

RECOMMENDATION IX - 2 OF THE
NINTH ANTARCTIC TREATY CONSULTATIVE MEETING

ANTARCTIC MARINE LIVING RESOURCES

The Representatives,

Recalling the special responsibilities conferred upon the Consultative Parties in respect of the preservation and conservation of living resources in the Antarctic by virtue of Article IX paragraph 1(f) of the Antarctic Treaty;

Recalling Further the history of action taken by Consultative Parties concerning conservation and protection of the Antarctic ecosystem including, in particular, Recommendations III-VIII, VIII-10, VIII-13 and IX-5;

Noting that concentrations of marine living resources are found in the Antarctic Treaty area and adjacent waters;

Aware of the need to compile more information with a view to developing a good scientific foundation for appropriate conservation measures and rational management policies for all Antarctic marine living resources;

Recognizing the urgency of ensuring that these resources are protected by the establishment of sound conservation measures which will prevent overfishing and protect the integrity of the Antarctic ecosystem;

Concerned that interim guidelines for the protection and conservation of Antarctic marine living resources are desirable until such time as a definitive regime enters into force;

Convinced that provision for effective measures to conserve Antarctic marine living resources as well as for collection and analysis of the data necessary to develop such measures will require the early conclusion of a definitive conservation regime;

Recommend to their Governments that:

I

SCIENTIFIC RESEARCH

1. To the greatest extent feasible, they cooperate broadly and comprehensively in scientific investigations, and in the exchange of information thereon, relating to the Antarctic marine environment and that they intensify as far as possible scientific research related to Antarctic marine living resources;
2. In planning their marine activities in the Antarctic, they have regard to the advantages that will accrue from coordination by them of their scientific investigations contributing to the BIOMASS programme;
3. They give sympathetic consideration to the provision of practical measures (such as ships, ship time, personnel and finance) in support of the implementation of the BIOMASS programme or other similar programmes;
4. They examine the possibility of integrating, in so far as is practicable, research vessel programmes with the activities of other vessels, and make available on vessels operating in the Antarctic, other than research vessels contributing directly to the BIOMASS programme, time and facilities for routine observations aimed at extending the data base for the programme.

II

INTERIM GUIDELINES FOR THE CONSERVATION
OF ANTARCTIC MARINE LIVING RESOURCES

1. They observe the following interim guidelines pending entry into force of the definitive regime for Antarctic Marine Living Resources:

- (a) they cooperate as broadly and comprehensively as possible in the mutual exchange of statistics relating to catch of Antarctic Marine Living Resources;
 - (b) they should show the greatest possible concern and care in the harvesting of Antarctic Marine Living Resources so that it does not result in the depletion of stocks of Antarctic marine species or jeopardizing the Antarctic marine ecosystem as a whole;
 - (c) they urge those Governments which are not parties to the Antarctic Treaty and which engage in activities involving the use of the marine living resources of Antarctica to take account of these guidelines.
2. They review these interim guidelines as and when necessary and in any event following the conclusion of the definitive regime with a view to their future elaboration in the light of the provisions of the definitive regime.

III

ESTABLISHMENT OF A DEFINITIVE CONSERVATION REGIME

1. A definitive regime for the Conservation of Antarctic Marine Living Resources should be concluded before the end of 1978.
2. A Special Consultative Meeting be convened in order to elaborate a draft definitive regime, and in particular:
 - (a) to determine the form of the definitive regime, including the question as to whether an international instrument such as a convention is necessary;

- (b) to prepare, if necessary, draft rules of procedure for a subsequent decisive meeting for the establishment of the definitive regime;
- (c) to decide on participation in such a meeting by States other than Consultative Parties which are actively engaged in research and exploitation of Antarctic Marine Living Resources and the participation, on an observer basis, of appropriate international organizations;
- (d) to finalise the date and place of the decisive meeting;
- (e) to take any other steps in order to facilitate the work of the decisive meeting referred to above.

3. The Special Consultative Meeting shall base its work on this recommendation and take account of the discussions at the Ninth Consultative Meeting, its report and the documents presented to it, and, in the elaboration of a draft definitive regime, shall take into account inter alia the following elements:

- (a) the regime should explicitly recognise the prime responsibilities of the Consultative Parties in relation to the protection and conservation of the environment in the Antarctic Treaty area and the importance of the measures recommended by the Consultative Parties to this end;
- (b) the provisions of Article 4 of the Antarctic Treaty shall not be affected by the regime. It should ensure that the principles embodied in Article 4 are safeguarded in application to the marine areas south of 60° South latitude;

- (c) the regime should provide for the effective conservation of the marine living resources of the Antarctic ecosystem as a whole;
- (d) the regime should cover the area of specific competence of the Antarctic Treaty;
- (e) the regime should, however, extend north of 60° South latitude where that is necessary for the effective conservation of species of the Antarctic ecosystem, without prejudice to coastal state jurisdiction in that area;
- (f) the regime should not apply to species already regulated pursuant to existing international agreements but should take into account the relationship of such species to those species covered by the regime.