



**ASOC Meeting Report on CCAMLR 40
(11 – 28 October 2021)
Hobart, Australia**

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ASOC MEETING REPORT on CCAMLR 40¹

Overview

The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) held its 40th Meeting at the Secretariat Headquarters in Hobart (Australia), from October 11 to 28 October 2021.² Aside from the CCAMLR Secretariat staff, the Chair and part of the ASOC delegation, who were present in Hobart, most participants attended the meeting in a virtual format.

The Antarctic and Southern Ocean Coalition (ASOC) has observer status and attends CCAMLR meetings every year. ASOC participated in the discussions of the Scientific Committee (SC-CAMLR); the Standing Committee on Implementation and Compliance (SCIC) and the Commission meeting.³

Summary of Outcomes

Positive

- CCAMLR agreed to roll over CM 51-07
- CCAMLR agreed to reinstate the WG-IMAF⁴ to address bycatch issues in the krill fishery.
- CCAMLR agreed to amend CM 32-01.
- The South African vessel *El Shaddai* will be included on the CP-IUU list.⁵

Negative

- CCAMLR could not agree to amend CM 26-01 or CMs 21-01 and 23-5.
- CCAMLR could not reach consensus to adopt the CCEP.⁶
- CCAMLR did not adopt a climate resolution; MPAs were also not agreed.
- CCAMLR could not adopt CM 26-01 due to strong opposition from Russia and China.
- An official report on the Russian vessel *Palmer* was not submitted to the Commission.
- CCAMLR did not reach an agreement on the Secretariat's recommendations on VMS and transshipment.
- The Pine Island Glacier Stage 2 designation was not agreed.
- CCAMLR was not able to reach consensus even on minor matters and spent an extraordinary amount of time in circular and largely unconstructive arguments.
- Consensus on the management of the toothfish fishery in area 48.3 was not reached.

Indeterminate

- CMs regarding exploratory toothfish fisheries are still outstanding.
- There was strong support by CCAMLR Members to convene a special meeting on MPAs, but it is not clear what will be discussed, when or where it will be held, and how it will impact the ongoing MPA process under CM 91-04.

ASOC Activities at CCAMLR 40

ASOC submitted six Background Papers:

¹ This report was prepared by Kimberly Aiken, Claire Christian, Ricardo Roura, Barry Weeber, and Rodolfo Werner.

² The Scientific Committee meeting took place from 11-15 October, and the Commission meeting took place from 17-28 October.

³ The Scientific Committee (SC) and SCIC are both subsidiary bodies of the Commission and put forward recommendations for the Commission to take the relevant decisions concerning the marine living resources of the Southern Ocean.

⁴ Working Group on Incidental Mortality Associated with Fishing

⁵ Vessel Monitoring System

⁶ CCAMLR Compliance Evaluation Procedure

- CCAMLR-40/BG/10 Moving forward, not backward, with krill fishery management
- CCAMLR-40/BG/11 Evaluating the economics of the Antarctic krill fishery
- CCAMLR-40/BG/13 ASOC Report to CCAMLR
- SC-CAMLR-40/BG/10 Climate change and the Southern Ocean: “Code Red” for CCAMLR
- SC-CAMLR-40/BG/11 The Seas Must Live: Marine Protected Areas Now
- SC-CAMLR-40/BG/22 The Ross Sea, Antarctica: A highly protected MPA in international waters

ASOC published two issues of the international newspaper ECO. The Antarctic Wildlife Research Fund (AWR), of which ASOC is a part, submitted a presentation to SC-CAMLR-40 shown during sessional intermission. The presentation described the projects awarded funds by the AWR in 2021 and launched the 2022 call for research proposals. Further information about the 2021 awarded projects is available from www.antarcticfund.org

List of ASOC Participants

Environmental NGOs were represented on the following national delegations and scientific bodies:

Australia: Emily Grilly (WWF-Australia)

New Zealand: Barry Weeber (ECO)

South Korea: Eunhee Kim (KFEM)

United States: Ryan Dolan (The Pew Charitable Trusts)

The ASOC Delegation was represented by: Alistair Graham (present in Hobart), Julian Chen (ASOC), Claire Christian (ASOC – head of delegation), Kimberly Aiken (ASOC), Nicole Bransome (Pew Charitable Trusts), Barbara Cvrkel (Pew Charitable Trusts), Nicholas Kirkham (Pew Charitable Trusts), Emil Dediu (Pew Charitable Trusts), Emily Grilly (WWF-Australia), Frida Bengtsson (ASOC), Ryan Dolan (Pew Charitable Trusts), Chris Johnson (WWF-Australia), Andrea Kavanagh (Pew Charitable Trusts), Willie Mackenzie (Greenpeace), Laura Meller (Greenpeace), Rhona Kent (WWF-UK), Randy Helten (FoE-Japan), Meike Schuetzek (ASOC), Perry Sonntag (ASOC), Dr. Ricardo Roura (ASOC), Mike Walker (ASOC), Dr. Rodolfo Werner (Pew Charitable Trusts/ASOC), Lena Zharkova (ASOC), Wei Zhou (ASOC/Greenpeace China), Olive Andrews (ASOC), Katja Hockun (ASOC), Johnny Briggs (Pew Charitable Trusts), Masha Vorontosova (ASOC), Michelle Grady (Pew Charitable Trusts – present in Hobart), Sophie Hulme (ASOC), and Yutian Ding (ASOC).

There were also two visiting academic delegates, Lyn Goldsworthy (PhD student, University of Tasmania) and Dr. Nengye Liu (Professor, Macquarie University).

Issues and Outcomes

Marine Protected Areas

As in previous years, the issue of MPAs was high on the agenda despite the systematic efforts by two CCAMLR Members to not include MPAs and Climate Change in the discussions. MPA proposals for East Antarctica, the Weddell Sea and the Antarctic Peninsula were once again on the table. Norway invited CCAMLR Members and Observers to a spatial planning workshop on WSMPA Phase II. Argentina and Chile presented again the proposal for Domain 1 MPA (Antarctic Peninsula). Several anti-MPA interventions were made, including the need to develop a unified set of requirements for an RMP⁷ prior to the establishment of MPAs. These interventions were rebutted at length by leading proponents. Because no progress was made again this year on MPAs, CCAMLR

⁷ Research and Monitoring Plan

Members supported convening a special meeting on MPAs next year during the intersessional period. Nevertheless, there was no clear information about the nature and the TORs for that special MPA meeting. During SC-CAMLR-40, ASOC made strong interventions summarizing the status of the MPA discussion, and reminded Members that in line with their 2009 commitments and CM 91-04, CCAMLR Members must adopt meaningful MPAs across the nine planning domains.

Krill fishery

For the 2019/2020 season, fishing notifications were submitted for subareas 48.1, 48.2 and 48.3. The reported total krill catch was 450,782 tonnes of which 157,081 tonnes, 178,382 tonnes and 115,318 tonnes were taken from subareas 48.1, 48.2 and 48.3 respectively. The highest krill catch in Area 48 was conducted in the 2019/20 season.

In the 2020/21 season, fishing notifications were submitted for subareas 48.1, 48.2 and 48.3. The reported total krill catch was 320,014 tonnes of which 161,772 tonnes, 158,242 tonnes and 0 tonnes were taken from subareas 48.1, 48.2. and 48.3 respectively. Subarea 48.1 was closed in both years when the catch limit was reached.

CM-51-07

This year was key for krill fisheries management, since CM 51-07 was supposed to expire. CM 51-07 allocates the total allowable catch in the krill fishery among subareas in Area 48. Six papers were presented at SC-CAMLR-40 on this topic, which focused on science-based management plans of the fishery. CM 51-07 was adopted in 2009 to prevent overconcentration of krill fishing in areas that are crucial foraging areas of key predators such as penguins, seals and whales. This measure is of critical importance and without it the entire catch limit for Area 48 could be taken from one subarea or an even smaller area. During the 2021 online WG-EMM meeting a new management approach was proposed for Area 48 to manage the krill fishery in spatial scales smaller than the subarea as currently implemented by CM 51-07. Risks and benefits associated with a smaller-scale allocation of catches were expressed by many CCAMLR Members. One Member was not prepared to change or modify CM 51-07, however supported the extension of the measure for at least one more fishing season, as did all other Members. The SC agreed to further advance the krill work plan (related to CM 51-07) in the WGs next year during the intersessional period starting with 48.1. Therefore, the SC recommended to the Commission the roll-over of CM 51-07 until relevant changes to the measure could be made.

ASOC supports the roll-over of CM 51-07 with the understanding that CCAMLR shall complete the agreed krill work plan and develop a new and improved science-based CM to replace 51-07.

Observer Scheme

The EU presented WP CCAMLR-40/22 with proposals to CMs 21-01, 21-02, and 23-5 to adapt the requirements for observer and data reporting under the CCAMLR Scheme of International Scientific Observer (SISO). The text specifies the presence of a scientific observer appointed under SISO. For many years, the Scientific Committee has been advising that 100% observer coverage on krill vessels was scientifically desirable. Moreover, several Members at the SC supported moving towards consistency of SISO observer coverage across all fisheries as advantageous.

Delayed fishing gear retrieval

The EU presented WP CCAMLR-40/21 with the proposal to amend CM 26-01. Russia presented WP CCAMLR-40/29 on management procedures for delayed retrieval of fishing gear in toothfish fisheries in subareas 88.1 and 88.2 with the proposal to amend CM 32-01. The proposal was supported by CCAMLR Members, noting that suggestions were already provided in an e-group on how to implement

changes to CM 32-01. New Zealand put forth a template for notification to be annexed to the measure to ensure that all data is sent. Regarding CM 32-01, ASOC is concerned that data on catches from lines retrieved after fishery closure will be misreported, which could significantly affect actual numbers of retrieved longline gear. There was also strong opposition to the EU's proposals by some Members on CM 26-01.

IUU Fishing and Vessel Issues

South African Vessel El-Shaddai

The South African fishing vessel *El-Shaddai* was proposed for inclusion on the CP-IUU vessel list after retrospective data analysis identified she had fishing in closed subarea 58.7 some years ago. Toothfish tag release information determined that in 2015, the *El-Shaddai* had 28 fishing occurrences in subarea 58.7, and again in 2016, 33 fishing occurrences. South Africa reported that an internal investigation into the activities of the *El-Shaddai* were initiated but not concluded, including an open criminal investigation. CCAMLR ultimately adopted a CP-IUU vessel list that includes the *El-Shaddai*. There were strong interventions in favor of the listing the vessel. The vessel had also been fishing in SIOFA waters without being notified.

Russian Vessel Palmer

The Russian delegation maintained its position that an official report on the *Palmer* could not be submitted to CCAMLR-40 and continued to claim that it had received incomplete information from New Zealand, which New Zealand denies. Other Members noted that Russia had not provided relevant information including VMS data (the latter of which was voluntarily provided by all other vessels operating in the area). Subsequently, only a short discussion on this issue occurred and therefore, it remains open.

Iranian Vessel Koosha IV

The Iranian vessel *Koosha IV* has been on the CCAMLR NCP-IUU vessel list since 2012. CCAMLR previously suspended the *Koosha IV* for 37 days during an IUU investigation. In 2012, the *Koosha IV* underwent financial difficulties after fisheries violations were reported by the Commission. Reportedly the vessel has been inactive for more than six years; however, it will remain on the CCAMLR NCP-IUU list until Iran provides further information in writing.

Derogation and By-catch issues

Norway presented SC-CAMLR/BG/27 on three humpback whale mortality incidents in the krill fishery in subarea 48.1 and 48.2 during the last fishing season. Initial reporting by Norway suggested the whales were in poor condition and were suspected to be already dead when they entered the net. There was a fairly long discussion about this issue. Expert advice reported by New Zealand indicated that most whale carcasses will float on the surface or sink, but not float mid-water where the krill net operates and given the many days the net was in the water fishing the animals could have died several days before being discovered. During the discussion there was strong support for reconvening WG-IMAF, a key outcome that ASOC supports. WG-IMAF's next meeting will take place in 2022, with Dr. Marco Favero from Argentina (former head of ACAP and current ASOC board member) as co-convenor along with Nathan Walker (SC-Representative and former IMAF Member) from New Zealand).

Norway also presented SC-CAMLR/BG/26 on examining bird interactions (strikes) with net monitoring cables on krill trawlers. The report highlighted significant differences in observer coverage between the two trial periods. The report recommended extending the derogation for use of net-monitoring cables in

CM 25-03 and it was implied that there would be consequences for not doing so, including more time setting and hauling which is also dangerous for seabirds. Several Members supported the request to continue the derogation, while some Members as well as ASOC and ACAP all expressed concerns with the way the trials had been conducted. Some of these concerns included low levels of observer coverage and levels of observed strikes that, if extrapolated, indicated very high overall levels of bird strikes. COLTO indicated it could support the process with its own lessons learned in terms of bycatch mitigation and echoed a point from ASOC about the usefulness of electronic monitoring. China expressed its desire to also receive a derogation for its krill fishing operations. Some Members indicated that zero was not a realistic level of bycatch and that there needed to be a decision on what level of bycatch was acceptable. Other bycatch was also discussed, including the high icefish bycatch in the krill fishery in the past, season, and potential steps to obtain more information on this.

Finally, the Commission decided to extend the derogation for use of net-monitoring cables in CM 25-03 for one more year, with additional conditions outlined by the Scientific Committee.

Toothfish fisheries

Russia submitted a report considering that the catch advice for the toothfish fishery in subarea 48.3, did not constitute rational use and subsequently proposed that the fishery should be closed. The scientific evidence provided by Russia was criticized as fundamentally flawed. The SC was unable to provide consensus advice on catch limits for toothfish stocks in subarea 48.3. Consensus was also blocked on whether the resulting catch limit would be precautionary. At present, the fishery is likely to proceed without a total allowable catch established by CCAMLR. One Member intervened to say that fishing activities were being blocked in areas without any scientific evidence to support its case. Compromise proposals of workshops and reviews of assessments of the fishery were also blocked.

Japan, South Africa and Spain submitted proposals to continue research on Antarctic toothfish in subarea 48.6. The Ukraine submitted a proposal to conduct a new research survey targeting icefish in area 48.2. All Members except one expressed support for the multi-member (South Korea, France, Australia, Japan and Spain) coordinated new research plan to continue toothfish research in divisions 58.4.1 and 58.4.2. While the exploratory fishery in division 58.4.1 has consistently received good reviews on scientific merit consensus on the research plan was blocked again by one Member. Many Members expressed their disappointment that consensus could not be reached once more. Thus, the Commission was unable to agree on the research plan proposal for 58.4.1, and the issue will be discussed further intersessionally.

Exploratory fisheries for toothfish were agreed in the Ross Sea region (88.1) and the Amundsen Sea (88.2). The 88.1 fishery includes catch in the Ross Sea Region MPA Special Research Zone.

One Member also blocked a proposal for a workshop to review CCAMLR's decision rules during SCAF, though this had been requested by the Scientific Committee. ASOC and COLTO volunteered to provide the funding for this workshop but there was no clear decision to proceed. Given the importance of decision rules, CCAMLR Members are reluctant to proceed without consensus. The Scientific Committee will continue to discuss the matter.

Climate Change

Working papers CCAMLR-40/23 Rev. 2; SC-CAMLR-40/08 and three background papers (SC-CAMLR-40/BG/04, SC-CAMLR-40/BG/10 and SC-CAMLR-40/BG/12) made concrete recommendations for CCAMLR to act on climate change with support for a climate resolution. The

papers cited overwhelming scientific evidence with supporting details from the 2019 IPCC Report⁸ and suggested a variety of measures including designation of the Pine Island Glacier as a Special Area for Scientific Study, to afford area protection for scientific research (not for conservation purposes) for ten years. Two Members again blocked consensus on this agenda item. ASOC joined CCAMLR Members in expressing disappointment that Stage 2 designation for the Pine Island Glacier was not adopted this year. It was proposed to revive the e-group to discuss incorporating climate change into the work of SC-CAMLR. There wasn't clear support but the SC will note the terms of reference for the e-group and move on. CCAMLR was not able to adopt a resolution on climate change in which several members had promoted, instead including a brief reference to its only (and largely dated) climate change resolution (Resolution 30/XXVIII, 2009) on its report. The resolution may come back for discussion next year.

Implementation and Compliance

Compliance Evaluation Procedure

The discussion on the CCAMLR Compliance Evaluation Procedure (CCEP) was largely unconstructive and unproductive with two Members repeatedly disrupting the the discussions. No compliance report was adopted, an extremely unfortunate situation. This year the CCEP highlighted some new issues of importance to ASOC, namely the assessment of non-compliance identified in an aerial report and an assessment of toothfish products exported from a territory unaccompanied by appropriate catch documents. The CCEP identified a total of 77 issues across 13 CMs, involving 20 Members. In addition, SCIC agreed to modify the report on the CCEP methodology with respect to the role of scientific observers.

Conclusion

Once again, a CCAMLR meeting in a mostly virtual format was a largely unproductive exercise. However, this year efforts to block consensus and waste meeting time were intensified, resulting in a lack of progress on even minor issues such as scientific workshops. It is imperative that CCAMLR take place in person in 2022, and that CCAMLR Members work intensively in the intersessional period to restore some semblance of international cooperation.

⁸ [2019 IPCC Special Report On The Ocean and Cryosphere In A Changing Climate](#)

Conservation Measures/Resolutions cited in this report

Reference Number	Title	Areas	Species	Period in Force
CM 21-01	Notification that Members are considering initiating a new fishery	All Areas	All Species	2019 -
CM 21-02	Exploratory fisheries	All Areas	All Species	2019 -
CM 23-05	Monthly Fine-Scale Biological Data Reporting System for Trawl, Longline and Pot Fisheries	All Areas	All Species	2000 -
CM 26-01	General environmental protection during fishing	All Areas	All Species	2019 -
CM 32-01	Fishing seasons	All Areas	All Species	2001 -
CM 41-02	Limits on the fishery for <i>Dissostichus eleginoides</i> in Statistical subarea 48.3 in the 2019/20 and 2020/21 seasons	subarea 48.3	<i>Dissostichus eleginoides</i>	2019 -
CM 51-01	Precautionary catch limitations on <i>Euphausia superba</i> in Statistical subareas 48.1, 48.2, 48.3 and 48.4	subarea 48.1, subarea 48.2, subarea 48.3, subarea 48.4	<i>Euphausia superba</i>	2010 -
CM 51-07	Interim distribution of the trigger level in the fishery for <i>Euphausia superba</i> in Statistical subareas 48.1, 48.2, 48.3 and 48.4	subarea 48.1, subarea 48.2, subarea 48.3, subarea 48.4	<i>Euphausia superba</i>	2016 -
CM 91-04	General framework for the establishment of CCAMLR Marine Protected Areas	All Areas	All Species	2011 -
CM 91-05	Ross Sea region marine protected area	subarea 88.1, SSRU 88.2 A, SSRU 88.2 B	All Species	2016 -
Resolution 30/XXVIII	Climate change	All Areas	All Species	2009 -