



COMMISSION OF THE EUROPEAN COMMUNITIES

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95/0252 (CNS)

Proposal for a

COUNCIL REGULATION (EC)

**laying down certain conservation and control measures applicable to
fishing activities in the Antarctic**

(presented by the Commission)

EXPLANATORY MEMORANDUM

On 8 November 1994 the Commission for the Conservation of the Antarctic Marine Living Resources (CCAMLR) notified Contracting Parties of the conservation measures adopted at the 1994 Annual Meeting held in Hobart in the period of 26 October to 4 November 1994 and pursuant to Article IX (6) (b) of the Convention these measures have become binding on all Contracting Parties on 8 May 1995.

These conservation measures are based on the scientific advice submitted by CCAMLR's Scientific Committee and reflect conservation measures adopted by CCAMLR in the past. The measures concern essentially FAO Antarctic sub-area 48.3 where the major concentration of stocks exist.

They involve in particular the fixing of TACS for the species *Euphasia superba*, *Dissostichus eleginoides*, *Champsocephalus Gunnari*, *Electrona carlsbergi*, *Notothenia squamifrons* and crab. In addition, they involve measures related to the prohibition on directed fisheries for certain stocks, the catch reporting systems and other technical measures.

The conservation measures adopted by CCAMLR since 1985 have resulted in annual modifications of Regulation 2245/85. In view of the number and frequency of the modifications, the clarity of the original text has been diminished.

The purpose of this regulation therefore is primarily to consolidate in one legal text CCAMLR's conservation measures currently in force, including those adopted at the 1994 Annual Meeting, and thereby replace the original Regulation 2245/85.

In view of the agreement between the members of CCAMLR and the importance of these conservation measures for the fish stocks concerned, the Community is called upon to apply these measures immediately.

COUNCIL REGULATION (EC) No.....
OF.....1995
laying down certain conservation and control measures applicable
to fishing activities in the Antarctic

THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty establishing the European Community, and in particular Article 43,

Having regard to the proposal from the Commission⁽¹⁾

Having regard to the opinion of the European Parliament⁽²⁾,

Whereas pursuant to Article 4 of Council Regulation (EEC) N° 3760/92 of 20 December 1992⁽³⁾, establishing a Community system for fisheries and aquaculture, the Council may determine certain conditions for access by Community fishing vessels to waters and resources;

Whereas Council Regulation (EEC) N° 2847/93 of 12 October 1993⁽⁴⁾ establishing a control system applicable to the common fisheries policy, applies to all fishing activities and to all associated activities carried out within the territory and within the maritime waters subject to sovereignty or jurisdiction of the Member States, and to all activities of Community fishing vessels which operate in the waters of non-member countries and on the high seas, without prejudice to the special provisions contained in fisheries agreements concluded between the Community and third countries, or in International Conventions to which the Community is a party;

Whereas the Convention on the Conservation of Antarctic Marine Living Resources, hereinafter called 'the Convention', was approved by Council decision 81/691/EEC⁽⁵⁾ whereas it entered into force for the Community on 21 May 1982;

Whereas the Commission on the Conservation of Antarctic Marine Living Resources, hereinafter referred to as 'CCAMLR', established by the Convention, adopted on the recommendation of its Scientific Committee, certain conservation measures applicable, in particular, to fish stocks occurring in the waters off South Georgia.

⁽¹⁾ O.J.

⁽²⁾ O.J.

⁽³⁾ O.J. No L 389, 31.12.92, p.1

⁽⁴⁾ O.J. No L 261, 20.10.93, p.1

⁽⁵⁾ O. J. No L 252, 5.9.81, p. 26

Whereas (EEC) Council Regulation 2245/85, of 2 August 1985⁽⁶⁾, laying down certain technical measures for the conservation of fish stocks in the Antarctic has implemented these conservation measures and has been subject to annual modifications which have affected the clarity of the legislation;

Whereas it is therefore necessary to replace Regulation 2245/85 with a new regulation reflecting CCAMLR conservation measures currently in force.

Whereas the members of CCAMLR stated that they intended to apply the latest conservation measures, adopted on 8 November 1994, on a provisional basis, without waiting for them to become binding, in view of the fact that some of the conservation measures relate to fishing seasons which commenced on or after 1 July 1994;

Whereas the European Community, as a Contracting party to CCAMLR, is bound to ensure that the measures adopted by CCAMLR are applied to Community fishermen with effect from relevant dates;

Whereas it is necessary to provide for a mechanism allowing the Council to implement further conservation measures adopted by CCAMLR on a proposal from the Commission with a simplified procedure;

HAS ADOPTED THIS REGULATION:

⁽⁶⁾ O.J. No L 210, 07.08.85, p. 2

Article 1

Scope

1. This Regulation applies to Community fishermen who take and retain on board fish from marine living resources of the area south of 60° south latitude and of the area between that latitude and the Antarctic convergence which forms part of the Antarctic marine ecosystem with the exception of those resources occurring within waters subject to such coastal state jurisdiction as may exist in accordance with international law.
2. This Regulation shall be without prejudice to the provisions of the Convention and shall operate in furtherance of these objectives and principles and the provisions of the Final Act of the Conference at which it was adopted.
3. The Antarctic convergence referred to in paragraph 1 is deemed to be a line joining the following points along parallels of latitude and meridians of longitude: 50°S, O - 50°S, 30°E - 45° S, 30° E - 45° S, 80°E - 55°S, 80°E - 55°S, 150° E - 60°S, 150°E - 60°S, 50°W - 50°S, 50°W - 50°S, O°.

Article 2

Right to Fish

1. Only those fishing vessels named in the list mentioned in paragraph 2 shall have the right to carry out fishing or scientific research activities in the area defined in Article 1.
2. Member States shall notify to the Commission the list of all fishing vessels flying their flag and registered in their territory which wish to carry out fishing or scientific research activities in the area defined in Article 1, twenty days after this Regulation has entered into force, and afterwards at least thirty days in advance of the beginning of these activities.
3. This list, transmitted to the Commission shall mention the internal number fleet register in accordance with the Article 1 of the Commission Regulation (CE) n° 109/94 of 19 January 1994⁽⁷⁾ concerning the fishing vessel register of the Community.

Article 3

1. Only one Community fishing vessel subject to a special fishing permit issued in accordance with the provisions defined in Article 7 of the Council Regulation (EC) No 1627/94 of 27 June 1994 ⁽⁸⁾, laying down general provisions concerning special fishing permit, can participate in the crab fishery in FAO Antarctic sub-area 48.3.
2. Member States shall notify, six months in advance, the Commission of the intention of their fishermen to prosecute such a fishery.

⁽⁷⁾ O.J. N° L19, 22.01.94, p. 5

⁽⁸⁾ O.J. N° L 171, 06.07.94, p. 7

Article 4

Prohibition on fishing

1. Directed fishing of *Notothenia rossii* in FAO Antarctic sub-area 48.1 in the Peninsula area, in FAO Antarctic sub-area 48.2 around the South Orkneys and in FAO Antarctic sub-area 48.3 around South Georgia is prohibited.
2. Directed fishing of finfish in FAO Antarctic sub-areas 48.1 and 48.2 except for scientific research purposes, is prohibited.
3. Directed fishing of *Notothenia gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus*, *Notothenia squamifrons* and *Patagonotothen guntheri*, in FAO Antarctic sub-area 48.3 is prohibited until 1 November 1996.
4. Directed fishing of *Champsocephalus gunnari* in FAO Antarctic sub-area 48.3 is prohibited until 3 November 1995.

Article 5

Catch limitations

1. The Total Allowable Catch (TAC) of *Euphausia superba* in any fishing season is fixed at:
 - a) 1.5 million tonnes in FAO statistical area 48
 - b) 390 000 tonnes in FAO Antarctic division 58.4.2

A fishing season is defined as beginning on 1 July and finishing on 30 June of the following year.

2. The Total Allowable Catch (TAC) of *Dissostichus eleginoides* is fixed at:
 - a) 2 800 tonnes, in FAO Antarctic sub-area 48.3 for the period 1 March to 31 August 1995.
 - b) 28 tonnes in the FAO Antarctic sub-area 48.4 in the period 15 December 1994 to 3 November 1995.
 - c) 297 tonnes, in FAO Antarctic division 58.5.2 in any fishing season.

The fishing season is defined from 5 November 1994 until 30 June 1995.

3. The Total Allowable Catch (TAC) of *Champsocephalus gunnari* is fixed in any fishing season at:
 - 311 tonnes in FAO Antarctic division 58.5.2.

The fishing season is defined from 5 November 1994 until 30 June 1995.

4. The Total Allowable Catch (TAC) of Crab (*Decapoda, suborder Reptantia*), is fixed at:
 - 1 600 tonnes in FAO Antarctic sub-area 48.3 during the 1994/95 fishing season.

5. The Total Allowable Catch of *Electrona carlsbergi* is fixed at:
 - a) 200 000 tonnes in FAO Antarctic sub-area 48.3 from 5 November 1994 to 3 November 1995.
 - b) 43 000 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., for the 1994/1995 season.

Directed fishery for *Electrona carlsbergi* in FAO Antarctic sub-area 48.3 and in the Shag Rocks region will be closed, if the by-catch of any species named in paragraph 6 below exceeds the fixed limits.

If in the course of the directed fishery for *Electrona carlsbergi*, the by-catch of any one haul of any of the species named in paragraph 6 below exceeds 5%, the fishing vessel shall move to another fishing ground within the sub-area.

6. In the course of fishing in FAO Antarctic sub-area 48.3, by-catches of *Notothenia gibberifrons* shall be limited to 1 470 tonnes; by-catches of *Chaenocephalus aceratus* shall be limited to 2 200 tonnes; and the by-catch of *Pseudochaenichthys georgianus*, *Notothenia rossii* and *Notothenia squamifrons* shall be limited to 300 tonnes each.
7. The Total Allowable Catch (TAC) of *Notothenia squamifrons* in the two-year period from 5 November 1994 to 1 November 1996 in FAO Antarctic division 58.4.4 (Ob and Lena Banks) is fixed at:
 - 715 tonnes on Lena Bank and 435 tonnes on Ob Bank.
8. Catches of any of the above species taken by a Community vessel for scientific research purposes will be considered as part of the catch limitations in force for each species taken, as described in the above paragraphs.

Article 6

1. The fishery of *Dissostichus eleginoides* in FAO Antarctic division 58.5.2 is prohibited except if undertaken by trawling.
2. For crab fishing as defined in Article 5 (4), only crab pots (traps) are authorized. This fishery shall be limited to sexually mature male crabs; all female and undersized male crabs shall be released. In the case of *Paralomis spinosissima* and *P. formosa*, males with a minimum carapace width of 102 mm and 90 mm respectively, may be retained on board.

Article 7

Control Measures

Community vessels shall be subject to three different catch and effort reporting systems:

1. For the purposes of the Monthly Catch and Effort Reporting System, the reporting period is defined as a calendar month.

2. For the purposes of the Ten-day Catch and Effort Reporting System, the calendar month is divided into three reporting periods, designated by the letters A, B, C and running from day 1 to day 10, day 11 to day 20, day 21 to the last day of the month respectively.
3. For the purposes of reporting the catches under the Five-day Catch and Effort Reporting System, each calendar month is divided into six reporting periods, designated by the letters A, B, C, D, E and F and running from day 1 to day 5, day 6 to day 10, day 11 to day 15, day 16 to day 20, day 21 to day 25 and day 26 to the last day of the respective month.

Article 8

1. The Five-day Catch and Effort Reporting system applies to:
 - the fishery of *Dissostichus eleginoides* in FAO Antarctic sub-area 48.3 and 48.4;
 - the fisheries of *Champscephalus gunnari* and *Dissostichus eleginoides* in FAO Antarctic division 58.5.2;
2. The Ten-day Catch and Effort report system applies to the fishery crab (*Decapoda, suborder reptania*) in FAO Antarctic sub-area 48.3. Data on catches taken between 31 July and 31 August shall be reported to the Commission by 15 September of each year.
3. The Monthly Catch Reporting system, applies to the fishery for *Electrona Carlsbergi* in FAO Antarctic sub-area 48.3 and in the Shag Rocks Region.
4. The Catch and Effort Reporting systems, shall apply to all species fished for scientific research purposes, whenever the catch within a specific period exceeds 5 tonnes.

Article 9

1. Masters of Community fishing vessels shall submit a catch and effort report to the competent authorities of the flag Member State, at the latest one day after the end of the respective reporting period.
2. Member States shall notify the Commission at the latest within three days of each reporting period, the catch and effort report transmitted by each fishing vessel flying their flag and registered in their territory. Each catch and effort report shall specify the reporting period concerned.
3. The Commission shall notify to CCAMLR, at the latest within five days after the end of each reporting period, the catch and effort reports received in accordance with the paragraph 2.

Article 10

The Catch and Effort Reporting system shall contain the following information:

- the name,
- the external identification mark of the vessel in question,
- the total catches of the species concerned,
- the total days and hours fished,

during the preceding reporting period.

Article 11

Member States shall notify to the Commission the total catches, broken down by vessels, which were made by fishing vessels flying its flag and registered in its territory, in the period between 1 July 1994 and the end of the first month following the month in which the Regulation enters into force. This notification shall be made within 10 days of the end of this period.

Article 12

Biological Data Reporting System

1. Community vessels fishing *Dissostichus eleginoides* and *Electrona carlsbergi* shall notify to the competent authority of the Member State whose flag they fly, and registered in its territory, not later than the 15th of each month, an Effort and Biological Data Reporting system.
2. Pursuant to this notification, Member States shall transmit this information to the Commission at the end of each month. The Commission shall transmit these data to CCAMLR not later than the end of the following month.
3. The information contained in the Effort and Biological Data reporting System shall include the following:
 - the haul by-haul data required to complete the CCAMLR fine-scale catch and effort data form for longline fisheries. These data shall include the numbers of seabirds or marine mammals of each species caught and released or killed.
 - a representative sample on length composition measurements from the fishery.

Article 13

Suspension of Fishing Activities

Following notification from CCAMLR to the Commission concerning the exhaustion of the TAC of a stock or a group of stocks fixed in Article 5, or after the expiration of the fishing season set out in Article 5 it shall be prohibited for any Community fishing vessel to fish for that stock or group of stocks, to retain on board, to tranship or to land fish taken after that date.

Article 14

Mesh Sizes

1. No trawl Danish seine or similar net any part of which is composed of meshes of a size smaller than those laid down in Annex 2, shall be used or hauled when engaging in direct fishing for the species or groups of species *Notothenia rossii*, *Dissostichus eleginoides*, *Notothenia gibberifrons*, *Notothenia kempfi*, *Notothenia squamifrons* and *Champsocephalus gunnari*.
2. For the nets referred to in the above paragraph, the minimum mesh size provided for in Annex 2 shall be determined in accordance with the following rules:

A. *Description of gauges*

- (a) The gauges to be used for determining mesh size shall be 2 mm thick, flat, of durable material and capable of retaining their shape. They shall have either a series of parallel-edged sides connected by intermediate tapering edges with a taper of one to eight on each side, or only tapering edges with the taper specified above. They shall have a hole at the narrowest extremity.
- (b) Each gauge shall be inscribed on its face with the width in millimetres both of the parallel-sided section. In the case of the latter, the width shall be inscribed at intervals of 1 mm and shall be indicated at regular intervals.

B. *Use of the gauge*

- (a) The net shall be stretched in the direction of the diagonal of the meshes.
- (b) A gauge as described in point 1 shall be inserted by its narrowest extremity into the mesh opening in a direction perpendicular to the plane of the net.
- (c) The gauge, shall be inserted into the mesh opening either manually or using a weight or dynamometer, until it is stopped at the tapering edges by the resistance of the mesh.

C. *Selection of meshes to be measured*

- (a) Meshes to be measured shall form a series of 20 consecutive meshes running in the direction of the long axis of the net.
- (b) Meshes less than 50 cm from lacings, ropes or codline shall not be measured. This distance shall be measured perpendicular to the lacings, ropes or codline with the net stretched in the direction of that measurement. Nor shall any mesh be measured which has been mended or broken or has attachments to the net fixed at that mesh.
- (c) By way of derogation from (a), the meshes to be measured need not be consecutive if the conditions set out in (b) apply.
- (d) Nets shall be measured only when wet and unfrozen.

D. *Measurements of each mesh*

The size of each mesh shall be the width of the gauge at the point where the

gauge is stopped when it is used in accordance with point B.

E. *Determination of the mesh size of the net*

The mesh size of the net shall be the arithmetical mean, in millimetres, of the measurements of the total number of meshes selected and measured as provided for in points C and D, the arithmetical mean being rounded off to the nearest millimetre.

The total number of meshes to be measured is specified in point F below.

F. *Sequence of inspection procedure*

- (a) The inspector shall measure one series of 20 meshes, selected in accordance with point C above, inserting the gauge manually without using a weight or dynamometer.

The mesh size of the net shall then be determined in accordance with point E above.

If the calculation of the mesh size shows that the mesh size does not appear to comply with the rules in force, two additional series of 20 meshes selected in accordance with point C above shall be measured.

The mesh size shall then be recalculated in accordance with point E, taking into account the 60 meshes already measured. Without prejudice to (b) below, this shall be the mesh size of the net.

- (b) If the skipper of the vessel contests the mesh size determined in accordance with (a), such measurement shall not be considered for the determination of the mesh size and the net shall be remeasured.

A weight or dynamometer attached to the gauge shall be used for the purposes of remeasurement.

The choice of weight or dynamometer shall be left to the discretion of the inspector.

The weight shall be fixed (using a hook) to the hole in the narrowest extremity of the gauge. The dynamometer may either be fixed to the hole in the narrowest extremity of the gauge or be applied at the widest extremity of the gauge.

The accuracy of the weight or dynamometer shall be certified by the appropriate national authority.

For nets of a mesh size of 35 mm or less as determined in accordance with (a) above, a force of 19,61 newton (equivalent to a mass of two kilograms) shall be applied and a force of 49,03 newton (equivalent to a mass of five kilograms), shall be applied for other nets.

For the purposes of determining the mesh size in accordance with point E above (when a weight or dynamometer is used), only one series of 20 meshes shall be measured.

3. The measures applicable to reduce the incidental mortality of seabirds during longline fisheries are set out in Annex 3.

Article 15

Notification of a New Fishery

1. For the purposes of this Article a new fishery is a fishery on a species using a particular fishing method in a statistical sub-area for which:
 - (a) information on distribution, abundance, demography, potential yield and stock identity from comprehensive research/surveys or exploratory fishing have not been submitted to CCAMLR; or
 - (b) catch and effort data have never been submitted to CCAMLR; or
 - (c) catch and effort data from the two most recent seasons in which fishing occurred have not been submitted to CCAMLR.
2. The exercise of a new fisheries in the CCAMLR Convention Area shall be prohibited whenever it has not been authorised in accordance with paragraph 6.
3. Any operator of a fishing vessel who intends to develop a new fishery in the CCAMLR Convention Area shall inform the competent authorities of the Member State whose flag the vessel flies and in whose territory it is registered of that intention and shall submit to those authorities the information defined in paragraph 4 to the best of his ability.
4. A Member State who has been informed of the intention to develop a new fishery in CCAMLR Convention Area with vessels flying its flag and registered in its territory shall notify the Commission without delay and not less than six months in advance of the next regular meeting of CCAMLR.

The notification shall be accompanied by as much of the following information as the Member State is able to provide:

- (a) the nature of the proposed fishery including target species, methods of fishing, proposed region and any minimum level of catches that would be required to develop a viable fishery;
 - (b) biological information from comprehensive research/survey cruises, such as distribution, abundance, demographic data and information on stock identity;
 - (c) details of dependent and associated species and the likelihood of them being affected by the proposed fishery;
 - (d) information from other fisheries in the region or similar fisheries elsewhere that may assist in the valuation of potential yield.
5. The Commission shall forward to CCAMLR for consideration the information provided in accordance with paragraph 4, together with any other relevant information it has at its disposal.
 6. As soon as CCAMLR has taken a decision, the new fishery shall be authorised:
 - by the Commission, in case CCAMLR has not adopted any conservation measures with regard to the new fishery, or,
 - by the Council, acting by a qualified majority on a proposal from the Commission, in all other cases.

Article 16

Exploratory Fisheries

An exploratory fishery is defined as a fishery that was previously classified as a new fishery, as defined in Article 15. An exploratory fishery shall continue to be classified as such until sufficient information is available:

- (a) to evaluate the distribution, abundance and demography of the targeted species, leading to an estimate of the fishery's potential yield,
- (b) to review the fishery's potential impacts on dependent and related species, and
- (c) to allow CCAMLR's Scientific Committee to formulate and provide advice on appropriate harvest catch levels, as well as effort levels and fishing gear where appropriate.

The information to be submitted for an exploratory fishery is set out in Annex 4.

Article 17

Application of Conservation Measures to Scientific Research

1. Masters of Community vessels intending to conduct research when the estimated catch is expected to be less than 50 tonnes, shall submit to the competent authority of the Member State whose flag they fly and registered in its territory the following data:
 - name and external identification mark of vessel
 - division and subarea in which research is to be carried out
 - estimated dates of entering and leaving CCAMLR Convention Area
 - purpose of research
 - fishing equipment likely to be used

The Member State shall forward this information to the Commission, which will in turn duly inform CCAMLR.

2. Community vessels referred to in paragraph 1 shall be exempted from conservation measures relating to mesh size regulations, prohibition of types of gear, closed areas, fishing seasons and size limits, and reporting system requirements other than those specified in Article 5 (8) and Article 8 (4).
3. Masters of Community vessels intending to conduct research where the estimated total catch is expected to be more than 50 tonnes, shall submit to the competent authorities of the flag Member State the research plans using the form provided by CCAMLR. The Member State will forward the plans to the Commission which will duly submit them to CCAMLR for review. Until the review process is completed by CCAMLR and until the Commission has duly notified the Member States in question of CCAMLR's decision, the planned fishing for research purposes shall not proceed.
4. A summary of the results of any research subject to these provisions shall be provided by the Member State to the Commission within 120 days of the completion of the research fisheries. A full report of the results of the research shall be provided within ten months. The Commission will submit to CCAMLR the summary within 60 days and the final report within 2 months from the date of receipt, respectively.

Article 18

Annex 1 fixes the rules for the Experimental Harvest Regime for the Crab Fishery in FAO Antarctic sub-area 48.3 for the seasons 1993-94 to 1995-96, and the authorised fishing areas.

Article 19

Community fishing vessels shall have a scientific observer on board when the said vessels are engaged in a fishery for *Notothenia squamifrons*, in statistical FAO sub-area 58.4.4 in the 1995-96 fishing season.

Article 20

Provisions relating to the reduction in use of plastic Packaging Bands.

The use by fishing vessels of plastic packaging bands to secure bait boxes shall be prohibited from the 1995/1996 season. The use of packaging bands for other purposes on fishing vessels which do not use on-board incinerators shall be prohibited from the 1996/1997 season.

Article 21

The changes to this Regulation necessary to implement the recommendations adopted by CCAMLR shall be made by the Council deciding by qualified majority on a proposal by the Commission.

Article 22

Regulation (EEC) No 2245/85 is repealed.

Article 23

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

ANNEX 1

Experimental Harvest Regime for the Crab Fishery in FAO Antarctic sub-area 48.3 for Seasons 1993/94 to 1995/96

The following measures apply to all crab fishing within FAO Antarctic sub-area 48.3 for the 1993/94, 1994/95 and 1995/96 fishing seasons. Every vessel participating in the crab fishery in Subarea 48.3 shall conduct fishing operations in accordance with an experimental fishing regime as outlined below:

1. The experimental regime shall consist of three phases. Each vessel participating in the fishery shall complete all three phases. Phase 1 shall be conducted during the first season that a vessel participates in the experimental regime. Phases 2 and 3 shall be completed in the next season of fishing.
2. Vessels shall conduct Phase 1 of the experimental regime at the start of their first season of participation in the experimental regime. For the purposes of Phase 1, the following conditions shall apply:
 - (i) Phase 1 shall be defined as a vessel's first 200 000 pot hours of effort at the start of its first fishing season.
 - (ii) Every vessel conducting Phase 1 shall expend its first 200 000 pot hours of effort within a total area delineated by twelve 0,5° latitude by 1° longitude blocks. For the purposes of this Conservation Measure, these blocks shall be numbered A through L. The blocks are illustrated in Figure 1, and the northeast corner of each block is listed in Table 1 of Annex 75/A. For each string, pot hours shall be calculated by taking the total number of pots on the string and multiplying by the soak time (in hours) for that string.
 - (iii) Vessels shall not fish outside the area delineated by the twelve 0.5° latitude by 1° longitude blocks prior to completing Phase 1.
 - (iv) During Phase 1, vessels shall not expend more than 30 000 pot hours in any single 0.5° latitude by 1° longitude block.
 - (v) If a vessel returns to port before it has expended 200 000 pot hours in Phase 1, the balance of remaining pot hours shall be expended before the vessel can consider Phase 1 to be completed.
 - (vi) After completing 200 000 pot hours of experimental fishing, vessels shall consider Phase 1 to be completed and commence fishing in a normal fashion.
3. Normal fishing operations shall be conducted in accordance with the regulations set out in Conservation Measure 74/XII.

4. For the purposes of implementing normal fishing operations after Phase 1 of the experimental regimen, the 10 day catch and effort reporting system set out in Article 7.2 shall apply.
5. Vessels shall conduct Phase 2 of the experimental regime at the start of their second season of participation in the experimental regime. For the purposes of Phase 2, the following conditions shall apply:
 - (i) Every vessel conducting Phase 2 shall fish in three small squares measuring approximately 26 square nautical miles in area (the dimensions of these squares shall be 6° latitude by 7.5° longitude). These squares shall be subdivisions of the blocks delineated in Phase 1 of the experimental regime and numbered A1 through L40. The squares are illustrated in Figure 2 and the northeast corner of each square is listed in Table 2 of Annex 75/A.
 - (ii) Vessels shall fish continuously (except in emergencies or foul weather conditions) within a single square until the average catch per pot has been reduced to 25 percent or less of its initial value and then continue fishing for an additional 7 500 pot hours. No more than 50 000 total pot hours shall be expended each square. For the purposes of Phase 2, the initial catch rate for a particular square shall be defined as the average catch per pot calculated from the first five sets made in that square. Soak times for these initial sets shall be at least 24 hours.
 - (iii) Vessels shall finish fishing in one square before starting operations in another square.
 - (iv) Vessels shall attempt to distribute effort throughout the entire square and not fish the gear in the same location on every set.
 - (v) Vessel captains shall decide which three squares will be fished, but selected squares may not be contiguous.
 - (vi) After completing fishing operations in the third square, fishing vessels shall consider Phase 2 to be completed and commence fishing in a normal fashion.
6. For the purposes of implementing normal fishing operations after Phase 2 of the experimental regime, the 10-day catch and effort reporting system shall apply.
7. Vessels shall conduct Phase 3 of the experimental regime at the end of their second season of participation in the experimental regime. For the purposes of Phase 3, the following conditions shall apply:
 - (i) A vessel shall begin conducting Phase 3 of the experimental regime approximately one week prior to the conclusion of its second fishing season. A vessel's fishing season shall be concluded if the vessel leaves the fishery voluntarily or if the fishery is closed because the TAC has been attained.

- (ii) If a vessel captain voluntarily concludes fishing operations, the vessel shall begin implementing Phase 3 approximately one week prior to the conclusion of its fishing operations.
 - (iii) CCAMLR shall notify (according to the guidelines set out in ten-day Catch and Effort Reporting system) all Contracting Parties that are conducting operations in their second experimental fishing season to begin Phase 3 when approximately one week remains before the TAC is attained and the fishery is closed.
 - (iv) To conduct Phase 3, every vessel shall return to the three squares it depleted during Phase 2 of the experimental regime and expend between 10 000 and 15 000 pot hours of effort in each square.
8. To facilitate analysis of data collected during Phases 2 and 3, vessels shall report the number (A1 through L40) of the square where fishing occurred, date, fishing effort (number and spacing of pots and soak time), and catch (numbers and weight) for each haul.
 9. Data collected during the experimental regimen shall be submitted to CCAMLR by 31 August of the prevailing split-year.
 10. Vessels that complete all three phases of the experimental 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 74/XII.
 11. Fishing vessels shall participate in the experiment independently (e.g. vessels may not cooperate to complete phases of the experiment).
 12. Crabs captured during the experimental regime shall be considered part of the prevailing TAC for the current fishing season (e.g. for 1993/94, experimental catches shall be considered part of the 1 600 tonnes TAC outlined in Conservation Measure 74/XII).
 13. The experimental regime shall be instituted for a period of three split-years (1993/94 to 1995/96), and the details of the regime may be revised by the Commission during this period of time. Fishing vessels that begin experimental fishing in the 1995/96 split-year must complete the regime during 1996/97 split-year.

ANNEX 2

Minimum mesh size provided for in Article 14

Species	Type of net	Minimum mesh size
<i>Notothenia rossii</i>	Trawls, Danish seines and similar nets	120 mm
<i>Dissostichus eleginoides</i>	Trawls, Danish seines and similar nets	120 mm
<i>Notothenia gibberifrons</i>	Trawls, Danish seines and similar nets	80 mm
<i>Notothenia kempfi</i>	Trawls, Danish seines and similar nets	80 mm
<i>Notothenia squamifrons</i>	Trawls, Danish seines and similar nets	80 mm
<i>Champsocephalus gunnari</i>	Trawls, Danish seines and similar nets	80 mm

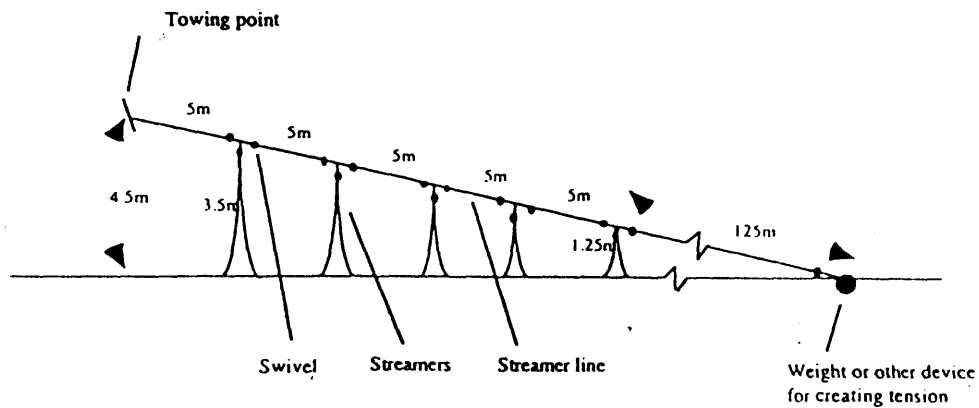
ANNEX 3

Measures to Reduce the Incidental Mortality of Seabirds during Longline Fishing:

- a. Fishing operations shall be conducted in such a way that the baited hook sink as soon as possible after they are put in the water. Only thawed bait shall be used.
- b. Longlines shall be set at night only (between the times of nautical twilight). During longline fishing at night, only the minimum ship's lights necessary for safety shall be used.
- c. Trash and offal should not be dumped while longlines are being set or hauled; if discharge of offal is unavoidable, this discharge shall take place as far as possible and/or on the opposite side of the vessel from the area of the vessel where longlines are set or hauled.
- d. Every effort should be made to ensure that birds captured alive during longlining are released alive and that wherever possible hooks are removed without jeopardising the life of the bird concerned.
- e. A streamer line designed to discourage birds from settling on baits during deployment of longlines shall be towed. Specification of the streamer line and its method of deployment is given in the Appendix to this measure. Details of the construction relating to the number and placement of swivels may be varied so long as the effective sea surface covered by the streamer is no less than that covered by the currently specified design. Details of the device dragged in the water in order to create tension in the line may also be varied.
Appendix follows.
- f. The use of net monitor cables on harvesting vessels in the CCAMLR Convention Area is prohibited from the 1994/1995 fishing season.

Appendix to ANNEX 3

1. The streamer line is to be suspended at the stern from a point approximately 4.5 m above the water and such that the line is directly above the point where the baits hit the water.
2. The streamer line is to be approximately 3 mm diameter, have a minimum length of 150 m and have a device at the end to create tension so that the main line streams directly behind the ship even in cross winds.
3. At 5 m intervals commencing from the point of attachment to the ship five branch streamers each comprising two strands of approximately 3 mm diameter cord should be attached. The length of the streamer should range between approximately 3.5 m nearest the ship to approximately 1.25 m for the fifth streamer. When the streamer line is deployed the branch streamers should reach the sea surface and periodically dip into it as the ship heaves. Swivels should be placed in the streamer line at the towing point, before and after the point of attachment of each branch streamer and immediately before any weight placed on the end of the streamer line. Each branch streamer should also have a swivel at its attachment to the streamer line.



ANNEX 4

Information to be submitted for an Exploratory Fishery:

1. To ensure that adequate information is made available to CCAMLR's Scientific Committee for evaluation, during the period when a fishery is classified as exploratory:

- (i) the Scientific Committee shall develop and (update annually as appropriate) a Data Collection Plan, which will identify the data needed and describe the actions necessary to obtain the relevant data from the exploratory fishery.
- (ii) each Member active in the fishery shall annually by the (specified date) submit to CCAMLR the data specified by the Data Collection Plan developed by the Scientific Committee;
- (iii) each Member active in the fishery or intending to authorize a vessel to enter the fishery shall annually prepare and submit to CCAMLR by a specified date a Research and Fishery Operations Plan for review by the Scientific Committee and the Commission.
- (iv) prior to any Member authorising its vessels to enter an exploratory fishery that is already in progress, that Member shall notify the Commission not less than three months in advance of the next regular meeting of the Commission, and the Member shall not enter the exploratory fishery until the conclusion of that meeting.
- (v) if the data specified in the Data Collection Plan have not been submitted to CCAMLR for the most recent season in which fishing occurred, continued exploratory fishing by the Member which failed to report its data shall be prohibited until the relevant data have been submitted to CCAMLR and the Scientific Committee has been allowed an opportunity to review the data;
- (vi) fishing capacity and effort shall be limited by a precautionary catch limit at a level not substantially above the necessary to obtain the information specified in the Data Collection Plan and required to make the evaluations outlined Article 16.
- (vii) the name, type, size, registration number and radio call sign of each vessel participating in the exploratory fishery shall be registered with the CCAMLR Secretariat at least three months in advance of starting each fishing season; and
- (viii) each vessel participating in the exploratory fishery shall carry a scientific observer to ensure that the data is collected in accordance with the agreed Data Collection Plan and to assist in collecting biological and other relevant data.

2. The Data Collection Plan to be formulated and updated by the Scientific Committee shall include, where appropriate:

- (i) a description of the catch effort and related biological, ecological and environmental data required to undertake the evaluations described in Article 16 and the date by which the agreed data is to be annually reported to CCAMLR

- (ii) a plan for directing fishing effort during the exploratory phase to permit the acquisition of relevant data to evaluate the fishery potential and the ecological relationships among harvested, dependent, and related populations and the likelihood of adverse impacts; and
 - (iii) an evaluation of the time-scales involved in determining the responses of harvested, dependent and related populations to fishing activities.
3. Research and Fisheries Operations Plan to be prepared by Members participating or intending to participate in the exploratory fishery shall include as much of the following information as the Member is able to provide:
- (i) a description of how the Member's activities will comply with the Data Collection Plan developed by the Scientific Committee
 - (ii) the nature of the exploratory fishery, including target species, methods of fishing, proposed region and maximum catch levels proposed for the forthcoming season
 - (iii) biological information from comprehensive research/survey cruises, such as distribution, abundance, demographic data, and information on stock identity;
 - (iv) details of dependent and related species and the likelihood of them being affected by the proposed fishery; and
 - (v) information from other fisheries in the region or similar fisheries elsewhere that may assist in the evaluation of potential yield.

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