



**PATAGONIAN TOOTHFISH
THE STORM GATHERS**

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The background image shows the deck of a fishing vessel. On the left, a worker in a white hard hat and dark jacket stands near a large, tangled fishing net. In the center, another worker is visible, and a large, reddish-brown pile of fish, likely salmon, is in the foreground. The scene is brightly lit, suggesting an outdoor setting.

SCOPE OF PRESENTATION

Historical Background

Southern Ocean Fisheries Agreements

CCAMLR Provisions

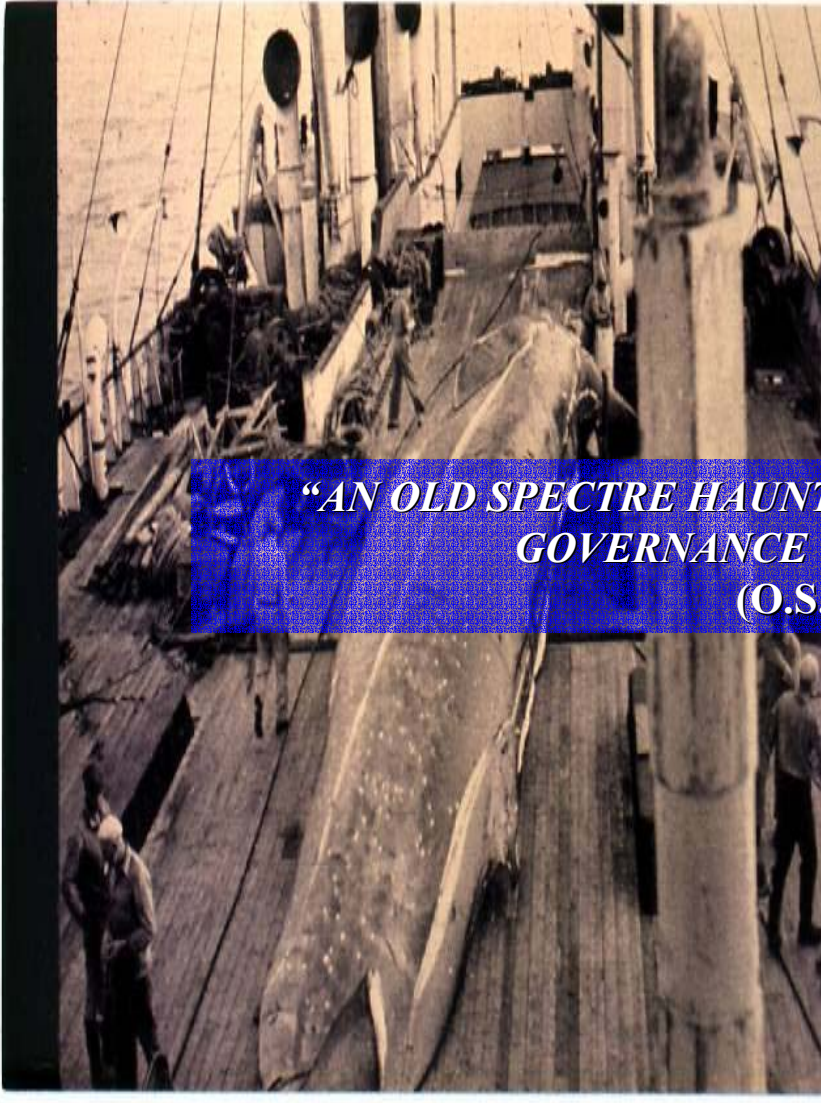
The Toothfish Problem

Some CCAMLR Solutions

Coastal State Success

Future National/International Strategies – Co-Operation

TRAGEDY OF THE COMMONS



*“AN OLD SPECTRE HAUNTS FISHERIES MANAGEMENT TODAY
GOVERNANCE WITHOUT GOVERNMENT”
(O.S. STOKKE 1999)*

APPLICABLE “FISHERIES” AGREEMENTS

**ICRW (1946)*

**CCAS (1972)*

**CCAMLR (1980)*

**LOSC (1982)(Articles 55-57, 61-63, 116-119)*

**FAO Compliance Agreement (1993)*

**UNFSA (1995)(Articles 8, 17, 18-23)*

FAO Code of Conduct (1995)

** Agreement on the Conservation of Albatrosses & Petrels
(2001)*

**Hard Law - National Legislation*



CCAMLR ARTICLE II

Balance Conservation & Rational (Sustainable) Use

Address Direct/Indirect Harvesting Effects

Maintain Ecological Relationships – Target/Dependent/Related Species

Restore Depleted Populations

Minimize Risks of Change Not Reversible in 20-30 yrs

Account for Anthropogenic & Environmental Effects

EFFECTS OF UNREGULATED HARVESTING



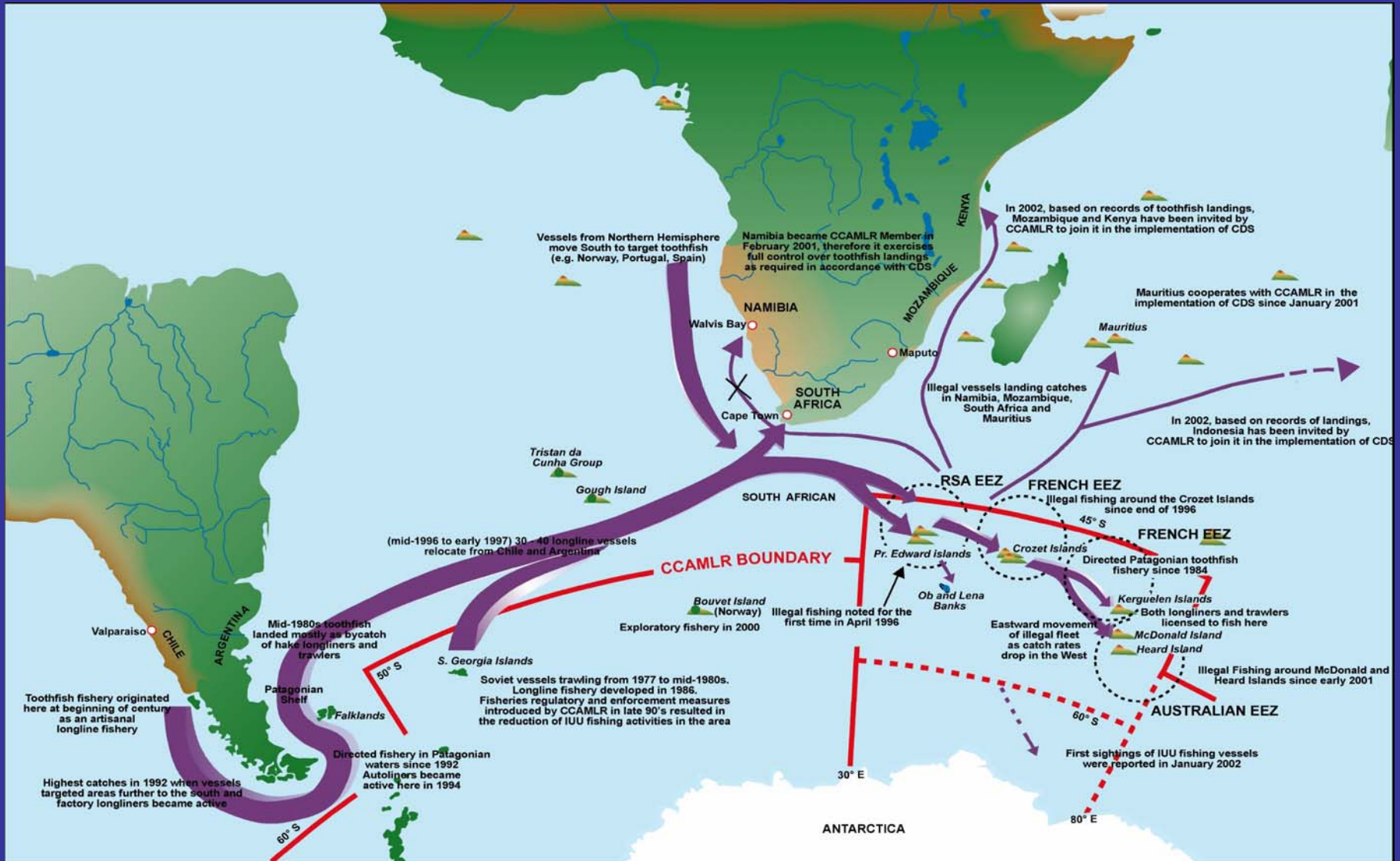
**OVER FISHING
(COMPROMISES SUSTAINABILITY)**

**UNFAIR & OFTEN ILLEGAL
(ECONOMIC GREED)**

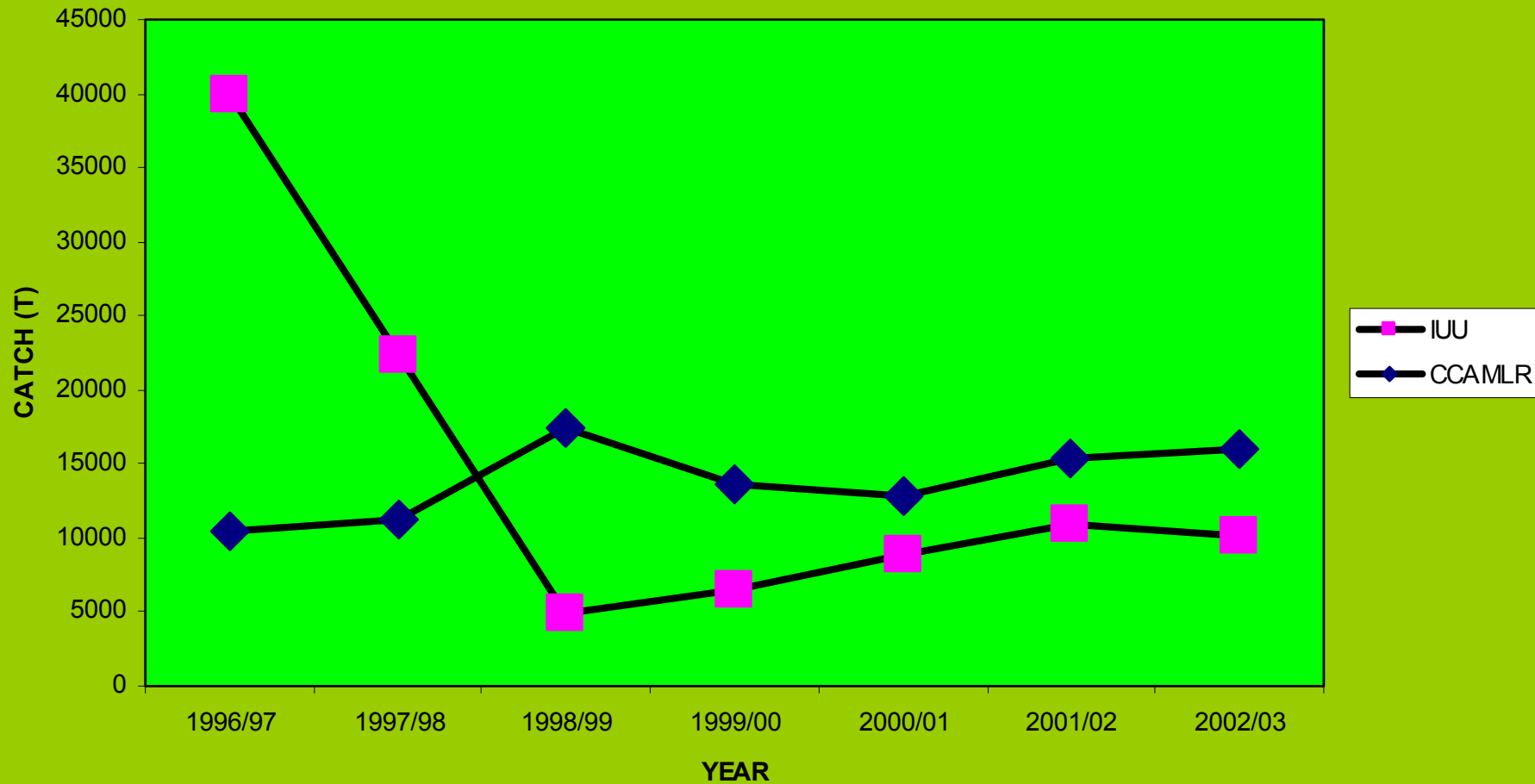
**BY-CATCH
(INCIDENTAL MORTALITY)**

**LACK OF INFORMATION
(UNCERTAINTY)**

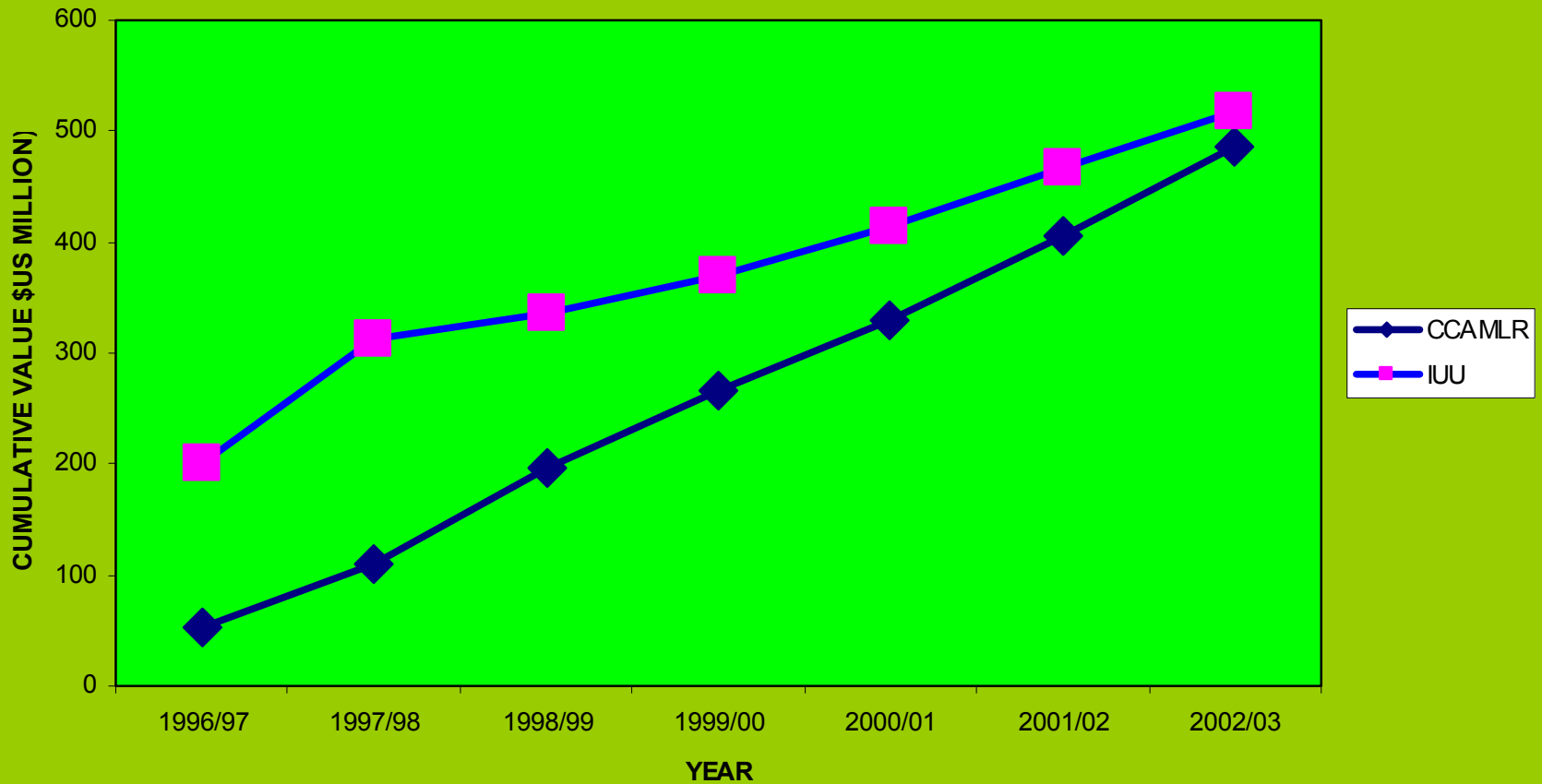
TOOTHFISH IUU FISHERY DEVELOPMENT



REPORTED TOOTHFISH CATCHES (TONNES) IN CCAMLR AREA V'S IUU CATCHES



TOOTHFISH FISHERY CUMULATIVE VALUE COMPARISON



SEABIRD BY-CATCH ISSUE

Take Longline Bait

IUU Impact ?

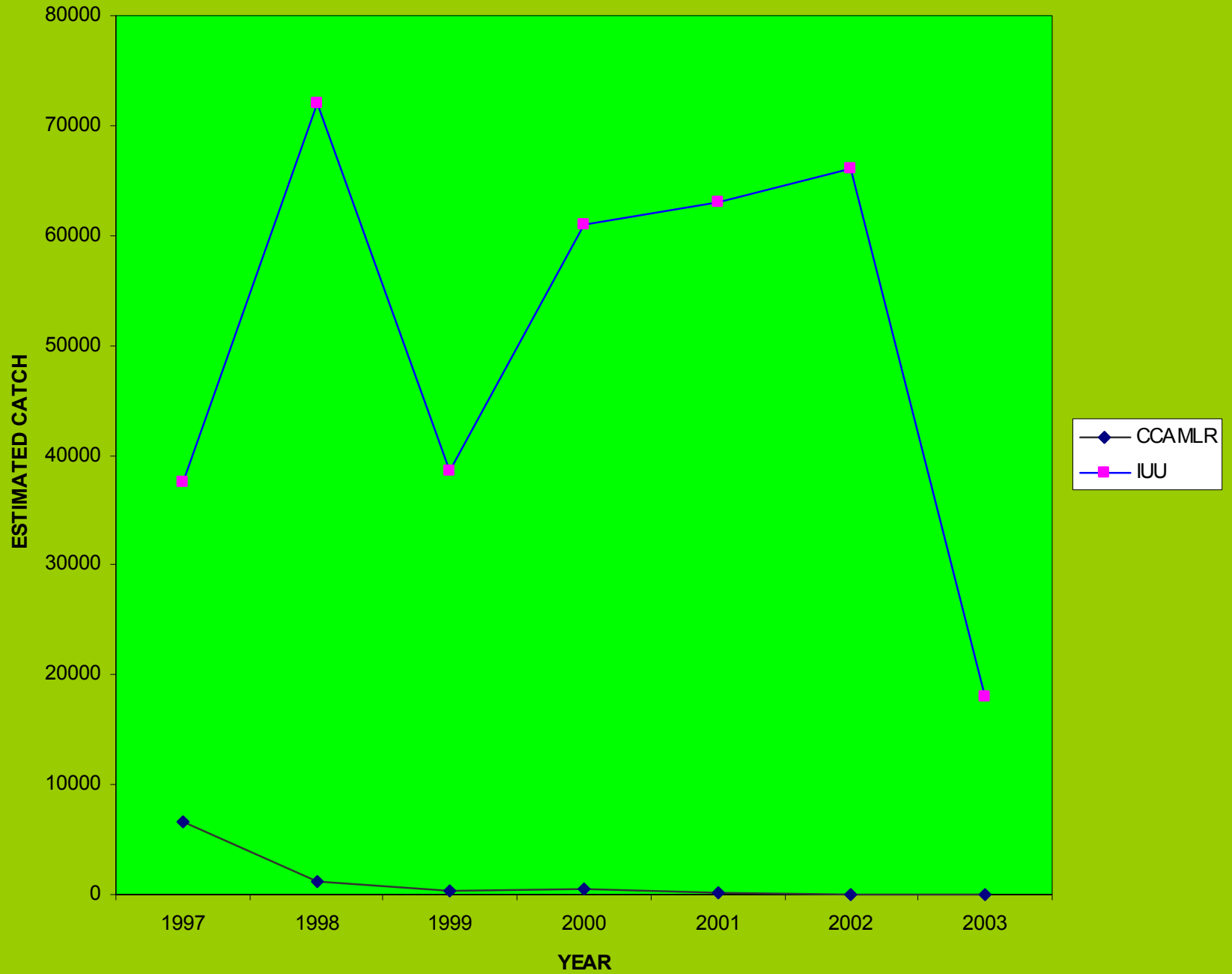
Substantial

**Key (CCAMLR) Species Affected
(Indian Ocean)**

Global Issue



ESTIMATED BIRD CATCH LEVELS



TOOTHFISH REGULATORY MEASURES

Fishery Notification
COMMISSION FOR THE CONSERVATION
OF ANTARCTIC MARINE LIVING RESOURCES

Licensing Vessels – Flag States

Inspection Obligations – Flag States

Vessel Monitoring Systems (VMS) – Flag States

Data Reporting

General Requirements – Research/Data

Collection/Reporting
SCHEDULE OF
CONSERVATION MEASURES
IN FORCE

**Promote Compliance/Member Co-Operation –
Port State**

Promote NCP Compliance

Catch Documentation Scheme – “Trade”

CCAMLR
PO Box 213
North Hobart
TASMANIA 7002
AUSTRALIA

- COMMISSION FOR THE CONSERVATION OF ANTARCTIC MARINE LIVING RESOURCES
- COMMISSION POUR LA CONSERVATION DE LA FAUNE ET LA FLORE MARINES DE L'ANTARCTIQUE
- КОМИССИЯ ПО СОХРАНЕНИЮ МОРСКИХ ЖИВЫХ РЕСУРСОВ АНТАРКТИКИ
- COMISIÓN PARA LA CONSERVACIÓN DE LOS RECURSOS VIVOS MARINOS ANTÁRTICOS

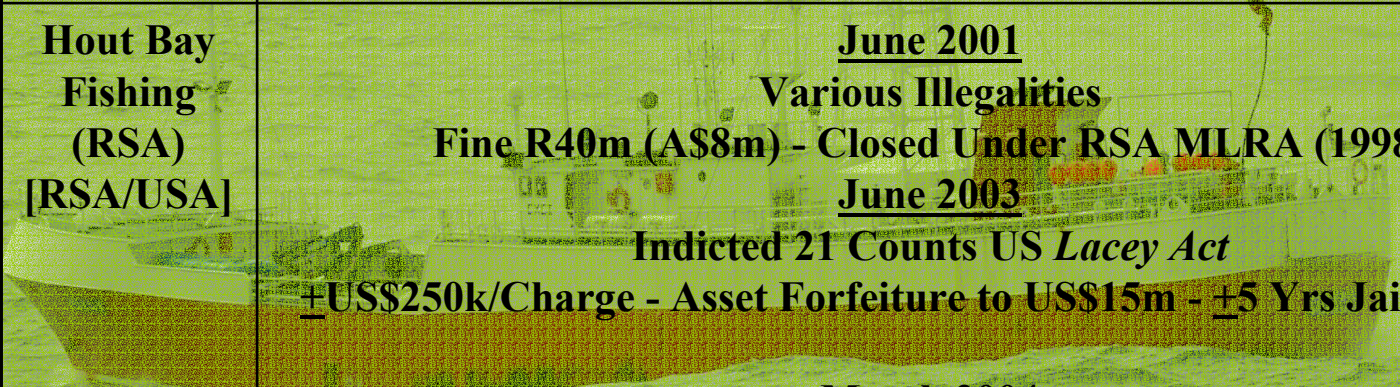
CDS

[Blue – CCAMLR Parties, Green – CDS users, Red – Exporters outside CDS]

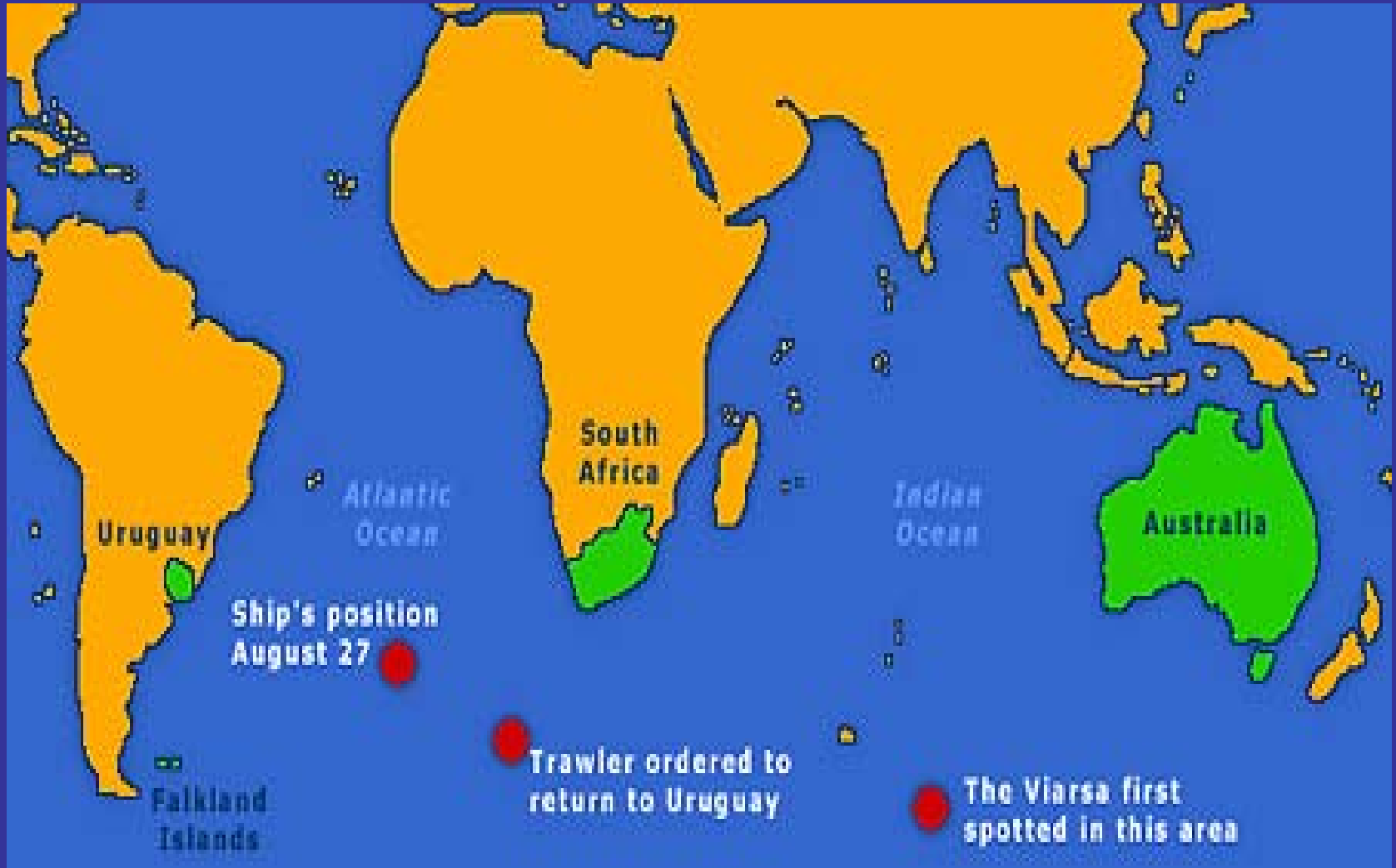


COASTAL STATE ACTION I

<p><i>South Tomi</i> (Togo) [Australia]</p>	<p><u>March 2001</u> Illegal Fishing HIMI >100t Fish Off RSA Coast/RSA Help A\$136k Fine (AFMA 1991)- Largest Fine to Date Catch/Vessel Confiscated - To be Sunk</p>
<p><i>Viarsa</i> (Uruguay) [Australia]</p>	<p><u>August 2003</u> Illegal Fishing HIMI EEZ - 85t Fish – AFMA Charge Pursuit 21d, 3900 n.ml. - Arrested West Atlantic RSA/UK Vessel/Catch Confiscated All Crew Charged Bond A\$5 m Legal Process On-Going</p>
<p>Hout Bay Fishing (RSA) [RSA/USA]</p>	<p><u>June 2001</u> Various Illegalities Fine R40m (A\$8m) - Closed Under RSA MLRA (1998) <u>June 2003</u> Indicted 21 Counts US <i>Lacey Act</i> ±US\$250k/Charge - Asset Forfeiture to US\$15m - ±5 Yrs Jail/Charge <u>March 2004</u> Guilty Plea by Two Charged on Conspiracy Count Up to US\$5 m in Asset Forfeiture</p>



THE VIARSA PURSUIT



COASTAL STATE ACTION II

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IS IT WORTH IT ?



With Thanks to Hilary & Price

CCAMLR REGULATION & FISHERY MONITORING

Wider Conservation Measures (CPOA-IUU)

Improve Fishery Data (Including VMS & “Trade Measures”)

Deploy Scientific Observers

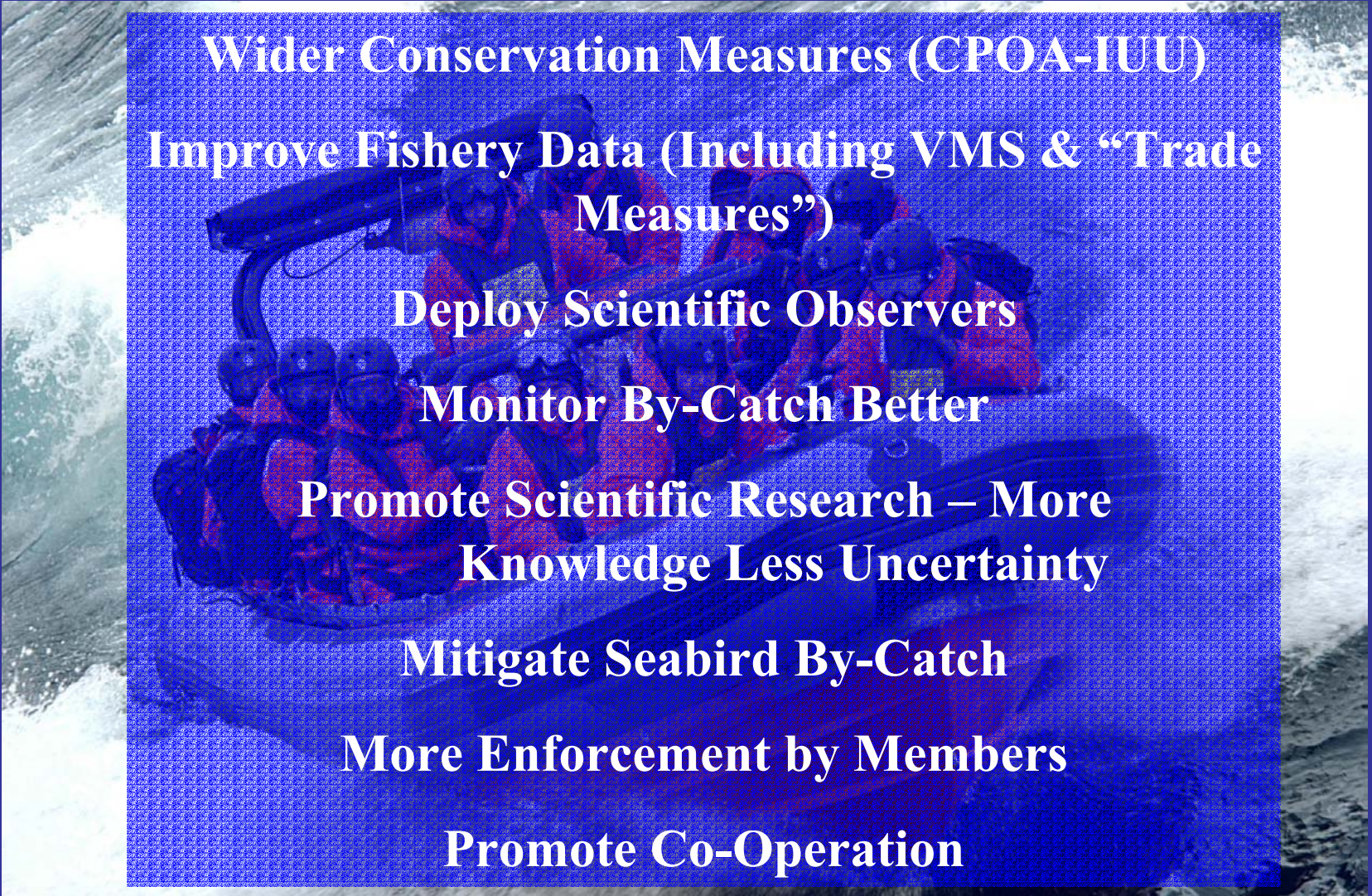
Monitor By-Catch Better

Promote Scientific Research – More Knowledge Less Uncertainty

Mitigate Seabird By-Catch

More Enforcement by Members

Promote Co-Operation





THE END

Photo Credits

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Australian Defence Force
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Marine & Coastal Management
CCAMLR**