



**CCAMLR XXIV**

**(24 OCTOBER – 4 NOVEMBER, 2005)**

**HOBART, AUSTRALIA**

**MEETING REPORT**

**February 2006**

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## ACRONYMS AND ABBREVIATIONS

|        |   |
|--------|---|
| ATCM   | Antarctic Treaty Consultative Meeting   |
| CCAMLR | Convention / Commission for the Conservation of Antarctic Marine Living Resources |
| CCSBT  | Convention for the Conservation of Southern Blue Fin Tuna                         |
| CDS    | Catch Documentation Scheme  |
| DCD    | <i>Dissostichus</i> Catch Document  |
| EEZ    | Exclusive Economic Zone   |
| GYM    | Generalized Yield Model   |
| MCS    | Monitoring, Control and Surveillance  |
| MPAs   | Marine Protected Areas  |
| RFMO   | Regional Fisheries Management Organization  |
| SC     | Scientific Committee  |
| SCAR   | Scientific Committee on Antarctic Research  |
| SCIC   | Standing Committee on Implementation and Compliance                               |
| SSMUs  | Small Scale Management Units (krill fishery)                                      |
| TAC    | Total Allowable Catch   |
| VMS    | Vessel Monitoring System  |
| WG-EMM | Working Group on Ecosystem Monitoring and Management                              |
| WG-FSA | Working Group on Fish Stock Assessment  |

## LIST OF ASOC PARTICIPANTS

### National Delegations:

- **Alistair Graham** (Tasmanian Conservation Trust) NGO representative *Australian* delegation (weeks 1 & 2)
- **Indrani Lutchman** (WWF & Institute for European Environmental Policy) NGO representative *UK* delegation (weeks 1 & 2)
- **Mark Stevens** (National Environmental Trust) NGO representative *US* delegation (weeks 1 & 2)
- **Estelle Van der Merwe** (ASOC Southern Africa) NGO representative *South African* delegation (weeks 1 & 2)
- **Nathan Walker** (WWF) NGO representative *New Zealand* delegation (week 1)

### ASOC Delegation:

- **Sue Arnold** (Australians for Animals, Byron Bay, Australia), representative on ASOC delegation (week 1)
- **Sarah Dolman** (Whale and Dolphin Conservation Society, UK), representative on ASOC delegation (week 1)
- **Dr Alan Hemmings** (ASOC Senior Adviser, Canberra, Australia), representative on ASOC delegation (week 2)
- **Margaret Moore** (WWF, Melbourne, Australia), representative on ASOC delegation (weeks 1 & 2)
- **Dr Rodolfo Werner** (ASOC, Chubut, Argentina), representative on ASOC delegation (week 1)

## ASOC DOCUMENTS

### *Commission*

***ASOC Priorities for CCAMLR-XXIV*** – CCAMLR-XXIV/BG/32

### *Scientific Committee*

***Antarctic Marine Ecosystem Research in the CCAMLR Area*** – SC-CAMLR-XXIV/BG/20

***Ecosystem Management of the Antarctic Krill Fishery*** – SC-CAMLR-XXIV/BG/21

***Marine Noise Pollution – Mitigation and the Need for Wider Protection*** – SC-CAMLR-XXIV/BG/22

### *ECO*

**ECO 1** (2 November): ‘What’s the problem with Krill observers?’ and ‘Is the Tuna Fishing Inside CCAMLR IUU?’

### *ASOC Member Document*

Matthew Gianni & Walt Simpson. ***The Changing Nature of High Seas Fishing: how flags of convenience provide cover for illegal, unreported and unregulated fishing.*** WWF, with the Australian Department of Agriculture, Fisheries and Forestry & International Transport Workers’ Federation. 84pp.

## SUMMARY

The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) held its XXIV Meeting in Hobart (Australia), from October 24 to November 4, 2005. ASOC has observer status and attends each year.

ASOC priorities continue to focus on Illegal, Unreported, and Unregulated fishing for toothfish in the CCAMLR Area and within national EEZ's, improved monitoring and surveillance of fishing vessels, and improved tracking of toothfish from hook to port. The growing interest in the krill fishery is a major concern and ASOC has been campaigning for improved management of the fishery and for subdivision of the total allowable catch amongst Small Scale Management Units to protect predator species from localized depletion.

The estimated IUU catch for toothfish in the CCAMLR Area decreased dramatically from the 2002/03 to the 2003/04 season and decreased slightly from that level in 2004/05. There hasn't been an analysis of market data to ground-truth the catch numbers. We don't know whether the global supply of toothfish has fallen along with the reported and estimated catch. That would indicate, at least, whether the global catch has actually fallen or whether pirates have become better at avoiding detection and getting their fish to market.

The Scientific Committee was able to recommend a TAC for SubArea 48.3 for the first time in 3 years. The Committee agreed on an assessment that took into account errors discovered at CCAMLR XXII and recommended a TAC of 3,566 tonnes. The TAC for the entire CCAMLR area for 2005/06 is 11,476 tonnes compared to 12,330 for 2004/05.

Little progress was made on improving the cVMS to require port-to-port reporting in real-time, simultaneously to the Flag State and to the CCAMLR Secretariat. Amendments to the Conservation Measure merely corrected some technical difficulties experienced during the year.

The use of electronic *Dissostichus Catch Documents* is still voluntary as no delegation proposed making it permanent. The USA reminded delegates that it intends to adopt rules in 2006 that require all toothfish imported into the USA be accompanied by eDCD's. ASOC will urge the USA to propose mandatory use of eDCD's once it has adopted its domestic regulations, putting it in a better political position to advocate it to CCAMLR.

The Working Group on Ecosystem Monitoring and Management (WG-EMM) held a workshop to analyse the various methods for dividing the krill fishery between SSMU's, but was unable to agree on a recommendation. There was great interest in the technology used by a Norwegian boat that fishes for krill with a new pump system that uses a mid-water net that can remain in the water for up to a month. The vessels captures krill by pumping air bubbles into the water to raise the krill to the surface where it is vacuumed

up with a giant hose so that the vessel can fish continuously. One vessel using this technology can catch up to 100,000 tonnes of krill in one year. ASOC is concerned that proliferation of this technology could seriously threaten predator species.

The main developments and outcomes of CCAMLR XXIV on ASOC's policy priorities and other important issues are as follows:

## **1. *Dissostichus* Catches, estimates of IUU Fishing and Seabird Bycatch**

### **Recent seasons' removals of *Dissostichus* (tonnes):**

| Season  | CCAMLR legal catch | CCAMLR IUU catch | EEZs outside CCAMLR | High seas outside CCAMLR (IUU) <sup>b</sup> | Total  |
|---------|--------------------|------------------|---------------------|---|--------|
| 2002/03 | 18,507             | 10,070           | 12,182              | 11,955                                      | 52,714 |
| 2003/04 | 15,877             | 2,622            | 9,763               | 6,043                                       | 34,305 |
| 2004/05 | 14,074 a           | 3,023            | 6,673               | 1,838                                       | 25,608 |

a Reported catches as of October 2005. b CDS-reported catches from outside the Convention Area. These can be considered unregulated catches, and part of IUU fishing, as there is no guarantee that the flag state exerts appropriate control over its vessels, and there are no catch limits in place for these areas.

### **Apparent decline in toothfish catches**

The total landings of Patagonian and Antarctic toothfish have declined dramatically over the past 2 fishing seasons, both the legal catch and the IUU catch. The reduction in the IUU catch is encouraging, but it is not clear what is behind this reduction. It could be that CCAMLR's measures to reduce IUU fishing are working, it could be that IUU operators have become increasingly skilled at eluding detection, it could be that toothfish populations are declining, or any combination. There hasn't been an analysis of market data to ground-truth the catch numbers. We don't know whether the global supply of toothfish has fallen along with the reported and estimated catch. That would indicate, at least, whether the global catch has actually fallen or whether pirates have become better at avoiding detection and getting their fish to market. Commission Members are inclined to see this as evidence of successful CCAMLR initiatives, and given that in 2007 they plan to celebrate the 25<sup>th</sup> meeting, this may be seen as a timely and convenient demonstration of CCAMLR's bona fides.

### **Agreed 2004/05 toothfish catch**

The Scientific Committee finally agreed to management advice for Subarea 48.3. In 2003, the SC discovered an error in the stock assessment and was unable to agree on

management advice until a new assessment was completed. The assessment was completed during the intersessional period and the SC recommended at TAC of 3,556 tonnes that is subdivided into three smaller management areas. The TAC for the entire CCAMLR are for 2005/06 is 11,476 tonnes compared to 12,330 for 2004/05.

**OUTCOMES:** IUU fishing estimate is up slightly from the previous year, but still far below the levels of previous years.

## **2. Monitoring, Control and Surveillance**

ASOC continued to campaign for port-to-port VMS reporting and for mandatory simultaneous reporting to the Secretariat as well as the flag state. The only amendments to the current VMS system were technical improvements regarding the format in which states submit the data. Much of the data submitted during the 2004/05 season was unusable.

The US announced, once again, that it is nearing the end of the rulemaking process that will require all toothfish imported into the US that operates VMS within and outside the CCAMLR Area and reports simultaneously to the CCAMLR Secretariat and to the Flag State. The US announced this during discussion of the cVMS system. A few countries protested this action, like Japan and Russia. Korea initially protested, but later withdrew its comments after realizing it was just the US and not a proposal for CCAMLR to require port-to-port. There will be some technical amendments to the CM to improve reporting time and format. It should be noted that the U.S. backed away from its inside and outside the CCAMLR Area assertion. It isn't clear whether this was a political move to avoid further debate, or whether it doesn't intend to require VMS operation during the entire trip. The draft rules were expected to be published for public comment by the end December 2005, but are not yet available.

There was discussion of requiring VMS operation port-to-port, but Argentina made repeated interventions opposing any extension of CCAMLR regulations outside the CCAMLR Area. The basis for the Argentine position is the formally respectable one that CCAMLR only has competence over the convention area, and that wider reach, should it be necessary, must be mandated through a forum with wider competence. They are concerned at what they see as attempts to amend UNCLOS duties and prerogatives without recourse to that body. The difficulty with this line of reasoning is that, barring some alternative (and Argentina has proposed none), we would be left with the fearsome task of amending UNCLOS to do this.

ASOC had hoped to initiate discussions on using satellite imagery to track the movements of fishing vessels. However, no Member State was willing to bring the issue to the floor. Individual states, like Australia, are already using this technology to track boats within their EEZs.

**OUTCOMES:** CCAMLR made minor, technical adjustments to the cVMS scheme

primarily related to data format.

### 3. Electronic Catch Documentation Scheme (eCDS)

ASOC's goal for CCAMLR XXIV was to make use of electronic Dissostichus Catch Documents (eDCD) mandatory. Currently, CCAMLR Member States and Non-Member States that are participating in the CDS can voluntarily participate in the eDCD program. No Member State submitted a formal proposal to require use of the electronic documents. The US wants to make their use mandatory, but has not yet finished its domestic rulemaking process requiring eDCDs for all toothfish imports and therefore wasn't prepared to submit a proposal this year. The U.S. expects to complete the rulemaking process by the end of the first quarter of 2006.

Following the announcement by the U.S. that it will require eDCDs, a number of fishing states including Australia, South Africa, South Korea, and New Zealand responded by making a commitment to inform their fishermen of the new rules. This show of support by fishing nations could create a positive political climate at CCAMLR XXV for adoption of mandatory eDCDs.

**OUTCOMES:** CCAMLR will not require the use of eDCDs. The U.S. will accept only toothfish accompanied by an eDCD starting sometime in 2006.

### 4. IUU Vessel List

Each year CCAMLR reviews its IUU Vessel list by reviewing a provisional IUU vessel list, consisting of accumulated reports of IUU activity by members throughout the year. The IUU vessel list is divided into a Non-Contracting Party IUU vessel list; and a Contracting Party IUU vessel list. The addition of Non-Contracting party vessels usually takes place with little debate or disagreement based on the reports gathered during the year. However, the addition of Contracting Party vessels proves to be quite contentious. The confrontations over the vessel lists have become less intense over the years as fewer Contracting Party vessels are proposed. Contracting Parties have begun to exercise better control over their vessels, and the IUU vessels are increasingly flying flags of convenience.

CCAMLR added four new non-contracting party vessels to the IUU Vessel List:

| Current Name     | Current Flag      | Previous Name(s)                                     | Incident   |
|------------------|-------------------|--|--|
| <i>Condor</i>    | Togo              | <i>Inca, Viking, Cisne Azul</i>                      | Fishing in 58.4.3b, 02/05<br>Fishing in 58.4.4a, 08/05 |
| <i>Jian Yuan</i> | Georgia           | <i>Boston-1, Boston</i>                              | Fishing in 58.4.3b, 02/05                              |
| <i>Sea Storm</i> | Equatorial Guinea | <i>Christina Glacial, American Warrior, Mohicano</i> | Sighted in 58.6, 07/05                                 |
| <i>Taruman</i>   | Cambodia          |  | Fishing in 88.1, 06/05                                 |

The Uruguayan-flagged *Viking Sky* was proposed for addition to the Contracting Party list of IUU Vessels. Argentina arrested the vessel for illegally fishing for toothfish within its EEZ. The Standing Committee on Implementation and Compliance decided that while the vessel had violated Argentine law, it had not violated CCAMLR Conservation Measures and therefore should not be added to the IUU Vessel List. ASOC's believes that Conservation Measure 10-07 should include violations of national law in areas adjacent to the areas.

There was discussion, led by the UK, of establishing a list of non-complying, or 'flag of convenience' states in addition to the IUU Vessel List. Unfortunately, no delegation offered a proposal to establish a list of these states that habitually licence IUU fishing vessels and allow them to remain on their shipping register did not get adopted this year.

Nevertheless, the Commission encouraged members to engage in diplomatic demarches to three states clearly involved in facilitating toothfish poaching (Togo, Equatorial Guinea and Georgia). To try and help those non-member states with a genuine interest in the toothfish fishery, the Commission adopted a proposal to assist such states develop the capacity to participate and to ensure compliance with relevant measures.

**OUTCOMES:** CCAMLR added four vessels to the non-Contracting Party IUU Vessel list, and none to the Contracting Party List.

## **5. Authorised Vessel List**

The CCAMLR Secretariat currently maintains a list of vessels authorized to fish in the Convention Area that is available only to CCAMLR Member States. ASOC believes that making this list publicly available is vital for effective monitoring of the CCAMLR Area. A publicly available authorized vessel list would allow other regional fisheries organizations, flag states, and NGOs to inform CCAMLR if vessels appearing on other IUU lists are being allowed to fish in CCAMLR waters. Additionally, port states could exercise extra caution when vessels not appearing on the list attempt to offload toothfish or other CCAMLR-managed species.

Unfortunately, no delegation put forward a proposal to make the authorized vessel list publicly available.

**OUTCOMES:** CCAMLR's list of authorized vessels was not made public.

## **6. Enforcement Measures**

ASOC believes that CCAMLR Member States should be held accountable when their vessels do not comply with CCAMLR's Conservation Measures. CCAMLR currently lacks any mechanism to apply sanctions against States. ASOC believes that CCAMLR Member States whose vessels violate CCAMLR's Conservation Measures should face

suspension from the Commission. Similarly, unregulated vessels flagged to non-Member States should face sanctions sufficiently punitive to keep them from operating within the CCAMLR Area. The UN Fish Stocks Agreement provides that only member states are allowed to fish within the boundaries of regional fisheries agreements. Recent developments in international law and practice, such as the Proliferation Security Initiative and its “Interdiction Principles” might provide a useful model for interdiction by CCAMLR states of unregulated (non-Member) vessels operating within the CCAMLR Area.

Specific measures advocated by ASOC were suspension of Members that violate CCAMLR Conservation Measures and trade-related sanctions against Member and non-Member States.

No Member States proposed either of these measures, but the U.K. made interventions in the context of IUU Vessel List that it was all well-and-good that CCAMLR was making these lists, but we know who the persistent violators are and we ought to be taking action.

***OUTCOMES:***

No proposals for new enforcement measures, but recognition from the U.K. and others that IUU Vessel Lists are useless unless CCAMLR takes action against violators.

## **7. Precautionary Management of the Krill Fishery**

There was some discussion of how to divide the krill TAC between Small Scale Management Units (SSMU) and of the need for detailed data reporting to inform that division.

The Working Group on Ecosystem Monitoring and Management (WG-EMM) was unable to agree on a recommendation to the Scientific Committee on which method to endorse for dividing the fishery amongst SSMUs. WG-EMM will convene a working group in 2006 to analyse the methods and rather optimistically hopes to make a recommendation to the Scientific Committee at CCAMLR XXV.

It was noted that there is a new catching method in use in the krill fishery on one Norwegian-flagged vessel (the ‘Atlantic Navigator’). This method uses a mid-water net that can remain in the water for up to a month. The vessel captures krill by pumping air bubbles into the water to raise the krill to the surface where it is vacuumed up with a giant hose so that the vessel can fish continuously. In this case, one “haul” could be represented by a “large trawl” since the vessel is fishing continuously and does not need to lift the net periodically as in the case of traditional trawling. Consequently, one haul could be extremely long, stretching from South Georgia to South Shetlands. There was some concern about the level of knowledge about the selectivity of the net; further data was requested for future meetings. The Commission noted that this new technique could have considerable impacts on the ecosystem, particularly through bycatch of larval fish,

immature krill, or other small pelagic species.

At September 2005, the 2004/05 harvest was already 124,535 tonnes; with several months of the period still to run (the corresponding figure for the same point in the 2003/04 year was 102,202 tonnes, from a final year figure of 118,116 tonnes). Notifications of intention to harvest krill in the 2005/06 season total 245,000 tonnes, although actual harvests have hitherto fallen far short of notifications. A clear and worrying upward trend is evident in the krill fishery.

Norway intends to take 100,000 tonnes of krill in the 2005/06 season using another vessel (the 'Saga Sea') with the same pumping method as used by the 'Atlantic Navigator'. The 'Saga Sea' is a very modern vessel with a very sophisticated system so that it would be easy to obtain any data related to its krill operations. This vessel, as in the case of the 'Atlantic Navigator' has a fur seal avoidance mechanism to prevent seals to enter the net. Russia will take 15,000 tonnes; Japan will take 25,000 tonnes; Republic of Korea will take 25,000 tonnes; Ukraine will take 30,000 tonnes; and USA will take 50,000 tonnes bringing the predicted total for 2005/06 to 245,000 tonnes.

Australia, supported by the UK, mentioned the need to develop a "krill fishing report" as in the case of other fisheries in the Southern Ocean. It seems that this issue was the matter of discussion at the WGEMM meeting, too.

Japan agreed on providing haul-by-haul data of its krill operation but at the end of the season (annually). Thus, a change of CM 23/06 will be needed to include the provision to provide haul-by-haul data at the end of the season.

The Scientific Committee and the Commission spent considerable time debating whether to require 100% international scientific observer coverage in the krill fishery, which is required of all other CCAMLR fisheries. The UK, USA and Australia were particularly supportive, while Japan and Korea lead the opposition in favor of national or bilateral observers. The EU noted that the bilateral observer schemes are often restricted and therefore ineffective. Ukraine and Russia were surprising supporters of observer coverage, most likely due to their interest in learning more about the Norwegian pumping technology.

Observer coverage was also discussed briefly in SCIC...New Zealand introduced a proposal for 100% international scientific observers in the krill fishery and compliance by krill boats with all the same Conservation Measures as other fisheries. Ukraine, Japan, and Korea all opposed with similar arguments...the stock is healthy, unlike the toothfish stock, catch data is enough for science, it's too expensive because krill vessels fish all year (toothfish has a short season). US, Chile, South Africa, France, and Australia supported.

The UK proposed an alternative, where 100% observer coverage over a short period (one season or part of a season) to evaluate from a scientific perspective what coverage is required to gather the data required for management of the fishery. This was supported

by the EU.

Due to the changes in the fishery (see above) the EU recommended that continuous 100% observer coverage is required. Australia would like to see the krill fishery was subject to the same conditions as other fisheries in the convention area, meaning 100% coverage by international observers. ASOC made an intervention in support of Australia's recommendation.

While the observer requirements could not be agreed upon, Japan conceded that more detailed data could be reported by the krill fishery. The krill fishery will now report haul-by-haul data at the end of the season but maintain the previous in-season reporting. This will require the amendment of the Conservation Measure 23-06 during the Commission. Australia proposed to convene a joint workshop between the SC-CCAMLR and the SC-IWC to analyse data from krill and krill-dependant species in order to elaborate models for an ecosystem management of the Antarctic marine ecosystem.

**OUTCOMES:** The perennial hand-wringing over the lack of data from the krill fishery, and concern about rapid growth of the fishery leading to localised depletion continued without agreement on solutions. Progress continued towards a recommendation to the Scientific Committee on a method for dividing the fishery between SSMUs. New Zealand introduced and found moderate support for measures that bring the krill fishery into parity with other CCAMLR fisheries.

## **8. Protection of Sensitive Areas and Habitats**

The USA hosted an intersessional Marine Protected Area workshop in Silver Spring, Maryland, which was a subgroup of WG-EMM. ASOC was not invited to participate as an observer, but Dr Deon Nel (WWF South Africa) attended as the South African representative.

In the discussion at the Scientific Committee, Korea and Japan both stressed that the rational use of the CCAMLR area must be the primary consideration.

The Scientific Committee endorsed all the recommendations of the workshop. The SC agreed that there is a need to develop a strategic approach to a system of MPA's the Southern Ocean. The SC agreed that MPA's support CCAMLR's objectives ranging from protection of ecosystems, habitats and biodiversity. In developing MPA's, special attention may be given to protection of representative areas, scientific areas, and areas vulnerable to human impacts. The SC agreed to establish a Steering Committee to oversee an agreed work programme to prepare for a workshop in 2008 aimed at developing a proposal for a strategic approach to developing a comprehensive network of MPAs throughout the Southern Ocean. Belgium announced that it was contributing 20,000 Euros to get the process started.

**OUTCOMES:** Participants in CCAMLR's MPA workshop unanimously trumpeted its

success and the Scientific Committee endorsed its recommendations that MPA's are an important tool in support of CCAMLR's objective, that a Working Group will be established to develop a strategic approach to the design of MPA's throughout the Southern Ocean.

## **9. Bottom Trawling in the CCAMLR Area**

With the exception of one licensed operation in the Australian EEZ around Heard and Macdonald Islands, all toothfish fishing in the CCAMLR Area is by means of demersal longlines. As of this Austral summer, this one trawling operation will be converted to pots (based on the same techniques and strategies used for catching black cod in the north Pacific) such that, from 2006, the whole Southern Ocean will be free of bottom trawling – both within EEZs and on the high seas.

Notwithstanding the absence of bottom trawling, Australia proposed that the Commission direct the Scientific Committee investigate the impacts of bottom trawling on the marine environment. Following the recommendation of the EC, the Commission amended the proposal and directed the Scientific Committee to analyse the impacts of destructive fishing practices, especially in sensitive environments.

**OUTCOMES:** No bottom trawling takes place in the CCAMLR Area. The Commission directed the Scientific Committee to report on the impacts of destructive fishing practices.

## **10. Marine Noise Pollution**

ASOC submitted a paper to CCAMLR on '*Marine Noise Pollution – Mitigation and the Need for Wider Protection*' which owed much to the work of Sarah Dolman from the Whale and Dolphin Conservation Society. There are three very different kinds of noise pollution where marine species (and international law) are concerned – military sonar (big bangs), offshore oil and gas seismic prospecting (lots of little bangs), and commercial shipping (persistent propeller noise). Insofar as none of these activities are customarily found in the CCAMLR Area to any great extent, it has been hard to get the issue onto the CCAMLR agenda.

**OUTCOMES:** The paper was privately welcomed by individuals on national delegations concerned with marine mammal protection, and it may assist these people in their national advocacy that such papers are tabled by ASOC. But formally, papers of this sort have little clear effect at CCAMLR. They suffer from being associated with an issue (cetaceans) that is viewed as problematical by most delegations and not appropriate to CCAMLR by some; and because ASOC does not have access to specialist Scientific Committee subgroups such as WG-EMM, they are injected into the CCAMLR science process too late. However, the fact that SCAR is now actively working on acoustic impact issues (as part of the Antarctic Treaty Consultative Meeting Process) will help.

## 11. JARPA II

This year, Japan has announced a significantly enhanced 'scientific whaling' program – JARPA II will begin in 2007 (whereby twice as many minke whales – about 1,000 a year – will be killed. With the failure of the IWC to reign in Japan's 'scientific whaling', NGOs have begun looking for other forums and other strategies and opportunities to save whales.

Some ASOC members proposed that the issue be brought to CCAMLR. An Australian proposal to convene a joint CCAMLR/IWC workshop on appropriate scientific programmes and methodologies to assist management and understanding of ecosystems and resources of the Southern Ocean was agreed to and will be on the agenda for the next IWC meeting. If IWC agrees, such a workshop would take place in 2008. This was at the upper end of political expectations for ASOC campaigners – if not for IWC campaigners – while CCAMLR networks assert that regulation of the commercial exploitation of whales and seals is a matter for the IWC (and CCAS), CCAMLR clearly has an interest in any research in and related to the Southern Ocean – and could assert primacy in such research matters.

**OUTCOMES:** CCAMLR agreed to propose a joint workshop with IWC on scientific programs and methodologies to assist in managing the Southern Ocean ecosystems, but delegations were otherwise not prepared to discuss cetacean-related issues, which (irrespective of their positions on whaling) they believe to be unavoidably best confined to IWC.

## 12. CCSBT

In 2005, for the first time, it was revealed that Japan is fishing Southern Bluefin Tuna (SBT) within the CCAMLR area, subject to regulation only by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), with no CCAMLR involvement or prior knowledge. The revelation of this caused Japan and the Secretariat of CCSBT to send letters to the CCAMLR Secretariat, immediately before CCAMLR XXIV, requesting the establishment of an agreement between CCAMLR and CCSBT on the management of Bluefin Tuna populations within the CCAMLR Area.

CCSBT is a species-specific organization responsible for managing SBT populations throughout their range, while CCAMLR is a geographically specific organization responsible for the conservation of living resources within its area. The complication is the Bluefin Tuna are found within the CCAMLR Area, which raises the question of which organization shall manage Bluefin Tuna fisheries within the CCAMLR Area. The four formal members of the CCSBT (Australia, New Zealand, Japan and Korea) are all also members of CCAMLR but the CCSBT's cooperating non members (including the fishing entity of Taiwan and Indonesia) are not.

Robust discussions and a couple of side meeting ensued. Encouragingly, considerable

importance was attached to the fact that ‘our’ albatrosses and petrels (the ones that breed in the CCAMLR Area) are being killed by ‘their’ fishers (the CCSBT does not require the longliners it licences to use the kind of incidental mortality mitigation measures that are mandatory for CCAMLR. Some CCAMLR members (most notably some Antarctic claimant states) were quite insistent that CCAMLR’s authority to permit and regulate all fishing activity must be recognized and respected. The EU seemed closer to the CCSBT position that it held primacy over Bluefin Tuna throughout its range.

In the end, agreement was reached on a CCAMLR response that, *inter alia*, “... welcomed an approach ... to conclude an agreement to ensure that fishing activities ... are appropriately managed and to clarify the respective roles of CCAMLR and CCSBT ...” – very diplomatic. Additionally, the CCAMLR response “requires” that CCSBT take some preliminary steps towards complying with some key CCAMLR measures pending outcomes of discussions aimed at defining those ‘respective roles’. These covered: notification of vessels licensed to fish; no licensing of CCAMLR listed IUU vessels; use of satellite VMS tracking; incidental mortality of birds; submission to compliance inspections at sea; and forwarding of relevant reports to CCAMLR. CCAMLR also declared an interest in discussing how CCSBT might improve its approach to incidental mortality of seabirds, observer coverage on longliners and elimination of IUU fishing – throughout the range of SBT.

**OUTCOMES:** CCAMLR agreed to send a letter to the CCSBT proposing an ad hoc working group of members of the Commission and of CCSBT be established to discuss the issue and conclude an agreement as soon as possible.

### **13. ASOC Statements to the Scientific Committee and the Commission**

**ASOC Statement to the Commission** (presented in English by Alan Hemmings):  
Monday 31<sup>st</sup> October 2005

*Thank you Mr Chairman, and good morning to everybody.*

*Four ASOC papers have been tabled here, including BG/32 “ASOC Priorities for CCAMLR XXIV”. I intend to note only some points from that paper.*

*Mr Chairman, ASOC believes that CCAMLR needs to look at ways in which it can both strengthen the existing IUU vessel list, and agree substantive response actions. The list is, surely, intended as a tool, not as an end in itself.*

*Consequently, we believe it would be wise to add vessels to the IUU vessel list that have been used in ways that undermine CCAMLR Conservation Measures, even if the detected problem with the particular vessel was reported outside the CCAMLR Area.*

*It appears that we need to see firmer diplomatic action in relation to flag states that do not*

*respond to Secretariat approaches on vessels, and if necessary the deployment of appropriate trade-related sanctions.*

*We have noted that emerging approaches such as the Proliferation Security Initiative may suggest helpful models for cooperative interdiction of IUU vessels in the CCAMLR Area; and whilst we obviously hope that Members themselves are not a problem, we have suggested that CCAMLR should have mechanisms for suspending Members persistently in breach of the Convention or its Conservation Measures.*

*In relation to electronic Dissostichus Catch Documents, we believe that it would be useful to make the present voluntary web-based system mandatory - as some Members already require. Some Members helpfully require operation of centralised VMS both inside and outside the Convention Area. ASOC encourages all flag and port states to follow suit.*

*With the krill fishery, the issue for ASOC is that after the long, carefully and painfully acquired experience with toothfish, we do not have to start from scratch again. ASOC believes that the observer and reporting standards that have emerged in the toothfish fishery are the appropriate and readily transferable standards we should expect in the krill fishery – 100% Observer coverage, International Observers, etc.*

*Thank you Mr Chairman, colleagues.*

**ASOC's Statement to the SC** (presented in Spanish by Rodolfo Werner):  
Wednesday 26<sup>th</sup> October 2005

*Muchas gracias Señora Presidente.*

*Varias de las prioridades presentadas por ASOC en su informe CCAMLR BG/32 serán expuestas en SCIC. En el contexto del Comité Científico, ASOC quiere sin embargo expresar recomendaciones con respecto a la pesquería del Kril Antártico.*

*Antes de continuar, ASOC quiere expresar que ve con agrado algunas de las iniciativas propuestas durante esta reunión por algunos de los miembros, dirigidas a implementar un monitoreo y manejo más adecuado de la pesquería del kril Antártico.*

*ASOC propone con respecto a la pesquería del kril Antártico lo siguiente:*

*Que se subdividan los límites de capturas precautorias para kril Antártico en el área 48 entre las 15 “Unidades de Manejo de Pequeña Escala” (SSMUs) que fueron establecidas en el año 2002, antes de que el límite “trigger” de 620.000 toneladas sea alcanzado. La subdivisión de capturas debe ser decidida sobre la base del Principio de Precaución, asegurando que la captura límite dispuesta para cada SSMU no comprometa la disponibilidad de kril para los predadores.*

*Que se requiera la utilización de un sistema automático de monitoreo satelital para cada buque operando en el área de la Convención. Que se requiera que cada barco que opere en el área de la Convención lleve a bordo al menos un observador. Que se requiera que cada buque que opera en la pesquería del kril envíe datos lance por lance y a escala fina. Que se requiera a los Miembros que envíen anualmente un informe detallado de sus planes con respecto a la pesca de kril, incluyendo el número de buques, ubicación de la pesquería planeada, y la captura esperada de kril.*

*Por último, ASOC promueve se logre una mejor coordinación entre los programas científicos relacionados al kril Antártico.*

*Muchas gracias Señora Presidente.*