Convention:

1. Each Contracting Party shall take steps to identify the origin of *Dissostichus* spp. imported into or exported from its territories and to determine whether *Dissostichus* spp. harvested in the Convention Area that is imported into or exported from its territories was caught in a manner consistent with CCAMLR conservation measures.
2. Each Contracting Party shall require that each of its flag vessels authorised to engage in harvesting of *Dissostichus eleginoides* and/or *Dissostichus mawsoni* complete a *Dissostichus* catch document for the catch landed or transhipped on each occasion that it lands or tranships *Dissostichus* spp.
3. Each Contracting Party shall require that each landing of *Dissostichus* spp. at its ports and each transhipment of *Dissostichus* spp. to its vessels be accompanied by a completed *Dissostichus* catch document.
4. Each Contracting Party shall provide *Dissostichus* catch document forms to each of its flag vessels authorised to harvest *Dissostichus* spp. and only to those vessels.
5. A non-Contracting Party seeking to cooperate with CCAMLR by participating in this Scheme may issue *Dissostichus* catch document forms to any of its flag vessels that intend to harvest *Dissostichus* spp.
6. The *Dissostichus* catch document shall include the following information:
 - (i) the name, address, telephone and fax numbers of the issuing authority;
 - (ii) the name, home port, national registry number, and call sign of the vessel and, if applicable, its Lloyd's registration number;
 - (iii) the number of the licence or permit issued to the vessel, as applicable;
 - (iv) the weight of each *Dissostichus* species landed or transhipped by product type, and
 - (a) by CCAMLR statistical subarea or division if caught in the Convention Area; and/or
 - (b) by FAO statistical area, subarea or division if caught outside the Convention Area;
 - (v) the dates within which the catch was taken;
 - (vi) the date and the port at which the catch was landed or the date and the vessel, its flag and national registry number, to which the catch was transhipped; and

- (vii) the name, address, telephone and fax numbers of the receiver or receivers of the catch and the amount of each species and product type received.
7. Procedures for completing *Dissostichus* catch documents in respect of vessels are set forth in paragraphs A1 to A10 of Annex 170/A to this measure. A sample catch document is attached to the annex.
 8. Each Contracting Party shall require that each shipment of *Dissostichus* spp. imported into its territory be accompanied by the export-validated *Dissostichus* catch document or documents that account for all the *Dissostichus* spp. contained in the shipment.
 9. An export-validated *Dissostichus* catch document issued in respect of a vessel is one that:
 - (a) includes all relevant information and signatures provided in accordance with paragraphs A1 to A11 of Annex 170/A to this measure; and
 - (b) includes a signed and stamped certification by a responsible official of the exporting State of the accuracy of the information contained in the document.
 10. Each Contracting Party shall ensure that its customs authorities or other appropriate officials request and examine the import documentation of each shipment of *Dissostichus* spp. imported into its territory to verify that it includes the export-validated *Dissostichus* catch document or documents that account for all the *Dissostichus* spp. contained in the shipment. These officials may also examine the content of any shipment to verify the information contained in the catch document or documents.
 11. If, as a result of an examination referred to in paragraph 10 above, a question arises regarding the information contained in a *Dissostichus* catch document, the exporting State whose national authority validated the document and, as appropriate, the Flag State whose vessel completed the document are called on to cooperate with the importing State with a view to resolving such question.
 12. Each Contracting Party shall provide copies quarterly to the CCAMLR Secretariat of all export-validated *Dissostichus* catch documents that it issued from and received into its territory and shall report annually to the Secretariat data, drawn from *Dissostichus* catch documents, on the origin and amount of *Dissostichus* spp. exported from and imported into its territory.
 13. Each Contracting Party, and any non-Contracting Party that issues *Dissostichus* catch documents in respect of its flag vessels in accordance with paragraph 5, shall inform the CCAMLR Secretariat of the national authority or authorities (including names, addresses, fax numbers and email addresses) responsible for issuing and validating *Dissostichus* catch documents.
 14. Notwithstanding the above, any Contracting Party may require additional verification of catch documents, including *inter alia* the use of VMS, in respect of catches by its flag vessels outside the Convention Area, when landed at and exported from its territory.

ANNEX 170/A

- A1. Each Flag State shall ensure that each *Dissostichus* catch document form that it issues includes a specific identification number consisting of:
 - (i) a four-digit number, consisting of the two-digit International Standards Organization (ISO) country code plus the last two digits of the year for which the form is issued; and

- (ii) a three-digit sequence number (beginning with 001) to denote the order in which catch document forms are issued.

It shall also enter on each *Dissostichus* catch document form the number as appropriate of the licence or permit issued to the vessel.

A2. The master of a vessel which has been issued a *Dissostichus* catch document form or forms shall adhere to the following procedures prior to each landing or transshipment of *Dissostichus* spp.:

- (i) the master shall ensure that the information specified in paragraph 6 of this conservation measure is accurately recorded on the *Dissostichus* catch document form;
- (ii) if a landing or transshipment includes catch of both *Dissostichus* spp., the master shall record on the *Dissostichus* catch document form the total amount of the catch landed or transhipped by weight of each species;
- (iii) if a landing or transshipment includes catch of *Dissostichus* spp. taken from different statistical subareas and/or divisions, the master shall record on the *Dissostichus* catch document form the amount of the catch by weight of each species taken from each statistical subarea and/or division;
- (iv) the master shall convey to the Flag State of the vessel by the most rapid electronic means available, the *Dissostichus* catch document number, the trip start date, the species, processing type or types, the net landed weight and the area or areas of the catch, the date of landing or transshipment and the port and country of landing or vessel of transshipment and shall request from the Flag State, a Flag State confirmation number;

A3. If the Flag State determines that the catch landed or transhipped as reported by the vessel is consistent with its authorisation to fish, it shall convey a unique Flag State confirmation number to the master by the most rapid electronic means available.

A4. The master shall enter the Flag State confirmation number on the *Dissostichus* catch document form.

A5. The master of a vessel that has been issued a *Dissostichus* catch document form or forms shall adhere to the following procedures immediately after each landing or transshipment of *Dissostichus* spp.:

- (i) in the case of a transshipment, the master shall confirm the transshipment by obtaining the signature on the *Dissostichus* catch document of the master of the vessel to which the catch is transferred;
- (ii) in the case of a landing, the master shall confirm the landing by obtaining the signature on the *Dissostichus* catch document of a responsible official at the port of landing;
- (iii) in the case of a landing, the master shall also obtain the signature on the *Dissostichus* catch document of the individual that receives the catch at the port of landing; and
- (iv) in the event that the catch is divided upon landing, the master shall present a copy of the *Dissostichus* catch document to each individual that receives a part of the catch at the port of landing, record on that copy of the catch document the amount and origin of the catch received by that individual and obtain the signature of that individual.

- A6. In respect of each landing or transshipment, the master shall sign and convey by the most rapid electronic means available a copy, or, if the catch landed was divided, copies, of the signed *Dissostichus* catch document to the Flag State of the vessel and shall provide a copy of the relevant document to each recipient of the catch.
- A7. The Flag State of the vessel shall immediately convey by the most rapid electronic means available a copy or, if the catch was divided, copies, of the signed *Dissostichus* catch document to the CCAMLR Secretariat to be made available by the next working day to all Contracting Parties.
- A8. The master shall retain the original copies of the signed *Dissostichus* catch document or documents and return them to the Flag State no later than one month after the end of the fishing season.
- A9. The master of a vessel to which catch has been transhipped (receiving vessel) shall adhere to the following procedures immediately after landing of such catch in order to complete each *Dissostichus* catch document received from transshipping vessels:
- (i) the master of the receiving vessel shall confirm the landing by obtaining the signature on the *Dissostichus* catch document of a responsible official at the port of landing;
 - (ii) the master of the receiving vessel shall also obtain the signature on the *Dissostichus* catch document of the individual that receives the catch at the port of landing; and
 - (iii) in the event that the catch is divided upon landing, the master of the receiving vessel shall present a copy of the *Dissostichus* catch document to each individual that receives a part of the catch at the port of landing, record on that copy of the catch document the amount and origin of the catch received by that individual and obtain the signature of that individual.
- A10. In respect of each landing of transhipped catch, the master of the receiving vessel shall sign and convey by the most rapid electronic means available a copy of all the *Dissostichus* catch documents, or if the catch was divided, copies, of all the *Dissostichus* catch documents, to the Flag State(s) that issued the *Dissostichus* catch document, and shall provide a copy of the relevant document to each recipient of the catch. The Flag State of the vessel shall immediately convey by the most rapid electronic means available a copy of the document to the CCAMLR Secretariat to be made available by the next working day to all Contracting Parties.
- A11. For each shipment of *Dissostichus* spp. to be exported from the country of landing, the exporter shall adhere to the following procedures to obtain the necessary export validation of the *Dissostichus* catch document or documents that account for all the *Dissostichus* spp. contained in the shipment:
- (i) the exporter shall enter on each *Dissostichus* catch document the amount of each *Dissostichus* spp. reported on the document that is contained in the shipment;
 - (ii) the exporter shall enter on each *Dissostichus* catch document the name and address of the importer of the shipment and the point of import;
 - (iii) the exporter shall enter on each *Dissostichus* catch document the exporter's name and address, and shall sign the document; and
 - (iv) the exporter shall obtain validation of *Dissostichus* catch document by the responsible authority of the exporting State.

A12. In the case of re-export, the re-exporter shall adhere to the following procedures to obtain the necessary re-export validation of the *Dissostichus* catch document or documents that account for all the *Dissostichus* spp. contained in the shipment:

- (i) the re-exporter shall supply details of the net weight of product of all species to be re-exported, together with the *Dissostichus* catch document number to which each species and product relates;
- (ii) the re-exporter shall supply the name and address of the importer of the shipment, the point of import and the name and address of the exporter;
- (iii) the re-exporter shall obtain validation of the above details by the responsible authority of the exporting State.

An example form for re-export is attached to this annex.

DISSOSTICHUS CATCH DOCUMENT

V1.0

Document Number					Flag State Confirmation Number				
PRODUCTION SECTION									
1. Issuing Authority of Document					Tel:				
Name					Address				
					Fax:				
2. Fishing Vessel Name			Home Port & Registration Number			Call Sign		Lloyd's Number (if applicable)	
3. Licence Number (if applicable)					4. Fishing dates for catch under this document				
					From:				
					To:				
5. Date of Landing/Transshipment									
6. Description of Fish (Landing/Transshipment)									
Species	Type	Net Weight Landed (kg)	Area Caught	Net Weight Sold (kg)	7. Recipient name, address, tel, fax and signature. Recipient Name: Signature: Address: Tel: Fax:				
Species: TOP <i>Dissostichus eleginoides</i> , TOA <i>Dissostichus mawsoni</i>									
Type: WHO Whole; HAG Headed and gutted; HAT Headed and tailed; FLT Fillet; HGT Headed, gutted, tailed; OTH Other (specify)									
8. Landing/Transshipment Information: I certify that the above information is complete, true and correct to the best of my knowledge and that any <i>Dissostichus</i> spp. taken in the Convention Area was caught in a manner consistent*/not consistent with CCAMLR conservation measures.									
Master of Fishing Vessel			Signature			Landing/Transshipment Port and Country/Area			
9. Certificate of Transshipments: I certify that the above information is complete, true and correct to the best of my knowledge.									
Master of Receiving Vessel			Signature		Vessel Name		Registration Number		
10. Certificate of Landing: I certify that the above landing information is complete, true and correct to the best of my knowledge.									
Name		Authority		Signature		Address		Tel: Fax:	
11. EXPORT SECTION									
Description of Fish					12. Exporter Declaration: I certify that the above information is complete, true and correct to the best of my knowledge.				
Species	Product	Net Weight			Name	Address	Signature	Export licence (if applicable)	
	Type	(kg)							
					13. Export Government Authority Validation: I certify that the above information is complete, true and correct to the best of my knowledge.				
					Name/Title	Signature	Date	Seal (Stamp)	
14. IMPORT SECTION									
Name of Importer					Address				
Point of Unlading:		City		State/Province			Country		

* Delete whichever is not applicable

CONSERVATION MEASURE 171/XVIII
**Prohibition of Directed Fishery on *Gobionotothen gibberifrons*,
Chaenocephalus aceratus, *Pseudochaenichthys georgianus*,
Lepidonotothen squamifrons and *Patagonotothen guntheri*
in Statistical Subarea 48.3**

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 7/V:

Directed fishing on *Gobionotothen gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus*, *Lepidonotothen squamifrons* and *Patagonotothen guntheri* in Statistical Subarea 48.3 is prohibited until a decision that the fishery be reopened is made by the Commission based on the advice of the Scientific Committee.

CONSERVATION MEASURE 172/XVIII¹
**Prohibition on Directed Fishing for *Dissostichus* spp.
except in accordance with Specific Conservation
Measures in the 1999/2000 Season**

The Commission,

Concerned to ensure the regulation of directed fishing for *Dissostichus* spp. in all statistical areas and subareas in the Convention Area, and

Noting that conservation measures in respect of the regulation of *Dissostichus* spp. have been agreed for all areas except Statistical Subareas 48.5 and 88.3 and Statistical Divisions 58.4.1 (east of 90°E) and 58.5.1, and longline fishing areas in Statistical Division 58.5.2,

hereby adopts the following conservation measure in accordance with Article IX of the Convention:

Directed fishing for *Dissostichus* spp. in Statistical Subareas 48.5 and 88.3, and Statistical Divisions 58.4.1 (east of 90°E) and 58.5.1 is prohibited from 1 December 1999 to 30 November 2000. Directed fishing by longlining in Statistical Division 58.5.2 is prohibited from 1 December 1999 to 30 November 2000.

¹ Except in waters adjacent to the Kerguelen Islands

CONSERVATION MEASURE 173/XVIII¹
**Minimisation of the Incidental Mortality of Seabirds
and Marine Mammals in the Course of Trawl Fishing
in the Convention Area**

The Commission,

Noting the need to reduce the incidental mortality of or injury to seabirds and marine mammals from fishing operations,

Adopts the following measures to reduce the incidental mortality of or injury to seabirds and marine mammals during trawl fishing.

1. The use of net monitor cables on vessels in the CCAMLR Convention Area is prohibited.
2. Vessels operating within the Convention Area should at all times arrange the location and level of lighting so as to minimise illumination directed out from the vessel, consistent with the safe operation of the vessel.
3. The discharge of offal shall be prohibited during the shooting and hauling of trawl gear.

¹ Except for waters adjacent to the Kerguelen and Crozet Islands

CONSERVATION MEASURE 174/XVIII
Precautionary Catch Limit for *Electrona carlsbergi*
in Statistical Subarea 48.3 for the 1999/2000 Season

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 7/V:

1. For the purposes of this conservation measure the fishing season for *Electronacarlsbergi* is defined as the period from 1 December 1999 to 30 November 2000.
2. The total catch of *Electronacarlsbergi* in the 1999/2000 season shall be limited to 109 000 tonnes in Statistical Subarea 48.3.
3. In addition, the total catch of *Electronacarlsbergi* in the 1999/2000 season shall be limited to 14 500 tonnes in the Shag Rocks region, defined as the area bounded by 52°30'S, 40°W; 52°30'S, 44°W; 54°30'S, 40°W and 54°30'S, 44°W.
4. In the event that the catch of *Electronacarlsbergi* is expected to exceed 20 000 tonnes in the 1999/2000 season, a survey of stock biomass and age structure shall be conducted during that season by the principal fishing nations involved. A full report of this survey including data on stock biomass (specifically including area surveyed, survey design and density estimates), age structure and the biological characteristics of the by-catch shall be made available in advance for discussion at the meeting of the Working Group on Fish Stock Assessment in 2000.
5. The directed fishery for *Electronacarlsbergi* in Statistical Subarea 48.3 shall close if the by-catch of any of the species named in Conservation Measure 95/XIV reaches its by-catch limit or if the total catch of *Electronacarlsbergi* reaches 109 000 tonnes, whichever is sooner.
6. The directed fishery for *Electronacarlsbergi* in the Shag Rocks region shall close if the by-catch of any of the species named in Conservation Measure 95/XIV reaches its by-catch limit or if the total catch of *Electronacarlsbergi* reaches 14 500 tonnes, whichever is sooner.
7. If, in the course of the directed fishery for *Electronacarlsbergi*, the by-catch in any one haul of any species other than the target species
 - is greater than 100 kg and exceeds 5% of the total catch of all fish by weight, or
 - is equal to or greater than 2 tonnes, then

the fishing vessel shall move to another fishing location at least 5 n miles distant¹. The fishing vessel shall not return to any point within 5 n miles of the location where the by-catch of species, other than the target species, exceeded 5%, for a period of at least five days². The location where the by-catch exceeded 5% is defined as the path

followed by the fishing vessel from the point at which the fishing gear was first deployed from the fishing vessel to the point at which the fishing gear was retrieved by the fishing vessel.

8. For the purpose of implementing this conservation measure:

- (i) the Catch Reporting System set out in Conservation Measure 40/X shall apply in the 1999/2000 season;
- (ii) the Monthly Fine-scale Catch and Effort Data Reporting System set out in Conservation Measure 122/XVI shall also apply in the 1999/2000 season. For the purposes of Conservation Measure 122/XVI, the target species is *Electronacarlbergi*, and 'by-catch species' are defined as any cephalopod, crustacean or fish species other than *Electrona carlsbergi*; and
- (iii) the Monthly Fine-scale Biological Data Reporting System set out in Conservation Measure 121/XVI shall also apply in the 1999/2000 season. For the purposes of Conservation Measure 121/XVI, the target species is *Electronacarlbergi*, and 'by-catch species' are defined as any cephalopod, crustacean or fish species other than *Electronacarlbergi*. For the purposes of paragraph 3(ii) of Conservation Measure 121/XVI a representative sample shall be a minimum of 500 fish.

¹ This provision concerning the minimum distance separating fishing locations is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission.

² The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.

CONSERVATION MEASURE 175/XVIII **Limitation of the Total Catch of *Champocephalus gunnari*** **in Statistical Subarea 48.3 in the 1999/2000 Season**

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 7/V:

1. The total catch of *Champocephalusgunnari* in the 1999/2000 season shall be limited to 4 036 tonnes in Statistical Subarea 48.3.
2. The fishery for *Champocephalusgunnari* in Statistical Subarea 48.3 shall close if the by-catch of any of the species listed in Conservation Measure 95/XIV reaches its by-catch limit or if the total catch of *Champocephalus gunnari* reaches 4 036 tonnes, whichever is sooner.
3. If, in the course of the directed fishery for *Champocephalus gunnari*, the by-catch in any one haul of any of the species named in Conservation Measure 95/XIV
 - is greater than 100 kg and exceeds 5% of the total catch of all fish by weight, or
 - is equal to or greater than 2 tonnes, then

the fishing vessel shall move to another location at least 5 n miles distant¹. The fishing vessel shall not return to any point within 5 n miles of the location where the by-catch of species named in Conservation Measure 95/XIV exceeded 5% for a period of at least five days². The location where the by-catch exceeded 5% is defined as the path followed by the fishing vessel from the point at which the fishing gear was first deployed from the fishing vessel to the point at which the fishing gear was retrieved by the fishing vessel.

4. Where any haul contains more than 100 kg of *Champocephalusgunnari*, and more than 10% of the *Champocephalus gunnari* by number are smaller than 240 mm total length, the fishing vessel shall move to another fishing location at least 5 n miles distant¹. The fishing vessel shall not return to any point within 5 n miles of the location where the catch of small *Champocephalus gunnari* exceeded 10%, for a period of at least five days². The location where the catch of small *Champocephalusgunnari* exceeded 10% is defined as the path followed by the fishing vessel from the point at which the fishing gear was first deployed from the fishing vessel to the point at which the fishing gear was retrieved by the fishing vessel.
5. The use of bottom trawls in the directed fishery for *Champocephalus gunnari* in Statistical Subarea 48.3 is prohibited.
6. The fishery for *Champocephalus gunnari* in Statistical Subarea 48.3 shall be closed from 1 March to 31 May 2000.
7. Each vessel participating in the directed fishery for *Champocephalus gunnari* in Statistical Subarea 48.3 in the 1999/2000 season shall have a scientific observer, appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing period.
8. For the purpose of implementing paragraphs 1 and 2 of this conservation measure:
 - (i) the Five-day Catch and Effort Reporting System set out in Conservation Measure 51/XII shall apply in the 1999/2000 season; and
 - (ii) the Monthly Fine-scale Catch and Effort Data Reporting System set out in Conservation Measure 122/XVI shall apply for *Champocephalusgunnari*. Data shall be reported on a haul-by-haul basis.
9. Fine-scale biological data, as required under Conservation Measure 121/XVI shall be collected and recorded. Such data shall be reported in accordance with the Scheme of International Scientific Observation.
 - ¹ This provision concerning the minimum distance separating fishing locations is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission.
 - ² The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.

CONSERVATION MEASURE 176/XVIII
Fishery for *Dissostichus eleginoides* in
Statistical Division 58.5.2 for the 1999/2000 Season

1. The total catch of *Dissostichus eleginoides* in Statistical Division 58.5.2 shall be limited to 3 585 tonnes in the 1999/2000 season.
2. For the purpose of this fishery for *Dissostichus eleginoides*, the 1999/2000 fishing season is defined as the period from 1 December 1999 to 30 November 2000.
3. Fishing shall cease if the by-catch of any species reaches its by-catch limit as detailed in Conservation Measure 178/XVIII.
4. The catch limit may only be taken by trawling.

5. Each vessel participating in the fishery for *Dissostichus eleginoides* in Statistical Division 58.5.2 shall have at least one scientific observer, and include, if available, one appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities.
6. Each vessel operating in the fishery for *Dissostichus eleginoides* in Statistical Division 58.5.2 shall be required to operate a VMS at all times, in accordance with Conservation Measure 148/XVII.
7. A ten-day catch and effort reporting system shall be implemented:
 - (i) for the purpose of implementing this system, the calendar month shall be divided into three reporting periods viz: day 1 to day 10, day 11 to day 20, day 21 to the last day of the month. These reporting periods are hereinafter referred to as periods A, B and C;
 - (ii) at the end of each reporting period, each Contracting Party participating in the fishery shall obtain from each of its vessels information on total catch and total days and hours fished for the period and shall, by electronic transmission, cable, telex or facsimile, transmit the aggregated catch and days and hours fished for its vessels so as to reach the Executive Secretary not later than the end of the next reporting period;
 - (iii) a report must be submitted by every Contracting Party taking part in the fishery for each reporting period for the duration of the fishery, even if no catches are taken;
 - (iv) the catch of *Dissostichus eleginoides* and of all by-catch species must be reported;
 - (v) such reports will specify the month and reporting period (A, B and C) to which each report refers;
 - (vi) immediately after the deadline has passed for receipt of the reports for each period, the Executive Secretary shall notify all Contracting Parties engaged in fishing activities in the division of the total catch taken during the reporting period and the total aggregate catch for the season to date; and
 - (vii) at the end of every three reporting periods, the Executive Secretary shall inform all Contracting Parties of the total catch taken during the three most recent reporting periods and the total aggregate catch for the season to date.
8. A fine-scale effort and biological data reporting system shall be implemented:
 - (i) the scientific observer(s) aboard each vessel shall collect the data required to complete the CCAMLR fine-scale catch and effort data form C1, latest version. These data shall be submitted to the CCAMLR Secretariat not later than one month after the vessel returns to port;
 - (ii) the catch of *Dissostichus eleginoides* and all by-catch species must be reported;
 - (iii) the numbers of seabirds and marine mammals of each species caught and released or killed must be reported;
 - (iv) the scientific observer(s) aboard each vessel shall collect data on the length composition from representative samples of *Dissostichus eleginoides* and by-catch species as detailed in the CCAMLR *Scientific Observers Manual* (Part III, Section 1) for finfish fisheries:

- (a) length measurements shall be to the nearest centimetre below; and
 - (b) representative samples of length composition shall be taken from each fine-scale grid rectangle (0.5° latitude by 1° longitude) fished in each calendar month; and
- (v) the above data shall be submitted to the CCAMLR Secretariat not later than one month after the vessel returns to port.
9. The total number and weight of *Dissostichus eleginoides* discarded, including those with the jellymeat condition, shall be reported. These fish will count towards the total allowable catch.

CONSERVATION MEASURE 177/XVIII
Fishery for *Champscephalus gunnari* in
Statistical Division 58.5.2 in the 1999/2000 Season

1. The total catch for *Champscephalus gunnari* in Statistical Division 58.5.2 shall be limited to 916 tonnes in the 1999/2000 season.
2. Areas in Statistical Division 58.5.2 outside that defined in paragraph 4 below shall be closed to directed fishing for *Champscephalus gunnari*.
3. Fishing shall cease if the by-catch of any of the species reaches its by-catch limit as detailed in Conservation Measure 178/XVIII.
4. For the purpose of this fishery for *Champscephalus gunnari*, the area open to the fishery is defined as that portion of Statistical Division 58.5.2 that lies within the area enclosed by a line:
 - (i) starting at the point where the meridian of longitude 72°15'E intersects the Australia–France Maritime Delimitation Agreement Boundary then south along the meridian to its intersection with the parallel of latitude 53°25'S;
 - (ii) then east along that parallel to its intersection with the meridian of longitude 74°E;
 - (iii) then northeasterly along the geodesic to the intersection of the parallel of latitude 52°40'S and the meridian of longitude 76°E;
 - (iv) then north along the meridian to its intersection with the parallel of latitude 52°S;
 - (v) then northwesterly along the geodesic to the intersection of the parallel of latitude 51°S with the meridian of longitude 74°30'E; and
 - (vi) then southwesterly along the geodesic to the point of commencement.

A chart illustrating the above definition is appended to this conservation measure (Annex 177/A).

5. For the purposes of this fishery for *Champscephalusgunnari*, the 1999/2000 season is defined as the period from 1 December 1999 to 30 November 2000.
6. The catch limit may only be taken by trawling.
7. Where any haul contains more than 100 kg of *Champscephalus gunnari*, and more than 10% of the *Champscephalus gunnari* by number are smaller than 240 mm total length,

the fishing vessel shall move to another fishing location at least 5 n miles distant¹. The fishing vessel shall not return to any point within 5 n miles of the location where the catch of small *Champscephalus gunnari* exceeded 10% for a period of at least five days². The location where the catch of small *Champscephalus gunnari* exceeded 10% is defined as the path followed by the fishing vessel from the point at which the fishing gear was first deployed from the fishing vessel to the point at which the fishing gear was retrieved by the fishing vessel.

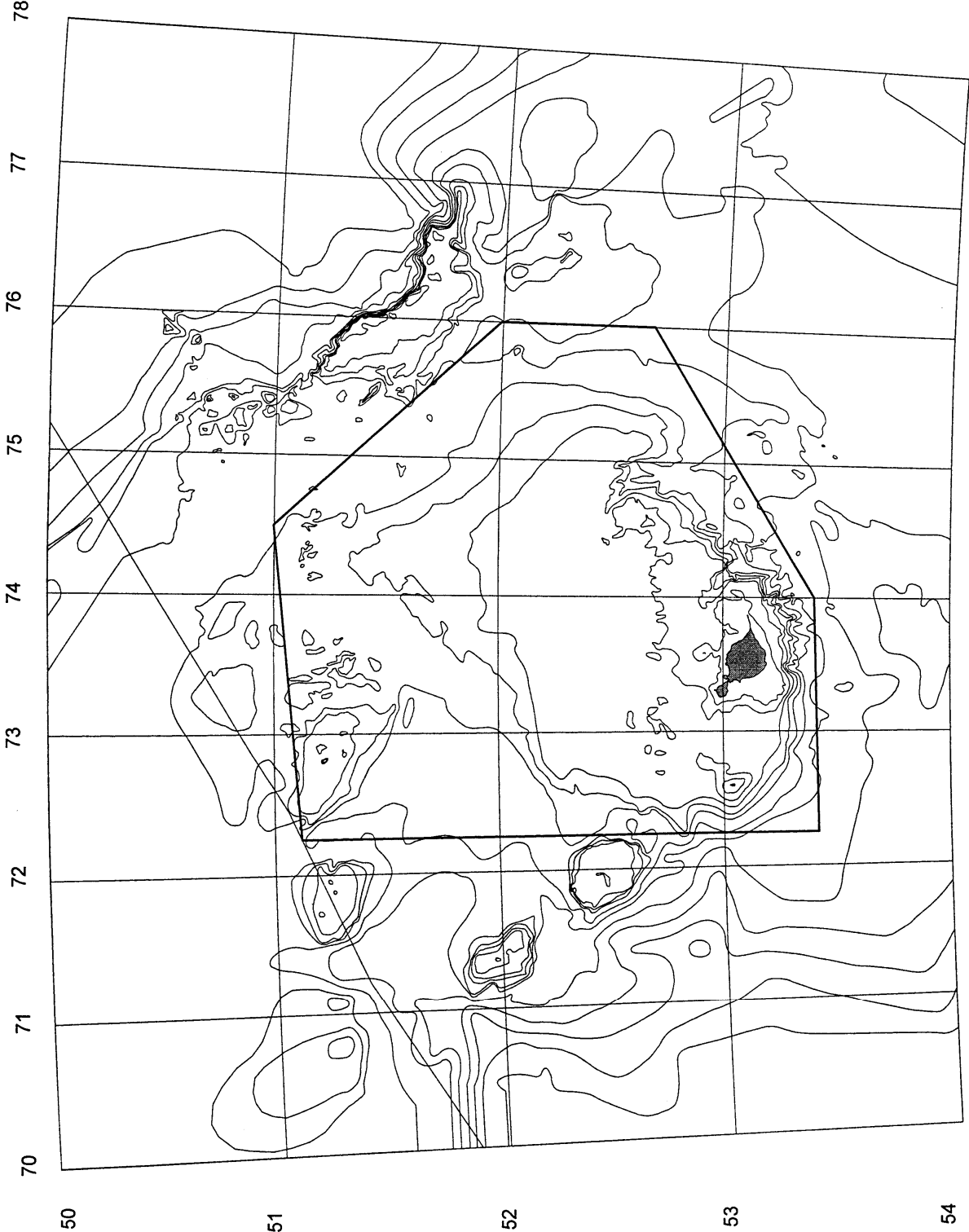
8. Each vessel participating in the fishery shall have at least one scientific observer, and include, if available, one appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities.
9. Each vessel operating in the fishery for *Champscephalus gunnari* in Statistical Division 58.5.2 shall be required to operate a VMS at all times, in accordance with Conservation Measure 148/XVII.
10. A ten-day catch and effort reporting system shall be implemented:
 - (i) for the purpose of implementing this system, the calendar month shall be divided into three reporting periods, viz: day 1 to day 10, day 11 to day 20 and day 21 to the last day of the month. The reporting periods are hereafter referred to as periods A, B and C;
 - (ii) at the end of each reporting period, each Contracting Party participating in the fishery shall obtain from each of its vessels information on total catch and total days and hours fished for that period and shall, by cable, telex, facsimile or electronic transmission, transmit the aggregated catch and days and hours fished for its vessels so as to reach the Executive Secretary no later than the end of the next reporting period;
 - (iii) a report must be submitted by every Contracting Party taking part in the fishery for each reporting period for the duration of the fishery, even if no catches are taken;
 - (iv) the catch of *Champscephalus gunnari* and of all by-catch species must be reported;
 - (v) such reports shall specify the month and reporting period (A, B and C) to which each report refers;
 - (vi) immediately after the deadline has passed for receipt of the reports for each period, the Executive Secretary shall notify all Contracting Parties engaged in fishing activities in the division of the total catch taken during the reporting period and the total aggregate catch for the season to date; and
 - (vii) at the end of every three reporting periods, the Executive Secretary shall inform all Contracting Parties of the total catch taken during the three most recent reporting periods and the total aggregate catch for the season to date.
11. A fine-scale effort and biological data reporting system shall be implemented:
 - (i) the scientific observer(s) aboard each vessel shall collect the data required to complete the CCAMLR fine-scale catch and effort data form C1, latest version. These data shall be submitted to the CCAMLR Secretariat not later than one month after the vessel returns to port;
 - (ii) the catch of *Champscephalus gunnari* and of all by-catch species must be reported;

- (iii) the numbers of seabirds and marine mammals of each species caught and released or killed must be reported;
- (iv) the scientific observer(s) aboard each vessel shall collect data on the length composition from representative samples of *Champscephalus gunnari* and by-catch species:
 - (a) length measurements shall be to the nearest centimetre below; and
 - (b) representative samples of length composition shall be taken from each fine-scale grid rectangle (0.5° latitude by 1° longitude) fished in each calendar month; and
- (v) the above data shall be submitted to the CCAMLR Secretariat not later than one month after the vessel returns to port.

¹ This provision concerning the minimum distance separating fishing locations is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission.

² The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.

CHART OF THE HEARD ISLAND PLATEAU



CONSERVATION MEASURE 178/XVIII
Limitation of the By-catch in Statistical Division 58.5.2
in the 1999/2000 Season

1. There shall be no directed fishing for any species other than *Dissostichus eleginoides* and *Champscephalus gunnari* in Statistical Division 58.5.2 in the 1999/2000 fishing season.
2. In directed fisheries in Statistical Division 58.5.2 in the 1999/2000 season, the by-catch of *Channichthys rhinoceratus* shall not exceed 150 tonnes, and the by-catch of *Lepidonotothen squamifrons* shall not exceed 80 tonnes.
3. The by-catch of any fish species not mentioned in paragraph 2, and for which there is no other catch limit in force, shall not exceed 50 tonnes in Statistical Division 58.5.2.
4. If, in the course of a directed fishery, the by-catch in any one haul of any by-catch species for which by-catch limitations apply under this conservation measure is equal to, or greater than 2 tonnes, then the fishing vessel shall not fish using that method of fishing at any point within 5 n miles¹ of the location where the by-catch exceeded 2 tonnes for a period of at least five days². The location where the by-catch exceeded 2 tonnes is defined as the path followed by the fishing vessel from the point at which the fishing gear was first deployed from the fishing vessel to the point at which the fishing gear was retrieved by the fishing vessel.

¹ This provision concerning the minimum distance separating fishing locations is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission.

² The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.

CONSERVATION MEASURE 179/XVIII
Limits on the Fishery for *Dissostichus eleginoides*
in Statistical Subarea 48.3 for the 1999/2000 Season

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 7/V:

1. The total catch of *Dissostichus eleginoides* in Statistical Subarea 48.3 in the 1999/2000 season shall be limited to 5 310 tonnes.
2. For the purposes of the longline fishery for *Dissostichus eleginoides* in Statistical Subarea 48.3, the 1999/2000 fishing season is defined as the period from 1 May to 31 August 2000, or until the catch limit is reached, whichever is the sooner.
3. Each vessel participating in the *Dissostichus eleginoides* fishery in Statistical Subarea 48.3 in the 1999/2000 season shall have at least one scientific observer appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing period.
4. For the purpose of implementing this conservation measure:
 - (i) the Five-day Catch and Effort Reporting System set out in Conservation Measure 51/XII shall apply in the 1999/2000 season, commencing on 1 May 2000; and
 - (ii) the Monthly Fine-scale Catch and Effort Reporting System set out in Conservation Measure 122/XVI shall apply in the 1999/2000 season, commencing on 1 May

2000. Data shall be submitted on a haul-by-haul basis. For the purpose of Conservation Measure 122/XVI the target species is *Dissostichus eleginoides* and 'by-catch species' are defined as any species other than *Dissostichus eleginoides*.

5. Fine-scale biological data, as required under Conservation Measure 121/XVI shall be collected and recorded. Such data shall be reported in accordance with the System of International Scientific Observation.
6. Directed fishing shall be by longlines only. The use of all other methods of directed fishing for *Dissostichus eleginoides* in Statistical Subarea 48.3 is prohibited, except in relation to the experimental pot fishery for *Dissostichus eleginoides* notified for the 1999/2000 season, to which the provisions of Conservation Measure 64/XII shall apply. The catch in this experimental fishery shall count towards the catch limit in paragraph 1.

CONSERVATION MEASURE 180/XVIII
Catch Limit on *Dissostichus eleginoides* and
***Dissostichus mawsoni* in Statistical Subarea 48.4**

1. The total catch of *Dissostichus eleginoides* in Statistical Subarea 48.4 shall be limited to 28 tonnes per season.
2. Taking of *Dissostichus mawsoni*, other than for scientific research purposes, is prohibited.
3. For the purposes of the fishery for *Dissostichus eleginoides* in Statistical Subarea 48.4, the fishing season shall be defined as that applied in Subarea 48.3 in any particular season, or until the catch limit for *Dissostichus eleginoides* in Subarea 48.4 is reached, or until the catch limit for *Dissostichus eleginoides* in Subarea 48.3, as specified in any conservation measure, is reached, whichever is sooner.
4. Each vessel participating in the *Dissostichus eleginoides* fishery in Statistical Subarea 48.4 shall have at least one scientific observer appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing period.
5. For the purpose of implementing this conservation measure:
 - (i) the Five-day Catch and Effort Reporting System set out in Conservation Measure 51/XII shall apply; and
 - (ii) the Monthly Fine-scale Catch and Effort Data Reporting System set out in Conservation Measure 122/XVI shall apply. Data shall be reported on a haul-by-haul basis. For the purposes of Conservation Measure 122/XVI, the target species is *Dissostichus eleginoides*, and 'by-catch species' are defined as any species other than *Dissostichus eleginoides*.
6. Fine-scale biological data, as required under Conservation Measure 121/XVI shall be collected and recorded. Such data shall be reported in accordance with the Scheme of International Scientific Observation.
7. Directed fishing shall be by longlines only. The use of all other methods of directed fishing for *Dissostichus eleginoides* in Statistical Subarea 48.4 shall be prohibited.

CONSERVATION MEASURE 181/XVIII
Limits on the Crab Fishery in Statistical Subarea 48.3
in the 1999/2000 Season

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 7/V:

1. The crab fishery is defined as any commercial harvest activity in which the target species is any member of the crab group (Order Decapoda, Suborder Reptantia).
2. In Statistical Subarea 48.3, the crab fishing season is defined as the period from 1 December 1999 to 30 November 2000, or until the catch limit is reached, whichever is sooner.
3. The crab fishery shall be limited to one vessel per Member.
4. The total catch of crab from Statistical Subarea 48.3 shall be limited to 1 600 tonnes during the 1999/2000 crab fishing season.
5. Each vessel participating in the crab fishery in Statistical Subarea 48.3 in the 1999/2000 season shall have a scientific observer, appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing period.
6. Each Member intending to participate in the crab fishery shall notify the CCAMLR Secretariat at least three months in advance of starting fishing of the name, type, size, registration number, radio call sign, and research and fishing operations plan of the vessel that the Member has authorised to participate in the crab fishery.
7. All vessels fishing for crab shall report the following data to CCAMLR by 31 August 2000 for crabs caught prior to 31 July 2000:
 - (i) the location, date, depth, fishing effort (number and spacing of pots and soak time), and catch (numbers and weight) of commercially sized crabs (reported on as fine a scale as possible, but no coarser than 0.5° latitude by 1.0° longitude) for each 10-day period;
 - (ii) the species, size, and sex of a representative subsample of crab sampled according to the procedure set out in Annex 181/A (between 35 and 50 crabs shall be sampled every day from the line hauled just prior to noon) and by-catch caught in traps; and
 - (iii) other relevant data, as possible, according to the requirements set out in Annex 181/A.
8. For the purposes of implementing this conservation measure, the Ten-day Catch and Effort Reporting System set out in Conservation Measure 61/XII shall apply.
9. Data on catches taken between 31 July and 31 August 2000 shall be reported to CCAMLR by 30 September 2000 so that the data will be available to the Working Group on Fish Stock Assessment.
10. Crab fishing gear shall be limited to the use of crab pots (traps). The use of all other methods of catching crabs (e.g. bottom trawls) shall be prohibited.

11. The crab fishery shall be limited to sexually mature male crabs – all female and undersized male crabs caught shall be released unharmed. In the case of *Paralomisspinosissima* and *Paralomisformosa*, males with a minimum carapace width of 102 mm and 90 mm, respectively, may be retained in the catch.
12. Crab processed at sea shall be frozen as crab sections (minimum size of crabs can be determined using crab sections).

ANNEX 181/A

**DATA REQUIREMENTS ON THE
CRAB FISHERY IN STATISTICAL SUBAREA 48.3**

Catch and Effort Data:

Cruise Descriptions

cruise code, vessel code, permit number, year.

Pot Descriptions

diagrams and other information, including pot shape, dimensions, mesh size, funnel position, aperture and orientation, number of chambers, presence of an escape port.

Effort Descriptions

date, time, latitude and longitude of the start of the set, compass bearing of the set, total number of pots set, spacing of pots on the line, number of pots lost, depth, soak time, bait type.

Catch Descriptions

retained catch in numbers and weight, by-catch of all species (see Table 1), incremental record number for linking with sample information.

Table 1: Data requirements for by-catch species in the crab fishery in Statistical Subarea 48.3.

Species	Data Requirements
<i>Dissostichus eleginoides</i>	Numbers and estimated total weight
<i>Notothenia rossii</i>	Numbers and estimated total weight
Other species	Estimated total weight

Biological Data:

For these data, crabs are to be sampled from the line hauled just prior to noon, by collecting the entire contents of a number of pots spaced at intervals along the line so that between 35 and 50 specimens are represented in the subsample.

Cruise Descriptions

cruise code, vessel code, permit number.

Sample Descriptions

date, position at start of the set, compass bearing of the set, line number.

Data

species, sex, length of at least 35 individuals, presence/absence of rhizocephalan parasites, record of the destination of the crab (kept, discarded, destroyed), record of the pot number from which the crab comes.

CONSERVATION MEASURE 182/XVIII^{1,2}
General Measures for Exploratory Fisheries
for *Dissostichus* spp. in the Convention Area
for the 1999/2000 Season

The Commission,

Noting the need for the distribution of fishing effort and catch in fine-scale rectangles³ in these exploratory fisheries,

hereby adopts the following conservation measure:

1. This conservation measure applies to exploratory fisheries using the trawl or longline methods. In trawl fisheries, a haul comprises a single deployment of the trawl net. In longline fisheries, a haul comprises the setting of one or more lines in a single location.
2. Fishing should take place over as large a geographical and bathymetric range as possible to obtain the information necessary to determine fishery potential and to avoid over-concentration of catch and effort. To this end, fishing in any fine-scale rectangle shall cease when the reported catch reaches 100 tonnes and that rectangle shall be closed to fishing for the remainder of the season. Fishing in any fine-scale rectangle shall be restricted to one vessel at any one time.
3. In order to give effect to paragraph 2 above:
 - (i) the precise geographic position of a haul in trawl fisheries will be determined by the mid-point between the start-point and end-point of the haul;
 - (ii) the precise geographic position of a haul in longline fisheries will be determined by the centre-point of the line or lines deployed;
 - (iii) catch and effort information for each species by fine-scale rectangle shall be reported to the Executive Secretary every five days using the Five-Day Catch and Effort Reporting System set out in Conservation Measure 51/XII; and
 - (iv) the Secretariat shall notify Contracting Parties participating in these fisheries when the total catch for *Dissostichus eleginoides* and *Dissostichus mawsoni* combined in any fine-scale rectangle is likely to reach 100 tonnes, and fishing in that fine-scale rectangle shall be closed when that limit is reached.
4. If the by-catch of *Macrourus* spp. in any one haul
 - is greater than 100 kg and exceeds 18% of the total catch of all fish by weight, or
 - is equal to or greater than 2 tonnes, then

the fishing vessel shall move to another location at least 5 n miles distant⁴. The fishing vessel shall not return to any point within 5 n miles of the location where the by-catch of *Macrourus* spp. exceeded 18% for a period of at least five days⁵. The location where the by-catch exceeded 18% is defined as the path followed by the fishing vessel from the point at which the fishing gear was first deployed from the fishing vessel to the point at which the fishing gear was retrieved by the fishing vessel.
5. The by-catch of any species other than *Macrourus* spp. in the exploratory fisheries in the Statistical Subareas and Divisions concerned shall be limited to 50 tonnes.
6. The total number and weight of *Dissostichus eleginoides* and *Dissostichus mawsoni* discarded, including those with the 'jellymeat' condition, shall be reported.

7. Each vessel participating in the exploratory fisheries for *Dissostichus* spp. during the 1999/2000 season shall have at least one scientific observer appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities within the fishing season.
8. The data collection plan (Annex 182/A) and research plan (Annex 182/B) shall be implemented. Data collected pursuant to the plan for the period up to 31 August 2000 shall be reported to CCAMLR by 30 September 2000 so that the data will be available to the meeting of the Working Group on Fish Stock Assessment (WG-FSA) in 2000. Such data taken after 31 August shall be reported to CCAMLR not later than three months after the closure of the fishery, but, where possible, submitted in time for the consideration of WG-FSA.
 - ¹ Except for waters adjacent to the Kerguelen and Crozet Islands
 - ² Except for waters adjacent to the Prince Edward Islands
 - ³ A fine-scale rectangle is defined as an area of 0.5° latitude by 1° longitude with respect to the northwest corner of the Statistical Subarea or Division. The identification of each rectangle is by the latitude of its northernmost boundary and the longitude of the boundary closest to 0°.
 - ⁴ This provision concerning the minimum distance separating fishing locations is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission.
 - ⁵ The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.

ANNEX 182/A

DATA COLLECTION PLAN FOR EXPLORATORY FISHERIES

1. All vessels will comply with the five-day catch and effort reporting system (Conservation Measure 51/XII) and monthly fine-scale effort and biological data reporting system (Conservation Measures 121/XVI and 122/XVI).
2. All data required by the CCAMLR *Scientific Observers Manual* for finfish fisheries will be collected. These include:
 - (i) position, date and depth at the start and end of every haul;
 - (ii) haul-by-haul catch and catch per effort by species;
 - (iii) haul-by-haul length frequency of common species;
 - (iv) sex and gonad state of common species;
 - (v) diet and stomach fullness;
 - (vi) scales and/or otoliths for age determination;
 - (vii) number and mass by species of by-catch of fish and other organisms; and
 - (viii) observation on occurrence and incidental mortality of seabirds and mammals in relation to fishing operations.
3. Data specific to longline fisheries will be collected. These include:
 - (i) position and sea depth at each end of every line in a haul;
 - (ii) setting, soak, and hauling times;
 - (iii) number and species of fish lost at surface;
 - (iv) number of hooks set;
 - (v) bait type;
 - (vi) baiting success (%);
 - (vii) hook type; and
 - (viii) sea and cloud conditions and phase of the moon at the time of setting the lines.

RESEARCH PLAN FOR EXPLORATORY FISHERIES

1. Activities under this research plan shall not be exempted from any conservation measure in force.
2. This plan applies to all small-scale research units (SSRUs) as defined in Table 1 and Figure 1.
3. Any vessel wishing to undertake prospecting or commercial fishing in any SSRU must undertake the following research activities once 10 tonnes of *Dissostichus* spp. have been caught or 10 hauls completed in the SSRU, whichever is achieved first:
 - (i) a minimum of 20 hauls must be made within the SSRU and must collectively satisfy the criteria specified in subparagraphs (ii) to (v);
 - (ii) each haul must be separated by not less than 10 n miles from any other haul, distance to be measured from the geographical mid-point of each haul;
 - (iii) each haul shall comprise: for longlines, at least 3 500 hooks; this may comprise a number of separate lines set in the same location; for trawls, at least 30 minutes effective fishing time as defined in the Draft Manual for Bottom Trawl Surveys in the Convention Area (SC-CAMLR-XI, Annex 5, Attachment E, paragraph 4).
 - (iv) each haul of a longline shall have a soak time of not less than six hours, measured from the time of completion of the setting process to the beginning of the hauling process; and
 - (v) all data specified in the data collection plan (Annex 182/A) of this conservation measure shall be collected for every research haul; in particular, all fish in a research haul up to 100 fish are to be measured and biological characteristics obtained, where more than 100 fish are caught, a method for randomly subsampling the fish should be applied.
4. The requirement to undertake the above research activities applies irrespective of the period over which the trigger levels of 10 tonnes of catch or 10 hauls in any SSRU are achieved during the 1999/2000 fishing season. The research activities must commence immediately the trigger levels have been reached and must be completed before the vessel leaves the SSRU.

Table 1: The coordinates of the small-scale research units (Figure 1).

Subarea/ Division	Grid Coordinates			
	Top Left Latitude	Top Left Longitude	Bottom Right Latitude	Bottom Right Longitude
58.4.1	55 S	80 E	64 S	89 E
58.4.3	55 S	60 E	62 S	73.5 E
58.4.3	55 S	73.5 E	62 S	80 E
58.4.4	51 S	40 E	54 S	42 E
58.4.4	51 S	42 E	54 S	46 E
58.4.4	51 S	46 E	54 S	50 E
58.7	45 S	37 E	48 S	40 E
58.6	45 S	40 E	48 S	44 E
58.6	45 S	44 E	48 S	48 E
58.6	45 S	48 E	48 S	51 E
58.6	45 S	51 E	48 S	54 E
88.1	60 S	150 E	65 S	170 W
88.1	65 S	150 E	72 S	180
88.1	65 S	180	72 S	170 W
88.1	72 S	171 E	84 S	180
88.1	72 S	180	84.5 S	170 W

Subarea 88.2 is divided into six 10° longitudinal sections and one 5° longitudinal section.

Subarea 48.6 is divided into one section north of 60° and five 10° longitudinal sections south of 60°.

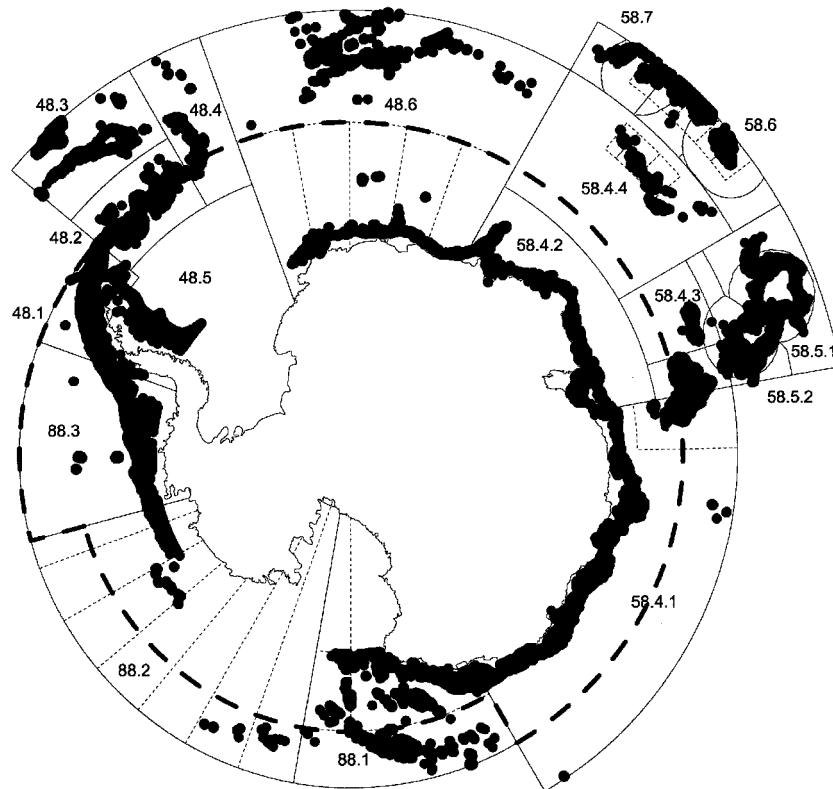


Figure 1: Small-scale research units for new and exploratory fisheries. The boundaries of these units are listed in Table 1. EEZ boundaries for Australia, France and South Africa are marked in order to address notifications for new and exploratory fisheries in waters adjacent to these zones. Dashed line – delineation between *Dissostichus eleginoides* and *Dissostichus mawsoni*; shaded patches – seabed areas between 500 and 1 800 m.

CONSERVATION MEASURE 183/XVIII
Exploratory Fishery for *Martialia hyadesi* in
Statistical Subarea 48.3 in the 1999/2000 Season

The Commission hereby adopts the following conservation measure in accordance with Conservation Measures 7/V and 65/XII:

1. The total catch of *Martialiahyadesi* in the 1999/2000 season shall be limited to 2 500 tonnes.
2. For the purposes of this exploratory fishery, the fishing season is defined as the period from 1 December 1999 to 30 November 2000 or until the catch limit is reached, whichever is sooner.
3. For the purposes of implementing this conservation measure:
 - (i) the Ten-day Catch and Effort Reporting System, as set out in Conservation Measure 61/XII shall apply;
 - (ii) the data required to complete the CCAMLR standard fine-scale catch and effort data form for squid jig fisheries (Form C3) shall be reported from each vessel. These data shall include numbers of seabirds and marine mammals of each species caught and released or killed. These data shall be reported to CCAMLR by 31 August 2000 for catches taken prior to 31 July 2000; and
 - (iii) data on catches taken between 31 July 2000 and 31 August 2000 shall be reported to CCAMLR by 30 September 2000 so that the data will be available to the meeting of the Working Group on Fish Stock Assessment in 2000.
4. Each vessel participating in this exploratory fishery for *Martialiahyadesi* in Statistical Subarea 48.3 during the 1999/2000 season shall have at least one scientific observer, appointed in accordance with the CCAMLR Scheme of International Scientific Observation, on board throughout all fishing activities in this subarea during the fishing season.
5. The data collection plan in Annex 183/A shall be implemented. Data collected pursuant to the plan for the period up to 31 August 2000 shall be reported to CCAMLR by 30 September 2000 so that the data will be available to the meeting of the Working Group on Fish Stock Assessment in 2000. Such data collected after 31 August shall be reported to CCAMLR not later than three months after the closure of the fishery.

**DATA COLLECTION PLAN FOR EXPLORATORY
SQUID (*MARTIALIA HYADESI*) FISHERIES
IN STATISTICAL SUBAREA 48.3**

1. All vessels will comply with conditions set by CCAMLR. These include data required to complete the data form (Form TAC) for the Ten-day Catch and Effort Reporting System, as specified by Conservation Measure 61/XII; and data required to complete the CCAMLR standard fine-scale catch and effort data form for a squid jig fishery (Form C3). This includes numbers of seabirds and marine mammals of each species caught and released or killed.
2. All data required by the CCAMLR *Scientific Observers Manual* for squid fisheries will be collected. These include:
 - (i) vessel and observer program details (Form S1);
 - (ii) catch information (Form S2); and
 - (iii) biological data (Form S3).

**CONSERVATION MEASURE 184/XVIII
Exploratory Longline Fishery for *Dissostichus* spp.
in Statistical Subarea 48.6 in the 1999/2000 Season**

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 65/XII:

1. Fishing for *Dissostichus* spp. in Statistical Subarea 48.6 shall be limited to the exploratory longline fishery by the European Community and South Africa. The fishery shall be conducted by European Community (Portuguese-flagged) and South African-flagged vessels using longlining only.
2. The precautionary catch limit for this exploratory longline fishery in Statistical Subarea 48.6 shall be limited to 455 tonnes of *Dissostichus* spp. north of 60°S, and 455 tonnes of *Dissostichus* spp. south of 60°S. In the event that either limit is reached, the relevant fishery shall be closed.
3. For the purpose of this exploratory longline fishery, the 1999/2000 fishing season to the north of 60°S is defined as the period from 1 March to 31 August 2000. The 1999/2000 fishing season south of 60°S is defined as the period from 15 February to 15 October 2000.
4. The exploratory longline fishery for the above species shall be carried out in accordance with Conservation Measures 29/XVI and 182/XVIII.
5. Each vessel participating in this exploratory longline fishery will be required to operate a VMS at all times, in accordance with Conservation Measure 148/XVII.

CONSERVATION MEASURE 185/XVIII
Exploratory Trawl Fishery for *Dissostichus* spp.
in Statistical Divisions 58.4.1 and 58.4.3
(BANZARE and Elan Banks) in the 1999/2000 Season

The Commission,

Welcoming the notification of Australia of its intention to conduct an exploratory trawl fishery in Statistical Divisions 58.4.1 and 58.4.3 in the 1999/2000 season,

hereby adopts the following conservation measure in accordance with Conservation Measure 65/XII:

1. Fishing for *Dissostichus* spp. by trawl in Statistical Division 58.4.1 west of 90°E and Statistical Division 58.4.3 shall be limited to the exploratory fishery by Australian-flagged vessels.
2. BANZARE Bank is defined as waters within the latitudes 55°S and 64°S and longitudes 73°30'E and 89°E. Elan Bank is defined as waters within the latitudes 55°S and 62°S and longitudes 60°E and 73°30'E.
3. The total catch of *Dissostichus* spp. in the 1999/2000 season taken by the trawl method shall not exceed 150 tonnes for BANZARE Bank and 145 tonnes for Elan Bank.
4.
 - (i) There shall be no directed fishing for any species other than *Dissostichus* spp.
 - (ii) The by-catch of any species other than *Dissostichus* spp. shall not exceed 50 tonnes.
 - (iii) If in the course of a directed fishery, the by-catch in any one haul of any by-catch species for which by-catch limitations apply under this conservation measure is equal to, or greater than 2 tonnes, then the fishing vessel shall not fish using that method of fishing at any point within 5 n miles¹ of the location where the by-catch exceeded 2 tonnes for a period of at least five days². The location where the by-catch exceeded 2 tonnes is defined as the path followed by the fishing vessel from the point at which the fishing gear was first deployed from the fishing vessel to the point at which the fishing gear was retrieved by the fishing vessel.
5. For the purposes of this exploratory trawl fishery, the 1999/2000 fishing season is defined as the period from 1 December 1999 to 30 November 2000 or until the catch limit of the target or by-catch species is reached, whichever is the sooner.
6. Each vessel participating in this exploratory trawl fishery for *Dissostichus* spp. in Statistical Divisions 58.4.1 and 58.4.3 in the 1999/2000 season shall have at least one scientific observer appointed in accordance with the CCAMLR Scheme of International Scientific Observation on board throughout all fishing activities within these divisions.
7. Each vessel operating in this exploratory trawl fishery for *Dissostichus* spp. in Statistical Divisions 58.4.1 and 58.4.3 shall be required to operate a VMS at all times, in accordance with Conservation Measure 148/XVII.
8. For the purpose of implementing this conservation measure:
 - (i) the Five-day Catch and Effort Reporting System set out in Conservation Measure 51/XII shall apply; and

- (ii) the monthly fine-scale biological data, as required under Conservation Measure 121/XVI, shall be recorded and reported in accordance with the System of International Scientific Observation when undertaking commercial fishing in Statistical Divisions 58.4.1 and 58.4.3.
9. The total number and weight of *Dissostichus* spp. discarded, including those with the jellymeat condition, shall be reported. These fish will count towards the total allowable catch.
 10. The research and fisheries operations plan shall be as set out in Annex 182/A and 182/B of Conservation Measure 182/XVIII (General Measures for Exploratory Fisheries for *Dissostichus* spp. in the Convention Area for the 1999/2000 Season), with the following variations:
 - (i) There shall be two small-scale research units, one for BANZARE Bank and one for Elan Bank, as defined in paragraph 2 above.
 - (ii) data reporting measures specific to the longlining method shall not apply.
- ¹ This provision is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission.
- ² The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.

CONSERVATION MEASURE 186/XVIII
New Trawl Fishery for *Chaenodraco wilsoni*, *Lepidonotothen kempfi*, *Trematomus eulepidotus*, *Pleuragramma antarcticum* and Exploratory Trawl Fishery for *Dissostichus* spp. in Statistical Division 58.4.2 in the 1999/2000 Season

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 65/XII:

1. Fishing for *Chaenodraco wilsoni*, *Lepidonotothen kempfi*, *Trematomus eulepidotus*, *Pleuragramma antarcticum* and *Dissostichus* spp. by trawl in Statistical Division 58.4.2 between the longitudes of 45°E and 80°E shall be limited to the new and exploratory fisheries by Australian-flagged vessels.
2. The total catch of all species in the 1999/2000 season shall not exceed 1 500 tonnes.
3. The catch of *Chaenodraco wilsoni* in the 1999/2000 season shall be taken by the midwater trawl method only and shall not exceed 500 tonnes.
4. The catches of *Lepidonotothen kempfi*, *Trematomus eulepidotus* and *Pleuragramma antarcticum* in the 1999/2000 season shall be taken by the midwater trawl method only, and shall not exceed 300 tonnes for any one species.
5. The total catch of *Dissostichus* spp. taken by the trawl method shall not exceed 500 tonnes, of which no more than 150 tonnes shall be taken in each of the zones bounded by the longitudes 50°E and 60°E, 60°E and 70°E, 70°E and 80°E respectively, and 50 tonnes in the zone bounded by 45°E and 50°E.
6. (i) There shall be no directed fishing for any species other than those specified in paragraph 1 of this conservation measure.

- (ii) The by-catch of any fish species other than those specified in paragraph 1 of this conservation measure shall not exceed 50 tonnes.
 - (iii) If, in the course of a directed fishery, the by-catch in any one haul of any by-catch species for which by-catch limitations apply under this conservation measure is equal to, or greater than 2 tonnes, then the fishing vessel shall not fish using that method of fishing at any point within 5 n miles¹ of the location where the by-catch exceeded 2 tonnes for a period of at least five days². The location where the by-catch exceeded 2 tonnes is defined as the path followed by the fishing vessel from the point at which the fishing gear was first deployed from the fishing vessel to the point at which the fishing gear was retrieved by the fishing vessel.
7. For the purposes of these new and exploratory trawl fisheries, the 1999/2000 fishing season is defined as the period from 1 December 1999 to 30 November 2000 or until the catch limit is reached, whichever is the sooner.
 8. Each vessel participating in these new and exploratory trawl fisheries in Statistical Division 58.4.2 in the 1999/2000 season shall have at least one scientific observer appointed in accordance with the CCAMLR Scheme of International Scientific Observation on board throughout all fishing activities within this division.
 9. Each vessel operating in these new and exploratory trawl fisheries in Statistical Division 58.4.2 shall be required to operate a VMS at all times, in accordance with Conservation Measure 148/XVII.
 10. For the purpose of implementing this conservation measure:
 - (i) the Five-day Catch and Effort Reporting System set out in Conservation Measure 51/XII shall apply; and
 - (ii) the monthly fine-scale biological data, as required under Conservation Measure 121/XVI, shall be recorded and reported in accordance with the System of International Scientific Observation.
 11. The total number and weight of *Dissostichus* spp. discarded, including those with the jellymeat condition, shall be reported. These fish will count towards the total allowable catch.
 12. The data collection and research plans in Annex 186/A shall be implemented and the results reported to CCAMLR not later than three months after the closure of the fishery.

¹ This provision is adopted pending the adoption of a more appropriate definition of a fishing location by the Commission.

² The specified period is adopted in accordance with the reporting period specified in Conservation Measure 51/XII, pending the adoption of a more appropriate period by the Commission.

ANNEX 186/A

DATA COLLECTION AND RESEARCH PLANS

1. In the case of midwater trawling for *Chaenodraco wilsoni*, *Lepidonotothen kempfi*, *Trematomus eulepidotus* and *Pleuragramma antarcticum*, the data collection and research plans shall be as set out in Annex 182/A and 182/B of Conservation Measure 182/XVIII (General Measures for Exploratory Fisheries for *Dissostichus* spp. in the Convention Area for the 1999/2000 Season), with the following variations:

- (i) there shall be four small-scale research units, bounded by the longitudes 45°E to 50°E, 50°E to 60°E, 60°E to 70°E and 70°E to 80°E respectively; and
 - (ii) data reporting measures specific to the longlining method shall not apply.
2. Demersal trawling for *Dissostichus* spp. in water shallower than 550 m shall be prohibited except for the research activities described below:
- (i) demersal trawling shall be allowed only in designated ‘open’ areas on the upper and mid-slope in depths greater than 550 m;
 - (ii) the manner in which areas are designated ‘open’ and ‘closed’ for demersal trawling will be determined according to the following procedure:
 - (a) open and closed areas will consist of a series of north–south strips extending from the coast to beyond the foot of the continental slope. Each strip will be one degree of longitude wide;
 - (b) in the first instance, when the vessel has found an appropriate area for prospecting or fishing, it will designate the strip as ‘open’, with the area to be fished to be approximately centered in that strip;
 - (c) a single prospecting haul will be permitted in that strip before it is designated as open or closed, to establish if an aggregation of interest is present. There must be a minimum of 30 minutes of longitude between prospecting hauls where no strip is designated ‘open’;
 - (d) whenever a strip is designated ‘open’, at least one strip adjacent to that strip must be designated as ‘closed’. Any remnant strips less than one degree wide resulting from the previous selection of open and closed strips, will be designated as closed;
 - (e) once a strip is designated closed it cannot be subsequently fished in that season by any method that allows fishing gear to contact the bottom;
 - (f) prior to commercial fishing in an open strip, the vessel must undertake the survey trawls in the open strip as described below. The survey trawls in the adjacent closed strip must be undertaken prior to the vessel fishing a new strip. If the adjacent closed strip has already been surveyed, a new survey is not necessary; and
 - (g) when the vessel wishes to fish in a new strip, it must not choose a strip already closed. Once a new strip is designated, conditions as described in paragraphs (b) to (f) will apply to that strip.
3. Survey trawls in each open strip and its adjacent closed strip will be conducted according to the following scheme:
- (i) each pair of strips will be divided between the shelf area above 550 m and the slope area below 550 m. In each open and closed strip the following research shall be undertaken:
 - (a) in the section deeper than 550 m, two stations (whose locations have been randomly pre-selected according to depth and longitude) shall be sampled. At each of these stations a beam-trawl sample of benthos and a bottom-trawl sample of finfish using a commercial trawl with a small mesh liner shall be taken;

- (b) in the section shallower than 550 m, two stations shall be sampled at randomly pre-selected sites according to depth and longitude for benthos using a beam-trawl once at each station only; and
 - (c) this will be undertaken in each pair of the open and closed strips using the process described above.
4. The following data and material will be collected from research and commercial hauls, as required by the CCAMLR *Scientific Observers Manual*:
- (i) position, date and depth at the start and end of every haul;
 - (ii) haul-by haul catch and catch per effort by species;
 - (iii) haul-by haul length frequency of common species;
 - (iv) sex and gonad state of common species;
 - (v) diet and stomach fullness;
 - (vi) scales and/or otoliths for age determination;
 - (vii) by-catch of fish and other organisms; and
 - (viii) observations on the occurrence of seabirds and mammals in relation to fishing operations, and details of any incidental mortality of these animals.

CONSERVATION MEASURE 187/XVIII
Exploratory Longline Fishery for *Dissostichus* spp.
in Statistical Division 58.4.3 outside Areas under
National Jurisdictions in the 1999/2000 Season

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 65/XII:

1. Fishing for *Dissostichus* spp. in Statistical Division 58.4.3 outside areas under national jurisdictions by the longline method shall be limited to the exploratory longline fishery by the European Community and France. The fishery shall be conducted by European Community (Portuguese-flagged) and French-flagged vessels using longlining only.
2. BANZARE Bank is defined as waters within Statistical Division 58.4.3 and between the latitudes 55°S and 62°S and longitudes 73°30'E and 80°E. Elan Bank is defined as waters within the latitudes 55°S and 62°S and longitudes 60°E and 73°30'E outside areas of national jurisdiction.
3. The precautionary catch limit of *Dissostichus* spp. for this exploratory longline fishery in Statistical Division 58.4.3 shall be limited to 300 tonnes on BANZARE Bank and 250 tonnes on Elan Bank. In the event that the limit on either of these banks is reached, the fishery on that bank shall be closed.
4. For the purpose of this exploratory longline fishery, the 1999/2000 fishing season is defined as the period from 1 May to 31 August 2000.
5. The exploratory longline fishery for the above species shall be carried out in accordance with Conservation Measures 29/XVI and 182/XVIII.
6. Each vessel participating in this exploratory longline fishery will be required to operate a VMS at all times, in accordance with Conservation Measure 148/XVII.

CONSERVATION MEASURE 188/XVIII¹
Exploratory Longline Fishery for *Dissostichus eleginoides*
in Statistical Division 58.4.4 in the 1999/2000 Season

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 65/XII:

1. Fishing for *Dissostichus eleginoides* in Statistical Division 58.4.4 shall be limited to the exploratory longline fishery by Chile, the European Community, France, South Africa and Uruguay. The fishery shall be conducted by European Community (Portuguese-flagged), Chilean, French, South African and Uruguayan-flagged vessels using longlining only.
2. The precautionary catch for Statistical Division 58.4.4 shall be limited to 370 tonnes of *Dissostichus* spp. north of 60°S, to be taken by longlining. In the event that this limit is reached, the fishery shall be closed.
3. For the purpose of this exploratory longline fishery, the 1999/2000 fishing season is defined as the period from 1 May to 31 August 2000.
4. The exploratory longline fishery for the above species shall be carried out in accordance with Conservation Measures 29/XVI and 182/XVIII.
5. Each vessel participating in this exploratory longline fishery will be required to operate a VMS at all times, in accordance with Conservation Measure 148/XVII.

¹ Except for waters adjacent to the Prince Edward Islands

CONSERVATION MEASURE 189/XVIII^{1,2}
Exploratory Longline Fishery for *Dissostichus eleginoides*
in Statistical Subarea 58.6 in the 1999/2000 Season

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 65/XII:

1. Fishing for *Dissostichus eleginoides* in Statistical Subarea 58.6 shall be limited to the exploratory longline fishery by Chile, the European Community, France and South Africa. The fishery shall be conducted by European Community (Portuguese-flagged), Chilean, French and South African-flagged vessels using longlining only.
2. The precautionary catch limit for this exploratory fishery in Statistical Subarea 58.6 shall be limited to 450 tonnes of *Dissostichus eleginoides*, to be taken by longlining. In the event that this limit is reached, the fishery shall be closed.
3. For the purpose of this exploratory longline fishery, the 1999/2000 fishing season is defined as the period from 1 May to 31 August 2000.
4. The exploratory longline fishery for the above species shall be carried out in accordance with Conservation Measures 29/XVI and 182/XVIII.
5. Each vessel participating in this exploratory longline fishery will be required to operate a VMS at all times, in accordance with Conservation Measure 148/XVII.

¹ Except for waters adjacent to the Crozet Islands

² Except for waters adjacent to the Prince Edward Islands

CONSERVATION MEASURE 190/XVIII
Exploratory Longline Fishery for *Dissostichus* spp.
in Statistical Subarea 88.1 in the 1999/2000 Season

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 65/XII:

1. Fishing for *Dissostichus* spp. in Statistical Subarea 88.1 shall be limited to the exploratory longline fishery by Chile, the European Community and New Zealand. The fishery shall be conducted by European Community (Portuguese-flagged), Chilean and New Zealand-flagged vessels using longlining only.
2. The precautionary catch limit north of 65°S in Statistical Subarea 88.1 shall be limited to 175 tonnes of *Dissostichus* spp. In the event this limit is reached, the fishery north of 65°S shall be closed.
3. The precautionary catch limit south of 65°S in Statistical Subarea 88.1 shall be limited to 1 915 tonnes of *Dissostichus* spp. In the event this limit is reached, the fishery south of 65°S shall be closed. In order to ensure an adequate spread of fishing effort south of 65°S, no more than 478 tonnes of *Dissostichus* spp. shall be taken from each of the four small-scale research units (SSRUs), as defined in Annex 182/B of Conservation Measure 182/XVIII, identified for Statistical Subarea 88.1 south of 65°S.
4. For the purposes of this exploratory longline fishery, the 1999/2000 fishing season is defined as the period from 1 December 1999 to 31 August 2000.
5. The directed longline fishery for *Dissostichus* spp. in Statistical Subarea 88.1 shall be carried out in accordance with all aspects of Conservation Measures 29/XVI and 182/XVIII. However, south of 65°S the directed fishery by New Zealand, and fishing by New Zealand associated with the research plan, for the above species shall be carried out in accordance with the provisions of Conservation Measures 182/XVIII and 29/XVI, except paragraph 3 of Conservation Measure 29/XVI shall not apply. To permit experimental line-weighting trials south of 65°S, longlines may be set during daylight hours if the vessels can demonstrate a consistent minimum line sink rate of 0.3 metres per second. If a total aggregate of ten (10) seabirds is caught during daytime setting then the variation from Conservation Measure 29/XVI paragraph 3 shall cease and all vessels shall revert to setting longlines at night in accordance with Conservation Measure 29/XVI.
6. Each vessel participating in the fishery shall have at least one observer appointed in accordance with the CCAMLR Scheme of International Scientific Observation on board throughout all fishing activities within this fishery.
7. Each vessel participating in this exploratory longline fishery shall be required to operate a VMS at all times, in accordance with Conservation Measure 148/XVII.
8. Fishing for *Dissostichus* spp. in Statistical Subarea 88.1 shall be prohibited within 10 n miles of the coast of the Balleny Islands.

CONSERVATION MEASURE 191/XVIII
Exploratory Longline Fishery for *Dissostichus* spp.
in Statistical Subarea 88.2 in the 1999/2000 Season

The Commission hereby adopts the following conservation measure in accordance with Conservation Measure 65/XII:

1. Fishing for *Dissostichus* spp. in Statistical Subarea 88.2 shall be limited to the exploratory longline fishery by Chile and the European Community. The fishery shall be conducted by Chilean-flagged and European Community (Portuguese-flagged) vessels using longlining only.
2. The precautionary catch for this exploratory longline fishery in Statistical Subarea 88.2 shall be limited to 250 tonnes of *Dissostichus* spp. south of 65°S. In the event that this limit is reached, the fishery shall be closed.
3. For the purposes of this exploratory longline fishery, the 1999/2000 fishing season is defined as the period from 15 December 1999 to 31 August 2000.
4. The exploratory longline fishery for the above species shall be carried out in accordance with Conservation Measures 29/XVI and 182/XVIII.
5. Each vessel participating in this exploratory longline fishery shall be required to operate a VMS at all times, in accordance with Conservation Measure 148/XVII.

**EXPLANATORY MEMORANDUM ON THE INTRODUCTION
OF THE CATCH DOCUMENTATION SCHEME
FOR TOOTHFISH (*DISSOSTICHUS* SPP.)**

EXPLANATORY MEMORANDUM ON THE INTRODUCTION OF THE CATCH DOCUMENTATION SCHEME (CDS) FOR TOOTHFISH (*DISSOSTICHUS* SPP.)

1. BACKGROUND

The scale of illegal, unregulated and unreported (IUU) fishing for toothfish (*Dissostichus* spp.) in the Southern Oceans is the most significant problem faced by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR).

Over the past three years the amounts of toothfish taken by IUU fishing have been of the order of 90 000 tonnes, more than twice the level of catches taken in CCAMLR regulated fisheries. This rate of extraction is unsustainable and has led to a significant depletion of toothfish stocks in some areas. In addition, the mortality of seabirds, principally albatross and petrel species, taken as a by-catch of the longline fisheries is also unsustainable and has resulted in declines in the populations of these species.

To address this problem a number of conservation measures have been introduced by CCAMLR over the last three years relating to the toothfish fisheries in order to combat the problem of IUU fishing on the toothfish stocks. These measures in particular include:

- Flag State licensing requirement for all vessels in the fisheries;
- conservation measures fixing fishing levels for all toothfish fisheries in the Convention's waters;
- mandatory vessel monitoring systems (VMS);
- port inspections of landings and transshipments; and
- marking of vessels and fishing gear.

In addition there has been an intensification of control in the Convention Area. Consequently, the number of inspections followed by sanctions has also increased, reaching a peak in 1998.

2. CATCH DOCUMENTATION SCHEME

As a further means to address this problem which threatens the conservation of the toothfish stocks, the CCAMLR Commission adopted at its Eighteenth Meeting a conservation measure (170/XVIII) on the introduction of a Catch Documentation Scheme for *Dissostichus* spp. (see Annex 6 of this report).

The purpose for the introduction of this Scheme is:

- (i) to monitor the international trade in toothfish;
- (ii) to identify the origins of toothfish imported into or exported from the territories of Contracting Parties;
- (iii) to determine whether toothfish imported into or exported from the territories of Contracting Parties, if caught in the Convention Area, was caught in a manner consistent with CCAMLR conservation measures; and
- (iv) to gather catch data for the scientific evaluation of the stocks.

To meet this purpose, all landings, transshipments and importations of toothfish into the territories of Contracting Parties will require to be accompanied by a completed Catch Document. This will specify a range of information relating to the volume and location of catch, and the name and Flag State of the vessel.

This Catch Documentation Scheme will become operative on 4 May 2000* and will be open to all Flag States irrespective of whether they are Members of CCAMLR or not.

Non-Contracting Parties to CCAMLR are invited to participate in the Catch Documentation Scheme for *Dissostichus* spp. To do so they will need to ensure that their vessels are provided with *Dissostichus* Catch Documents for presentation to Contracting Party authorities as required.

3. LANDING AND TRANSHIPMENT PROCEDURES

3.1 Area

Toothfish are caught both inside and outside the CCAMLR Convention Area (see map attached). The importation authorities (customs authorities or other appropriate officials) of Contracting Parties to CCAMLR will require that a *Dissostichus* Catch Document accompanies all imports of toothfish.

3.2 Procedures

The document required will have the form of the attached Catch Document. This document will be issued by the Flag State to its fishing vessels authorised to fish toothfish. It will also issue this document to all vessels authorised by the Flag State to receive transshipments of toothfish.

On receipt of a request from a fishing vessel the Flag State will determine whether the catches that are intended for landing or transshipping are consistent with its authorisation to fish and if so will issue the vessel with a unique Flag State Confirmation Number.

The document will need to be countersigned by a Port State official when the catch is landed. This signature will confirm that the catches landed agree with the details on the document. The person who receives the catch must also countersign the document and state on the document the amount of the landed catch that has been received. In the case that the catch is divided on landing, copies of the Catch Document must be supplied by the master and completed by each receiver of a part of the landing.

In the case of transshipment, the master of a receiving vessel will sign the Catch Document presented by the fishing vessel master. When catches are landed from a vessel that has received a transshipment of toothfish the quantity of the toothfish to be landed must be confirmed by the countersignature of a Port State official on each Catch Document that was received from fishing vessels by the master of the receiving vessel. In all other respects the landing is treated similarly to a landing direct to port.

Originals of all copies of the document must then be returned to the Flag State of the fishing vessel that caught the fish, which will forward a copy to the CCAMLR Secretariat. The copies of the document that were provided to each receiver must remain with the catch throughout all subsequent transactions, including export and import.

* A formal notification to Members of conservation measures adopted at CCAMLR-XVIII was issued on 9 November 1999 (COMM CIRC 99/107). Therefore, subject to provisions of Article IX.6(b) of the Convention, the conservation measures will become binding on all Members on 7 May 2000.

Please note that for catches taken in CCAMLR waters, the Commission is seeking to determine whether catches have been taken in a manner consistent with CCAMLR conservation measures including those in Attachment A. Full details of the CCAMLR conservation measures currently in force can be obtained from the CCAMLR Secretariat.

4. EXPORT AND IMPORT PROCEDURES

In the event that a part of the catch is exported from the country of landing, the exporter must complete the export and intended import details on the *Dissostichus* Catch Documents that account for all toothfish contained in the shipment. The exporter must also obtain validation of the Catch Documents by the relevant official of the exporting state. If a shipment is re-exported, similar validation must be obtained from a relevant official of the exporting states and copies of the original Catch Documents attached.

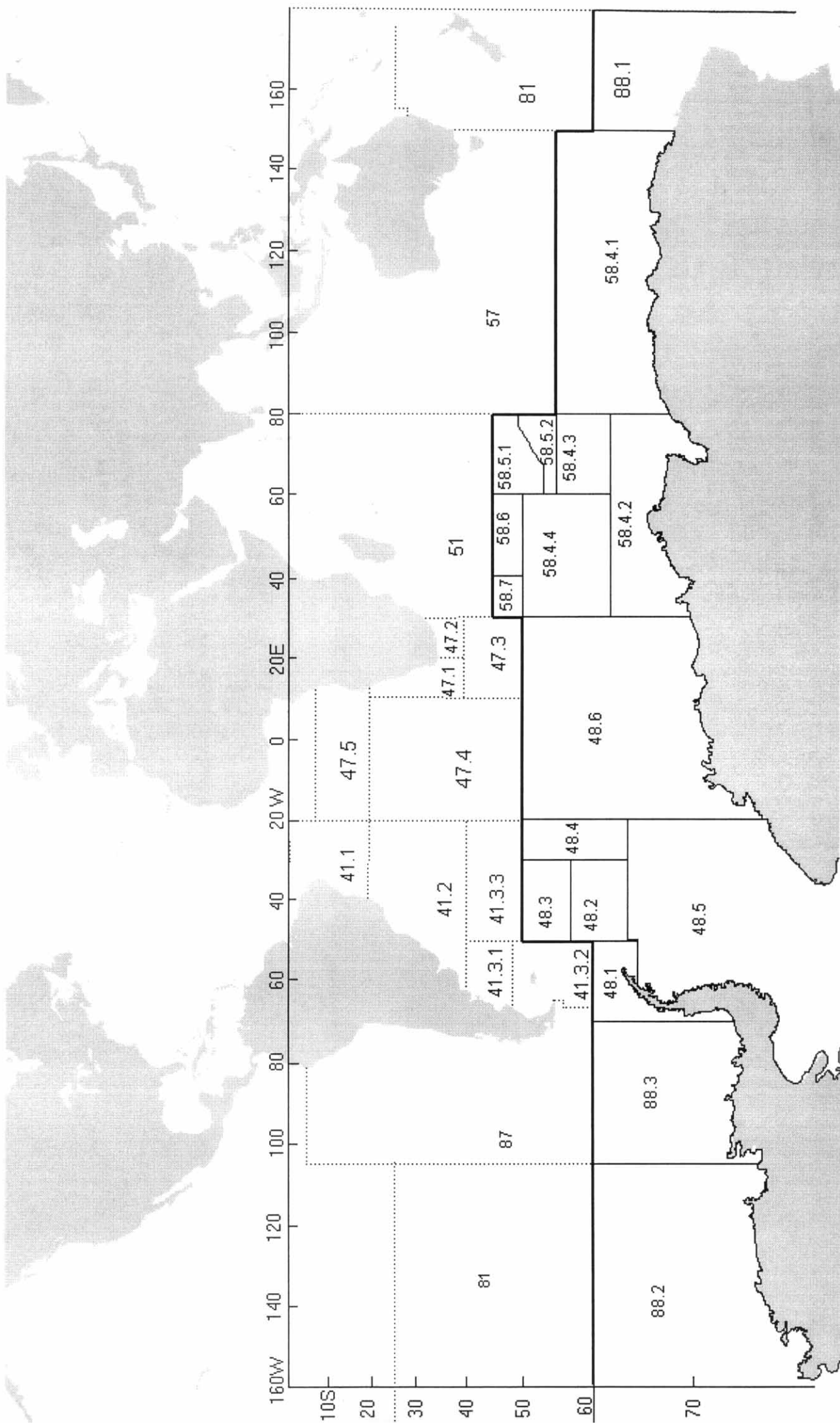
On importation, the relevant authorities may, if appropriate, contact the Flag State of the vessel to verify the authenticity of the content of the Catch Document. In the event that Contracting Parties importation authorities receive a shipment of toothfish that is NOT accompanied by a valid Catch Document, the shipment will be detained. In the event that checks carried out by the importation authorities with the Flag State fail to verify the legitimacy of a Catch Document, importation of the shipment will not be authorised.

5. INFORMATION

Should Flag States or fishing companies require further information or clarification on the operation of the Catch Documentation Scheme, they may contact the CCAMLR Secretariat at:

CCAMLR
PO Box 213
North Hobart 7002
Tasmania Australia

Telephone: 61 3 6231 0366
Facsimile: 61 3 6234 9965
Email: ccamlr@ccamlr.org



**CONSERVATION MEASURES AND OTHER REGULATIONS,
RELEVANT TO TOOTHFISH FISHERIES IN THE CONVENTION AREA**

Licensing

The specific provisions of Conservation Measure 119/XVII and Article IV(c) of the System of Inspection must be complied with. Vessels must be licensed by their Flag States to fish in CCAMLR waters, and details of the licence (name of vessel, time period(s) of fishing, area(s) of fishing, species targeted and gear used) must be sent to the CCAMLR Secretariat within seven (7) days of the issue of the licence.

Compliance with conservation measures

The provisions of all relevant conservation measures in relation to catch limits, fishing seasons, areas, and restriction of effort to named Parties must be complied with.

Data reporting

All toothfish fisheries require in-season catch reporting for the purposes of monitoring catch, as well as reporting of all catch, effort and biological data to CCAMLR (Conservation Measures 51/XII, 121/XVI and 122/XVI), which must be complied with.

Scientific observation and inspection procedures

The relevant provisions of the CCAMLR Scheme of International Scientific Observation and the System of Inspection must be adhered to. In particular all vessels engaged in toothfish fisheries must carry an international scientific observer designated in accordance with the Scheme of Observation. Vessels fishing in the Convention's waters will be subject to inspection by inspectors designated under the System of Inspection.

Vessel monitoring and marking (Conservation Measures 148/XVII and 146/XVII)

All vessels and fishing gear must be marked according to internationally accepted standards and vessels should have on board an operational VMS reporting to the Flag State.

Mitigating measures

Measures for the mitigation of incidental mortality of birds in longline fisheries must be complied with (Conservation Measures 29/XVI). These include the deployment of bird-scaring devices, appropriate line-weighting regimes, prohibition on the use of plastic packaging bands on board vessels and the use of frozen bait, the requirement for night-time setting of lines, and the prohibition on the discharge of offal during hauling. General by-catch provisions associated with toothfish fisheries must be complied with.

Other measures

Any proposed development of new fishing areas must conform to the conservation measures dealing with new and exploratory fisheries. These include the requirement for research and data collection during the exploratory phase of a fishery (Conservation Measures 31/X and 65/XII). Vessels will be subject to inspection by Port States on landing or transshipping catches (Conservation Measures 118/XVII and 147/XVII).

The above is only a synopsis of the relevant measures. Those intending to be engaged in the Catch Documentation Scheme are advised to consult the actual texts of the measures to ensure compliance with their provisions.

**POLICY TO ENHANCE COOPERATION BETWEEN
CCAMLR AND NON-CONTRACTING PARTIES**

POLICY TO ENHANCE COOPERATION BETWEEN CCAMLR AND NON-CONTRACTING PARTIES

The Commission, in order to:

- ensure the effectiveness of CCAMLR conservation measures;
- enhance cooperation with non-Contracting Parties, including those implicated in fishing which undermines the effectiveness of those measures (hereafter referred to as illegal, unreported and unregulated fishing (IUU) fishing); and
- eliminate IUU fishing, including that by non-Contracting Parties,

hereby adopts the following policy:

- I. The Executive Secretary is requested to develop a list of non-Contracting Parties implicated in IUU fishing and or trade either after the adoption of this policy or during the three years prior, which has undermined the effectiveness of CCAMLR conservation measures.
- II. The Chairman of the Commission shall write to the Minister for Foreign Affairs of each non-Contracting Party included in the abovementioned list explaining how IUU fishing undermines the effectiveness of CCAMLR conservation measures. The letter, as appropriate, will:
 - (a) invite and encourage non-Contracting Parties to attend as observers at meetings of the Commission in order to improve their understanding of the work of the Commission and the effects of IUU fishing;
 - (b) encourage non-Contracting Parties to accede to the Convention;
 - (c) inform non-Contracting Parties of the development and implementation of the CCAMLR Catch Documentation Scheme for *Dissostichus* spp. and provide them with a copy of the conservation measure and the explanatory memorandum;
 - (d) encourage non-Contracting Parties to participate in the CCAMLR Catch Documentation Scheme and draw their attention to the consequences for them of not participating;
 - (e) request non-Contracting Parties to prevent their flag vessels from fishing in the Convention Area in a manner which undermines the effectiveness of measures adopted by CCAMLR to ensure conservation and sustainably managed fisheries;
 - (f) if their flag vessels are involved in IUU fishing, request non-Contracting Parties to provide information to the CCAMLR Secretariat on their vessels' activities, including catch and effort data;
 - (g) seek the assistance of non-Contracting Parties in investigating the activities of their flag vessels suspected of being involved in IUU fishing, including inspecting such vessels when they next reach port;
 - (h) request non-Contracting Parties to report to the CCAMLR Secretariat on landings and transshipments in their ports in accordance with the format specified in Attachment A; and

- (i) request non-Contracting Parties to deny landing or transhipments in their ports for fish harvested in CCAMLR waters not taken in compliance with CCAMLR conservation measures and requirements under the Convention.
- III. Parties shall individually and collectively take all appropriate efforts to implement or assist in the implementation of this policy; such efforts may include taking concerted action on joint demarches on non-Contracting Parties to complement correspondence from the Chairman.
- IV. The Commission will annually review the effectiveness of the implementation of this policy.
- V. The Executive Secretary will regularly inform non-Contracting Parties concerned of new conservation measures adopted by CCAMLR.

**SUBMISSION OF INFORMATION BY NON-CONTRACTING PARTIES
ON LANDINGS AND TRANSHIPMENTS OF TOOTHFISH
(*DISSOSTICHUS SPP.*) IN THEIR PORTS**

To the extent possible the required information should be submitted in the following format:

- (i) whether the vessel is a fishing or cargo vessel; if it is a fishing vessel, what type of vessel (trawler/longliner);
- (ii) the name, international call sign and registration number of the vessel;
- (iii) the flag and port of registration;
- (iv) whether an inspection had been conducted by the Port State and, if so, its findings, including information on the fishing licence of the vessel concerned;
- (v) the species of fish involved, including the weight and form of catch, and whether it was landed or transhipped;
- (vi) if a fishing vessel, the location(s) in which it had operated according to the vessel's records and where it reported the catch as having been taken (CCAMLR or non CCAMLR); and
- (vii) the nature of any matters requiring further investigation by the Flag State.

GUIDELINES FOR ESTIMATING CONVERSION FACTORS

GUIDELINES FOR ESTIMATING CONVERSION FACTORS

The aim of these guidelines is to obtain an accurate description of catch processing methods and to obtain validated conversion factors for whole fish or krill (fresh whole weight) converted into a processed product. Comments relating to the design and application of these guidelines should be forwarded to CCAMLR through the technical coordinators.

Scientific observers and fishing masters are called upon to apply these guidelines in fisheries in the Convention Area during the 1999/2000 season.

SAMPLING PROCEDURE

Conduct random sampling once a week for each species of finfish and processing method so that a series of conversion factors can be obtained. For krill, conduct random sampling twice per season. Samples should also be taken when a vessel moves to a different fine-scale rectangle.

Record a detailed description of the processing method and type of equipment used (e.g. manually cut with a knife, fed through saw, automated cutting or filleting machine, peeling machine) in the comments section of the form. Where appropriate, illustrate the angle and position of the cuts used on the side and top view diagrams provided. Use a separate data form for each processing method. If processing methods change during the trip, record the date and reason for the change in the comments section. Supplementary information may be submitted as needed.

The minimum sample size for *Dissostichus* spp. should be 25 fish or 200 kg and for *Champscephalus gunnari*, 100 fish or 400 kg. The minimum sample size for *Euphausia superba* should be 500 kg. Take samples that cover the whole size range of the target species caught. If necessary, use size categories and report the range of length in each category (e.g. small, medium, large).

Weigh the sample of whole fish or krill (fresh whole weight) then pass the fish or krill through the factory processing system (with the help of the factory manager). Recover the processed fish or krill and weigh the product (processed weight). All weights must be in kilograms.

DESCRIPTION OF FORM

Processing code:

The following codes indicate the type of processing method used on the catch:

HAG	Headed and gutted: head and internal organs removed;
HAT	Headed and tailed (trunked): head, tail and internal organs removed;
FLT	Filleted: only the fillets of fish with skin are retained;
GUT	Gutted: internal organs removed, head and tail remain;
WHO	Whole: no processing used, product retained in whole form;
TUB	Tubed: refers to the squid mantle only;
TEN	Tentacles: retaining tentacles only (squid, octopus);
PLD	Peeled krill;
MEA	Fish meal;
BOI	Boiled krill; and
OTH	Other: please describe in comments field using diagrams if necessary.

Haul number:

The number of the haul from which the sample was taken. This number should correspond to the set or trawl number recorded in the observer's logbook or, in the case of krill, the catch logbook.

Species code:

The CCAMLR three-character code which identifies the species of fish or krill processed.

Length range:

Record the minimum and maximum total lengths for the fish (cm) or krill (mm) in the sample which is to be processed.

Number of fish:

Record the total number of fish in the sample which is to be processed.

Weighing code:

The following codes refer to the type of weighing device used:

- motion-compensated electronic scales (1);
- non-motion-compensated electronic scales (2);
- spring balance (3);
- beam balance (4); and
- other: please describe in comments field (5).

Please ensure that the same device is used to measure the fresh whole and processed product for each sample.

Fresh whole weight:

The unprocessed weight of the sample.

Processed weight:

The final weight of the sample at the completion of the processing process.

Grade:

This will be a product quality code used by the factory manager. Record the description of each code in the comments section.

Conversion factor:

This is calculated by dividing the fresh whole weight by the resulting processed weight (e.g. 170 kg fresh whole weight / 100 kg processed weight = 1.70).

