

CONSERVATION MEASURE 21-01 (2009)^{1,2}
Notification that Members are considering
initiating a new fishery

Species	all
Area	all
Season	all
Gear	all

The Commission,

Recognising that in the past, Antarctic fisheries have been initiated in the Convention Area before sufficient information was available upon which to base management advice,

Noting that in recent years new fisheries have started without adequate information being available to evaluate either the fishery potential or the possible impacts on the target stocks or species dependent on them,

Believing that without prior notification of a new fishery, the Commission is unable to fulfil its function under Article IX,

hereby adopts the following conservation measure in accordance with Article IX of the Convention:

1. A new fishery, for the purposes of this conservation measure, is a fishery on a species using a particular fishing method in a statistical subarea or division for which:
 - (i) information on distribution, abundance, demography, potential yield and stock identity from comprehensive research/surveys or exploratory fishing have not been submitted to CCAMLR; or
 - (ii) catch and effort data have never been submitted to CCAMLR; or
 - (iii) catch and effort data from the two most recent seasons in which fishing occurred have not been submitted to CCAMLR.
2. In addition to those fisheries identified according to paragraph 1, the use of fishing methods in high-seas areas of the Convention Area as specified in Annex 21-01/A will constitute new fisheries and will require approval of the Commission for specific areas before proceeding.
3. Any Member proposing to participate in a new fishery shall:
 - (i) notify its intention to the Commission not less than three months in advance of the next regular meeting of the Commission. This notification shall include the information prescribed in paragraph 4 of Conservation Measure 10-02 in respect of vessels proposing to participate in the fishery, with the exception that the notification shall not be required to specify the information referred to in paragraph 4(ii) of Conservation Measure 10-02. Members shall, to the extent practicable, also provide in their notification the additional information detailed in paragraph 5 of Conservation Measure 10-02 in respect to each fishing vessel notified. Members are not hereby exempted from their obligations under Conservation Measure 10-02 to submit any necessary updates to vessel and licence details within the deadline established therein as of issuance of the licence to the vessel concerned;

- (ii) prepare and submit to CCAMLR by a specified date a Fishery Operations Plan for the fishing season, for review by the Scientific Committee and the Commission. The Fishery Operations Plan shall include as much of the following information as the Member is able to provide, so as to assist the Scientific Committee in its preparation of the Data Collection Plan:
 - (a) the nature of the new fishery, including target species, methods of fishing, proposed region and maximum catch levels proposed for the forthcoming season;
 - (b) biological information on the target species from comprehensive research/survey cruises, such as distribution, abundance, demographic data and information on stock identity;
 - (c) details of dependent and related species and the likelihood of their being affected by the proposed fishery;
 - (d) information from other fisheries in the region or similar fisheries elsewhere that may assist in the evaluation of potential yield;
 - (e) if the proposed fishery will be undertaken using bottom trawl gear, information on the known and anticipated impacts of this gear on vulnerable marine ecosystems, including benthos and benthic communities.
 - (iii) provide a commitment, in its proposal, to implement any Data Collection Plan developed by the Scientific Committee for the fishery.
4. The Member shall not initiate a new fishery pending the process specified in paragraphs 10 and 11 below.
 5. If a Member proposing to participate in a new fishery fails to submit notification of this proposal to the Commission in accordance with the deadline specified in paragraph 3 above, the Commission shall not consider the proposal, and the Member shall not authorise, under Conservation Measure 10-02, vessels flying its flag to participate in the proposed fishing activities.
 6. Where such a proposed new fishery includes bottom fishing activities, the Member shall not authorise, under Conservation Measure 10-02, vessels flying their flag to participate in the proposed bottom fishing activities if the procedures outlined in Conservation Measure 22-06, paragraph 7, have not been fully complied with.
 7. To ensure that adequate information is made available to the Scientific Committee for evaluation, during the period when a fishery is classified as new, the Scientific Committee shall develop (and update annually as appropriate) a Data Collection Plan, which should include research proposals, as appropriate. This shall identify the data needed and describe any operational research actions necessary to obtain the relevant data from the new fishery to enable an assessment of the stock to be made.

8. The Data Collection Plan shall include, where appropriate:
 - (i) a description of the catch, effort and related biological, ecological and environmental data required to undertake the evaluations described in paragraph 1, and the date by which such data are to be reported annually to CCAMLR;
 - (ii) a plan for directing fishing effort during the initial phase to permit the acquisition of relevant data to evaluate the fishery potential and the ecological relationships among harvested, dependent and related populations and the likelihood of adverse impacts;
 - (iii) where appropriate, a plan for the acquisition of any other research data by fishing vessels, including activities that may require the cooperative activities of scientific observers and the vessel, as may be required for the Scientific Committee to evaluate the fishery potential and the ecological relationships among harvested, dependent and related populations and the likelihood of adverse impacts;
 - (iv) an evaluation of the time scales involved in determining the responses of harvested, dependent and related populations to fishing activities.
9. New fisheries shall be open only to those vessels that are equipped and configured so that they can comply with all relevant conservation measures. A vessel with a confirmed involvement in illegal, unreported or unregulated fishing in respect of Conservation Measures 10-06 and 10-07 shall not be permitted to participate in new fisheries.
10. The information provided in accordance with paragraphs 3 to 9, together with any other relevant information, shall be considered by the Scientific Committee, which shall then advise the Commission.
11. After its review of the information on the proposed new fishery, taking full account of the recommendations and the advice of the Scientific Committee, the Commission may then take such action as it deems necessary.

¹ Except for waters adjacent to the Kerguelen and Crozet Islands

² Except for waters adjacent to the Prince Edward Islands

ANNEX 21-01/A

ADDITIONAL FISHING METHODS

Bottom trawling in high-seas areas of the Convention Area.