

**Report of the Fortieth meeting  
of the Commission**  
(Virtual meeting, 18 to 29 October 2021)

This is a preliminary<sup>1</sup> version of the CCAMLR-40 Report  
as adopted on Friday 29 October 2021.

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<sup>1</sup> Preliminary in this case means that further proofreading and verification is still to be done by the Secretariat.



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**Annexes that are not attached to this report are available from the website (see links below)**

- Annex 1:** (List of Participants – available upon request)
- Annex 2:** List of Documents
- Annex 3:** Opening address by the Governor of Tasmania, Her Excellency the Honourable Barbara Baker AC
- Annex 4:** Agenda
- Annex 5:** Ad hoc guidelines for the annual meetings, being conducted virtually, of CCAMLR-40
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PRELIMINARY



**Report of the Fortieth Meeting of the Commission**  
(Annual meeting conducted virtually, 18 to 29 October 2021)

**Opening of the meeting**

1.1 The Fortieth Annual Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR-40) met online from 18 to 29 October 2021. It was chaired by Dr J. Granit (Sweden).

1.2 The following Members of the Commission were represented: Argentina, Australia, Belgium, Brazil, Chile, People's Republic of China (China), European Union (EU), France, Germany, India, Italy, Japan, Republic of Korea (Korea), the Kingdom of the Netherlands (Netherlands), New Zealand, Norway, Poland, Russian Federation (Russia), South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland (UK), United States of America (USA) and Uruguay. Namibia did not attend the meeting.

1.3 The following contracting Parties were represented as Observers: Canada, Cook Islands, Finland and Panama.

1.4 The following non-Contracting Parties (NCPs) were represented as Observers: Ecuador, Iran and Thailand.

1.5 The following Observers were represented: the Agreement on the Conservation of Albatrosses and Petrels (ACAP), the Association of Responsible Krill harvesting companies (ARK), the Antarctic and Southern Ocean Coalition (ASOC), the Antarctic Treaty Secretariat, the Committee for Environmental Protection (CEP), the Coalition of Legal Toothfish Operators (COLTO), the Council of Managers of National Antarctic Programs (COMNAP), INTERPOL, the International Union for Conservation of Nature (IUCN), Oceanites Inc., Scientific Committee on Antarctic Research (SCAR) and the Southern Indian Ocean Fisheries Agreement (SIOFA).

1.6 The List of Participants is given in Annex 1. The List of Documents presented to the meeting is given in Annex 2.

1.7 The Chair welcomed all participants to the meeting and introduced Her Excellency, the Honourable Barbara Baker AC, the Governor of Tasmania, who delivered the opening address (Annex 3).

1.8 On behalf of the meeting, Mr M. Gowland (Vice-Chair, Argentina) thanked the Governor for her welcome.

1.9 The Commission noted that Brazil was more than two years in arrears in respect of its budgetary contributions to the organisation. While Brazil was welcome to participate in discussions at CCAMLR-40, pursuant to Article XIX of the Convention the Commission agreed it would not be entitled to block a consensus decision of other Members. Brazil stated that it recognised this and that it is making its best efforts to rectify the situation.

## Organisation of the meeting

### Adoption of agenda

2.1 The Chair noted that, considering the modality of the annual meeting being online given the continuing pandemic, the Heads of Delegations on 17 October 2021 had concluded that ad hoc guidelines, as distributed in COMM CIRC 21/134, be added to the provisional agenda as a new item.

2.2 China and Russia noted their concern that the technical aspects of the annual meeting, including problems of connectivity, time zones and limited meeting time, would make it difficult to hold the complicated discussions necessary for some agenda items. They indicated their preference not to discuss these items substantively and requested that the meeting be referred to as a virtual meeting.

2.3 The agenda, as amended, was **adopted** by the meeting (Annex 4).

### Ad hoc guidelines

2.4 The Chair introduced the additional item on the adopted agenda of the meeting as consideration of the ad hoc guidelines. China reiterated that the meeting was a virtual meeting and that the ad hoc guidelines should note under ‘report preparation’ that a range of views in the meeting should be reflected per the Rules of Procedure. Revised ad hoc guidelines were drafted in plenary.

2.5 The revised ad hoc guidelines were adopted by the meeting as ‘Ad hoc guidelines for the annual meetings, being conducted virtually, of CCAMLR-40’ (Annex 5). These ad hoc guidelines are complementary to the Rules of Procedure. The meeting website was updated to reflect that the annual meeting of CCAMLR-40 would be conducted virtually.

### Status of the Convention

2.6 Australia, as the Depositary State, noted that there had been no changes to the status of the Convention since the last meeting of the Commission.

### Chair’s report

2.7 The Chair provided a brief report on the activities of the Commission during the last 12 months (Annex 6).

## Implementation of Convention objectives

### Objectives of the Convention

3.1 The Commission considered CCAMLR-40/24, submitted by Chile, providing a summary of discussions held on the ‘Objective of the Convention’ e-group, with contributions from nine Members. The e-group developed recommendations to progress CCAMLR’s work on key issues such as climate change, marine protected areas (MPAs), illegal, unreported and unregulated (IUU) fishing, progress in the Scientific Committee, and rational use. The document also proposed a draft declaration to reinforce the objective of the Convention in recognition of the milestone of CCAMLR’s 40th anniversary.

3.2 The Commission thanked Chile for its proactive leadership and the efforts made by the e-group to recognise the achievements of CCAMLR on this 40th anniversary and to develop the declaration to demonstrate cooperation among Members to achieve the objective of the Convention.

3.3 Many Members supported the recommendations to establish a Scientific Committee climate change working group or to hold special workshops to progress these issues.

3.4 Many Members called for an ambitious declaration addressing the challenges facing CCAMLR going forward, such as climate change and biodiversity loss, while building on achievements to date, in particular in the area of spatial management.

3.5 China noted that the e-group discussion has not discussed the objective of the Convention but focused on the specific issues already discussed in current agenda items. Some Members considered that the objective and principles set out in Article II of the Convention as the foundation of work of the Commission, and the specific recommendations arising from the e-group discussion, require additional assessments on the scientific basis.

3.6 The Commission considered CCAMLR-40/25, submitted by China. China noted that the function of CCAMLR shall be to give effect to the objective and principles set out in Article II of the Convention, and recalled that the ATCM working group on marine living resources in 1977 made it clear that the wording ‘conservation includes rational use’ should be construed as ‘harvesting would not be prohibited’ (ATCM-IX, paragraph 10). The paper noted that in the past 40 years, CCAMLR has defined rational use for operational purposes and summarised the elements for conservation principles, adopted an ecosystem approach and precautionary approach to management in which data collection is a centrepiece, and developed systematic measures for the conservation of krill and finfish within its mandate. The paper noted that in the context of climate change, CCAMLR needs to adapt to the potential changes on the basis of its previous agreements and practices, and dealt with the emerging issues such as climate change, biodiversity conservation, MPAs and combating IUU fishing within the framework of the Convention focusing on the management of harvesting and related activities.

3.7 The Commission noted that in Article II of the Convention, the objective is conservation, and that conservation includes rational use, and that the work of the Commission should prioritise key issues and develop approaches using the best scientific evidence available.

3.8 Some Members noted that the approaches to achieving the objective of the Convention should be addressed by appropriate forums, and that some issues focused on the use of a particular tool rather than considering all approaches to address the issues.

3.9 Some Members noted that they did not see the need for a hierarchical approach to the work of the Commission. They further noted that the analysis of the toothfish longline fishery in Division 58.4.1 presented in CCAMLR-40/25 did not include all relevant information on that fishery and was not methodologically sound, and reaffirmed that fishing in that division has been managed according to the best available science and CCAMLR's precautionary and ecosystem-based approaches.

3.10 The Commission **adopted** a Declaration on the occasion of its fortieth annual meeting to reaffirm its commitment to achieving the objective of the Convention (Annex 7).

## Implementation and compliance

### Advice from SCIC

4.1 The Chair of the Standing Committee on Implementation and Compliance (SCIC), Ms M. Engelke-Ros (USA), presented the SCIC-2021 report (Annex 8). The Commission noted that no nominations for a SCIC Vice-Chair have been received. Many Members acknowledged the work of the Chair in challenging circumstances and thanked her for her efforts.

### Review of compliance and implementation-related measures and systems

4.2 The Commission noted the discussion of SCIC on compliance and implementation-related measures (SCIC-2021, paragraphs 4 to 36).

4.3 The Commission noted that SCIC did not reach agreement on the recommendations in the transshipment implementation report (CCAMLR-40/16). China recalled that divergent views were expressed during the SCIC meeting and highlighted that these views should be reflected in a balanced way in the Commission report. To this end, China referred to SCIC-2021, paragraph 19, which noted that, in China's view, the recommendations involved technical and legal issues requiring changes to Conservation Measure (CM) 10-09 and it would assist the work of SCIC if future recommendations included specific text changes to the conservation measure to ensure an efficient discussion.

4.4 The USA referred to the recommendation in CCAMLR-40/16 related to the non-Contracting Party (NCP) engagement strategy. The USA further noted that the current NCP engagement strategy covers the 2020–2022 period, and thus would need to be reviewed and updated next year. The USA suggested that, for that review, the Commission consider expanding the application of the strategy from the current focus on toothfish to include Antarctic krill.

4.5 Some Members noted that a more consistent approach to the application of conservation measures across all fisheries was important and that this expansion would be one area where CCAMLR should work to have consistent standards and approaches across all its fisheries.

4.6 The Commission noted that SCIC did not reach agreement on the recommendations in the vessel monitoring system (VMS) implementation report (CCAMLR-40/17). Some Members recalled SCIC-2021, paragraph 11, noting that one of the recommendations would imply the regulation of activities outside the Convention Area and this could not be supported. The USA recalled SCIC-2021, paragraph 12, noting that during the intersessional period the Secretariat will undertake a trial for the automation of VMS movement notifications with Members participating on a voluntary basis.

4.7 Many Members thanked the Secretariat for its proposals to SCIC and noted that they contained very useful recommendations to improve the effectiveness of conservation measures. Many Members expressed their disappointment at SCIC not being able to agree on the Secretariat's recommendations. Many Members encouraged all Members to work collectively with the Secretariat in the intersessional period to improve conservation measures, including through voluntary participation in the movement notification trial and VMS survey. They further encouraged the Secretariat to continue to identify areas for improvement for consideration by the Commission.

#### Proposals for new and revised conservation measures

4.8 The Commission noted SCIC's consideration of a number of proposals to amend conservation measures (SCIC-2021, paragraphs 37 to 39) and **endorsed** the proposed amendments to CM 10-05 (see also paragraph 9.10).

4.9 China and the USA thanked Russia for its comments on the management procedures for toothfish fisheries in Subareas 88.1 and 88.2 (CCAMLR-40/29) with China noting it was concerned with the persisting existence, and potential detrimental consequence, of late gear retrieval.

4.10 The USA expressed its support for the EU's recommendation to amend CM 26-01, noting that the proposal was in accordance with Article IX of the Convention and is complementary to measures taken by the International Maritime Organization (IMO) to address ship-sourced pollution. Russia recalled its view, noted in SCIC-2021, paragraph 26, of the role of CCAMLR and the IMO in relation to the MARPOL Convention.

#### CCAMLR Compliance Report

4.11 The Commission considered the compliance table as presented in SCIC-2021, Appendix I, noting that SCIC did not come to a conclusion on all matters in the Summary CCAMLR Compliance Report and was therefore unable to adopt a Provisional CCAMLR Compliance Report as per CM 10-10, paragraph 3.

4.12 The Commission noted that the thorough compliance assessment indicated an overall high level of compliance by Contracting Parties, with compliance rates greater than 92% in most assessments.

4.13 Many Members expressed their disappointment with the failure of SCIC to adopt the Provisional CCAMLR Compliance Report. Many Members recalled SCIC-2021, paragraph 93,

emphasising that SCIC should always be focused on building a positive compliance process focused on follow-up actions where there is a need to resolve issues.

4.14 Many Members noted that the failure to adopt the Provisional CCAMLR Compliance Report was partly due to time restrictions and divergent views on working beyond agreed schedules.

4.15 Many Members noted that the e-group discussions on compliance issues held in advance of CCAMLR-40 proved a useful forum for resolving questions and providing further information. These Members considered that broader participation in the e-groups could make the compliance evaluation procedure (CCEP) discussion during SCIC more efficient.

4.16 Russia noted that several Contracting Parties did not provide a response to their respective draft compliance reports as per CM 10-10, paragraph 1(iii), and that this contributed to the failure to adopt a Provisional CCAMLR Compliance Report.

4.17 Many Members noted that the compliance evaluation procedure is an essential part of CCAMLR's work and that CCAMLR has devoted a substantial amount of time and effort to develop a robust CCEP. These Members noted that they view the compliance report as an important tool to improve overall compliance and adherence to CCAMLR conservation measures, for both the industry and fisheries authorities. They also noted that identifying improvements to conservation measures is a key component of the procedure.

4.18 China recalled its view, suggested during SCIC, that non-compliance events should be sorted into separate technical issues from substantive legal issues and noted that intersessional discussions on CM 10-10 could make some contribution in this regard. In respect of the e-group discussions on compliance that have taken place in 2020 and 2021, China indicated that this practice was a result of the virtual meeting format and that e-groups are informal.

4.19 The Commission noted with thanks that Korea has volunteered to chair an intersessional e-group discussion on improving the effectiveness of the CCEP process and development of proposals to improve CM 10-10.

4.20 China referred to CCAMLR-39, paragraph 3.42, which underscored the importance of following the procedures set out in CM10-10 to adopt a 2021 compliance report this year. Given the essential role of the CCEP procedure for CCAMLR, China suggested that the Commission make a decision in which the Commission adopts a 2021 compliance report even without a Provisional Compliance Report or just leave the Summary Compliance Report as it was.

4.21 The Commission confirmed that it had noted SCIC-2021, Appendix I.

#### Illegal, unreported and unregulated (IUU) fishing in the Convention Area

4.22 SCIC considered the 2021/22 Provisional NCP-IUU Vessel List. Noting the information distributed by Panama in COMM CIRCs 21/05 and 21/14, SCIC agreed to move the *Nika* from the CP-IUU Vessel List to the NCP-IUU Vessel List.

4.23 The Commission noted the request from Iran to SCIC to remove the *Koosha 4* from the NCP-IUU Vessel List. The Commission **agreed** to the recommendation of SCIC to permit an

intersessional decision to be made on the potential removal of the *Koosha 4* subject to criteria in CM 10-07, paragraph 18, being met (SCIC-2021, paragraph 114). The Commission noted that the recommendation is conditional on additional information being provided by Iran 30 days from the end of the CCAMLR meeting, the information meeting the criteria for delisting under CM 10-07, paragraph 18, and consensus being reached, pursuant to Rule 7 of the Commission's Rules of Procedure.

4.24 The Commission **adopted** the 2021/22 NCP-IUU Vessel List (SCIC-2021, Appendix II) with the inclusion of the *Nika* and the changes to the registrations of the *Baroon* and the *Asian Warrior*.

4.25 The Commission considered the 2021/22 Provisional CP-IUU Vessel List and noted that the South African-flagged *El Shaddai* was included, based on information that the vessel fished in Subarea 58.7 outside the South African exclusive economic zone (EEZ) during 2015 and 2016 as outlined in COMM CIRC 21/92.

4.26 South Africa recalled its response in COMM CIRC 21/93 and noted that a formal investigation is currently underway, including a criminal investigation into the conduct of the master and the operator, but that the investigation has not been finalised.

4.27 The Commission **adopted** the 2021/22 CP-IUU Vessel List (SCIC-2021, Appendix III) with the inclusion of the *El Shaddai*.

4.28 The Commission **agreed** to the SCIC recommendation to permit an intersessional decision to be made on the removal of the *El Shaddai* from the CP-IUU Vessel List subject to criteria in CM 10-06, paragraph 14, being met (SCIC-2021, paragraph 121).

4.29 Argentina noted that the beneficiaries of some IUU fishing conveyed in the CP-IUU Vessel List and Summary Compliance Report appear to be nationals of Members. The Commission recalled that Contracting Parties should take action against their nationals benefitting from illegal activities as prescribed by CM 10-08.

#### CDS and Compliance Fund expenditures

4.30 The Commission noted that the CDS Fund Review Panel was convened to consider the three proposals for expenditure of funds from the CDS Fund by the Secretariat as provided in CCAMLR-40/14. The CDS Fund Review Panel consisted of Argentina, Australia, Korea, New Zealand, the UK and the USA.

4.31 The Commission **agreed** to the recommendation of SCIC in respect of these proposals (SCIC-2021, paragraph 130), noting that SCAF had approved only the first year of funding for the electronic web-based CDS (e-CDS) upgrade pending a review in 2022 (SCAF-2021, paragraph 41), and the proposal for a monitoring, control and surveillance (MCS) workshop (SCIC-2021, paragraph 133).

## Administration and Finance

### Advice from SCAF

5.1 The Chair of the Commission invited the Chair of the Standing Committee on Administration and Finance (SCAF), Ms S. Langerock (Belgium), to present the report of SCAF-2021 (Annex 9).

5.2 The Commission **endorsed** the advice of SCAF and accepted the Audited Financial Statements (SCAF-2021, paragraph 3).

5.3 The Commission **endorsed** the advice of SCAF in respect to the report of the Secretariat (SCAF-2021, paragraphs 4 to 18) and **adopted** the English and Spanish versions of its Rules of Procedure, and noted and approved the changes to the Scientific Committee Rules of Procedure, to make them gender inclusive.

5.4 The Commission **endorsed** the advice of SCAF regarding capacity building (SCAF-2021, paragraphs 19 to 27) and **adopted** the terms of reference for the General Science Capacity Fund (CCAMLR-40/02). The Commission noted Ms C. Mulville (Argentina) and Ms T. Molina (Spain) had been elected to join the GCBF Panel; the other members of the panel remain for another mandate.

### Review of the 2021 budget, 2022 budget and forecast budget for 2023

5.5 The Commission **adopted** the revised 2021 budget, the 2022 budget as amended by SCAF and the forecast budget for 2023 (SCAF-2021, paragraphs 28 to 47).

5.6 One Member noted that there was no consensus in the SCAF meeting (SCAF-2021, paragraph 40) on the Scientific Committee's request for funding a proposed workshop to review CCAMLR's decision rules in toothfish fisheries (SC-CAMLR-40, paragraph 9.3). Many Members noted that the funds are available and the Commission thanked COLTO and ASOC for the offer of financial support for such a workshop, reflecting that any workshop would require funding for the invitation of external experts.

5.7 The Commission noted that the establishment of a workshop is a matter for the Scientific Committee to organise following its normal processes, and encouraged the Scientific Committee Chair to work intersessionally to facilitate the progression of a CCAMLR decision rules workshop.

### Other business

5.8 The Chair of SCAF noted that SCAF does not have a Vice-Chair and is still looking for expressions of interest. She thanked the Secretariat for its support and thanked all Members for their cooperation.

5.9 The Commission thanked the Chair of SCAF for the efficient manner in which SCAF conducted its business and invited Members to express interest in the position of Vice-Chair.

## Management of marine resources

6.1 In the 2020/21 season (up to 31 July 2021), 13 CCAMLR Members participated in fisheries and research targeting icefish, toothfish and krill. Members reported a total catch of 320 014 tonnes of krill, 9 265 tonnes of toothfish and 360 tonnes of icefish from the Convention Area (SC-CAMLR-40/BG/01).

6.2 The Commission noted the summary of fishery notifications for 2021/22 provided in CCAMLR-40/BG/03 Rev. 1, indicating that: (i) no notifications for new fisheries under CM 21-01 had been submitted, (ii) a total of 11 Members (27 vessels) had submitted exploratory fishery notifications for toothfish, (iii) a total of five Members (13 vessels) had submitted established fishery notifications for krill, and (iv) three Members had submitted research plans pursuant to CM 24-01.

6.3 The Commission noted CCAMLR-40/BG/14, submitted by Ecuador, which reported on a research fishery for Patagonian toothfish (*Dissostichus eleginoides*) in Ecuador, outside the Convention Area. It noted that the Secretariat will translate this document in the near future.

6.4 The Commission considered CCAMLR-40/28, submitted by Russia, proposing the Commission review the procedural and implementational aspects of Antarctic toothfish (*Dissostichus mawsoni*) fisheries classifications in the regulatory framework and establish the status of existing fisheries (to clarify fishery nomenclature). Russia believed the outcome of the first stage should be a CCAMLR regulatory framework approved by the Commission in its entirety, including the procedural and implementational aspects of fisheries classification. The outcome of stage two should be a status allocated to each existing fishery in the Convention Area as approved by the Commission.

6.5 The Commission encouraged Members to work collaboratively to clarify the regulatory framework intersessionally in the 'Regulatory Framework and clarification on fisheries nomenclature' e-group. It noted that some progress has been made on this subject since the Commission last considered it (CCAMLR-38, paragraph 5.34). The Commission further noted the need to avoid disruption to the collection of scientific data during the transition of a fishery from one type to another.

6.6 Most Members did not agree with Russia's proposal to close all established fisheries in the Convention Area as well as exploratory fisheries in Subarea 48.6 and Divisions 58.4.1 and 58.4.2 until CCAMLR has reviewed definitions of fisheries and their criteria. They noted that those fisheries are currently managed using the best available science and following CCAMLR's long-standing processes and procedures for stock assessment and review, as well as CCAMLR's established decision rules and precautionary approach to management.

## Advice from the Scientific Committee

6.7 The Chair of the Scientific Committee, Dr D. Welsford (Australia), presented the report of the Scientific Committee (SC-CAMLR-40). The Commission noted that a complete report

adoption was precluded by the short time allocated to the Scientific Committee's deliberations. The Commission congratulated Dr Welsford for his re-election and thanked him for his continuing leadership of the Scientific Committee.

6.8 One Member noted that the presence of unadopted paragraphs in the Scientific Committee report was indicative that the format of its meeting was not effective. Some Members noted that despite the time constraints and the presence of some unadopted paragraphs in the report, the Scientific Committee and its working groups had successfully generated advice, based on the best available science, to the Commission.

6.9 The Commission noted the discussions of the Scientific Committee on improvements to data collection forms, manuals and procedures, along with workshops for training and communication of best practices in CCAMLR fisheries (SC-CAMLR-40, paragraphs 3.29 to 3.37).

#### Krill resources

6.10 The Commission noted the work conducted by the Scientific Committee and the collaborations across the working groups on the revision of the krill management approach, resulting in an updated krill management approach work plan (SC-CAMLR-40, paragraphs 3.24 and 3.25).

6.11 The Commission noted that some Members considered that a revision of CM 51-01 will be required to fully implement the new krill management procedure in Subarea 48.1, and noted the advice of the Scientific Committee to rollover CM 51-07 for one year to provide time to consolidate the revision of the krill management approach in Subarea 48.1, with additional time needed to provide advice on other subareas (SC-CAMLR-40, paragraphs 3.27 and 3.28).

6.12 The Commission **agreed** to extend CM 51-07 to apply for one additional year.

6.13 The Commission noted with appreciation the ongoing work of the Scientific Committee on the spatial and temporal concentration of the krill fishery and on the mitigation of the incidental mortality associated with the fishery. Some Members underscored the importance of reviewing all conservation measures related to the krill fishery to bring a consistent level of management across CCAMLR fisheries.

6.14 The Commission noted the advice from the Scientific Committee on CM 51-07 (SC-CAMLR-40, paragraph 3.13; WG-EMM-2021, paragraph 2.66), and **endorsed** its work plan of providing advice on the revision of CM 51-07 next year and further refinement within one or two years. It further noted the need to set out work priorities for the Scientific Committee to ensure the provision of advice to the Commission next year.

6.15 One Member noted that the development of new krill management procedures in Subarea 48.1 clearly demonstrated the wide scope of scientific information needed. Considerably more data are available in Subarea 48.1 than in Subareas 48.2 to 48.4. That Member therefore noted that it is necessary to develop proposals for conducting appropriate krill resource studies in Subareas 48.2 to 48.4 based on standardised data collection and processing procedures (SC-CAMLR-40, paragraph 3.16). Russia has resumed its krill resource surveys in 2020 to provide data for use in the krill fishery management approach.

6.16 The Commission noted SC-CAMLR-40/BG/18, submitted by Russia, CCAMLR-40/BG/10 and BG/11, submitted by ASOC and CCAMLR-40/BG/16, submitted by ARK.

## Fish resources

### Icefish

6.17 The Commission **endorsed** the advice of the Scientific Committee on catch limits for mackerel icefish (*Champsocephalus gunnari*) in Subarea 48.3 and Division 58.5.2 in 2021/22 and 2022/23 (SC-CAMLR-40, paragraphs 3.40 and 3.43).

### Toothfish

6.18 The Commission noted the discussions of the Scientific Committee on the fishery for *D. eleginoides* in Subarea 48.3 (SC-CAMLR-40, paragraphs 3.45 to 3.66), including the contributions of SC-CAMLR-40/15 and SC-CAMLR-40/BG/08, and its recommendation of a workshop to evaluate CCAMLR's precautionary approach and decision rules as implemented across all toothfish stocks (SC-CAMLR-40, paragraph 3.63).

6.19 Most Members noted that the Scientific Committee's advice regarding this fishery (SC-CAMLR-40, paragraph 3.61) was based on the best available science and the resulting catch limits were consistent with both the CCAMLR decision rules and the established CCAMLR procedures. Many Members supported the Scientific Committee's recommendation of a workshop to evaluate CCAMLR's precautionary approach and decision rules implemented across all toothfish stocks (SC-CAMLR-40, paragraph 3.63).

6.20 Many Members voiced their concerns at the unprecedented situation where for the first time the catch limit for an established fishery was blocked, and the Commission was not adhering to its commitment to utilise the best scientific evidence available in its decision-making. They supported the Scientific Committee's proposal for an external peer review of SC-CAMLR-40/15 to identify any issues and review the methodologies used to reach the conclusions, consistent with the scientific peer-review process (SC-CAMLR-40, paragraph 3.64). Many Members also emphasised the negative impacts this outcome will have on CCAMLR and the integrity of the Antarctic Treaty System itself.

6.21 The Commission could not agree on a catch limit for the fishery for *D. eleginoides* in Subarea 48.3. Many Members voiced their concerns during plenary .

6.22 The UK made the following statement:

'Russia is blocking consensus for a catch limit for Patagonian toothfish fishery in Subarea 48.3, based on the same arguments put forward by the scientific members of its CCAMLR delegation since 2018. These arguments have been comprehensively rejected by all other scientists at the Statistics, Assessment and Modelling and Fish Stock Assessment working groups, and the CCAMLR Scientific Committee, both in 2019 and again this year (SC-CAMLR-38, paragraphs 3.66 to 3.71, SC-CAMLR-40, paragraphs 3.45 to 3.60).

Russia's papers on this fishery have been shown to be based on a collection of limited old data that was not collected in a consistent or standardised way, and which the Scientific Committee working groups have noted have not been analysed with statistical or scientific rigour. Russia has refused to have these papers peer reviewed and have blocked an intersessional workshop this year to consider the CCAMLR management approach more widely.

Russia eventually agreed to the catch limit in 2019, having used its position as leverage for its other objectives for that meeting, but this year it has sought only to pursue its agenda, as set out in its paper CCAMLR40/28 to seek the closure of fisheries in which it is not participating.

There are parallels with Russia's blocking fisheries research activity in Division 58.4.1, which is also justified on the basis of an opinion of the Russian Delegation. Russia's block on consensus in these fisheries, contrary to the best scientific evidence available, is political and arguably inconsistent with their obligations under Article IX of the CAMLR Convention.

Russia's block on a scientifically determined catch limit for the toothfish fishery in Subarea 48.3, contrary to the management advice from the Scientific Committee (SC-CAMLR-40, paragraph 3.61), marks the first time in CCAMLR's 40-year history that an established fishery has been completely blocked, and it results in a failure of CM 31-01.

CCAMLR has had a long and proud track record of providing a clear framework for a consistent and highly precautionary scientific process to determine catch limits that ensure delivery of the Convention objective, whilst providing for rationale use. The toothfish fishery in Subarea 48.3 has been extensively reviewed both by CCAMLR and independent experts and has been characterised as one of the most sustainable fisheries in the world. Many Members have participated in this fishery over the past few decades and their collective commitment to sustainability has seen innovations by those operating in Subarea 48.3 that have subsequently been adopted across all CCAMLR toothfish fisheries.

CCAMLR is an intrinsic part of the Antarctic Treaty System, and CCAMLR Members are all bound by the principles and purposes of the Antarctic Treaty. This framework has at its heart science-based decision-making, international cooperation and consensus-building. Russia's actions bear no resemblance to this framework and shake the very foundations of the Treaty System. Russia's actions also have no regard for, and indeed seem to deliberately provoke, issues that are highly sensitive for a number of Members. Issues that a mutual and collective commitment to the principles of basing decisions on the best scientific evidence available had enabled CCAMLR to effectively function, despite underlying differences. Russia's actions wilfully unleash an uncertainty in this regard to which it must bear full responsibility. This year and into the future.

In light of this outcome, the UK will consider its next steps to protect its interests in Subarea 48.3, consistent with the CAMLR Convention and in accordance with its rights and responsibilities under the Convention and relevant international law. It is deeply

regrettable that we have reached this position. We each have a collective responsibility to make the Antarctic Treaty and CCAMLR work. I will ask all Members to consider how they might assist in resolving an impasse that harms all our interests.’

6.23 Argentina made the following statement:

‘Argentina notes with grave concern the situation in which we find ourselves as a Commission in view of the discussion which took place regarding Subarea 48.3. We will carefully analyse the implications that may derive from this situation.

In relation to this issue Argentina wishes to recall its position which is well known in this Commission.

The Malvinas, South Georgias, and South Sandwich Islands and the surrounding maritime spaces are an integral part of the Argentine national territory and are illegally occupied by the United Kingdom of Great Britain and Northern Ireland, being the subject of a sovereignty dispute between both countries. This sovereignty dispute has been recognised inter alia by the United Nations and the Organization of American States, which through numerous resolutions and declarations have urged both countries to resume negotiations to find, as soon as possible, a peaceful and definitive solution to the dispute.

The Argentine Republic does not recognise the alleged illegitimate authorities of the Malvinas Islands, or of the South Georgias and South Sandwich Islands, and firmly rejects any initiative or attempt to make them appear internationally with a character they do not have.

Argentina recalls once again that in Statistical Subareas 48.2, 48.3 and 48.4 only the multilateral system of this Convention is legally applicable. Therefore, all unilateral actions or measures taken or to be taken by the aforementioned illegitimate authorities in those territories and maritime spaces are illegal and not valid.

The Argentine Republic reaffirms its sovereign rights over the Malvinas Islands, South Georgias, the South Sandwich Islands and the surrounding maritime areas.’

6.24 The United Kingdom made the following statement:

‘The United Kingdom rejects the statement by Argentina. The UK reiterates that it has no doubts about its sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and their surrounding maritime areas, as is well known to all delegates.

The UK also reiterates its views expressed on many previous occasions that we remain wholly committed to the principles and objectives of CCAMLR. We will continue to ensure that the highest standards of fisheries management are implemented in our jurisdictional waters, through the imposition of tough measures that are in line with, and back up, the provisions of CCAMLR.’

6.25 Argentina rejected the statement from the UK.

6.26 New Zealand made the following statement:

‘In response to the United Kingdom’s statement, New Zealand is also deeply concerned that we find ourselves in this unprecedented situation. We recall that the Scientific Committee’s advice to the Commission regarding this fishery (SC-CAMLR-2021, paragraph 3.61) is based on the best available science, and the resulting catch limits are consistent with both the CCAMLR decision rules and established CCAMLR procedures.

Many good options have been mooted to resolve and move forward on this issue including:

- an independent peer review of Russia’s paper SC-CAMLR-40/15;
- recommendations to Russia to revise that paper to further take into account feedback from the Scientific Committee;
- a workshop for further discussion among scientists on decision rules to attend to some of the concerns that have been raised; and
- overnight, scientists have been running models increasing the level of precaution in the stock assessment models, and the results of those stock assessments do not substantially change the numbers.

For New Zealand, accepting anything other than the best available science, as we have before us for CM 41-02 (Subarea 48.3), would be to go against our modelling frameworks and our stock assessment framework which are internationally recognised as world leading and peer reviewed, in favour of the objection of one Member based on one paper that has not been supported by the Scientific Committee, that does not have a refutable hypothesis, and has been repeatedly rebutted in the last three meetings of the Scientific Committee, and without substantial amendment.

It would substantially undermine CCAMLR’s science basis and integrity to reject the best available science.

At this meeting, one Member has also blocked the continuation of research in Division 58.4.1 on the basis of a science position that is not supported by the Scientific Committee, and this is also concerning. We also note that there were discussions and creative ideas on finding a way forward on this issue in the Scientific Committee meeting that were also not progressed.

We want to underline the importance of the Scientific Committee maintaining its world leading standards, and that all scientists in that Committee bring refutable hypotheses only, and undertake to continue their best efforts to reach agreement.

New Zealand strongly urges the membership to find a way forward on this issue. This is an issue for all Members; this is not a bilateral issue. Rather it goes to the heart of the Convention. It is critical that we work hard in the time we have available to reach a solution here that does not undermine the best available science, our precautionary approach, the Convention, the Antarctic Treaty System, and perhaps most importantly the spirit of cooperation on which our work is founded.’

6.27 Australia made the following statement:

‘Australia is disappointed that CCAMLR appears to have not been able to reach a science-based outcome on catch limits for the toothfish fishery in Subarea 48.3. Australia reiterates that the stock assessment presented to CCAMLR by the UK is based on the CCAMLR decision rules, consistent with the provisions of the Convention and its conservation principles. We want to further recall that this fishery underwent an independent review of the stock assessment in 2018 that was accepted by the Scientific Committee.

Australia considers that the UK has made all efforts to reach consensus, on the basis of best available science, and has sought to negotiate to take account of any compelling scientific basis or conservation concerns. We believe consensus could not be reached due to non-scientific arguments by one Member.

We again emphasise the importance of science-based decision making, and utilising the best available science to inform management decisions. We thank the UK and other Members who worked hard to reach consensus on this issue.

We urge all Members to recall, and reflect, on the importance of protecting the integrity of CCAMLR as an integral part of the Antarctic Treaty System as reflected in the declaration we have agreed at this meeting.’

6.28 The EU made the following statement

‘The EU regrets that due to the opposition of one Member, it was not possible to agree on catch limits for Patagonian toothfish (*D. eleginoides*) in Subarea 48.3 for the 2021/22 season. The long-standing procedures to assess toothfish stock status are now being challenged by the particular view of one delegation in the Scientific Committee; a view that is inconsistent with well-established scientific methods.

The EU notes that the catch limits proposed for Subarea 48.3 (and other areas) are precautionary. They are based on best available science and consistent with CCAMLR decision rules and established CCAMLR procedures. In short, there is no scientific basis for closing the fishery.’

6.29 Korea made the following statement

‘Korea shares the concern expressed by the UK, New Zealand, Australia and the EU regarding the failure to reach consensus on toothfish catch limits in Subarea 48.3 as well as Division 58.4.1 as recommended by the Scientific Committee based on the best scientific information available, and regarding adverse impact this practice may have on the integrity of CCAMLR’s science-based works.’

6.30 The USA made the following statement:

‘This is a concerning situation. It is not a bilateral issue. It has repercussions for the integrity of CCAMLR and for the Antarctic Treaty System in its entirety.

The USA does not believe there is a scientific basis to close the toothfish fishery in Subarea 48.3. We continue to support the adoption of CM 41-02 with catch limits for toothfish in Subarea 48.3 at the levels indicated in paragraph 3.61 of the Scientific Committee's report.

Underscoring what we said earlier this week: the foundation of Antarctic Treaty System relies on international and scientific cooperation. We have seen a lack of cooperation by one Member on this issue today.

Nevertheless, we remain hopeful that the cooperative spirit that has been the foundation of the Antarctic Treaty System and CCAMLR may yet prevail.'

6.31 Norway made the following statement:

'Norway aligns itself with the statements made by the UK, Australia, the EU, New Zealand and the USA with regard to the integrity of the Antarctic Treaty System.'

6.32 France made the following statement:

'France supports the previous interventions and shares the concerns that were expressed regarding the respect of CCAMLR's integrity as well as the importance of the role of the Scientific Committee and its advice.'

6.33 Russia made the following statement:

'The Russian Federation, acting in a spirit of cooperation, actively participates in the implementation of the basic objectives of CCAMLR, aimed, among other things, at the development of scientifically based measures for the management of Antarctic marine living resources. In this regard, confirming their commitment to the implementation of the CCAMLR Convention and the norms of the Antarctic Treaty we support and we consider it of principal importance that the management of Antarctic marine living resources be based on a balance between conservation and rational use (Article II of the Convention). Over the past five years, the Russian Federation has presented a number of documents at CCAMLR meetings reflecting its position on the management of toothfish resources in Subarea 48.3.

The fishery for Patagonian toothfish (*Dissostichus eleginoides*) in Subarea 48.3 has been ongoing since 1985, including over 25 years under CCAMLR management. Using the best available data (CCAMLR papers, more than 100 articles by renowned scientists in peer-reviewed journals), the Russian Federation has repeatedly indicated that since 2002–2004, the longline fishery for toothfish in Subarea 48.3 is based on recruiting fish and the fishery is driving changes in the size structure of the Patagonian toothfish spawning population in Subarea 48.3 and the general rejuvenation of the population, which, with continued fishing, will lead to irreversible processes of reduction in the abundance and biomass of toothfish, which is observed in Subarea 48.3.

It is now that the population of Patagonian toothfish in Subarea 48.3 needs to be protected through the imposition of catch limits and changes to conservation measures as the precautionary approach to the use of stocks in the CCAMLR area does not ensure the rational use of resources, as demonstrated by the scientific and commercial evidence. The Russian Federation has repeatedly highlighted this specific management of the

toothfish fishery in Subarea 48.3 and urged CCAMLR to pay attention to the irrational use of the resource for Patagonian toothfish in the CCAMLR Convention Area.

The Russian Federation emphasises that the purpose of the Convention (Article II) is the conservation of Antarctic living marine resources through rational use. Therefore, the issue of the precautionary approach to toothfish resource management, which has been emphasised by several countries, should be addressed as part of a sustainable use. Separately, it should be noted that its CCAMLR Independent Stock Assessment did not consider the issues of management of the toothfish fishery in Subarea 48.3 raised by the Russian side (SC-CAMLR-XXXVII/02 Rev. 1). Moreover, no scientifically substantiated documents have been submitted to CCAMLR meetings that contradict the Russian position on the management of the toothfish fishery in Subarea 48.3.

Thus, specific proposals from the Russian Federation regarding the regulation of toothfish fishery in Subarea 48.3 (limiting the size of Patagonian toothfish in catches, fishing only at depths of 1 000 m, reducing the total allowable catch to 500 tonnes, according to the fishing grounds with depths from 1 000 to 2 250 m; conducting an international survey to assess toothfish stock) (SC-XXXVII/14 Rev. 2) were ignored.

Seriously concerned that the population of Patagonian toothfish in Subarea 48.3 is significantly decreasing as a result of longline fishing, and noting that there is a threat of further declines in the population of Patagonian toothfish in Subarea 48.3 of the CAMLR Convention Area, the Russian Federation, as a compulsory but necessary measure, proposed to close fisheries in Subarea 48.3 from 2022 and a review of the precautionary approach to the use of the Patagonian toothfish stock in the area in Subarea 48.3 as rational use is not being ensured.

The Russian Federation deeply regrets that, for various reasons, these proposals aimed at preserving toothfish stocks in the subarea were not supported by a number of our partners.

However, the Russian Federation, as a CCAMLR member, proceeds from the principles and objectives of the Convention and forms its position on the management of the toothfish fishery in Subarea 48.3 exclusively on objective scientific evidence detailed in the relevant documents submitted to CCAMLR (SC-CAMLR-37/14 Rev. 2; CCAMLR-38/31 Rev. 2; SC-CAMLR-40/15).’

6.34 The UK made the following statement:

‘The UK noted that Russia’s statement simply repeated arguments from their submitted papers, which have been comprehensively reviewed and rejected by the Scientific Committee. As the report of the Scientific Committee clearly shows, only Russia blocked scientific consensus to the setting of a catch limit for Subarea 48.3 and the UK recalled its previous statement.’

6.35 Many Members agreed with the statement by the UK and further noted that the fishery in Subarea 48.3 was precautionary and consistent with the decision rules and that Russia’s actions risk substantially undermining the Convention and the Antarctic Treaty System.

6.36 Russia noted that, in its opinion, documents with justified scientific data were not presented that would challenge the Russian position with regard to the toothfish fishery in this particular subarea.

6.37 The Commission noted the lack of consensus advice from the Scientific Committee on the fisheries for *D. eleginoides* in Subarea 48.3 (SC-CAMLR-40, paragraphs 3.61 and 3.62), *D. eleginoides* in Subarea 48.4 (SC-CAMLR-40, paragraph 3.69), *D. mawsoni* in Subarea 48.4 (SC-CAMLR-40, paragraph 3.72), *D. eleginoides* in Division 58.5.2 (SC-CAMLR-40, paragraph 3.78) and *D. mawsoni* in the Ross Sea region (SC-CAMLR-40, paragraph 3.88) and that all these stocks were assessed using the same management approach, procedures and decision rules.

6.38 The Commission **agreed** to set the catch limits as specified in the Scientific Committee report for *D. eleginoides* in Subarea 48.4 (SC-CAMLR-40, paragraph 3.69), *D. mawsoni* in Subarea 48.4 (SC-CAMLR-40, paragraph 3.72), *D. eleginoides* in Division 58.5.2 (SC-CAMLR-40, paragraph 3.79) and *D. mawsoni* in the Ross Sea region (SC-CAMLR-40, paragraph 3.88).

6.39 The Commission **endorsed** the advice that the prohibition of directed fishing for *D. eleginoides* in Divisions 58.5.1, 58.5.2 and Subareas 58.6 and 58.7 outside areas of national jurisdiction will remain in force (SC-CAMLR-40, paragraphs 3.76, 3.81 and 3.84).

6.40 The Commission **endorsed** the advice of the Scientific Committee for the exploratory fisheries in Subareas 48.6 and 88.2 and Division 58.4.2, and for the fishery research proposal in Subarea 88.3 (SC-CAMLR-40, paragraphs 3.95, 3.99, 3.104 and 3.107). The Commission agreed to use the catch limits for these areas contained in Tables 3 and 4 of SC-CAMLR-40 to assign catch limits for 2021/22 and noted the updated sampling rate requirement for by-catch species in Subarea 88.3 (SC-CAMLR-40, paragraph 3.107).

6.41 The Commission **endorsed** the advice of the Scientific Committee on the catch limit for the Ross Sea shelf survey in 2021/22 (SC-CAMLR-40, paragraph 3.91, using method 2 from SC-CAMLR-40, Table 2) and noted the work plan associated with Subarea 88.2, including a Subarea 88.2 e-group (SC-CAMLR-40, paragraph 3.94).

6.42 Regarding the catch allocation for the shelf survey, New Zealand noted that method 1 or 3 (in SC-CAMLR-40, Table 2) better follow the intent of the design for the special research zone (SRZ).

6.43 The Commission noted the lack of consensus advice from the Scientific Committee on the continuation of research in the exploratory fishery for *D. mawsoni* in Division 58.4.1 (SC-CAMLR-40, paragraphs 3.100 to 3.103).

6.44 Many Members noted that the multi-Member research plan for Division 58.4.1 had consistently received very good reviews. They noted that the interruption of scientific activities in this exploratory fishery were caused by one Member blocking consensus and that the same Member considers that this fishery should not proceed partly due to the lack of scientific information relevant to CM 21-01, paragraph 1. They also noted that classifying this fishery as a 'new fishery' would be inconsistent with CMs 21-01 and 21-02. That one Member responded, noting that the issue was a lack of agreement on the methodology and classification of structured scientific fishing for toothfish in Division 58.4.1.

## Non-target species

### Fish and invertebrates

6.45 The Commission noted the discussions of the Scientific Committee on fish and invertebrate by-catch (SC-CAMLR-40, paragraphs 3.108 to 3.112) and welcomed its planned future work on data collection, reporting and analysis.

### Seabirds and marine mammals

6.46 The Commission noted the discussions of the Scientific Committee on incidental mortality of seabirds and marine mammals associated with fisheries (SC-CAMLR-40, paragraphs 3.113 to 3.136).

6.47 The Commission approved the reconvening of the Working Group on Incidental Mortality Associated with Fishing (WG-IMAF) (SC-CAMLR-40, paragraph 3.135) to address seabird strikes on warps (SC-CAMLR-40, paragraphs 3.124 and 3.125) and net monitoring cables (SC-CAMLR-40, paragraphs 3.128 to 3.130), as well as seal and humpback whale by-catch events (SC-CAMLR-40, paragraphs 3.114 to 3.120) that occurred in the krill fishery.

6.48 The Commission noted the discussion by the Scientific Committee regarding the utility of supplementary information provided in Scheme of International Scientific Observation (SISO) observer cruise reports, particularly with reference to the humpback whale by-catch events (SC-CAMLR-40, paragraph 3.117) and considered the request by the Scientific Committee to make such reports available to Scientific Committee Representatives, without the requirement to seek permission from designating and receiving Members (SC-CAMLR-40, paragraph 3.141).

6.49 The Commission considered whether sensitive information may be included in SISO observer cruise reports. Some Members proposed a review of the procedures for the release of these reports.

6.50 The Commission **endorsed** the advice of the Scientific Committee on extending the derogation for use of net-monitoring cables in CM 25-03 for one more year, with additional conditions outlined by the Scientific Committee (SC-CAMLR-40, paragraphs 3.143) where applicable.

6.51 Norway and China both undertook to participate in the discussions of WG-IMAF regarding the development and implementation of mitigation measures to reduce the risk of warp strikes on net monitoring cables and encouraged interested Members to attend and contribute to the work of WG-IMAF.

6.52 The Commission **endorsed** the advice of the Scientific Committee on changes to CMs 41-01 and 41-09 due to the cessation of the focused skate tagging program in the Ross Sea region (SC-CAMLR-40, paragraphs 3.142).

## Bottom fishing and vulnerable marine ecosystems

6.53 The Commission noted that due to the limited time for deliberations this year, the Scientific Committee did not discuss issues relating to bottom fishing and vulnerable marine ecosystems.

## Spatial management

### General issues related to spatial management

7.1 The Commission considered CCAMLR-40/26, submitted by China, which advocated for the need to revisit the establishment of MPAs in the waters surrounding Antarctica, given there are some divergent views among Members on the development of MPAs and their implementation. China proposed to elaborate a definition of an MPA, integrate CCAMLR Ecosystem Monitoring Program (CEMP) results into consideration, devise a scientific approach to identify areas worthy of ‘further special consideration’, develop a checklist for MPA proposals, and design a framework for research and monitoring plans (RMPs), in order to facilitate and promote the established MPAs.

7.2 The Commission considered CCAMLR-40/30, submitted by Russia, which also suggested a unified process through which the Commission could establish and manage MPAs and their associated RMPs by following specific criteria. Russia suggested that this unified process can be approved as an annex to CM 91-04 and proposed to adopt a mandatory MPA checklist based on the document previously submitted by Japan (CCAMLR-XXXIV/19) to create a unified process and use unified criteria for the establishment of MPAs in the Convention Area. Russia noted that CM 91-04 is extremely brief and does not contain sufficient procedural and implementational measures to regulate a unified process by which the Commission can, on a scientific basis, establish and manage MPAs. Russia noted that the development of a unified process to establish and manage MPAs and their associated RMPs should precede the establishment of new MPAs and form the basis for the revision of existing MPAs. Russia recalled that there is currently no agreed international definition of an MPA as a key element for establishing the legal basis for the Commission’s activities with regard to the designation of such areas in the CCAMLR area.

7.3 Most Members recalled that CM 91-04 is the agreed framework for establishment of CCAMLR MPAs. CM 91-04 recalls the commitment to implement a representative system of MPAs in the Convention Area based on the best available scientific evidence and is effective. They considered that within this framework, MPAs have individual objectives and unique designs, and that standardised approaches to developing MPA proposals and RMPs were unlikely to be useful.

7.4 Some Members considered that the current framework for the establishment of CCAMLR MPAs (CM 91-04) did not provide sufficient guidance for the development of MPA proposals and thus unified approaches are required in this regard.

7.5 Many Members supported the adoption of the three proposed MPAs, noting that the establishment of additional MPAs is an important step towards the United Nations Sustainable Development Goal 14: Life below water to ‘Conserve and sustainably use the oceans, seas and marine resources for sustainable development’ and international biodiversity targets, and that

CCAMLR's designation of a representative system of MPAs, designed to meet the objective of the Convention, would align with global efforts to address sustainability and climate change issues.

#### Review of existing marine protected areas (MPAs)

7.6 The Commission noted the discussions of the Scientific Committee on the Ross Sea region MPA (RSRMPA) (SC-CAMLR-40, paragraphs 4.24 and 4.26 to 4.29).

7.7 The Commission noted that in accordance with the requirement in CM 91-05, Members shall submit a report on their activities conducted according to, or related to, the MPA RMP, including any preliminary results, to the Scientific Committee no later than six months before the 2022 Scientific Committee meeting.

7.8 China noted that the proposed RMP for the RSRMPA has not been updated, following the scientific advice of the Scientific Committee (SC-CAMLR-XXXVI, paragraph 5.45) and a series of concrete proposals from two Members and presented to the Commission for adoption in accordance with CMs 91-04 and 91-05. China considered that updating the RMP and presenting it to the Commission for consideration was a matter of urgency as it allowed a mechanism to consider whether, and to what extent, the RSRMPA was meeting its objectives.

7.9 Many Members noted that the RMP had been endorsed by the Scientific Committee (SC-CAMLR-XXXVI, paragraph 5.45), and that the RMP was a tool to facilitate research and monitoring of the RSRMPA. They noted that the responsibility for demonstrating the effectiveness of CCAMLR MPAs belonged to all Members, welcomed participation of all Members in the research and monitoring of MPAs, and expressed their desire for the Commission to adopt the RMP. Many Members agreed and noted the large amount of research currently underway in support of the RSRMPA objectives.

7.10 One Member noted that the research being carried out in the RSRMPA is not structured and is not linked to the main goals and objectives of the RMP, which remains not accepted by the Commission. Russia recalled its position that the RMP should be divided into reporting periods, both in respect of planned research and monitoring, as well as the scientific evidence to be obtained (CCAMLR-40/30).

7.11 In SC-CAMLR-40/BG/22, ASOC noted that the RSRMPA was considered highly protected from potentially destructive human activities and thus set a precedent for design, adoption and implementation of other MPAs in the high seas and waters surrounding Antarctica.

#### Review of proposals for new MPAs

##### East Antarctic

7.12 The Commission considered CCAMLR-40/18 Rev. 1, submitted by Australia, the EU and its Member States, India, New Zealand, Norway, Korea, Ukraine, UK, USA and Uruguay,

presenting a draft conservation measure for the designation of an East Antarctic MPA (EAMPA) that reflected feedback from Members and recalled improvements previously made.

7.13 Many Members noted that the EAMPA will conserve representative areas of biodiversity of the region, areas vulnerable to disturbance, and areas which host important ecological processes. They also noted that the proposal balances protection and rational use by allowing for multiple uses. Many Members noted that the proposal has been under consideration at CCAMLR since 2012 and that the proposal was based on the best available science (SC-CAMLR-XXX, paragraphs 5.63 to 5.66) and underpinned by decades of scientific research. They further noted that the proposal remains relevant and important to protect the important conservation values in this region and in the CCAMLR area more broadly, and that it is mature and ready for adoption.

7.14 Russia retained its position that the conservation measure for the EAMPA should not be a single one, rather there should be a separate measure for each of the three individual scientific reference zones designated as the EAMPA (CCAMLR-40/18 Rev. 1, Figure 1). Each separate conservation measure should be accompanied by the RMP, reporting periods, measurable criteria and indicators of the performance and efficiency of the MPA. Russia also noted that the implementation of the research specified in the management plan for the EAMPA (CCAMLR-40/18 Rev. 1, Annex 91-XX/B) does not require the establishment of this MPA. Moreover, there were no immediate threats to the marine environment, the marine ecosystems and biodiversity which required the urgent designation of the EAMPA.

7.15 Some Members thanked the EU and other Members for engagement prior to the Commission meeting, and noted that the proponents had not addressed their comments on the proposal and that no additional scientific data in support of the EAMPA has been submitted to the Scientific Committee for evaluation since 2014 and could hardly be regarded as being based on best scientific evidence available so far. They were also concerned about the lack of common understanding on the procedure for the establishment and implementation of MPAs and indicated their willingness to continue further dialogue on the EAMPA proposal.

7.16 Most Members noted that the proposed EAMPA was consistent with CM 91-04 and was a mature proposal that was ready for adoption, and called for its adoption at this meeting; noting in particular that the MPA would improve resilience to threats posed by climate change on representative Antarctic marine ecosystems.

7.17 The co-proponents noted the EAMPA proposal had already been agreed by the Scientific Committee as being based on the best available science (SC-CAMLR-XXX, paragraphs 5.63 to 5.66), hence the Scientific Committee did not need to consider it again. They further noted that CCAMLR adopts a precautionary approach in the conservation of Antarctic marine living resources, and thus a designation of an MPA did not require the identification of specific threats before taking action.

## Weddell Sea

7.18 The Commission considered CCAMLR-40/20 Rev. 1, submitted by the EU and its Member States, Norway, Uruguay, Australia, UK, New Zealand, USA, Korea, India and

Ukraine, presenting a draft conservation measure for the establishment of a Weddell Sea MPA (WSMPA) phase 1, taking into account the latest suggestions and comments made by Members prior to and at CCAMLR-38 (2019).

7.19 The Commission noted the discussions of the Scientific Committee on the WSMPA (SC-CAMLR-40, paragraphs 4.15 to 4.17, 4.19 to 4.23).

7.20 Many Members expressed their support for the proposed WSMPA phase 1, noting that few human activities have been undertaken in the Weddell Sea region, making it an ideal study area for research into climate change impacts on Antarctic ecosystems.

7.21 China recalled the suggestions it had provided on the WSMPA proposal in SC-CAMLR-40/16, and considered that substantive issues regarding the availability of baseline data, justifying the proposed protection objectives and measures, the large proposed size of the MPA and the integration and management of fishing activities still needed to be addressed.

7.22 Russia recalled its comments made during the Scientific Committee meeting and noted the need for a proposal for an MPA in the Weddell Sea to be complemented by information on the commercial potential and future rational use for dominant fish species and krill. Further study could be required to ensure that the WSMPA design includes potential fishing and protected areas managed by different conservation measures. Russia recalled that clarity on hypotheses regarding the distribution and life cycle of *D. mawsoni* would be required for the WSMPA proposal, recalling the recommendations of the 2018 Workshop for the Development of a *Dissostichus mawsoni* Population Hypothesis for Area 48.

7.23 The Commission noted and welcomed the proposal from Norway, also detailed in SC-CAMLR-40/13, to conduct a workshop in 2022 to explore spatial planning solutions for the WSMPA phase 2. Norway encouraged CCAMLR Members and Observers to nominate experts on both the scientific and management level as appropriate. Norway clarified that the workshop will be held in Europe and virtual attendance will be facilitated.

7.24 The EU and its Member States submitted the following statement:

‘The 40th annual meeting of CCAMLR could have been a moment of true celebration. Instead, it was another missed opportunity for this Commission to make tangible progress in the creation of a representative system of marine protected areas (MPAs) in the Convention Area. In 2009, CCAMLR set itself the objective of having in place such a system by 2012. Ten years on, only two MPAs have been designated, one in the South Orkney Islands southern shelf and another in the Ross Sea region.

This lack of progress is not for want of proposals. Three proposals to designate new MPAs are currently under consideration by the Commission, notably for MPAs in East Antarctica (since 2012), in the Weddell Sea (since 2016) and in the Western Antarctic Peninsula (since 2018). These proposals have a sound scientific basis and are further integral parts of establishing a representative system of MPAs. Together, these three MPA proposals would protect about 1% of the world’s ocean.

As the proponents of the East Antarctic and Weddell Sea MPAs, we are disappointed that CCAMLR has once again been unable to find consensus to progress towards a representative system of MPAs. Establishing representative systems of MPAs across the

world's oceans as a matter of urgency, including through CCAMLR, is critical to protecting our oceans. Large-scale MPAs are an important tool to build ocean and ecosystem resilience to the impacts of climate change. The Special Report on the Ocean and Cryosphere in a Changing Climate of the Intergovernmental Panel on Climate Change makes recommendations in this regard. Large-scale MPAs and other area-based conservation measures are also an essential part of a sustainable and ecosystem-based fisheries management.

We remain fully committed to progressing our proposals. We are encouraged by the broad support they have received during CCAMLR meetings, and we note that the number of CCAMLR Members formally co-sponsoring MPA proposals has recently increased substantially. Twenty out of twenty-six CCAMLR Members now co-sponsor one or more MPA proposals. This sends a powerful signal of the critical importance of designating these MPAs.

We are also heartened by messages of support from outside the CCAMLR framework. On 13 June 2021, G7 leaders announced their full support for CCAMLR's commitment to develop a representative system of MPAs in the Convention Area. The G20 Environment Communiqué also supported achieving MPAs in the Southern Ocean. Moreover, the European Parliament resolution of 8 July 2021 on the establishment of Antarctic MPAs and the conservation of Southern Ocean biodiversity expresses full support for CCAMLR's efforts to establish new MPAs.

Within the context of the Antarctic Treaty system, the commitment shown by the Antarctic Treaty Consultative Parties in adopting the Paris Declaration at their 43rd meeting from 14 to 24 June 2021, to taking effective and timely action as well as the need to strengthen our joint efforts to conserve Antarctic marine living resources, is further impetus for all CCAMLR Members to find common ground to make progress on MPAs. Moreover, on the occasion of the 30th anniversary of the Protocol on Environmental Protection to the Antarctic Treaty ('Madrid Protocol') on 4 October 2021, thirty countries endorsed the Madrid Declaration recognising that MPAs can serve as a powerful tool for protecting sensitive ecosystems representative of the Convention Area.

While we are disappointed by the outcome of this meeting, we will continue our efforts to build consensus on our proposals with the view to their adoption in 2022. We encourage other CCAMLR Members to join these efforts. We cannot think of a better gift to present and future generations to mark the 40th anniversary of the entry into force of the CAMLR Convention in 2022.'

7.25 Many Members also supported this statement.

7.26 ASOC submitted the following statement. Some Members supported this statement.

'ASOC urges CCAMLR to finally take action to make its commitment to a representative system of MPAs a reality. We note that 1.5 million people around the world have called on CCAMLR to create the largest act of ocean protection in history, by designating the East Antarctic, Weddell Sea, and Domain 1 MPAs. ASOC wants to emphasise that CCAMLR has a unique and unprecedented opportunity with respect to MPAs.

Indeed, CCAMLR is facing a moment comparable to that of Antarctic Treaty Parties 30 years ago. Ultimately, the Parties did what many of them had previously said was impossible – they signed the Madrid Protocol and banned mineral resource activities indefinitely, demonstrating exceptional leadership and vision.

Now our planet is in crisis. The world is developing a Global Biodiversity Framework as we speak, and will convene in the coming weeks on the greatest challenge the planet has ever faced, and is relying on CCAMLR to show leadership now. It can and it must.

Over-refinement of the process for creating MPAs comes at a great cost. Let not the perfect process be the enemy of the good conservation outcome, any more. ASOC calls upon CCAMLR and each and all of its Members to approach MPA discussions with a view to achieve consensus, and implement the objective of the Convention.

ASOC also supports a special meeting.’

#### Antarctic Peninsula – Domain 1 MPA (D1MPA)

7.27 The Commission considered CCAMLR-40/BG/20, submitted by Argentina and Chile, which provided an update on the latest considerations for the Domain 1 MPA (D1MPA) proposal during the 2020/21 intersessional period and outlined the inclusion of the current revision of the krill management approach. It welcomed the initial steps towards a comprehensive and collaborative RMP for the D1MPA proposal and the planning by Argentina and Chile of an international workshop during 2022. It noted the extensive number of national Antarctic programs, private initiatives and multilateral consortia that carry out scientific research related to the RMP priority elements (CCAMLR-40/BG/20, Annex A).

7.28 The Commission noted that the D1MPA co-proponents have constructively continued to engage with other Members and the industry to find common ground. Many Members expressed their support for the D1MPA joint proposal as drafted and conveyed their interest in taking part in the planned workshop.

#### Conclusion

7.29 The Commission encouraged Members to hold workshops on individual MPA proposals (paragraphs 7.23 and 7.27), and noted that a special session of the Commission could be valuable to promote a constructive discussion among Members to reach consensus on how to progress MPA design, designation, implementation and the establishment of RMPs on the condition that the situation of the pandemic allows an in-person meeting and the terms of reference for such as session have been agreed by the Commission.

7.30 The Commission **requested** that:

- (i) draft terms of reference be developed by the Secretariat for a special session of the Commission, which would be further developed by Members in an e-group and then presented to a Heads of Delegations meeting for discussion. The Chair undertook to assist the Secretariat with this task
- (ii) the special session should be developed as an in-person meeting.

### **Impacts of climate change on the conservation of Antarctic marine living resources**

8.1 The Commission noted the discussions of the Scientific Committee on climate change, including deliberations on the designation of a newly exposed marine area (SC-CAMLR-40, paragraph 5.2), on the ‘Climate change impacts and CCAMLR’ e-group (SC-CAMLR-40, paragraphs 5.4 and 5.5), and on the CEP’s Specially Protected Species Action Plan (SC-CAMLR-40, paragraph 5.7).

8.2 The Commission noted the proposed updates to the terms of reference of the ‘Climate change impacts and CCAMLR’ e-group (SC-CAMLR-40/08) and the deliberations by the Scientific Committee on this topic (SC-CAMLR-40, paragraphs 5.4 and 5.5), noting that e-groups are an informal mechanism and are not supposed to communicate with external organisations directly.

8.3 The Commission considered CCAMLR-40/19 Rev. 1, submitted by the UK and the EU and its Member States, proposing to designate a newly exposed marine area adjacent to the Pine Island Glacier (Subarea 88.3) as a stage 2 Special Area for Scientific Study (SASS) in accordance with CM 24-04.

8.4 The Commission noted that the glacier calving in this area represented a unique opportunity to study a newly exposed ecosystem undergoing rapid change and encouraged Members to conduct such research in this important area.

8.5 While most Members supported the designation of the area as a stage 2 SASS and emphasised that this would be consistent with CM 24-04, some Members considered that the presentation of scientific results to the Scientific Committee should occur before progressing to a stage 2 designation. One Member noted that the SASS should remain in stage 1 until it expires and scientific research within the SASS may be undertaken in stage 1 as well as stage 2 under CM 24-04.

8.6 Many Members expressed their disappointment that the Commission had been unable to reach consensus on the designation of a stage 2 SASS in the marine area recently revealed by the ongoing retreat of the Pine Island Glacier. These Members noted that the science case for designation was compelling and that all of the conditions of CM 24-04 had been met, as they had been met, when this issue was considered by the Commission on previous occasions.

8.7 ASOC expressed disappointment that the Pine Island Glacier would not move to a stage 2 designation, noting that such a designation was clearly supported by science.

8.8 The Commission considered CCAMLR-40/23 Rev. 2, submitted by the EU and its Member States, the UK, Australia, Chile, New Zealand, Norway, the USA and Uruguay, highlighting the important findings of recent Intergovernmental Panel on Climate Change (IPCC) reports pertaining to CCAMLR, and recommending the adoption of an updated resolution on climate change, which was included as a draft in the paper.

8.9 Uruguay highlighted its intention to present research results at the upcoming 2021 United Nations Climate Change Conference (COP26). As a co-sponsor of the proposed resolution on climate change (CCAMLR-40/23 Rev. 2), Uruguay emphasised the importance of this resolution to increase awareness of the effects of climate change on Antarctic marine living resources. Uruguay further noted that while CCAMLR successfully manages fisheries based on scientific advice, additional research was needed towards understanding the complex effects of climate change on the ecology of marine ecosystems, those involving krill in particular.

8.10 The Commission noted the Resolution recently adopted by the Antarctic Treaty Consultative Meeting (ATCM) (Resolution 8 (2021) – ATCM XLIII – CEP XXIII, Paris) and the upcoming COP26. The Commission noted that climate change was a pressing issue of global importance that needed to be addressed within the framework of the Convention on the Conservation of Antarctic Marine Living Resources.

8.11 ASOC noted that several papers submitted to CCAMLR-40 by Members and by ASOC made concrete recommendations for action by CCAMLR on climate change. ASOC supported CCAMLR taking these actions with no delay, including adopting the proposed climate change resolution.

8.12 The Commission noted the following papers with appreciation: SC-CAMLR-40/BG/04, submitted by Oceanites and SC-CAMLR-40/BG/10, submitted by ASOC.

8.13 The Commission welcomed SC-CAMLR-40/BG/12, submitted by SCAR, and emphasised the importance of SCAR's work across the Commission's agenda. The Commission recalled its invitation to SCAR to present a summary of its decadal review of the Antarctic Climate Change and the Environment (ACCE) report (CCAMLR-38, paragraph 8.5) and noted that due to shortened time available during the last two meetings, this had not yet been accommodated. The Commission invited SCAR to present this summary during a plenary session of CCAMLR-41.

8.14 The Commission considered a revised resolution on climate change. Many Members expressed regret that the revised resolution was not agreed and adopted. The Commission recalled Resolution 30/XXVIII, recognising that global climate change is one of the greatest challenges facing the Convention Area, and agreed to reconsider the proposed revision of the resolution at CCAMLR-41.

8.15 The EU and its Member States, the UK, Australia, Chile, New Zealand, Norway, and the USA and Uruguay made the following statement:

‘On behalf of the co-sponsors of the proposed resolution on climate change, we would like to express our great disappointment that we have not been able to reach consensus on this important issue, one that is also of great concern to the whole of humanity. This failure comes after the strong support already expressed at this meeting of the

Commission for us to take action to address climate change and integrate it into our management decisions. The proponents would like to reiterate that the climate crisis is a global concern and as such it is essential that CCAMLR, like the ATCM, plays its role in addressing it. The proponents remain firmly convinced that there is an urgent need for the Commission to act with regard to climate change and that it is both very timely and relevant to update the CCAMLR Resolution on Climate Change. We had hoped to do so prior to the UNFCCC COP26. As this hasn't been possible, we will continue to work on this in the intersessional period, hoping all Members will engage constructively in order to agree on a resolution at the next Commission meeting.'

## Conservation measures

9.1 The Commission's consideration of revised and new conservation measures and resolutions, and related matters, is reported in this section. Conservation measures and resolutions adopted at CCAMLR-40 will be published in the *Schedule of Conservation Measures in Force 2021/22*.

9.2 The Commission noted that the following conservation measures and resolutions will remain in force for 2021/22:

### Measures on compliance

10-01 (2014), 10-02 (2016), 10-03 (2019), 10-04 (2018), 10-06 (2016), 10-07 (2016), 10-08 (2017), 10-09 (2019) and 10-10 (2019).

### Measures on general fishery matters

21-01 (2019), 21-02 (2019), 21-03 (2019), 22-01 (1986), 22-02 (1984), 22-03 (1990), 22-04 (2010), 22-05 (2008), 22-06 (2019), 22-07 (2013), 22-08 (2009), 22-09 (2012), 23-01 (2016), 23-02 (2016), 23-03 (2016), 23-04 (2016), 23-05 (2000), 23-06 (2019), 23-07 (2016), 24-01 (2019), 24-02 (2014), 24-04 (2017), 25-02 (2018) and 26-01 (2019).

### Measures on fishery regulation

31-01 (1986), 31-02 (2007), 32-01 (2001), 32-02 (2017), 32-18 (2006), 33-01 (1995), 51-01 (2010), 51-02 (2008), 51-03 (2008) and 51-06 (2019).

### Measures on protected areas

91-01 (2004), 91-02 (2012), 91-03 (2009), 91-04 (2011) and 91-05 (2016).

### Resolutions

7/IX, 10/XII, 14/XIX, 15/XXII, 16/XIX, 17/XX, 18/XXI, 19/XXI, 20/XXII, 22/XXV, 23/XXIII, 25/XXV, 27/XXVII, 28/XXVII, 29/XXVIII, 30/XXVIII, 31/XXVIII, 32/XXIX, 33/XXX, 34/XXXI and 35/XXXIV.

9.3 The Commission **adopted** the following revised conservation measures:

Measures on compliance  
10-05 (2021).

Revised measures on general fishery matters  
24-05 (2021) and 25-03 (2021).

Revised measures on fishery regulation  
32-09 (2021), 33-02 (2021), 33-03 (2021), 41-01 (2021), 41-03 (2021), 41-04 (2021),  
41-05 (2021), 41-06 (2021), 41-07 (2021), 41-08 (2021), 41-09 (2021), 41-10 (2021),  
41-11 (2021), 42-01 (2021), 42-02 (2021) 51-04 (2021) and 51-07 (2021).

9.4 The Commission noted that the following conservation measures will lapse on 30 November 2021 and will not be in force for 2021/22 (paragraph 9.14):

Measures on fishery regulation  
41-02 (2019).

#### Implementation and compliance

9.5 The Commission noted the number of compliance issues associated to CM 10-05 and **adopted** a revision to CM 10-05 to amend the date of issue of a *Dissostichus* Export Document (DED) and *Dissostichus* Re-Export Document (DRED) to an expected date of export (CM 10-05, Annex 10-05/A, paragraphs A7(ix)1(d), 2(b), 3(c); Attachment 1) and to clarify the date of issue (CM 10-05, Annex 10-05/A, Attachment 1).

#### General fishery matters

9.6 The Commission noted the discussion of research notifications under CM 24-01 (paragraphs 6.40 and 6.41) and **adopted** a revision to CM 24-05 (2021).

9.7 The Commission noted the recommendation from the Scientific Committee to extend the derogation for the use of net monitoring cables in CM 25-03 for one more year (SC-CAMLR-40, paragraph 3.143) and **adopted** a revision to CM 25-03.

9.8 The EU presented a proposal for amending CM 26-01 (CCAMLR-40/21 Rev. 2). Some Members expressed concerns about the proposed amendments and invited the EU to engage in discussions during the intersessional period to address these. The EU looked forward to further discussions to possibly move this proposal forward at CCAMLR-41.

9.9 The Commission noted that the EU would not pursue moving forward the proposal to amend CMs 21-01, 21-02 and 23-05, submitted by the EU (CCAMLR-40/22), and encouraged interested Members to hold intersessional discussions.

9.10 The Commission considered a proposal by Russia for amending CM 31-02 (CCAMLR-40/29), noting the recommendation of SCIC (SCIC-2021, paragraph 39). No consensus on the

proposal could be reached, and the Commission encouraged Russia to work with interested Members to progress amendments to this conservation measure during the intersessional period.

9.11 The Commission considered CCAMLR-40/27, submitted by Ukraine, proposing to establish limits on the use of continuous krill fishing systems in Area 48, where harvesting using such systems would be limited to 70% of the catch limit.

9.12 Some Members recalled the discussion by the Scientific Committee, which noted that while potential differences in ecosystem effects between traditional and continuous trawlers deserved further evaluation (SC-CAMLR-40, paragraph 3.22), there was no scientific rationale presented in the proposal to justify a subdivision of catch limits by gear type.

9.13 Ukraine made the following statement:

‘Ukraine expressed regret that the Commission did not support the introduction of a 70% limit on the catch of Antarctic krill taken using the continuous trawl system in Area 48. Ukraine based its proposal on the importance of ensuring the availability of Antarctic krill and the stability of the krill fishery for all Members, including those not employing the continuous trawl system. Attention was also drawn to evidence, noted by the Scientific Committee, of the negative impact the continuous trawl system has on Antarctic marine living resources, as well as the importance of taking a precautionary approach to the development of any type of fishery in the Convention Area. Ukraine noted that the lack of a response by the Commission to the emerging dominance of continuous trawling systems in the Antarctic krill fishery may lead, on the one hand, to the concentration of the fishery in the hands of only a few Members, and, on the other hand, to a deterioration in the food supply of Members that do not employ continuous trawl systems. In light of the above, Ukraine expressed its desire to continue the dialogue with stakeholders on this issue in order to achieve consensus at the next meeting of the Commission.’

#### Toothfish catch limits

9.14 There was no consensus on a catch limit for *D. eleginoides* in 2021/22 in Subarea 48.3. Accordingly, the Commission noted that CM 41-02 will no longer remain in force in 2021/22.

9.15 The Commission **endorsed** the advice of the Scientific Committee on catch limits in the fisheries for *D. eleginoides* in Subarea 48.4 and Division 58.5.2 and **adopted** CMs 41-03 and 41-08 (2021).

9.16 The Commission considered the arrangements for exploratory fisheries for *D. mawsoni* in Subareas 48.6, 88.1 and 88.2 and Divisions 58.4.1 and 58.4.2 and **endorsed** the Scientific Committee’s advice on catch limits (SC-CAMLR-40, Tables 3 and 4). The Commission **adopted** the following conservation measures for fisheries targeting *D. mawsoni* and/or *D. eleginoides*:

- CM 41-04 – exploratory fishery for *D. mawsoni* in Subarea 48.6
- CM 41-05 – exploratory fishery for *D. mawsoni* in Division 58.4.2
- CM 41-06 – exploratory fishery for *D. eleginoides* in Division 58.4.3a

- CM 41-07 – exploratory fishery for *D. mawsoni* in Division 58.4.3b
- CM 41-09 – exploratory fishery for *D. mawsoni* in Subarea 88.1
- CM 41-10 – exploratory fishery for *D. mawsoni* in Subarea 88.2
- CM 41-11 – exploratory fishery for *D. mawsoni* in Division 58.4.1.

9.17 The Commission **agreed** that directed fishing for *Dissostichus* spp. shall not take place in 2021/22 in Divisions 58.4.3a and 58.4.3b.

9.18 There was no consensus that directed fishing for *D. mawsoni* shall take place in 2021/22 in Division 58.4.1. Accordingly, the Commission **adopted** CM 41-11 which provides that directed fishing for *D. mawsoni* shall not take place in 2021/22 in Division 58.4.1.

#### Icefish catch limits

9.19 The Commission **endorsed** the Scientific Committee's advice on the limits for the fishery for *C. gunnari* in Subarea 48.3 and Division 58.5.2 and **adopted** CMs 42-01 and 42-02.

#### Other fishery matters

9.20 Australia advised the Commission that any fishing or fisheries research activities in that part of Divisions 58.4.3a, 58.4.3b and 58.5.2 that constitutes the Australian EEZ around the Australian Territory of Heard Island and McDonald Islands must have the prior approval of Australian authorities. The Australian EEZ extends up to 200 n miles from the Territory. Unauthorised or illegal fishing in these waters is a serious offence under Australian law. Australia seeks the assistance of other CCAMLR Members in ensuring their nationals and vessels are aware of the limits of the Australian EEZ and the need for prior permission to fish there. Australia has implemented strict controls to ensure that fishing in its EEZ occurs only on a sustainable basis. Presently, fishing concessions are fully subscribed and no further concessions for legal fishing in the EEZ are available. Australian legislation provides for large penalties for illegal fishing in Australia's EEZ, including the immediate forfeiture of foreign vessels found engaged in such activities. Any enquiries about fishing in the Australian EEZ should be made initially to the Australian Fisheries Management Authority.

### Cooperation with the Antarctic Treaty System and international organisations

#### Cooperation with the Antarctic Treaty System

10.1 The Commission noted CCAMLR-40/BG/12, submitted by the Executive Secretary, which highlighted items of relevance to CCAMLR from the summary report of the 43rd ATCM (ATCM XLIII).

## Cooperation with international organisations

### Reports of observers from international organisations

10.2 The Commission noted SC-CAMLR-40/BG/13, submitted by ASOC, which reported on the activities conducted by ASOC during the intersessional period to support Antarctic conservation. The Commission noted with appreciation the work of ASOC, whose statement is in Annex 10.

10.3 The Commission noted SC-CAMLR-40/BG/04, submitted by Oceanites, which reported on the organisation's activities on the Antarctic Site Inventory, penguin populations projects (including MAPPPD) and climate change considerations. The Commission noted with appreciation the work of Oceanites, whose statement is in Annex 10.

10.4 The Commission noted SC-CAMLR-40/BG/16, submitted by ARK, which reported on ARK's activities during the 2020/21 krill fishing season and highlighted its willingness to further strengthen the Science–Industry Forum. The Commission noted with appreciation the work of ARK, whose statement is in Annex 10.

10.5 The Commission noted SC-CAMLR-40/BG/15, submitted by SCAR, which highlighted the recent and future activities from its Annual Report (2020/21) that are of relevance to CCAMLR. The Commission noted with appreciation the work of SCAR, whose statement provided is in Annex 10.

### Reports from CCAMLR representatives at meetings of international organisations in the previous intersessional period and nominations of representatives to forthcoming meetings of relevant international organisations

10.6 The Commission noted the following reports of meetings of other organisations by the nominated CCAMLR Observers:

- CCAMLR-40/BG/02 – Report from the CCAMLR Observer (Argentina) to the Fifth Session of the United Nations Environment Assembly of the of the United Nations Environment Programme – virtual session, 22 and 23 February 2021, which was presented by Argentina.
- CCAMLR-40/BG/05 – Report from the CCAMLR Observer (European Union) on the 8th Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement (SIOFA), Online, 5 to 9 July 2021
- CCAMLR-40/BG/16 – Report from the CCAMLR Observer (Australia) to the 24th and 25th Annual Meetings and the 4th Special Session of the Indian Ocean Tuna Commission (IOTC)
- CCAMLR-40/BG/18 – Report from the CCAMLR Observer (USA) on the 2020 ICCAT Correspondence Decision-Making Process

- CCAMLR-40/BG/19 – Report from the CCAMLR Observer (USA) on the Outcomes from the Seventeenth Regular Session of the Western and Central Pacific Fisheries Commission (WCPFC), Virtual meeting, 8 to 15 December 2020
- CCAMLR-40/BG/23 – Report by CCAMLR Observer (Norway) on the 39th Annual Meeting of the North-East Atlantic Fisheries Commission (NEAFC), Virtual meeting, 10 to 13 November 2020
- CCAMLR-40/BG/24 – Report from the CCAMLR Observer (European Union) on the 43rd Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO), Virtual meeting, 20 to 24 September 2021.

10.7 The Chair invited nominations for CCAMLR Observers to forthcoming meetings (Table 1).

#### Cooperation with regional fisheries management organisations (RFMOs)

10.8 The Commission considered CCAMLR-40/12, submitted by the Secretariat, which describes cooperation under the formal arrangements and memorandums of understanding (MoUs) that CCAMLR has signed with different regional organisations.

10.9 The Commission noted the deliberations of the Scientific Committee on this topic (SC-CAMLR-40, paragraphs 6.1 to 6.3) and **endorsed** the re-signing of the Arrangement with the South Pacific Regional Fisheries Management Organisation (SPRFMO) and the MoU with ACAP to extend both for an additional three years.

#### Other business

11.1 Argentina made the following statement:

‘With regard to the use of the term “Southern Ocean” in numerous meeting documents, we recall that the current edition of the International Hydrographic Organization (IHO) Publication of the Limits of Oceans and Seas (S-23), does not include that term. That is there is no consensus with respect to the use of that term nor with the respect to the area it would eventually encompass. For this reason, Argentina has requested in several instances during the current meeting, to avoid the use of said term since it does not constitute internationally agreed language.’

#### Administrative matters

##### Election of officers

12.1 The Commission thanked Argentina for its service as Vice-Chair of the Commission in 2020 and 2021, and reappointed Argentina as Vice-Chair for 2022 and 2023.

## Invitation of observers

12.2 The Commission will invite the following to attend the Forty-first Meeting of the Commission as Observers:

- Non-Member Contracting Parties – Bulgaria, Canada, Cook Islands, Finland, Greece, Mauritius, Islamic Republic of Pakistan, Republic of Panama, Peru and Vanuatu.
- Other States in dialogue with CCAMLR – Cambodia, Indonesia, Luxembourg.
- NCPs cooperating with CCAMLR through participation in the CDS – Republic of Ecuador.
- NCPs trading in re-exported *Dissostichus* spp. that has not been previously landed in the port of a Contracting Party or NCPs cooperating with CCAMLR by participating in the CDS, who are cooperating with CCAMLR through limited access to the e-CDS – Mexico, Singapore.
- NCPs not participating in the CDS but possibly involved in harvesting, landing and/or trade of toothfish in accordance with the NCP Engagement Strategy – Brunei Darussalam, Colombia, Lebanon, Malaysia, Republic of the Maldives, Philippines, Thailand, Turkey, United Arab Emirates and Viet Nam.
- NCP Flag States of vessels listed on CCAMLR NCP-IUU Vessel List – Republic of Angola, Gambia, Islamic Republic of Iran, Nigeria, St. Vincent and the Grenadines, Tanzania and Togo.

12.3 The Executive Secretary advised the Commission that a list of NCPs to be invited to CCAMLR-41 will be circulated to Members for comment prior to meeting invitations being issued in July 2022.

12.4 The following intergovernmental organisations will be invited to attend CCAMLR-41 as Observers: ACAP, the Antarctic Treaty Secretariat, CCSBT, CEP, CITES, COMNAP, FAO, IATTC, ICCAT, IOC, INTERPOL, IUCN, IWC, RPOA-IUU, SCAR, SCOR, SEAFO, SIOFA, SOOS, SPRFMO, UNEP and WCPFC.

12.5 The following non-governmental organisations will be invited: ARK, ASOC, COLTO, IAATO and Oceanites.

## Next meeting

12.6 The Commission agreed that CCAMLR-41 will take place in person in Hobart from 24 October to 4 November 2022. Due to the ongoing pandemic and any related travel restrictions, the Commission will have an early intersessional decision to agree whether the meeting will take place in person or be conducted virtually according to the Convention and the Commission's Rules of Procedure.

## **Report of the 40th Meeting of the Commission**

13.1 The report of the Fortieth Meeting of the Commission was adopted.

### **Close of the meeting**

14.1 At the close of the meeting the Chair thanked the Chairs of SCIC, SCAF and the Scientific Committee, and all Members and Observers for their contributions to CCAMLR-40, and read a message sent by Her Excellency Ms Ann Linde, Minister of Foreign Affairs of Sweden. He also thanked the Executive Secretary and the Secretariat, interpreters, stenographers, Interpretrefy and all support staff for their hard work in the lead up to and during CCAMLR-40.

14.2 Argentina, on behalf of the Commission, thanked Dr Granit for his excellent guidance and leadership throughout the year and during this meeting.

14.3 China, on behalf of the Commission, noted that Mr Máximo Gowland had announced that he would be stepping down as head of the Argentine Delegation following this meeting, and thanked him for his contributions to the Commission's work over many years.

14.4 The Chair closed the meeting.

PRELIMINARY

Table 1: List of 2021/22 meetings of organisations or arrangements with nominated observers for the Commission.

| Entity  | Dates<br>(where available)     | Venue<br>(where available) | Observer            |
|---|--------------------------------|----------------------------|---------------------|
| The Agreement for the Conservation of Albatrosses and Petrels (ACAP) MoP  | Postponed to May 2022          | TBD                        | Australia           |
| The Antarctic Treaty Consultative Meeting (ATCM)  | 23 May to 2 June 2022          | Berlin, Germany            | Executive Secretary |
| The Food and Agriculture Organization of the United Nations (FAO) COFI  | 5 to 9 September 2022          | Rome, Italy                | Executive Secretary |
| The Commission for the Conservation of Southern Bluefin Tuna (CCSBT)  | TBD                            | TBD                        | New Zealand         |
| The Inter-American Tropical Tuna Commission (IATTC)   | TBD                            | TBD                        | Republic of Korea   |
| The International Commission for the Conservation of Atlantic Tunas (ICCAT)   | 15 to 25 November 2021         | Online                     | USA                 |
| The Indian Ocean Tuna Commission (IOTC)   | 16 to 20 May 2022              | TBD                        | Australia           |
| The World Conservation Union (IUCN)   | TBD                            | TBD                        |                     |
| The International Whaling Commission (IWC)  | 13 to 21 October 2022          | Portoroz, Slovenia         | Japan               |
| The Northwest Atlantic Fisheries Organization (NAFO)  | 19 to 23 September 2022        | Portugal                   | EU                  |
| The North East Atlantic Fisheries Commission (NEAFC)  | 9 to 12 November 2021          | TBD                        | Norway              |
| The South East Atlantic Fisheries Organisation (SEAFO)  | 24 and 25 November 2021        | Online                     | Norway              |
| The Southern Indian Ocean Fisheries Agreement (SIOFA)   | 4 to 8 July 2022               | TDB                        | EU                  |
| The South Pacific Regional Fisheries Management Organisation (SPRFMO)   | 22 to 27 January 2022          | St Petersburg, Russia      | Chile               |
| The United Nations Environment Programme (UNEP)   | 28 February to 2 March 2022    | Nairobi, Kenya             | Argentina           |
| The Commission for the Conservation and Management of the Highly Migratory Fish Stocks of the Western and Central Pacific Ocean (WCPFC) | 29 November to 7 December 2021 | Online                     | USA                 |

**PRELIMINARY**

**List of Documents**



## List of Documents

|                     |  |
|---------------------|--|
| CCAMLR-40/01 Rev. 1 | Activities of the General Capacity Building Fund (GCBF)<br>GCBF Panel  |
| CCAMLR-40/02        | General Science Capacity Fund – Terms of Reference<br>Secretariat  |
| CCAMLR-40/03 Rev. 1 | Examination of the audited financial statements for 2020<br>Executive Secretary  |
| CCAMLR-40/04 Rev. 1 | Review of the 2021 Budget, Draft 2022 Budget and Forecast<br>Budget for 2023<br>Executive Secretary  |
| CCAMLR-40/05        | Executive Secretary’s Report, 2021, including Third Year<br>Implementation Report for the Secretariat’s Strategic Plan<br>(2019–2022)<br>Executive Secretary |
| CCAMLR-40/06        | IUU fishing activity and trends in 2020/21 and IUU Vessel Lists<br>Secretariat   |
| CCAMLR-40/07 Rev. 1 | CCAMLR Compliance Evaluation Procedure (CCEP)<br>Summary Report and analysis<br>Secretariat  |
| CCAMLR-40/08        | Gender-inclusive language<br>Secretariat   |
| CCAMLR-40/09        | Options for publishing and printing meeting reports<br>Secretariat   |
| CCAMLR-40/10        | Current rules of access to CCAMLR meeting documents<br>Secretariat   |
| CCAMLR-40/11        | Enabling Observers to circulate correspondence<br>to the Commission and the Scientific Committee<br>Secretariat  |
| CCAMLR-40/12        | Arrangements for cooperation with other organisations<br>Secretariat   |
| CCAMLR-40/13        | Website update<br>Secretariat  |

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| CCAMLR-40/14        | CDS Fund expenditure proposal<br>Secretariat   |
| CCAMLR-40/15        | Compliance activity funding<br>Secretariat   |
| CCAMLR-40/16        | Transshipment implementation report<br>Secretariat   |
| CCAMLR-40/17        | Vessel monitoring system (VMS) implementation report<br>Secretariat  |
| CCAMLR-40/18 Rev. 1 | Proposal to establish an East Antarctic Marine Protected Area<br>Delegations of Australia, the European Union and its Member States, India, New Zealand, Norway, Republic of Korea, Ukraine, the United Kingdom, the USA and Uruguay                                 |
| CCAMLR-40/19 Rev. 1 | Designation of a newly exposed marine area adjacent to Pine Island Glacier (Subarea 88.3) as a Stage 2 Special Area for Scientific Study<br>Delegations of the United Kingdom and the European Union and its Member States   |
| CCAMLR-40/20 Rev. 1 | Draft Conservation Measure establishing a Marine Protected Area across the Weddell Sea region<br>Delegations of the European Union and its Member States, Norway, Uruguay, Australia, the United Kingdom, New Zealand, the USA, Republic of Korea, India and Ukraine |
| CCAMLR-40/21 Rev.1  | Amendments to CCAMLR Conservation Measure 26-01<br>Delegation of the European Union  |
| CCAMLR-40/22        | Amendments to CCAMLR Conservation Measures 21-01, 21-02 and 23-05<br>Delegation of the European Union  |
| CCAMLR-40/23 Rev. 2 | Climate change and management of Antarctic Marine Living Resources<br>Delegations of the European Union and its Member States, the United Kingdom, Australia, Chile, New Zealand and Norway  |
| CCAMLR-40/24        | Reinforcing the objective of the Convention<br>Delegation of Chile   |
| CCAMLR-40/25        | Implementation of Article II of the Convention on the Conservation of Antarctic Marine Living Resources: Continuity and Adaption<br>Delegation of the People's Republic of China   |

- CCAMLR-40/26 Revisiting the establishment of MPAs in the Southern Ocean  
Delegation of the People’s Republic of China
- CCAMLR-40/27 Proposal to establishing limits on use of continuous fishing system  
for the krill fishery in the Area 48  
Delegation of Ukraine
- CCAMLR-40/28 Comments on the status of toothfish fisheries under CCAMLR's  
regulatory framework  
Delegation of the Russian Federation
- CCAMLR-40/29 Comments on management procedures for toothfish fisheries in  
Statistical Subareas 88.1 and 88.2  
Delegation of the Russian Federation
- CCAMLR-40/30 Proposals by the Russian Federation on regulating a unified  
process for establishing MPAs in the Convention Area  
Delegation of the Russian Federation
- CCAMLR-40/31 Report of the Fortieth meeting of the Scientific Committee  
(Virtual meeting, 11 to 15 October 2021)
- CCAMLR-40/32 Report of the Standing Committee on Administration and Finance  
(SCAF)
- CCAMLR-40/33 Report of the Meeting of the Standing Committee  
on Implementation and Compliance (SCIC)
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- CCAMLR-40/BG/01 Improving fisheries management in CCAMLR  
Delegation of the European Union
- CCAMLR-40/BG/02 Report from the CCAMLR Observer (Argentina) to the Fifth  
Session of the United Nations Environment Assembly of the  
of the United Nations Environment Programme – virtual session,  
22 and 23 February 2021  
CCAMLR Observer (Argentina)
- CCAMLR-40/BG/03 Fishery notifications 2021/22  
Rev. 1 Secretariat
- CCAMLR-40/BG/04 Inspection implementation report  
Secretariat

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|---------------------------|---|
| CCAMLR-40/BG/05           | Report from the CCAMLR Observer (European Union) on the 8 <sup>th</sup> Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement (SIOFA)<br>Online, 5 to 9 July 2021<br>CCAMLR Observer (European Union) |
| CCAMLR-40/BG/06           | CDS implementation and data analysis<br>Secretariat   |
| CCAMLR-40/BG/07           | Support to CCAMLR to identify and deter illegal, unreported and unregulated (IUU) fishing activities that undermine the objective of the CAMLR Convention – Interim Report 2021<br>INTERPOL and CCAMLR Secretariat      |
| CCAMLR-40/BG/08<br>Rev. 1 | Calendar of meetings<br>Secretariat   |
| CCAMLR-40/BG/09           | Summary of activities of the Commission during the 2020/21 intersessional period – Report of the Chair<br>Chair of the Commission   |
| CCAMLR-40/BG/10           | Moving forward, not backward, with krill fishery management<br>Submitted by ASOC  |
| CCAMLR-40/BG/11           | Evaluating the economics of the Antarctic krill fishery<br>Submitted by ASOC  |
| CCAMLR-40/BG/12           | Summary Report<br>Forty-third Antarctic Treaty Consultative Meeting<br>(Paris, France, 15 to 24 June 2021)<br>Executive Secretary   |
| CCAMLR-40/BG/13           | ASOC Report to CCAMLR<br>Submitted by ASOC  |
| CCAMLR-40/BG/14           | Pesquería de investigación <i>D. eleginoides</i> en Ecuador<br>Presentado por la República de Ecuador   |
| CCAMLR-40/BG/15           | Report of the Depositary Government for the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) on the status of the Convention<br>Delegation of Australia                                     |
| CCAMLR-40/BG/16           | Report from the CCAMLR Observer (Australia) to the 24th and 25th Annual Meetings and the 4th Special Session of the Indian Ocean Tuna Commission (IOTC)   |

- CCAMLR-40/BG/17 Report to CCAMLR on possible illegal, unreported and unregulated fishing in the Convention Area  
Delegation of the United Kingdom
- CCAMLR-40/BG/18 Report from the CCAMLR Observer (USA) on the 2020 ICCAT Correspondence Decision-Making Process  
CCAMLR Observer (USA)
- CCAMLR-40/BG/19 Report from the CCAMLR Observer (USA) on the Outcomes from the Seventeenth Regular Session of the Western and Central Pacific Fisheries Commission (WCPFC)  
Virtual meeting, 8 to 15 December 2020  
CCAMLR Observer (USA)
- CCAMLR-40/BG/20 Update and ongoing activities regarding the D1MPA proposal since presentation at CCAMLR-39  
Delegations of Argentina and Chile
- CCAMLR-40/BG/21 Summary of information regarding the activities of the Russian-flagged fishing vessel *Palmer* in the Convention Area in January 2020 and November 2017  
Delegation of New Zealand
- CCAMLR-40/BG/22 Aerial surveillance patrols undertaken by New Zealand during the 2020/2021 Ross Sea CCAMLR season  
Delegation of New Zealand
- CCAMLR-40/BG/23 Report by CCAMLR Observer (Norway) on the 39th Annual Meeting of the North-East Atlantic Fisheries Commission (NEAFC)  
Virtual meeting, 10 to 13 November 2020  
CCAMLR Observer (Norway)
- CCAMLR-40/BG/24 Report from the CCAMLR Observer (European Union) on the 43rd Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO)  
Virtual meeting, 20 to 24 September 2021  
CCAMLR Observer (European Union)
- CCAMLR-40/BG/25 Chair's Guide to the schedule, annotated agenda and summary of papers  
Chair of the Commission
- CCAMLR-40/BG/26 Summary of preparatory SCIC electronic discussion groups  
Secretariat

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- SC-CAMLR-40/08 Integrating climate change research into the work of the Scientific Committee and its working groups: Terms of Reference for the e-Group ‘Climate change impacts & CCAMLR’  
Delegations of the United Kingdom, Argentina, Australia, Belgium, France, Norway, Sweden and USA
- SC-CAMLR-40/13 Invitation to a workshop to explore spatial planning solutions for the Weddell Sea Marine Protected Area (Phase 2)  
Delegation of Norway
- SC-CAMLR-40/15 Revision of the precautionary approach to ensuring the rational use of a living resource (*Dissostichus eleginoides*) in CCAMLR Subarea 48.3  
Delegation of the Russian Federation
- \*\*\*\*\*
- SC-CAMLR-40/BG/01 Catches of target species in the Convention Area Secretariat
- SC-CAMLR-40/BG/04 2021 Report to CCAMLR by Oceanites, Inc. – Antarctic Site Inventory / MAPPPD and Related Projects / State of Antarctic Penguins Report and Penguin Population Changes / Climate Change  
Submitted by Oceanites
- SC-CAMLR-40/BG/10 Climate change and the Southern Ocean: “Code Red” for CCAMLR  
Submitted by ASOC
- SC-CAMLR-40/BG/11 The Seas Must Live: Marine Protected Areas Now  
Submitted by ASOC
- SC-CAMLR-40/BG/12 Antarctic and Southern Ocean Climate Change in a Global Context  
Submitted by SCAR
- SC-CAMLR-40/BG/15 The Scientific Committee on Antarctic Research (SCAR) Annual Report 2020/21  
Submitted by SCAR
- SC-CAMLR-40/BG/16 2021 Report to SC-CAMLR-40 and CCAMLR-40 by the Association of Responsible Krill harvesting companies (ARK)  
Submitted by ARK

- SC-CAMLR-40/BG/18 Comments and proposals on the development of management strategy for krill fishery: Risk Assessment framework to allocate catch in Subarea 48.1  
Delegation of the Russian Federation
- SC-CAMLR-40/BG/22 The Ross Sea, Antarctica: A highly protected MPA in international waters  
Submitted by ASOC

PRELIMINARY



**Opening Address by the Governor of Tasmania, Her Excellency  
the Honourable Barbara Baker AC**

PRELIMINARY



**Opening Address by the Governor of Tasmania, Her Excellency  
the Honourable Barbara Baker AC**

‘Mr Chairman, Your Excellencies, Distinguished Delegates, Ladies and Gentlemen. Good morning and welcome to the 40th annual meeting of the Commission.

Dr Granit, I would like to extend a very warm welcome to you in what is the first year of your Chairmanship of the Commission.

I understand that under the continuing circumstances of the pandemic many of you have not been able to travel to Hobart for the meeting but are joining us online. I can assure you that the City of Hobart has missed you over the last two years just as much as you have missed coming to this wonderful island of Tasmania.

However, we are fortunate that CCAMLR is headquartered here in Hobart, and we have enjoyed visits from the Executive Secretary and Secretariat staff over these two years, helping to keep the relationship between Government House and CCAMLR strong.

This is a particularly special meeting in that it is the 40th meeting of the Commission. The first meeting of the Commission was held in May 1982 at Parliament House in Hobart, very soon after 7 April 1982 when the Convention came into force. Coincidentally both Parliament House and the current Headquarters building of the Commission on Macquarie Street are important historic Hobart buildings dating from the 1840s.

The 40th anniversary of any organisation is a significant milestone. CCAMLR can rightly look back with pride on 40 years of cooperation and successful delivery of the Conservation of Antarctic Marine Living Resources. CCAMLR has developed an enviable international reputation and is rightly looked on as a leader in the field of marine conservation and resource management for its very significant achievements over these years.

I know that you are all proud of this history but are also looking forward to continuing your work on the many pressing issues that are in front of us. Of course, in this year of the COP 26 UN Climate Change Conference the issue of climate change is uppermost in our minds, but I know that you will also tackle many other important and diverse issues in your meeting. The international community, and all of us who care deeply about the future of our oceans and of Antarctica, owe you a debt of gratitude for continuing to work hard to develop innovative and effective solutions to the problems that confront us.

Distinguished Delegates, Ladies and Gentlemen, I will bring my brief address to a close by wishing you well in your endeavours over the next two weeks. Tasmania, and Hobart, is immensely proud of the fact that this highly respected international organisation, with its 40 years of achievement, is headquartered in Hobart. So, without further ado I will hand you back to your Chairman to start your deliberations.

Thank you for your attention.’



**Agenda for the Fortieth Meeting of the Commission**

PRELIMINARY



**Agenda for the Fortieth Meeting  
of the Commission for the Conservation  
of Antarctic Marine Living Resources**

- 1 Opening of the meeting
- 2 Organisation of the meeting
  - 2.1 Consideration of the ad hoc guidelines
  - 2.2 Adoption of agenda
  - 2.3 Status of the Convention
- 3 Implementation of Convention objectives
  - 3.1 Objectives of the Convention
  - 3.2 Declaration of CCAMLR
- 4 Implementation and compliance
  - 4.1 Advice from SCIC
  - 4.2 CCAMLR Compliance Report
  - 4.3 IUU fishing in the Convention Area
- 5 Administration and Finance
  - 5.1 Advice from SCAF
  - 5.2 Review of the 2021 budget, 2022 budget and forecast budget for 2023
- 6 Management of marine resources
  - 6.1 Advice from the Scientific Committee
  - 6.2 Krill resources
  - 6.3 Fish resources
  - 6.4 Scientific research under Conservation Measure 24-01
  - 6.5 Non-target species
    - 6.5.1 Fish and invertebrates
    - 6.5.2 Seabirds and marine mammals
    - 6.5.3 Bottom fishing and vulnerable marine ecosystems
- 7 Spatial management
  - 7.1 General issues related to spatial management
  - 7.2 Review of existing marine protected areas (MPAs)
  - 7.3 Review of proposals for new MPAs

- 8 Impacts of climate change on the conservation of Antarctic marine living resources
- 9 Conservation measures
  - 9.1 Review of existing measures
  - 9.2 Consideration of new measures and other conservation requirements
- 10 Cooperation with the Antarctic Treaty System and international organisations
  - 10.1 Cooperation with the Antarctic Treaty System
  - 10.2 Cooperation with international organisations
    - 10.2.1 Reports of observers from international organisations
    - 10.2.2 Reports from CCAMLR representatives at meetings of international organisations in the previous intersessional period and nominations of representatives to forthcoming meetings of relevant international organisations
    - 10.2.3 Cooperation with regional fisheries management organisations (RFMOs)
- 11 Other business
- 12 Administrative matters
  - 12.1 Election of officers
  - 12.2 Invitation of observers
  - 12.3 Next meeting
- 13 Report of the 40th Meeting of the Commission
- 14 Close of the meeting.

**Ad hoc guidelines for the annual meetings,  
being conducted virtually,  
of CCAMLR-40**

PRELIMINARY



## **Ad hoc guidelines for the annual meetings, being conducted virtually, of CCAMLR-40<sup>1</sup>**

### **Acronyms**

ROPs Commission Rules of Procedure  
HOD Head of Delegation  
AR Alternate Representative

### **Context**

1. These ad-hoc guidelines shall apply only for the Annual meeting of CCAMLR-40 (2021).
2. Annual meetings of CCAMLR-40 shall take place following the Commission's ROPs and the ad-hoc guidelines. The guidelines are complementary to the ROPs and do not replace or have precedence over the ROPs.
3. If unforeseen circumstances arise during the course of the Annual meeting, in which the ROPs cannot be applied directly and for which none of the following guidelines apply, the Commission shall decide how to apply the ROPs in the circumstances on the request of the Chair or one of the Members.

### **Engagement**

4. Only registered delegates shall be admitted to meetings. Separate registration for SCIC, SCAF, Scientific Committee and Commission will be requested for secure meeting management.
5. Delegates shall provide alternative electronic contact information on registration, including telephone numbers which may be used by the Secretariat to contact Delegates in case of connectivity difficulties. The Secretariat will advise delegates of emergency contact information, including telephone, to allow them to contact relevant Secretariat staff in case of losing connectivity or interpretation.
6. For each meeting for which a Member has registered, the HOD shall identify one or more AR and authorise them to make relevant decisions should the HOD lose connectivity or interpretation services.
7. All delegates should join the meeting at least 10 minutes before the start. The meeting will be open for access 30 minutes before the start.

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<sup>1</sup> As circulated in COMM CIRC 21/58 and modified to reflect an annual meeting and that the schedule is posted on the CCAMLR website.

8. Annual meetings of the Commission and its subsidiary Committees will have closed captions and interpretation into the 4 official languages of the Commission for the duration of the meeting.
9. The Chair shall conduct a roll call at the start of each session of the meeting to establish that the HOD or AR of each delegation is connected and receiving interpretation. If a HOD is absent, the Chair shall confirm, via alternative communication channels, whether they wish to be present at the session. Unless he/she expresses unwillingness to attend the meeting, the Chair shall suspend the meeting until he/she connects<sup>2</sup>.
10. The Chair will periodically check with HODs that they can all still engage with proceedings.
11. Should a HOD or AR lose connectivity or interpretation, it is the responsibility of the delegation to notify the Secretariat or the Chair. The delegation may request the Chair to suspend the meeting until connectivity/interpretation to the HOD/AR is restored. This request may be made by alternative communication methods.
12. Should the HOD and all ARs from a delegation lose connectivity or interpretation, the Chair shall suspend the meeting until they reconnect or interpretation is resumed, unless otherwise advised by that delegation.
13. If members of the delegation that are not a HOD/AR lose connectivity, it is the responsibility of the delegation to contact the Secretariat and restore connectivity. The meeting will not be suspended in the case of loss of connectivity/interpretation of a delegate who is not a HOD/AR.
14. In a Annual meeting all interventions should be brief and to the point. Noting Rule 25 of the ROP, the Chair may limit the time available for discussion of a particular agenda item.

### **Decision-making**

15. When decisions are made in plenary, the Chair will confirm with all HODs that they understand and approve the decision.
16. At the end of each plenary session, the Chair will report the decisions that in his record have been made by the Commission and note the issues that have been discussed but where no decision and/or agreement was reached.
17. All decisions will be confirmed at report adoption.

### **Reporting**

18. The report of the session will be placed on the meeting server within 12 hours of the close of the session and be available for comment from that time as “draft report”. As is

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<sup>2</sup> If the HOD does not respond to attempts to contact them by all available means, the meeting will proceed.

CCAMLR's normal practice, 24 hours after the close of the session the Secretariat will review all comments on the draft report and the Chair will propose a version as "ready for adoption" which will remain on the Meeting server available for review and further comment prior to adoption. The entire draft meeting report will be available prior to consideration and amendments under the agenda "Adoption of the Report" before final adoption. The consideration and amendments shall be conducted in a way that each proposed amendment to report text can be seen on the screen by all delegations. The report shall be adopted at the end of the meeting in accordance with Rule 38 of the ROPs. Amendments on technical and/or factual corrections could be accepted 24 hours after the close of the Commission.

19. To facilitate adoption, rapporteurs will focus the report on decisions with a brief contextual explanation of those decisions. Other discussions will be reported only briefly. Delegations wishing to submit statements are welcome to do so and all statements will be appended to the report of the meeting.

20. Where a range of views have been expressed in the meeting, these views should be reflected in the report as per the rules of procedure.

PRELIMINARY



**Summary of activities of the Commission during the  
2020/21 intersessional period – Report of the Chair**

PRELIMINARY



## Summary of activities of the Commission during the 2020/21 intersessional period

### Report of the Chair

#### Intersessional meetings

1. The following intersessional meetings of the Scientific Committee were held as virtual meetings in 2021 due to travel restrictions arising from the COVID-19 pandemic:
  - Working Group on Acoustic Survey and Analysis Methods (WG-ASAM), 31 May to 04 June 2021
  - Working Group on Statistics, Assessments and Modelling (WG-SAM), 28 June to 02 July 2021
  - Working Group on Ecosystem Monitoring and Management (WG-EMM), 05 to 09 Jul 2021
  - Working Group on Fish Stock Assessment (WG-FSA), 13 to 20 September 2021.
2. The work of the Commission and Scientific Committee was supported by a number of e-groups which were active during the year.
3. On behalf of CCAMLR, I would like to express my gratitude to the conveners of these meetings.

#### CCAMLR-regulated fisheries

4. In the 2020/21 season to 1 August, 13 CCAMLR Members participated in fisheries and research targeting icefish, toothfish and krill (see SC-CAMLR-40/BG/01). Members reported a total catch of 320 014 tonnes of krill, 9 265 tonnes of toothfish and 360 tonnes of icefish from the Convention Area.
5. The Secretariat monitored CCAMLR fisheries using catch and effort reports and notifications of vessel movements. Where necessary, Members and vessels were advised of the closure of areas and fisheries.
6. During 2020/21, 45 deployed scientific observers were appointed in accordance with the Scheme of International Scientific Observation: 31 on longline vessels, three on multipurpose vessels fishing for icefish and toothfish and 11 on vessels fishing for krill.

#### CCAMLR's fishery monitoring and compliance

7. For the 2020 calendar year, 595 *Dissostichus* catch documents, 2 824 export documents and 711 re-export documents have been issued by 17 Contracting Parties and non-Contracting Parties (NCPs) cooperating with the Catch Documentation Scheme for *Dissostichus* spp.

(CDS). The countries with the largest imports of toothfish, as tracked through the CDS, are the USA, the People's Republic of China, the Republic of Korea and Singapore.

8. No vessels included on the NCP-IUU (illegal, unreported and unregulated) Vessel List were reported as sighted by Members inside the Convention Area in 2020/21. The Secretariat has continued to cooperate with INTERPOL during 2021.

## **Science**

9. 337 participants from 24 Members attended the mid-year scientific meetings of WG-ASAM, WG-SAM, WG-EMM and WG-FSA, contributing 143 scientific papers. The General Science Capacity Fund supported two new scholarship recipients.

## **Commission representation at meetings of other organisations**

10. The Commission was represented at meetings of 14 international organisations and programs in 2020/21 and maintained relationships with six organisations it has formal Agreements with.

11. Fifty-two non-Member Contracting Parties, NCPs, intergovernmental organisations and non-governmental organisations were invited to attend CCAMLR-40 as Observers.

## **Secretariat**

12. The Secretariat continued to provide fishery monitoring and compliance services to support the work of the Standing Committee on Implementation and Compliance (SCIC), science and data management services to support the work of the Scientific Committee, technical and logistic support to intersessional meetings of the Scientific Committee's working groups, and support for CCAMLR communications, the website and e-groups.

13. The Secretariat continued to provide quarterly financial and investment reports to Members through the year.

14. The Executive Secretary's Report to CCAMLR-40 includes a report on the third year of implementation for the 2019–2022 Strategic Plan.

**Declaration on the Occasion of the Fortieth Meeting of the  
Commission for the Conservation of Antarctic Marine Living Resources**

PRELIMINARY



**Declaration on the Occasion of the Fortieth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources**

The Members of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), meeting virtually in October 2021, on the occasion of the fortieth Meeting of the Commission;

Recalling that the Convention on the Conservation of Antarctic Marine Living Resources (CAMLR Convention) entered into force on 7 April 1982;

Further recalling that the first Meeting of CCAMLR was held in Hobart, Australia, from 25 May to 11 June 1982;

Conscious that the objective of the CAMLR Convention is the conservation of Antarctic marine living resources;

Aware that for the purposes of the Convention, the term conservation includes rational use;

Further aware that any harvesting and associated activities in the Convention Area shall be conducted in accordance with the provisions of the Convention and with the conservation principles set out in Article II.3;

Mindful that the CAMLR Convention is an integral part of the Antarctic Treaty System;

Also mindful that Contracting Parties to the CAMLR Convention which are not party to the Antarctic Treaty acknowledge the special obligations and responsibilities of the Antarctic Treaty Consultative Parties for the protection and preservation of the environment of the Antarctic Treaty area, including seas surrounding Antarctica;

Welcoming the Paris Declaration on the occasion of the Sixtieth anniversary of the entry into force of the Antarctic Treaty and on the Thirtieth anniversary of the signing of the 1991 Madrid Protocol on Environmental Protection to the Antarctic Treaty, adopted on 23 June 2021;

Reaffirming the importance of safeguarding the environment and protecting the integrity of the ecosystem of the seas surrounding Antarctica;

Noting the concentration of marine living resources found in Antarctic waters and the ongoing interest in the possibilities offered by the utilisation of these resources as a source of protein;

Acknowledging that illegal, unreported and unregulated (IUU) fishing in the Convention Area continues to be a threat to the conservation of Antarctic marine living resources while recognising CCAMLR's efforts and achievements in effectively combatting IUU fishing;

Recognising the success of the Commission in drastically reducing seabird mortality in the Convention Area;

Acknowledging the importance of an effective Scheme of International Scientific Observation to support the monitoring of operations of fishing activities on board vessels engaging in harvesting of Antarctic marine living resources and related scientific research activities;

Recognising the importance of the implementation of the CCAMLR System of Inspection as an essential tool to verify compliance with conservation measures;

Recalling that the conservation of Antarctic marine living resources calls for international cooperation with due regard for the provisions of the Antarctic Treaty and with the active involvement of all States engaged in scientific research and/or harvesting activities in the seas surrounding Antarctica;

Reaffirming the belief that it is in the interest of all humanity to preserve and conserve the seas surrounding Antarctica for peaceful purposes only and to prevent their becoming the scene or object of international discord;

Reaffirming that the function of the Commission is to give effect to the objective and principles set out in Article II of the Convention;

Noting with concern the effects of global environmental change, including climate change and ocean acidification, for the Antarctic marine living resources, their environment, and dependent and associated marine ecosystems and biodiversity;

Recalling that international cooperation in Antarctica and its surrounding seas is essential to effectively study the effects and impacts of global climate changes and that CCAMLR provides a framework to facilitate this cooperation;

Recalling that CAMLR Convention Article IX sets out the function of the Commission;

Acknowledging that the Scientific Committee provides a forum for consultation and cooperation concerning the collection, study and exchange of scientific information with respect to marine living resources, and has a crucial role in submitting scientific recommendations to the Commission regarding measures and research to achieve the objective of the Convention;

Reaffirming the Commission's commitment to developing an effective system of instruments, including a representative system of marine protected areas (MPAs), with the aim of conserving marine biodiversity within the Convention Area in accordance with the Convention;

Determined to further address the effects and impacts of climate change on Antarctic marine living resources, taking into account international research and reports, including the 2018 Food and Agriculture Organization State of World Fisheries and Aquaculture (SOFIA) report, the IPCC Special Report on the Oceans and Cryosphere in a Changing Climate, the Global Assessment Report on Biodiversity and Ecosystem Services of the Intergovernmental Science–Policy Platform on Biodiversity and Ecosystem Services;

Noting the necessity of adequately managing and protecting vulnerable marine ecosystems (VMEs), including seamounts, hydrothermal vents, cold-water corals and sponge fields;

Highlighting CCAMLR's achievements in protecting VMEs from adverse impacts and threats from bottom fishing through specific measures that have been introduced to protect benthic communities;

Recognising the importance of the CCAMLR Ecosystem Monitoring Program (CEMP) that seeks to serve as a basis for the conservation of Antarctic marine living resources; and distinguish between changes due to harvesting of commercial species and changes due to environmental variability, both physical and biological;

Acknowledging the value of performance reviews as well as dialogues such as the Valdivia and Santiago symposiums, held in 2005 and 2015 respectively, in evaluating the effectiveness of the Commission in achieving the Convention's objective and in supporting continuous improvement in that regard, including through the incorporation of best practices into the work of the Commission and in achieving the objective and implementing the conservation principles of the Convention;

Acknowledging the essential role of the CCAMLR Secretariat in supporting the functions of the Commission, the Scientific Committee and their subsidiary bodies;

Hereby:

1. Reaffirm their strong and unwavering cooperation and commitment to the objective of the CAMLR Convention;
2. Decide to further strengthen their efforts to ensure the conservation of marine living resources in the Convention Area while ensuring that harvesting and associated activities do not irreversibly impact the Antarctic marine ecosystem;
3. Also commit to ensure that the harvesting of marine living resources and associated activities in the Convention Area are managed in accordance with the objective of the Convention and conservation principles;
4. Confirm that the Antarctic Treaty and its Protocol on Environmental Protection ensure the effective and enduring international governance of Antarctica, providing for Antarctica's use only for peaceful purposes, free from measures of a military nature, guaranteeing freedom of scientific investigation and cooperation to that end, and designating Antarctica as a natural reserve devoted to peace and science;
5. Commit to ensure that CCAMLR remains at the forefront of efforts to develop an ecosystem-based management regime as a key component of the Antarctic Treaty system and continues to make decisions based on the precautionary approach;
6. Reaffirm their commitment to the conservation of Antarctic marine living resources, where conservation includes rational use, based on the best scientific evidence available in accordance with the Convention;
7. Reaffirm their commitment to protect VMEs, including seamounts, hydrothermal vents, cold-water corals and sponge fields, including from bottom fishing activities that can have significant adverse impacts on such ecosystems;

8. Also commit to ensure that challenges and impacts on Antarctic marine living resources arising from global environmental change, including climate change, are duly considered and addressed in Commission decisions;
9. Reaffirm their determination to establish a representative system of MPAs within the Convention Area, and to continue making best efforts to scientifically design, designate, implement, monitor and review effectiveness of MPAs in accordance with the Convention;
10. Commit to developing and integrating science-based dynamic management measures, in which information from ongoing ecosystem monitoring is used for updating management provisions at regular intervals, to improve the Commission's ability to achieve the objective and conservation principles of the Convention, in the context of a changing marine environment;
11. Reaffirm their strong commitment to monitoring and controlling Contracting Party compliance with the Convention and conservation measures in force, and eliminating IUU fishing from the Convention Area;
12. Commit to continuing engagement with relevant non-Contracting Parties to ensure they cooperate fully with CCAMLR and the effectiveness of CCAMLR conservation measures is not undermined;
13. Reaffirm their commitment to prevent market access to products of IUU fishing taken from the Convention Area;
14. Also reaffirm their continued commitment to ensure compliance with conservation measures and deter the involvement of their nationals in IUU fishing activities and where they do, take effective action;
15. Reiterate their will to enhance and reinforce the CCAMLR System of Inspection and the Scheme of International Scientific Observation, for respectively ensuring compliance with CCAMLR conservation measures and supporting scientific research activities through responsible and sustainable harvesting, that lead to improved conservation and better management;
16. Commit to ensure CCAMLR maintains a close collaboration with the Antarctic Treaty Consultative Meeting (ATCM) and other relevant bodies of the Antarctic Treaty System on matters falling within their competence, bearing in mind its particular importance in accordance with the CAMLR Convention, as well as other relevant bodies of the Antarctic Treaty System, including the Committee on Environmental Protection (CEP), as well as the Scientific Committee on Antarctic Research (SCAR) and others;
17. Further reaffirm their commitment to continue to collaborate, as appropriate, with the United Nations Food and Agriculture Organization, relevant regional fisheries management organisations and arrangements, particularly those that manage areas adjacent to the Convention Area, as well as appropriate intergovernmental and non-governmental organisations which can contribute to the work of the Commission;
18. Reaffirm their commitment to provide the Secretariat with the necessary means and support to carry out the work entrusted to it by the Commission;

19. Reaffirm the important role of the Scientific Committee including the collection, study and exchange of information with respect to the marine living resources and in formulating its scientific advice to the Commission in accordance with Article XV of the Convention;
20. Further reaffirm their determination to take decisions based on the best scientific evidence available;
21. Reaffirm their determination to work collectively and constructively in the spirit of the Antarctic Treaty System to continue to enhance the functioning of the Commission with a view to achieving the objective of the Convention;
22. Reaffirm their determination to ensure the ongoing conservation of Antarctic marine living resources which form part of the Antarctic marine ecosystem, including in response to the effects and impacts of global climate change.

Adopted on 29 October 2021

PRELIMINARY



**Cooperation with international organisations –  
Statements by Observers**

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## **Cooperation with international organisations – Statements by Observers**

1. The Antarctic and Southern Ocean Coalition (ASOC) made the following statement:

‘ASOC submitted four background papers to CCAMLR-40, highlighting ongoing challenges to krill fishery management, marine protected areas and climate change.

Throughout the intersessional period, ASOC and its member groups conducted a variety of activities supporting Antarctic conservation, including participation in the Antarctic Treaty Consultative Meeting, online conferences, workshops, symposia and webinars. These included sponsoring a number of online events, including a seminar with the Greens/EFA party in the European Parliament and Renew Europe, a regional youth symposium for Korea, China and Japan, a virtual workshop with the SCAR Krill Action Group, and a workshop on Antarctic climate change for scientific experts in conjunction with the Woodrow Wilson Center. ASOC and its member organisations also supported a number of scientific research projects on krill biology, Antarctic species and marine protected areas. ASOC is also a part of the Antarctic Wildlife Research Fund, which supports research that is a priority for CCAMLR. ASOC values the ability to participate actively in CCAMLR, including the opportunity to work constructively with CCAMLR Members and stakeholders such as the Association of Responsible Krill harvesting companies (ARK), the Coalition of Legal Toothfish Operators (COLTO), the International Association of Antarctica Tour Operators (IAATO) and the Scientific Committee on Antarctic Research (SCAR) to advance the objectives of the Convention.’

2. Oceanities made the following statement:

‘All of us understand that the precautionary principle embodied in the CAMLR Convention requires that conservation measures need to be based on the best available scientific data and information, whether dealing with impacts caused by climate change, human activities, or still unknown synergies.

To this critical end, Oceanites reports that the Antarctic Site Inventory collected new data for a 27th consecutive field season, over which time frame the project has amassed more than 2 100 census visits at more than 258 sites.

Antarctic Site Inventory data plus data from other sources then flow into the Antarctic continent-wide MAPPPD database that Oceanites maintains, which now contains 4 510 records from 748 sites, and 121 data sources of on-the-ground colony counts and satellite photo analyses. In the past year, the number of records in MAPPPD has increased by 20% and the number of data sources by 2%. Oceanites greatly appreciates the growing use of our open-sourced, publicly available data repository by the entire Antarctic community and again, we encourage those who have not yet contributed to, or utilised MAPPPD, to do so.

Importantly, Oceanites is completing a full-scale revision and update to MAPPPD that will enable much more extensive and expeditious searching of the MAPPPD database; in particular, this involves the creation of a package that can be accessed in the R programming language that will allow users access to the latest version of the

MAPPPD database, with some straightforward tools allowing the filtering and exploring of data in an interactive map, or with some standard functions.

MAPPPD's goals are to: assist and ensure that conservation management decisions in CCAMLR and the Antarctic Treaty System and provide a database that is easy to access and use, and freely open to scientists, governments, managers, Antarctic stakeholders (fishing, tourism, environmental) and the general public.

Oceanites extends sincere thanks to everyone in the CCAMLR system for their ongoing support, cooperation, and assistance, all of which helps to keep Oceanites' work going.'

3. The Association of Responsible Krill harvesting companies (ARK) made the following statement:

'ARK members thank the Commission of CAMLR for the opportunity to attend this annual meeting.

We have seen the important progress made by the different working groups in developing the new management strategy for the krill fishery, and we want to reiterate ARK's support for this process. We strongly believe that CCAMLR must prioritise the development of an operative management regime that can ensure the continuation of a sustainable krill fishery. We acknowledge that CCAMLR needs more time on the new management strategy and we are pleased to note the support that the Commission has given to the Scientific Committee's advice to roll over CM 51-07 for one year.

This season was complicated by the global pandemic, resulting in delays in the arrival into fishing areas by part of the fleet. We hope conditions improve next season, so fishing and CCAMLR meetings can return to the "new normal."

Despite these challenges, ARK has conducted several data collection activities in Subareas 48.1, 48.2 and 48.3 this season. In addition to this continuing effort, we will resume and strengthen the Science–Industry Forum, to foster an open and friendly environment for dialogue and collaboration between scientists and fishery operators. We hope through this initiative to capitalise on many of the recommendations revolving around the new krill management strategy.

Likewise, we will work with the Secretariat and interested delegations to improve the reporting from our affiliated vessels, and focus on enhancing the implementation of mitigation measures to minimise seabird and marine mammal interactions in line with CCAMLR recommendations.'

4. The Scientific Committee on Antarctic Research (SCAR) made the following statement:

'SCAR highlighted recent initiatives and research outputs of relevance to CCAMLR summarised in SC-CAMLR-40/BG/12, BG/13, BG/14 and BG/15. This includes SCAR's new suite of scientific research programs launched in 2020 which aim further to mobilise the international science community to address the impact of climate change on Antarctic, Southern Ocean and global biodiversity. Through these groups, and our large network of polar scientists and experts, SCAR stands ready to assist CCAMLR.

SCAR drew Members' attention to critical findings from the recent Intergovernmental Panel on Climate Change (IPCC) Reports which have direct relevance to the Southern Ocean. SCAR will next year provide a comprehensive update to its Antarctic Climate Change and the Environment Report, to the Antarctic Treaty Parties and subsequently to CCAMLR. And following the invitations from Members, SCAR is very pleased to provide a SCAR lecture on this topic next year.

SCAR encourages Members to consider the scientific research outcomes provided by SCAR and by the IPCC, and specifically recommends that Members: (i) further consider the scientific research outcomes provided by SCAR which can inform policy responses and actions; (ii) prioritise scientific investigations of climate change and responses to it in the region; (iii) emphasise to their nations the significance of the Southern Ocean and Antarctica with respect to global climate regulation, and the need for continued protection of the Southern Ocean environment, to ensure a sustainable future for humanity and for the biodiversity on which we depend; (iv) convey to their nations the importance of the Paris Climate Agreement, and expected strengthening of greenhouse gas emissions reductions targets, for maintaining Southern Ocean and Antarctic environments and their biodiversity, and for mitigating the impacts and risks of climate change; and (v) consider the Reports of the IPCC, especially the Summary for Policymakers of each report.'

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