

CONFERENCE ON THE CONSERVATION OF
ANTARCTIC MARINE LIVING RESOURCES

CANBERRA, 7-20 MAY 1980

FINAL ACT

I

The Governments of Argentina, Australia, Belgium, Chile, The French Republic, German Democratic Republic, Germany, Federal Republic of, Japan, New Zealand, Norway, Poland, The Republic of South Africa, The Union of Soviet Socialist Republics, The United Kingdom of Great Britain and Northern Ireland, and The United States of America;

having accepted the invitation extended to them by the Government of Australia to participate in a Conference on the Conservation of Antarctic Marine Living Resources, appointed their representatives, advisers and observers who are listed below: **[deleted]**

The following international organisations were invited by the Government of Australia to participate as observers in the Conference and appointed their delegations as follows: -

The Conference met at Canberra on 7 May 1980 under the Chairmanship of Mr J. E. Ryan, Representative of the delegation of Australia. The Secretary-General was Mr R. H. Wyndham.

A Drafting Committee established under the Rules of Procedure of the Conference was constituted as follows: **[deleted]**

The Final Session was held on 20 May 1980. As a result of its deliberations the Conference has established and drawn up for signature a "Convention on the Conservation of Antarctic Marine Living Resources" the text of which is annexed hereto.

The Conference also decided to include in the Final Act the text of the following statement made by the Chairman on 19 May 1980 regarding the application of the Convention on the Conservation of Antarctic Marine Living Resources to the waters adjacent to Kerguelen and Crozet over which France has jurisdiction and to waters adjacent to other islands within the area to which this Convention applies over which the existence of State sovereignty is recognized by all Contracting Parties.

"1. Measures for the conservation of Antarctic marine living resources of the waters adjacent to Kerguelen and Crozet, over which France has jurisdiction, adopted by France prior to the entry into force of the Convention, would remain in force after the entry into

force of the Convention until modified by France acting within the framework of the Commission or otherwise.

2. After the Convention has come into force, each time the Commission should undertake examination of the conservation needs of the marine living resources of the general area in which the water adjacent to Kerguelen and Crozet are to be found, it would be open to France either to agree that the waters in question should be included in the area of application of any specific conservation measure under consideration or to indicate that they should be excluded. In the latter event, the Commission would not proceed to the adoption of the specific conservation measure in a form applicable to the waters in question unless France removed its objection to it. France could also adopt such national measures as it might deem appropriate for the waters in question.

3. Accordingly, when specific conservation measures are considered within the framework of the Commission and with the participation of France, then:

(a) France would be bound by any conservation measures adopted by consensus with its participation for the duration of those measures. This would not prevent France from promulgating national measures that were more strict than the Commission's measures or which dealt with other matters;

(b) In the absence of consensus, France could promulgate any national measures which it might deem appropriate.

4. Conservation measures, whether national measures or measures adopted by the Commission, in respect of the waters adjacent to Kerguelen and Crozet, would be enforced by France. The system of observation and inspection foreseen by the Convention would not be implemented in the waters adjacent to Kerguelen and Crozet except as agreed by France and in the manner so agreed.

5. The understandings, set forth in paragraphs 1-4 above, regarding the application of the Convention to waters adjacent to the Islands of Kerguelen and Crozet, also apply to waters adjacent to the islands within the area to which this Convention applies over which the existence of State sovereignty is recognized by all Contracting Parties."

No objection to the statement was made.

II

The Conference on the Conservation of Antarctic Marine Living Resources,

Noting that a definitive regime for the conservation of Antarctic marine living resources has been elaborated, and desiring to have that regime enter into force as quickly as possible;

Recognizing that harvesting of Antarctic marine living resources is presently taking place and underlining the importance of the objectives of the Convention on the Conservation of Antarctic Marine Living Resources;

Recognizing the need to identify, emphasize and co-operate in carrying out research activities that will facilitate the effective operation of the Convention;

Desiring further to facilitate the implementation of the Convention by emphasizing and co-ordinating the collection of scientific and fisheries data needed for the Scientific Committee to be constituted under the terms of the Convention to begin effective work upon entry into force of the Convention;

Calls upon the Parties entitled to become Members of the Commission

1. To take all possible steps to bring the Convention on the Conservation of Antarctic Marine Living Resources into force as soon as possible;

2. To show the greatest possible care and concern, bearing in mind the principles and objectives of Article II of the Convention, in any harvesting of Antarctic marine living resources in the period prior to entry into force of the Convention and examination of the status of stocks by the Scientific Committee to be established by the Convention on the Conservation of Antarctic Marine Living Resources;

3. To the greatest extent practicable and feasible to co-operate broadly and comprehensively in the continued development of the scientific and fisheries data necessary for the effective operation of the Convention on the Conservation of Antarctic Marine Living Resources, and to this end:

(a) to intensify research related to Antarctic marine living resources;

(b) to identify the specific scientific and fisheries data needed and how those data should be collected and recorded to facilitate the work of the Scientific Committee to be established by the Convention; and

(c) to compile scientific and fisheries data identified pursuant to sub-paragraph (b) above in order to distribute those data to the Contracting Parties upon entry into force of the Convention on the Conservation of Antarctic Marine Living Resources.

III

The Conference on the Convention for the Conservation of Antarctic Marine Living Resources,

Having agreed on a text of a Convention which would establish a Commission and Scientific Committee for the Conservation of Antarctic Marine Living Resources and an Executive Secretariat;

Recognising the need to examine working methods for the Executive Secretary and Secretariat so that they may begin their work as soon as possible after entry into force of the Convention;

Takes note of the intention of the Depository to convene a meeting of representatives of Parties entitled to become Members of the Commission within one year after expiration of the period during which the Convention is open for signature for the purpose of considering steps which might be taken to facilitate the early operation of the Commission, Scientific Committee and Executive Secretariat when these bodies are established.

IV

The Conference on the Conservation of Antarctic Marine Living Resources resolves:

1. to express its gratitude to the Australian Government for its initiative in convening the present Conference and for its preparation;
2. to express to its Chairman, Mr J.E. Ryan, its deep appreciation for the admirable manner in which he has guided the Conference;
3. to express to the officers and staff of the Secretariat its appreciation for the untiring efforts in contributing to the attainment of the objectives of the Conference.

V

The Conference on the Conservation of Antarctic Marine Living Resources resolves:

That the Government of Australia be authorised to publish the Final Act of this Conference and the text of the Convention annexed hereto.

VI

The Conference on the Conservation of Antarctic Marine Living Resources resolves:

To express its deep appreciation to the Australian Government for its offer to provide a site for the Headquarters of the Commission to be established under the Convention.

Done at Canberra, this Twentieth Day of May 1980, in a single original copy to be deposited in the archives of the Government of Australia which will transmit a certified copy thereof to all the other Participants in the Conference.

In witness whereof, the following representatives have signed this Final Act.