

**COMMISSION FOR THE CONSERVATION OF
ANTARCTIC MARINE LIVING RESOURCES**

**REPORT OF THE THIRTY-NINTH MEETING
OF THE COMMISSION**

VIRTUAL MEETING
27 – 30 OCTOBER 2020

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Abstract

This document is the adopted record of the Thirty-ninth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources held online, from 27 to 30 October 2020. Major topics discussed at this meeting included: the Report of the Thirty-ninth meeting of CCAMLR's Scientific Committee; illegal, unreported and unregulated fishing in the Convention Area; compliance with conservation measures in force; the management of toothfish, icefish and krill fisheries; fisheries research proposals; the impact fishing activities on non-target species; budget and administrative matters; implementation of the objectives of the Convention; spatial management; climate change; and cooperation with other international organisations, including within the Antarctic Treaty System.

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**Report of the Thirty-ninth
Meeting of the Commission**
(Virtual meeting, 27 to 30 October 2020)

Opening of meeting

1.1 The Thirty-ninth Annual Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR-39) met online from 27 to 30 October 2020. It was chaired by Mr F. Curcio Ruigómez (Spain) who welcomed all participants to the meeting.

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.

1.3 Other Contracting Parties were invited to attend the meeting as Observers. Finland, Mauritius and Peru attended.

1.4 In accordance with the Commission's decisions (CCAMLR-38, paragraphs 13.5 to 13.8) and responses received from Members in reply to COMM CIRC 20/81, the following non-Contracting Parties (NCPs) were invited to attend CCAMLR-39 as Observers: The Republic of Angola (Angola), Antigua and Barbuda, Bahamas, Bolivia, Brunei Darussalam, Cambodia, Cape Verde, Colombia, Costa Rica, Cuba, Dominican Republic, Republic of Ecuador (Ecuador), Gambia, Indonesia, Islamic Republic of Iran, Lebanon, Luxembourg, Malaysia, Republic of the Maldives, Mexico, Myanmar, Nigeria, Philippines, Singapore, St Kitts and Nevis, St Vincent and the Grenadines, Tanzania, Thailand, Togo, Trinidad and Tobago, Turkey, United Arab Emirates and Viet Nam. Luxembourg, Ecuador, Singapore, Thailand and Trinidad and Tobago attended.

1.5 The following were invited as Observers: 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 Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the Committee for Environmental Protection (CEP), the Convention on International Trade in Endangered Species (CITES), the Coalition of Legal Toothfish Operators (COLTO), the Council of Managers of National Antarctic Programs (COMNAP), the Food and Agriculture Organization of the United Nations (FAO), the International Association of Antarctica Tour Operators (IAATO), the Inter-American Tropical Tuna Commission (IATTC), the International Commission for the Conservation of Atlantic Tunas (ICCAT), INTERPOL, the Intergovernmental Oceanographic Commission (IOC), the International Union for Conservation of Nature (IUCN), the International Whaling Commission (IWC), Oceanites Inc., the Secretariat of the Regional Plan of Action to Promote Responsible Fishing Practices Including Combating IUU Fishing in South East Asia (RPOA-IUU), the Scientific Committee on Antarctic Research (SCAR), the Scientific Committee on Oceanic Research (SCOR), the South East Atlantic Fisheries Organisation (SEAFO), the Southern Indian Ocean Fisheries Agreement (SIOFA), Southern Ocean Observing System (SOOS), the South Pacific Regional Fisheries Management Organisation (SPRFMO), the United Nations Environment Programme (UNEP) and the Western and Central

Pacific Fisheries Commission(WCPFC). ACAP, ARK, ASOC, the Antarctic Treaty Secretariat, CCSBT CEP, COLTO, IAATO, INTERPOL, IUCN, Oceanites Inc., SCAR and SIOFA were represented. COMNAP and FAO sent apologies.

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 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-39, the Commission agreed it would not be entitled to block a consensus decision of other Members.

Organisation of meeting

Adoption of agenda

2.1 The Commission noted that it had decided to hold CCAMLR-39 as a formal virtual meeting through a decision under Rule 7 of the Commission's Rules of Procedure (COMM CIRCs 20/104 and 20/143). The Commission noted that the Standing Committee on Implementation and Compliance (SCIC) and the Standing Committee on Administration and Finance (SCAF) had informal virtual meetings and did not adopt a report, however, the Chair (SCIC) and Acting Chair (SCAF) presented a summary of the e-group discussions to the Commission for consideration.

2.2 The agenda for the meeting was adopted (Annex 3).

Status of the Convention

2.3 Australia, as the Depository State, reported that on 7 May 2020, the People's Republic of China (PRC) effected the following declaration in relation to the Convention on the Conservation of Antarctic Marine Living Resource (CCAMLR): In accordance with the Basic Law of the Hong Kong Special Administrative Region of the PRC, the Government of the PRC decides that the Convention will apply to the Hong Kong Special Administrative Region of the PRC from 1 July 2020. The Government of Australia, in its capacity as the depository for CCAMLR, communicated this declaration to all contracting parties under a depository notification dated 13 May 2020.

2.4 China informed the Commission that the relevant legislation of Hong Kong SAR, the Conservation of Antarctic Marine Living Resources Ordinance (Chapter 635) and its subsidiary regulations for implementation, also came into effect on 1 July 2020. The measures taken include, inter alia, control of the import/export or re-export of toothfish, and regulation of the entry of fishing vessels carrying Antarctic marine living resources into Hong Kong SAR.

2.5 The Commission remembered Professor Denzil Miller who died on 30 November 2019. Professor Miller played a central role in Antarctic affairs for over forty years made major contributions to CCAMLR as Convener of WG-Krill, representing South Africa at both the Scientific Committee and Commission, as Chair of the Scientific Committee and as Executive Secretary from 2002 to 2010.

2.6 The Chair introduced his proposal for the conduct of the formal virtual meeting, including arrangements for report preparation and adoption. The Commission noted that in the meeting's virtual format closed captions are provided to facilitate engagement in the meeting and do not represent the official record of the meeting.

Implementation and compliance

3.1 The Chair of SCIC, Ms J. Kim (Korea), provided a SCIC Chair's Summary Report of the informal virtual SCIC meeting (CCAMLR-39/BG/15 Rev. 1). Due to temporary technical difficulty that the Chair of SCIC had, the report was presented to the Commission by the Vice-Chair of SCIC, Ms M. Engelke-Ros (USA), who thanked Members for their constructive and cooperative engagement that made it possible for SCIC to have productive discussions through the informal e-group process.

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

3.2 The Commission noted there had been no additions to the NCP-IUU Vessel List and agreed that the existing NCP-IUU Vessel List would be adopted for 2020/21.

3.3 The Commission noted the recommendation from Panama to include the Panamanian-flagged vessel *Nika* on the CP-IUU Vessel List on the basis that the *Nika* had fished without a licence in Subarea 48.3. The Commission thanked Panama for its actions in relation to this vessel, and other Members and organisations who had contributed information and supported the detaining of the vessel. The Commission agreed on the inclusion of the *Nika* on the CP-IUU Vessel List for 2020/21.

3.4 The Commission noted the recommendation from New Zealand to include the Russian-flagged vessel *Palmer* on the CP-IUU Vessel List and recalled the information circulated to Members in COMM CIRCs 20/47, 20/76, 20/130, 20/135 and 20/149 and in CCAMLR-39/11 Rev. 1.

3.5 Information provided by New Zealand in these documents included that a New Zealand aerial patrol on 19 January 2020 identified the *Palmer* in Subarea 88.1 in a closed fishery, nearly 800 n miles from where its vessel monitoring system (VMS) data reported it to be, on a productive fishing feature, with an ice cage deployed, travelling at slow speed.

3.6 New Zealand recalled its conclusion that the *Palmer* falsified its VMS data and its entry and exit notifications so that it could fish in Subarea 88.1 (Ross Sea region north of 70°S) which was closed to fishing. New Zealand stated that the situation was extremely clear, compelling and concerning, and set out its expectation that the *Palmer* would be included on the CP-IUU Vessel List accordingly. New Zealand expressed its readiness to continue to support Russia in its investigation and taking action against the *Palmer* and expressed its concern that Russia had not attended to its obligations to provide further information to support the issue to be resolved.

3.7 New Zealand reiterated that: it conducts aerial surveillance in the CAMLR Convention Area in accordance with CCAMLR's rules and procedures; images taken during patrols have metadata automatically embedded to the file, which confirm the time and position of the

Palmer. It noted that full-resolution images have been provided to Russia via the Secretariat. In response to Russia's statement that the *Palmer* left the Convention Area after receiving information from New Zealand on 4 February 2020, New Zealand noted that the *Palmer* notified its exit from Subarea 88.2 on 23 January 2020, and publicly available information shows that the *Palmer* was in Fiji on 5 February 2020.

3.8 On the issue of the proposed listing of the *Palmer* on the CP-IUU Vessel List, the USA viewed the illegal activities during the 2019/20 season as egregious and noted that they appear to be part of a pattern of illegal activity by this vessel. The USA also noted that the response of Russia appears a part of a pattern of not taking such reports seriously, not conducting full investigations, not granting SCIC and the Commission access to relevant data to support compliance evaluation, and not holding its vessels, including the *Palmer*, accountable for illegal activity.

3.9 The USA stated that it found that Russia's response in respect to the 2017/18 pre-season activities did not adequately address the request of SCIC in 2019 (SCIC-2019, paragraph 119) and additional information was still needed to resolve the question involving the Russian vessels, including the *Palmer*, that were in the area. Given the outstanding questions related to the *Palmer*'s compliance with several conservation measures over multiple seasons, the USA believed the *Palmer* should not participate in CCAMLR fisheries during the coming season.

3.10 The EU noted that although Russia had taken some action by calling the vessel to port and inspecting the VMS equipment, it had not shared all the information requested repeatedly by Members, in particular VMS data. Under these circumstances, the EU supported the inclusion of the *Palmer* on the CP-IUU Vessel List.

3.11 Many Members urged Russia to share further information in relation to the activities of the *Palmer* in January 2020, including verifiable VMS data, C2 catch and effort data and observer report data.

3.12 Russia stated that in accordance with paragraph 7 of Conservation Measure (CM) 10-06, comments were submitted by Russia to the Secretariat on 16 June 2020 (COMM CIRC 20/76), including verifiable VMS data of the vessel at the time of the so-called patrol of the New Zealand aircraft on 19 January 2020. Russia's conclusions were confirmed, among other things, by reports of scientific observers, which is also indicated in COMM CIRC 20/76. The inspection of the vessel in Busan Port during the investigation did not reveal any evidence of non-compliance with CM 10-04. Russia raised a number of issues in the information provided to them from New Zealand, requesting further clarification on photographic metadata and use of aerial surveillance photography equipment. In particular, Russia emphasised that it found in the history of operations with metadata of photographs submitted by New Zealand, traces of changes made on 20 January 2020, the duration and nature of which does not allow to attribute them to the automatic transfer of the file from a camera to a computer, which is detailed in COMM CIRC 20/135. Russia expressed concern that this example of aerial patrolling does not correlate with the principles laid down in the CCAMLR System of Inspection, and the assessment statements about the presence of evidence of fishing in the report based on the results of the 19 January 2020 overflights directly contradict the definition of fishing activity in paragraph X of the Text of the CCAMLR System of Inspection.

3.13 The UK expressed disappointment at how this matter had been addressed by Russia and recalled the duty of CCAMLR Members to ensure compliance with the provisions of the Convention. The UK noted that Russia had not provided to the Commission the information

required under CM 10-06, paragraph 7, and that instead, Russia's response to the information presented by New Zealand had been to question the validity of the New Zealand patrol and to accuse New Zealand of falsifying evidence. The UK agreed with the comments expressed by other Members that such behaviour undermined the spirit of cooperation under the Antarctic Treaty System (ATS). The UK recalled a similar case in 2006 where Russia had also blocked the IUU listing of one of its vessels, and also noted that Russia was the only Flag State to decline to release VMS data, also in relation to the *Palmer*, in relation to the investigation of pre-season gear setting in 2018.

3.14 China expressed appreciation to New Zealand in combating IUU activities in the Convention Area and noted the disagreement over the *Palmer* highlighted the lack of CCAMLR rules and procedures on air surveillance. Although CM 10-04 makes reference to 'active surveillance operations' in paragraphs 17(i) and (ii), no specific provisions in CM 10-04 prescribe how such active surveillance operations shall be carried out. By contrast, paragraphs 17(i) and (ii) also make reference to inspections which China understands refers to inspections at sea and port inspections. CCAMLR has in place CM 10-03 for port inspections and the CCAMLR System of Inspection for inspection at sea. Had CCAMLR had such a system for active surveillance operations, it would provide some guidance for this issue. In addition, China recalled the CCAMLR discussion on automatic identification system (AIS) information in 2016 by reference to CCAMLR-XXXV/01, which specified the limitations of the AIS system.

3.15 Other Members considered that the System of Inspection was robust and Argentina and the EU encouraged Members that considered existing procedures needing improvement to bring forward proposals or refinements. The EU further noted that the aerial surveillance activities carried out by Members in the Convention Area were fully in accordance with CCAMLR's rules and procedures.

3.16 Australia supported the statements of other Members and noted its strong belief that the CCAMLR System of Inspection is robust, providing a strong framework for assisting the Commission in its work to achieve the objective of the Convention.

3.17 ASOC thanked New Zealand for conducting an inspection that provided information to the Commission and supported the request of Members for the release of further information. Based on the information available, ASOC supported the inclusion of the *Palmer* on the CP-IUU Vessel List.

3.18 COLTO strongly supported the listing of the *Palmer* on the CP-IUU Vessel List and offered its expertise to the Commission on matters such as ice and weather conditions in the area of the position of the *Palmer* as reported by Russia, or its tracks. COLTO added that its members could be quickly approached to ascertain where visual or radio sightings were made if the Secretariat released a list of authorised vessels within 30 n miles of the *Palmer*'s tracks south of 70°S.

3.19 The Commission did not reach consensus on including the *Palmer* on the CP-IUU Vessel List in 2020.

3.20 Spain recalled a report from Australia on an inspection of the IUU-listed vessel *Cobija* (CCAMLR-39/BG/15 Rev. 1) noting that the crew of the *Cobija* included nationals from Spain. Australia and Spain agreed to work bilaterally in the intersessional period in respect of the involvement of Spanish nationals on the *Cobija*.

3.21 The Commission adopted the CP-IUU Vessel List for 2020/21 with the inclusion of the fishing vessel *Nika*.

CCAMLR Compliance Report

3.22 The Commission considered the work of the e-group in resolving the compliance status for many of the issues in the Summary Compliance Report (CCAMLR-39/10 Rev. 2) and noted an updated table provided as Appendix 1 of the SCIC Chair's summary report (CCAMLR-39/BG/15 Rev. 1).

3.23 Of the 45 potential compliance incidents in the Summary Compliance Report (CCAMLR 39/10 Rev. 2), the Commission noted that there was no disagreement raised by e-group participants regarding the final compliance status for some of the incidents. In the remaining incidents, agreement was not reached amongst the SCIC e-group participants and no final compliance status could be assigned for those incidents.

3.24 Some Members noted that the use of the category of 'Multiple Contracting Parties' which was utilised in the Summary Compliance Report made it difficult to assess the implementation of conservation measures by Contracting Parties and requested that future compliance reports include details for each identified compliance issue individually.

3.25 Considering five issues in relation to CM 10-02, China highlighted the importance of compliance with the conservation measure. China is of the view that CM 10-02 provides for the general requirements for fishing in the Convention Area and is the basis for other conservation measures, for instance CM 10-06.

3.26 China noted that a large number of minor incidents in a single season involving many vessels suggest that some improvements need to be made to the newly revised CM 10-09. China suggested that when amending a conservation measure, more consideration should be paid to the potential consequences of those changes on implementation of the conservation measure. Recognising these factors, China recommended that CM 10-09 be reviewed in the future.

3.27 With regard to the Scientific Committee advice sought by SCIC, China noted that stock assessment and catch limit estimation rely strongly on adequate and proper tagging and subsequent recapture. In the krill fishery, apart from collecting the scientific data required by relevant conservation measures, several krill fishing vessels are also collecting extra scientific data, including acoustic surveys at various spatial scales, to support the conservation of the krill-centric ecosystem and the management of krill fishery. While several of the toothfish fishing vessels are still not able to achieve the requirement of essential scientific data collection, this may seriously undermine the scientific capability of CCAMLR, and therefore the low tagging rate incident is a serious issue that needs to be dealt with in a serious manner.

3.28 The Commission considered the implementation of CM 41-08 by Australia in regard to fishing activities conducted by the vessels *Corinthian Bay* and *Isla Eden*. The Commission noted that fishing operations were undertaken by both vessels with one international observer instead of two observers as required by CM 41-08. Several Members acknowledged that Australia took responsibility for the situation and accepted a Level 3 compliance status.

3.29 Some Members raised concerns related to the international trade of toothfish from these two vessels. These Members expressed concern that the catches of both vessels were exported contrary to CM 10-05 as those Catch Documentation Scheme for *Dissostichus* spp. (CDS) documents should not have been issued.

3.30 The USA requested information from China and Japan on the disposition of the toothfish product, noting that there was insufficient time in the e-group to discuss this issue. The USA raised CM 10-05, paragraph 13, which prohibits the importation of toothfish following a determination the fish were not harvested in a manner consistent with CCAMLR conservation measures, in respect of the countries that received the fish and their decisions to take the imports, given the notice that Australia provided in COMM CIRC 20/35. The USA also asked the Secretariat to provide additional relevant trade information.

3.31 The EU supported the USA and requested the Secretariat to notify CDS users of the status of this toothfish product to avoid importation or re-exportation.

3.32 Russia stated that in the case of vessels flying the Australian flag, the *Isla Eden* and *Corinthian Bay*, there is in fact an intentional violation of CMs 10-05 and 41-08. Russia noted that such activities fall within the definition of IUU fishing set out in paragraph 5 of CM 10-06, namely, engaging in fishing activities contrary to any other conservation measures in a manner that undermines the attainment of the objectives of the Convention according to Article XXII of the Convention. Russia also noted that alternative mechanisms existed to avoid violating conservation measures, including the CCAMLR procedure for intersessional decision-making. In this regard, Russia invited the Commission to consider the possibility of adding these vessels to the CP-IUU Vessel List in accordance with CM 10-06.

3.33 Several Members acknowledged the serious nature of these incidents but disagreed that the actions should be considered IUU fishing under CM 10-06 given that the vessels acted within their license conditions, that the incidents were self-reported by Australia via COMM CIRC 20/35, and that Australia had put protocols in place to avoid future non-compliance. The EU noted that all instances of non-compliance with conservation measures were inconsistent with the CAMLR Convention but that not all such instances constituted IUU fishing.

3.34 China noted that if the activities by the *Isla Eden* were considered legal, then the CDS should be considered valid and there will be no basis for prohibiting the country importing the catch of the *Isla Eden* from re-exporting; otherwise, the Commission has to make a finding that the CDS is invalid or the fishing was conducted inconsistent with CCAMLR conservation measures in accordance with CM 10-05.

3.35 Australia thanked Members for their constructive engagement on the issue and explained that the decision for the two vessels to proceed with fishing with one observer, rather than the two required under CM 41-08 for the month of April, was based on a response to the extraordinary spread of COVID-19, including, but not limited to, restricted domestic travel, restricted international travel, determining what is meant by essential travel, mandatory quarantine periods and limitations on port access. Australia noted that the range of actions it has taken since April included to adopt fisheries-specific protocols to minimise the spread of COVID-19 which cover priority areas for observer deployment and targeted field operations by fisheries officers. Australia noted that while it hoped these arrangements were temporary in nature, the protocols put in place and the lessons learned significantly mitigate the risk of this situation occurring again. Australia highlighted the importance it had placed on being

transparent with the Commission on its situation. Australia strongly rejected the suggestion that this compliance issue constituted IUU fishing. Australia reinforced its commitment to prioritising compliance with CCAMLR conservation measures and to ensuring the CDS is appropriately upheld.

3.36 The USA thanked Ukraine for its information on the *Simeiz* regarding its non-compliance with CM 41-02 and voluntary, responsive actions by the company, but also asked what action was taken by Ukraine against the vessel, its owner or its master and how it will implement the suggested buffer of 10 n miles as a safeguard against this issue from occurring in the future.

3.37 Some Members stated that since SCIC had not met formally and adopted a Provisional Compliance Report, as required by CM 10-10, paragraph 3, the Commission lacked the procedural basis to adopt a Compliance Report. Other Members disagreed and stated that the Commission had the authority to act on the Summary Compliance Report with input from the informal meeting of SCIC via e-groups. The USA noted that while the informal meeting of SCIC, convened over e-groups, was not on the record, the Chair's report of that meeting is part of the official proceedings of CCAMLR-39 and as such available to the Commission in taking its decisions.

3.38 The Commission agreed that time constraints resulting from the pandemic and divergence of views on compliance status of several cases mean that any further discussion on the specific issues in the CCEP this year would be very challenging. It concluded reluctantly that it was not possible to adopt the 2020 Compliance Report.

3.39 There was broad support amongst Members, but not agreement, to progress to finalise and adopt the Compliance Report.

3.40 Some Members supported deferring all of the Compliance Report until next year.

3.41 The Commission noted that the draft compliance table is contained as Appendix 1 in the Chair's report of the informal virtual meeting of SCIC (CCAMLR-39/BG/15 Rev. 1).

3.42 The Commission underscored the importance of following the procedures set out in CM 10-10 to adopt a 2021 Compliance Report next year.

Administration and Finance

4.1 This year, SCAF conducted its business through electronic discussion groups (e-groups). The report of the Acting Chair of SCAF (Ms S. Langerock, Belgium) of the informal virtual meeting of SCAF is contained in CCAMLR-39/BG/16.

Report from the informal virtual meeting of SCAF

4.2 The Commission thanked the Acting Chair of SCAF for the presentation of the activities undertaken by the informal virtual meeting of SCAF (CCAMLR-39/BG/16).

4.3 The Commission noted that the informal report by SCAF has no formal status within the Commission and that all decisions must be adopted independently by the Commission.

Report of the Secretariat – Executive Secretary’s Report

4.4 The report of the Secretariat was presented in CCAMLR-39/05.

4.5 Members acknowledged and thanked the Executive Secretary for his report. He and the Secretariat were also commended for the excellent work provided during the year in supporting the Commission, despite the difficult and challenging circumstances brought about by the COVID-19 pandemic.

4.6 The Commission approved the staffing proposals contained in the report and approved the addition of Annex C to the CCAMLR Job Classification System.

Capacity building

4.7 Reports on the activities of the General Capacity Building Fund (GCBF) Panel were presented in CCAMLR-39/13 Rev. 2 and CCAMLR-39/01 Rev. 1.

4.8 The Commission approved the recommendations of the Panel regarding the applications received for the general component of the GCBF:

- (i) the funding of the Ukrainian application for A\$21 457, which does not include a financial contribution towards the cost imposed by COVID-19 restrictions, as this request was made after the closing date for applications
- (ii) the approval of the Uruguayan application for two years and a total of A\$150 000, including the funding of salaries and the requirement for an independent audit of the funding.

4.9 The Commission noted the applications received for the travel component of the GCBF which could not proceed and that this round’s successful applicants are encouraged to submit a new application next year should their travel need remain.

4.10 The Commission noted the recommendations of the Panel (CCAMLR-39/13 Rev. 2) and:

- (i) approved the revised GCBF guidelines (Annex 4)
- (ii) accepted that well-justified salaries can be a component of the budget for applications to the general component of the GCBF and will be decided on a case-by-case basis as this kind of expenditure should be minimised
- (iii) accepted that increased costs, due to the impact of COVID-19 on an applicant’s budget calculations, may be approved if it is integral to the project going ahead

- (iv) approved that the GCBF Panel may approach other CCAMLR Special Funds for funding assistance where the application to the GCBF has components that could be funded through other Special Funds.

4.11 The Commission welcomed a voluntary contribution from New Zealand of NZ\$30 000 (approx. A\$28 100) to the GCBF.

4.12 The Commission noted that a joint e-group with participants from SCAF and the Scientific Committee will be established to finalise the terms of reference for the General Science Capacity Fund (GSCF) for presentation in 2021.

4.13 The Commission noted the postponement from 2020 to 2021 of the request made by the Scientific Committee in 2019 (SCAF-2019, paragraphs 46 to 48) of a further A\$200 000 from the General Fund to the GSCF.

Review of the 2020 budget, 2021 budget and forecast budget for 2022

4.14 The EU expressed concern regarding Members not maintaining compliance with financial obligations and invited Brazil to address its situation of arrears. The Brazilian Delegation took note and stated that administrative efforts are being made to resolve this issue.

4.15 The Commission requested the Secretariat to write to Brazil requesting it promptly remedy this situation.

4.16 Brazil acknowledged the importance of financial compliance and apologised for its current position. It also noted that it was hopeful of solving this issue soon.

4.17 Consistent with Financial Regulation 11.1, a full audit of the 2019 Financial Statements was completed in 2020 (CCAMLR-39/03 Rev. 1). The audit had identified no incidents of non-compliance with Financial Regulations or International Accounting Standards. The Commission accepted the audit.

4.18 The Commission appointed the Australian National Audit Office (ANAO) as the auditor for 2021 and 2022.

4.19 The Commission noted the revised 2020 budget, including a projected surplus for 2020 of A\$132 468 from an originally forecast deficit of A\$198 814 (CCAMLR-39/04 Rev. 1). As a result of the revised expenditure for the budget, the Commission approved the return of A\$2 791 from the Working Capital Fund (WCF) to the General Fund.

4.20 The Commission noted the advice from the Secretariat, contained in CCAMLR-39/BG/16 regarding the potential impacts of COVID-19 on the Commission's budget and the measures that the Secretariat has adopted to combat these.

4.21 The Commission approved the expenditure from the GCBF (paragraph 4.8) and also a transfer of A\$150 000 in 2021 from the General Fund to the GCBF to continue the work of this Fund.

4.22 The Commission approved the Revised 2020 Budget, the 2021 Draft Budget and the Forecast Budget for 2022, attached as Annex 5, Annex 6 and Annex 7 respectively.

Management of marine resources

Advice from the Scientific Committee

5.1 The Chair of the Scientific Committee, Dr D. Welsford (Australia), presented the report of the Scientific Committee (SC-CAMLR-39). He thanked the Secretariat for facilitating the discussions and producing the report in a very compressed timeframe, as well as the participants and conveners for their intersessional engagement in the very successful online discussion meetings that had greatly contributed to the priorities of the Scientific Committee.

5.2 The Commission noted that a complete report adoption was precluded by the very short time allocated to the Scientific Committee's deliberations, as well as the occurrence of technical constraints for some Members in the late stage of report adoption. It, however, noted that progress on some issues had been made as indicated by the number of adopted paragraphs in the Scientific Committee's report.

5.3 Some Members drew the attention of the Commission to the fact that the difficulties encountered by the Scientific Committee were in part due to the lack of formal deliberations from the working groups and the Scientific Committee, which had been replaced by informal online discussions due to the view of one Member.

5.4 Russia stated that due to the lack of official working group meetings in 2020, formal advice to the Scientific Committee had not been developed, therefore, it considered that the Scientific Committee report should be considered an unagreed document as Members could not achieve consensus on providing a full list of recommendations to the Commission.

5.5 The Chair of the Scientific Committee made the following statement:

'I would like to make a few comments in response to the interventions made yesterday in respect of the intersessional work of the Scientific Committee and the status of its report from its meeting on Monday.

The planned face-to-face intersessional meetings of the working groups were cancelled due to the pandemic. Recognising the important work being conducted by CCAMLR scientists during the intersessional period, we sought to move these meetings online. These meetings had an unprecedented level of engagement by Member representatives, with well over 100 delegates attending some sessions, many dozens of papers tabled, and significant progress has been made on critical areas that will support CCAMLR to achieve its objective. However, it was the view of one Member that it could not accept these meetings having any formal status, and hence no reports were formally adopted. Similarly, it was the view of one Member that led to the constrained format of the Scientific Committee meeting, which led to the situation where we did not have sufficient time to adopt all of our report.

The report tabled to this meeting was developed in accordance with the rules of procedure for the Scientific Committee. In instances where we could not achieve consensus, the views of individual representatives are shown. For example, the view of Russia on catch limit advice is clearly reflected in SC-CAMLR-39, paragraph 4.18.

The Scientific Committee report contains paragraphs that are indicated in square brackets. As shown in SC-CAMLR-39, paragraph 1.6, these paragraphs in many cases contain advice that the Scientific Committee had consensus on during plenary, however,

we did not have sufficient time to adopt them. It would be disappointing if this fact meant, for example, there was uncertainty cast by the Commission on important Scientific Committee matters such as the awarding of new scholarships and the extension of existing scholarships.

The Scientific Committee is separately and independently constituted under the Convention. There is no rule of procedure that I am aware of, in either the rules of the Commission or the Scientific Committee, that states that the report of the Scientific Committee must be adopted by consensus of the Commission for it to exist as a formal report. The Commission can choose to use the advice contained therein or not as per its rules and practices. But it is not for individual Members to diminish its status or deny its existence.

If this position is sustained, it places me and the Scientific Committee in an invidious position. I would ask that the Commission make every effort to support the Scientific Committee in its intersessional work next year, particularly for priority matters such as the provision of updated advice on management of the krill fishery. Next year, if we are unable to conduct this work and spend the time to formally develop advice, I am deeply concerned that there will be a rapidly increasing risk that CCAMLR will not achieve its objective.

Scientific endeavour is at the heart of the Antarctic Treaty. This is not due to any romantic notion. While it is not perfect, peer-reviewed science is still the best way humanity has of understanding and predicting the natural world. Antarctic marine living resources are dynamic, and therefore, the advice developed last year may not necessarily be the best reflection of their status this year. I therefore exhort the Commission to use the best available science, reflected in the Scientific Committee's report, in developing its conservation measures.'

5.6 Many Members thanked the Scientific Committee Chair for all his endeavours and supported the Chair's statement, noting its unprecedented nature, as it was in response to one Member taking a pre-determined fixed position on the outcomes of CCAMLR-39 and therefore stifling the scientific process. Many Members called for full and active collaboration and engagement through the Scientific Committee and its working groups by scientists, and with a focus on developing scientific advice to underpin the work of the Commission. These Members also recalled Article IX of the Convention, which requires decisions to be taken on the basis of the best scientific advice evidence available and noted that there had been considerable work undertaken by the Scientific Committee through the informal working groups during 2020 and the Scientific Committee itself. In the view of these Members, the conclusions of these deliberations constituted the best science available to the Commission for use in making its decisions this year.

5.7 The Commission noted that where best available science was provided by the Scientific Committee, it was a requirement for the Commission to consider that advice as is set out in Article IX of the Convention.

5.8 The Commission expressed its concern that there had been insufficient opportunity this year for the Scientific Committee to formulate clear advice on some issues, particularly when considering the significant deliberations expected to occur next year regarding the revised krill management strategy, stock assessments, marine protected areas (MPAs), climate change and many other deferred matters.

5.9 The Commission expressed its concern regarding the lack of clear consensus advice from the Scientific Committee on some issues, particularly when considering the significant deliberations expected to occur next year regarding the anticipated advice on the revised krill management strategy, stock assessments, MPAs, climate change and many other deferred matters.

5.10 China recalled with great appreciation the active engagement and considerable achievements of the work presented by all Members of the Scientific Committee, especially in relation to the ecosystem-based conservation of Antarctic krill resources, and a new approach that will lead to sound science-based krill fishery management.

5.11 Some Members recalled the technical difficulties that may occur using this new approach of online meetings, noting the connectivity-associated problems as one example, and there was general agreement to develop a full set of mechanisms to holding such online meetings.

5.12 The EU supported the advice put forward by the scientists as it is based on CCAMLR's approach to data-limited fisheries. This approved methodology, in use in previous years to provide information on setting and/or changing catch limits, is based on latest validated data, therefore reducing the uncertainty associated to other potential management options.

5.13 Russia expressed its regret at the technical difficulties preventing the discussion and adoption of the Scientific Committee report. Russia recalled the connectivity problems and the lack of interpretation into official languages and closed captions during the official Scientific Committee meeting.

5.14 The Commission thanked Dr Welsford for his guidance of the Scientific Committee in such difficult circumstances and thanked the Scientific Committee for its work. The Commission noted the considerations of the Scientific Committee regarding the conduct of its work during 2021 in SC-CAMLR-39, paragraphs 3.2 to 3.10, and welcomed the offer by the Chair of the Scientific Committee to lead intersessional work to develop agreed rules of procedure for conducting formal online meetings, given the possibility that the COVID-19 pandemic will impact the ability of Members to conduct in-person meetings in 2021.

Harvested species

Notifications

5.15 The Commission noted the summary of fishery notifications provided in CCAMLR-39/BG/05, including the indication that Russia had submitted a research proposal for the special research zone (SRZ) within the Ross Sea region MPA (RSRMPA), but the required fee had not been received by the Secretariat as required by CM 24-01, paragraph 6, and that the proposal was therefore considered withdrawn.

5.16 The Commission noted issues raised by the Chair of SCIC, Ms Kim, regarding fisheries notifications and tagging performance raised during the online discussion of SCIC (CCAMLR-39/BG/15 Rev. 1).

5.17 The Commission noted COMM CIRC 20/78 regarding the late notification from France of its vessels. France outlined that this was due to the complications arising from the COVID-19 pandemic as outlined in COMM CIRC 20/78 and took full responsibility for the late notification, noting that payment of the notification fees has been forwarded to the Secretariat in due course, and requested the understanding of the Commission.

5.18 Russia stated its view that under the provisions of CM 21-02 the Commission was unable to consider late notifications, and that while all Members had been impacted by COVID-19, only one Member was late to submit a vessel notification.

5.19 Members invited Russia to consider a withdrawal of the notification for the vessel *Palmer* for Subareas 88.1 and 88.2 given the discussions in paragraphs 3.2 to 3.18.

5.20 Russia noted that it had fully demonstrated the results of its investigation of the *Palmer* and that any investigation should be carried out within the provisions of CM 10-02. Russia further noted that some vessels had submitted research notifications while not having reached acceptable tagging rates, and that such issues should be formally considered by the Commission.

5.21 Many Members reiterated the request for the *Palmer's* verifiable VMS data to be provided by Russia to the Commission in respect of the *Palmer's* activities throughout the 2019/20 season (paragraph 3.4).

5.22 New Zealand noted that Russia had provided unsatisfactory investigations regarding the activities of the *Palmer* for several years in a row, had blocked consensus to include that vessel on the CP-IUU Vessel List at this meeting, and had also refused to withdraw its notifications in the Subarea 88.1 and 88.2 exploratory toothfish fisheries despite the request of Members to do so. Several Members asked Russia what assurances it could provide that if the *Palmer* were notified, that it would comply with conservation measures, that Russia will follow up on the two outstanding investigations (pre-season gear in Subarea 88.1 from 2017/18 and the issues that gave rise to placing that vessel on the provisional CP-IUU Vessel List in 2019/20), take effective action, share verifiable VMS tracks, and use electronic monitoring or other effective means to ensure compliance.

5.23 Russia expressed its concern in respect of allegations suggested by New Zealand and indicated that Russia continuously takes efforts to fight IUU fishing, including by joining relevant international treaties and concluding bilateral agreements. IUU fishing is a criminal offence under Russian legislation and more stringent steps are undertaken. Concerning the alleged case, it was noted that it was investigated in good faith. The vessel was thoroughly inspected by the independent technical experts in the presence of the State officials. It was stressed that there were several contacts with New Zealand, including via diplomatic channels, when specific questions were asked. It was underlined that answers were not received. This undermines the investigation. At the same time Russia reiterated its request for the receipt of the aforementioned information and expressed its readiness to act upon it. Doubts were raised as to the status of the aerial patrols conducted by New Zealand for inspection purposes as they are in no way regulated by the CCAMLR rules. It was suggested to elaborate such rules and come back to this issue at the next meeting. Moreover, it was noted that allegations of New Zealand and criteria suggested by it to qualify the *Palmer* case as IUU fishing do not conform to any provisions of the CCAMLR System of Inspection. Russia also called for assurances that all delegations and vessels will be treated indiscriminately and double standards will not be

applied. In this regard, Russia indicated the example of the situation with Australian-flagged vessels which were in breach of the conservation measure but some Members decided not to notice the fact.

5.24 New Zealand noted that it had replied to Russia's questions and that it was clear that it was a clear and compelling case. New Zealand further noted that it and other Members have undertaken aerial surveillance for many years in the Convention Area for which the Commission has consistently expressed its thanks and that aerial surveillance plays a vital role.

5.25 On the issue of notifications for exploratory fisheries, the USA asked for the removal of Russia from paragraph 1 of CMs 41-09 and 41-10 because of concerns about the activities of the *Palmer* that led to the recommendation that it be listed on the CP-IUU Vessel List. The USA noted that, despite some comments from the Russian Delegation, numerous Members had raised concerns and that Russia is isolated concerning issues related to the *Palmer*. Many Members had requested repeatedly that Russia release the VMS data for the *Palmer* during the 2019/20 season, consistent with CM 10-06, paragraph 7, which calls for providing verifiable VMS data and other supporting information showing that this vessel had not engaged in IUU fishing activities. Without this VMS data and with the low confidence that the vessel will abide by the conservation measures, the USA suggested that Russia provide its consent for the Secretariat to release the fishing vessel *Palmer*'s VMS data to any Member upon request, at any time during the 2020/21 season, as this would allow for transparency of the vessel's activities and may be of particular value to Members or others in implementing the CDS. An alternative that the USA suggested was for Russia to replace the *Palmer* with another vessel. The USA called on the Russian Delegation to find a resolution that addressed these concerns to allow for consensus on this element of CMs 41-09 and 41-10.

5.26 Russia indicated that there was no consensus not on a separate element of a conservation measure, but on a conservation measure in general. It was also noted that replies on this topic were already presented on several occasions and that Russia was ready to further investigate this matter after the receipt of the requested information. It was mentioned that this issue was included in the Compliance Report. Moreover, Russia indicated that any statement on IUU fishing should be based in fact, as well as on the CCAMLR System of Inspection, including information enumerated in its paragraph X. It was stated that with regard to a *Palmer* case, no such evidence founded on this CCAMLR System of Inspection provision was presented, thus precluding reviewing it under CM 10-06.

5.27 Korea noted that in relation to tagging rates in Subarea 88.1, small-scale research unit (SSRU) H, it appreciated the importance of tagging for scientific studies, and that this issue had been sufficiently covered by SCIC and by the Scientific Committee when assessing research proposals. Korea further noted that the overall Subarea 88.1 tagging rate had been achieved, and so the use of a more spatially constrained measure of tagging rate did not reflect a vessel's ability to conduct scientific research.

Scientific research under CM 24-01

5.28 The Commission noted the advice from the Scientific Committee that, as there were no formal meetings of the working groups this year, no review had been possible at those working groups for the new research proposals submitted under CM 24-01.

5.29 The Commission noted that the two proposals under CM 24-01 that were for continuing research (in Division 58.4.4b and the Ross Sea shelf survey) had been reviewed by WG-FSA in 2019 and there had been no recommendations for changes to be made at that time and the current proposals had not changed substantively since the last review.

5.30 The Commission considered the Ukrainian proposal to conduct a toothfish survey in Subarea 48.1, which had not completed its objectives the previous two years due to poor ice conditions and a high by-catch rate, and agreed that this research should be finalised in the 2020/21 season, noting that the same catch limits as in the 2019/20 season should be applied.

5.31 The Commission welcomed the undertaking by Chile to continue to develop its research proposal on *Dissostichus* spp. in Subarea 48.2 and noted the withdrawal of the current plan to fish in 2020/21.

5.32 The Commission noted the discussion of the Scientific Committee on the proposed research fishery in Subarea 88.3 for Antarctic toothfish (*Dissostichus mawsoni*) (SC-CAMLR-39, paragraph 4.15). The Commission was unable to reach consensus on the research.

5.33 Korea and Ukraine expressed their disappointment on the fact that the Commission had not reached a consensus on the issue of continuation of toothfish research in Subarea 88.3, noting that this research is very important to get a better understanding of biological and ecological processes in this marine area to provide valuable data needed for a better management of Antarctic marine living resources. They noted strong time limitation in the circumstances of the current online CCAMLR meeting to organise needed consultations to harmonise the position of the CCAMLR parties on this issue. Korea and Ukraine expressed their gratitude to New Zealand and other CCAMLR parties, who provided technical help and support to realise this research plan. It was noted that Korea and Ukraine will continue work on improvement of this research proposal to discuss it at CCAMLR meetings in 2021, seeking for understanding and agreement of all CCAMLR parties.

Exploratory fisheries

5.34 The Commission noted the discussion of the Scientific Committee regarding the proposed catch limits for 2020/21 presented in SC-CAMLR-39, Tables 3 to 5. The Commission noted that many Members of the Scientific Committee considered that the proposed updated catch limits in the tables constituted best available science derived from statistical procedures agreed upon by the Scientific Committee.

5.35 Russia stated that since working groups of the Scientific Committee were unable to formally meet this year, it was not able to endorse any changes to catch limits that had been discussed during informal meetings or online discussions, and considered that catch limits remain unchanged from last year's advice that was agreed by the Commission.

5.36 The Chair of the Scientific Committee clarified that not all the science advice last year was based on long-term projections. For example, the trend analysis rule is designed to be updated every year due to the uncertainty that exists in data-limited fisheries. Similarly, for species like icefish, those analyses are updated regularly because their population dynamics are such that long-term projections are not appropriate.

5.37 The EU supported the trend analysis, updated to take into account the latest available validated data and scientific information, as the basis for setting the catch limits.

5.38 The Commission agreed, on a case-by-case basis for each subarea, division, and research block, to use the lesser of catch limits proposed for 2020/21 in SC-CAMLR-39, Table 5, or those previously adopted by the Commission for 2019/20, for the 2020/21 season, while noting that this practice should not become a precedent.

5.39 The Commission considered the alternative methods for allocating the precautionary catch limit for Subareas 88.1 and SSRUs 882A–B as presented in SC-CAMLR-39, Table 4. Some Members expressed their preference for method 3 as this approach is consistent with the requirements for 2020/21 in CM 91-05, paragraph 8. One Member expressed a preference for method 2. The Commission agreed to use method 2 for the 2020/21 season on the basis that it would review the methodology next year.

5.40 Australia recalled SC-CAMLR-39/BG/10 describing a research plan by the co-proponents Australia, France, Japan, Korea and Spain, for the exploratory toothfish fishery in Divisions 58.4.1 and 58.4.2. Australia noted that all co-proponents were fully committed to the success of this research plan which has been recognised by the Scientific Committee since the first multi-Member plan was established in 2016. The research had now progressed to a preliminary integrated stock assessment. Australia noted that the resumption of fishing in Division 58.4.1 was very important to collect further data and actually achieve the goal of a stock assessment for this area which can be used for management advice. Australia, therefore, recommended that the Commission support this multi-Member research program so that fishing could resume in this area.

5.41 The Commission noted the discussion of the Scientific Committee on exploratory fisheries in Divisions 58.4.1 and 58.4.2 (SC-CAMLR-39, paragraphs 4.10 to 4.13). The Commission was unable to reach consensus on the research plan for the exploratory fishery in Division 58.4.1 for 2020/21. The Commission agreed to use the catch limits for Division 58.4.2, contained in SC-CAMLR-39, Table 5, to set catch limits for Division 58.4.2 in 2020/21.

5.42 The EU noted that it was unfortunate that there would be no exploratory fishing in Division 58.4.1, despite the consistently achieved milestones and robust scientific information available.

5.43 France shared the views of the Delegations of Australia and the EU, further underlining that during the meeting of the Scientific Committee it was considered to create an e-group on this issue.

5.44 Australia noted that it would reluctantly accept the lower of the catch limits either from last year or estimated by the trend analysis this year in Division 58.4.2. However, Australia stressed that this is an arbitrary approach, not based on the best available science, and should not be seen as an enduring principle on which to make decisions for setting catch limits. Australia reiterated that where updated catch advice was available, such as from the trend analysis, it should be used by the Commission for its decisions.

5.45 The Commission requested the Scientific Committee to explore ways to solve the issue of appropriate research methods of developing data-limited stock assessments in Division 58.4.1, including the development of an e-group to facilitate discussions between Members who hold alternate views on the methodology of the research plan.

Krill resources

5.46 Some Members noted the discussion by the Scientific Committee on krill resources and noted that the catch of krill (446 783 tonnes, SC-CAMLR-39/BG/57) in the 2019/20 season was the largest catch ever reported in Area 48 (amounting to 72% of the overall interim trigger level/catch limit). In Subarea 48.1, the duration from the date on which 5% of the catch was taken to the date on which 95% of the catch was taken was 69 days, compared to an average of 130 days over the previous five years (SC-CAMLR-39/BG/57).

5.47 The Commission noted that the Scientific Committee noted that the voluntary closures enacted by ARK members were partially responsible for the shortened period of fishing operations (SC-CAMLR-39, paragraph 2.1).

5.48 Argentina and Chile highlighted CCAMLR-39/09, which re-emphasised the importance of the Domain 1 MPA (D1MPA) proposal, in particular within the context of the development of a revised krill fishery management strategy. They argued that evidence that variations in the environmental conditions in the Antarctic Peninsula and in krill catch distribution, which have effects on penguin population dynamics (WG-EMM-2019, paragraph 4.41) suggests that CM 51-07 might not be precautionary enough, and that, while the management strategy is developed, the D1MPA was an effective conservation tool which includes rational use as required by Article II of the Convention. They further recalled that establishing a representative network of MPAs by 2012 had been determined as a priority for the Commission.

5.49 Russia noted that CCAMLR-39/09 does not provide evidence of scientifically based information for suggesting that CM 51-07 might not be precautionary enough. Russia emphasised that such a conclusion should be based on scientifically grounded criteria and accompanied by diagnostics, allowing to separate the potential impact of fishing from the impact of environmental conditions, penguin population processes and competition relationships between predators for krill resources. Russia also noted that the papers and baseline data referred by authors should be available for the Scientific Committee and its working groups.

5.50 Russia noted that when discussing the high catch obtained in the 2019/20 season, it should be taken into account that, in accordance with CM 51-01, the total available krill catch limit in Area 48 is 5.61 million tonnes in any fishing season, and the catch limit is limited to the trigger level of 620 000 tonnes. The trigger level value is not scientifically justified and is not related to the state of krill resources or dependent predators. Russia recalled that since 2007, the total available krill catch limit in Area 48 has changed from 3.47 million tonnes to 5.61 million tonnes, with the trigger level of 620 000 tonnes remaining unchanged. Russia also noted that the value of 150 000 tonnes achieved in 60 days in Subarea 48.1 is comparably less than the available data on the needs of predators, underlining that at present it only can be stated the spatial overlapping between the foraging areas and the fishing areas without scientifically based indicators of the ecosystem impact of krill fishery. Russia noted that recent scientific evidence indicated the occurrence of high, localised krill densities in coastal areas at depths less than 500 m that did not overlap with fishing areas, and that the consideration of fisheries impacts on higher predators required further research.

5.51 The USA and Argentina noted that peer-reviewed literature, which had previously been submitted to WG-EMM, demonstrates krill fishing can negatively impact krill-dependent predators.

5.52 Ukraine noted SC-CAMLR-39/BG/56, which discussed the feasibility of establishing specific limitations on the use of the continuous krill fishing system in the Area 48, and considered that it was important for the Commission to evaluate this proposal during the revision of CM 51-07 next year.

5.53 The Commission welcomed the significant amount of focussed work that has been undertaken by the Scientific Committee and its working groups in 2020 on developing the revised krill management strategy, and looked forward to receiving the advice of the Scientific Committee in 2021.

5.54 Many Members recalled previous scientific advice about the importance of having a precautionary approach, of spreading out the krill catch in space and time, and the urgent need to make progress next year on the revised management of the krill fishery – the very reason why this Convention came into being. These Members noted that there should be no possibility to delay further decisions on krill management, recognising that management should be precautionary and based on sound science.

Fish resources

Icefish

5.55 The Commission noted the assessment by Australia of mackerel icefish (*Champscephalus gunnari*) in Division 58.5.2 (SC-CAMLR-39/01 Rev. 1). Australia noted that this assessment followed standard methodology using the generalised yield model with data from a standardised random trawl survey, and is based on the decision rule recommended by WG-FSA in 1997 (SC-CAMLR-XVI, Annex 5, paragraph 4.181). The paper recommended that the catch limit for *C. gunnari* should be set at 1 276 tonnes in the 2020/21 season and 1 047 tonnes in the 2021/22 season in Division 58.5.2.

5.56 Australia noted that whenever updated catch advice is available based on rules adopted by CCAMLR, it should be utilised to uphold CCAMLR's practice and obligations under Article IX of the Convention to use the best available science. Australia noted that there had been insufficient time to adopt the report by the Scientific Committee for this assessment. However, Australia considered there was no impediment to the Commission making a decision on the basis of the paper presented to the Scientific Committee.

5.57 Russia did not support the increased catch limit for CM 42-02, noting the lack of advice developed by the Scientific Committee for this fishery, and stated that it did not see any scientific basis to allow a catch limit of nearly double of last year's limit. Russia considered that there needed to be consistency in catch limits approved by the Commission in 2020/21, and by using the catch limit from the 2019/20 season this was a precautionary approach.

5.58 Australia expressed strong disappointment that Russia arbitrarily blocked consensus on this issue despite the proposed revisions being based on the best available science following a thoroughly tested rule applied by CCAMLR consistent with the precautionary approach. Australia further noted that the catch limits in this fishery over the last 15 years have fluctuated between 0 tonnes and over 2 000 tonnes which is common for a short-lived fish species. Australia expressed its hope for better scientific cooperation in the future.

Non-target species

Fish and invertebrates

5.59 The Commission noted the discussions of the Scientific Committee on fish by-catch in SC-CAMLR-39, paragraphs 2.3 to 2.5.

Seabirds and marine mammals

5.60 The Commission noted the Scientific Committee's discussion on the report submitted by Norway on seabird interactions with net monitoring cables (SC-CAMLR-39/BG/59), and that it was unclear to the Scientific Committee to what extent the conditions of the trial outlined in SC-CAMLR-38, paragraph 5.14, had been addressed.

5.61 China thanked Norway for presenting the preliminary results of the net monitoring cable trial to the Scientific Committee and noted that there was general agreement for the continuation of the net monitoring trial amongst Members of the Scientific Committee. However, it also noted that there was not enough time to fully adopt the relevant section of the Scientific Committee's report. China further noted that one of its krill fishing vessels, the *Shen Lan*, which is equipped with conventional stern trawl as well as continuous trawling system using a net monitoring cable, was not able to enter the fishery in the 2019/20 fishing season due to the COVID-19 pandemic, and the vessel had also been notified for the 2020/21 fishing season, and this vessel used a net monitoring cable system. China proposed that a net monitoring cable trial should continue in 2020/21 and undertook to participate in the trial and work together with Norway on improving mitigation measures to prevent seabird cable strikes.

5.62 The Commission agreed that the derogation in footnote 2 of CM 25-03 be extended to the 2020/21 season to enable the net monitoring cable trial to continue for another year. It noted the need to determine the requirements of the net monitoring cable trial in 2020/21 including the need for further analyses, and a complete report of the data collected during the 2019/20 season at the next meeting of WG-FSA.

5.63 The Commission noted that, in addition to the specifications set out in footnote 2 of CM 25-03, a dedicated e-group shall be organised in the 2020/21 intersessional period to address issues regarding strikes on net monitoring cables and warps, bird abundance around vessels, higher level of observer coverage, use of spotlights and options for more effective mitigation.

Bottom fishing and vulnerable marine ecosystems

5.64 The Commission noted the Scientific Committee's deliberations regarding bottom fishing and vulnerable marine ecosystems (VMEs). The Commission noted that a focus topic on non-target species that would include VMEs, was due to be held at WG-FSA-2020, however, due to the unprecedented circumstances of the meeting this year, this was postponed. The Commission encouraged further work on progressing the VME workplan.

Conservation measures

6.1 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-39 will be published in the *Schedule of Conservation Measures in Force 2020/21*.

6.2 The Commission agreed that the following conservation measures and resolutions will remain in force in 2020/21:

Measures on compliance

10-01 (2014), 10-02 (2016), 10-03 (2019), 10-04 (2018), 10-05 (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), 41-02 (2019), 41-08 (2019), 42-01 (2019), 42-02 (2019), 51-01 (2010), 51-02 (2008), 51-03 (2008), 51-06 (2019) and 51-07 (2016).

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.

6.3 The Commission adopted the following revised conservation measures:

Revised measures on general fishery matters

24-05 (2020) and 25-03 (2020).

Revised measures on fishery regulation

32-09 (2020), 33-02 (2020), 33-03 (2020), 41-01 (2020), 41-03 (2020), 41-04 (2020), 41-05 (2020), 41-06 (2020), 41-07 (2020), 41-09 (2020), 41-10 (2020), 41-11 (2020) and 51-04 (2020).

Review of existing measures

6.4 The Scientific Committee Chair provided summaries of the catch limits as presented in SC-CAMLR-39, Table 5, and recommended that this could be used as the basis for the decisions by the Commission on updating the catch limits for fisheries in 2020/21 in the Convention Area. Many Members stated that catch limits should be set using the most current information as the best available science as presented in the proposed catch limits for 2020/21 in SC-CAMLR-39, Table 5. One Member believed that the catch limits for 2019/20 should be used for 2020/21 as this reflected the most precautionary approach.

6.5 The Commission agreed, on a case-by-case basis for each subarea, division, and research block, to use the lesser of the catch limits proposed for 2020/21 in SC-CAMLR-39, Table 5, or those previously adopted by the Commission for 2019/20, for the 2020/21 season, while noting that this practice should not become a precedent. It noted that this was a response to the particular circumstances of this year's meeting, and recalled that the Commission should use best available science consistent with Article IX of the Convention.

Measures on general fishery matters

6.6 The Commission noted the discussion of research notifications under CM 24-01 (see paragraphs 5.28 to 5.31) and adopted CM 24-05 (2020).

6.7 The Commission agreed that the derogation in footnote 2 of CM 25-03 be revised to apply to the 2020/21 season and adopted CM 25-03 (paragraphs 5.62 and 5.63).

6.8 The EU presented a proposal for amending CM 26-01 (CCAMLR-39/02). 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 move this proposal forward at CCAMLR-40.

Measures on fishery regulation

6.9 The Commission welcomed the advice from France that it would not licence any vessels to participate in the exploratory fishery in Division 58.4.2 in 2020/21 and agreed to include a footnote in CM 41-05 to that effect.

Toothfish catch limits

6.10 The Commission noted that CMs 41-02 (2019) and 41-08 (2019) for the fisheries for Patagonian toothfish (*Dissostichus eleginoides*) in Subarea 48.3 and Division 58.5.2 respectively remain in force. The Commission also adopted CM 41-03 (2020) for the fishery targeting *D. mawsoni* and *D. eleginoides* in Subarea 48.4.

6.11 The Commission agreed to adopt CMs 41-09 and 41-10 and establish an e-group in the intersessional period which is provided with relevant information to allow for ample information

exchange between Members to facilitate a thorough investigation process regarding the issue of allegations against the vessel *Palmer*, so as to address in a satisfactory manner the specific requests raised by Members during CCAMLR-39. Russia undertook to prepare a report, in cooperation with all interested Members on the outcomes of such work, and present it to SCIC-2021.

6.12 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 for *D. eleginoides* in Division 58.4.3a in 2019/20 and 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.

6.13 Having agreed the catch limits referred to in paragraph 6.12, the Commission agreed to the revised by-catch limits for exploratory fisheries for *D. mawsoni* in Subareas 48.6 and 88.2 and Divisions 58.4.1 and 58.4.2 and for *D. eleginoides* in Division 58.4.3a in 2020/21 in CM 33-03 (2020).

6.14 The Commission agreed that directed fishing for *Dissostichus* spp. shall not take place in 2020/21 in Divisions 58.4.3a and 58.4.3b.

6.15 There was no consensus that directed fishing for *D. mawsoni* shall take place in 2020/21 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 2020/21 in Division 58.4.1.

Icefish catch limits

6.16 The Commission noted that CM 42-01 for the fishery for *C. gunnari* in Subarea 48.3 remains in force.

6.17 The Commission noted that there was no consensus on updating the catch limits for the fishery for *C. gunnari* in Division 58.5.2 (paragraphs 5.55 to 5.58) and therefore that CM 42-02 remains in force.

Impacts of COVID-19 on the 2020/21 fishing season

6.18 The USA introduced a proposal related to potential issues with the deployment of international scientific observers that may be associated with travel or other restrictions arising from the COVID-19 pandemic (CCAMLR-39/12). The USA stated that conservation measures in force should be followed and this proposal seeks to have the Commission decide a policy related to deployment of international scientific observers during the COVID-19 pandemic and not leave it to individual Members to apply force majeure or derogate from conservation measure rules.

6.19 China, Japan and Korea supported the proposal and indicated the need for maintaining scientific data collection as well as the need for flexibility to ensure safety of vessel crew and observers during the pandemic. Russia did not support the proposal and stated that changes have occurred since the proposal was made and that there is the ability to deploy international scientific observers without this proposal.

6.20 The USA thanked Members that supported the proposal and in the absence of consensus the proposal was withdrawn.

6.21 China stated more international cooperation is needed to protect crew members of fishing vessels as well as related nationals of inspecting States and Port States. Firstly, as to high-seas boarding and inspection and port inspection, the inspectors shall take necessary preventive health measures and take the medical examination before embarking. Secondly, the Flag Members could make some guidance to require or instruct the related vessel owners to implement the preventive arrangement. Thirdly, the suspected case showing symptoms shall be isolated and offered the necessary medical assistance and treatment as soon as possible.

Other fishery matters

6.22 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 exclusive economic zone (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.

Administrative matters

Election of officers

7.1 The Commission thanked Spain (Mr F. Curcio Ruigómez) for its dedication and excellent and steady execution as Chair of the Commission for the 2019 and 2020 meetings.

7.2 The Commission elected Sweden to the position of Chair of the Commission for the 2021 and 2022 meetings. In accepting the appointment, Sweden advised that Dr Jakob Granit, Director General at the Swedish Agency for Marine and Water Management (SwAM) would assume this role. Dr Granit thanked the Commission Members in his introductory remarks and informed the meeting that he was looking forward to the opportunity to work with the

Commission Members in this important role. All Members congratulated Dr Granit on his appointment as Chair of the Commission and welcomed the opportunity to work with him to advance CCAMLR's work.

7.3 Dr Granit made the following statement:

'I am honoured to serve as the Swedish Chair to the Commission for the next two-year period. I am grateful to Chair Ambassador Ruigómez for his dedicated work together with the Secretariat to keep the Commission running, also during the ongoing pandemic. The pandemic has changed daily life and led to heartfelt losses amongst many of us. Indeed, it has also put a major strain on the work of the Commission. Unfortunately, we do not know how long these extraordinary circumstances will continue and influence the way we work in the Commission.

The objective of this unique Commission is the conservation of Antarctic marine living resources. Conservation in this regard also entails the rational use of the living resources in the Southern Ocean from an ecosystem-based management perspective. The Convention that was adopted in 1980 pioneered the concept of ecosystem-based management and developed the concept, as we know it today. This includes the different conservation measures such as fisheries regulation, fisheries control and area-based management tools. Most importantly, all management decisions should rely on best available science.

The Convention on the Conservation of Antarctic Marine Living Resources is an integral part of the Antarctic Treaty System with its key objective that Antarctica should be used for peaceful purposes only. This system with the Convention on the Conservation of Antarctic Marine Living Resources therefore make up a whole in which collective action can make a real impact for the Antarctic ecosystem, the sustainable management of fisheries resources and for the earth system as a whole.

Excellencies, Sweden has been a Member of the Convention since 1984 and carried out research in the region since the turn of the last century. Our support for water and ocean management is well recognised. We will ensure respect for international law and science-based decision-making and bring it to the forefront during our Chairmanship. Issues that we see of particular importance during the next coming period is climate change and its impact on the marine ecosystems, how to deploy area-based management tools as a respected ecosystem-based conservation measure, the combat of marine debris, sustainable fishing practices and digitalisation.

Dear Colleagues, we very much look forward to working with you over the next two years during the Swedish Chairmanship and we look forward to being able to meet you soon face-to-face.

We live in extraordinary times. I will ensure you that I will do my best, together with all of you, to find ways to work during the pandemic and beyond that are acceptable to all. I am planning to reach out to all delegations during 2021.

With these words I thank all of you and wish you a successful close of the Thirty-ninth Meeting of the Commission.'

7.4 The Commission expressed its gratitude to Ms Kim for chairing SCIC over the last four years and noted the nomination of Ms Engelke-Ros as Chair for 2021 and 2022.

7.5 The Commission noted the nomination of Ms Langerock as Chair of SCAF for 2021 and expressed its gratitude to Ms Langerock for her excellent work as Acting Chair of SCAF during these difficult moments.

7.6 The Commission accepted the nominations and congratulated the Chairs of SCIC and SCAF.

Appointment of the Executive Secretary

7.7 The Commission recognised that the initial contract of the Executive Secretary is due to expire on 9 April 2022. Expressing its satisfaction with Dr Agnew's work, in accordance with Rule 14(a) of the Rules of Procedure, the Commission agreed that his office shall be extended for a second four-year term to April 2026.

7.8 Many Members expressed their appreciation of, and confidence in, Dr Agnew's work as Executive Secretary, particularly during this challenging year. Russia expressed its expectation that the Executive Secretary should act in an objective way in the interests of all Members of the Commission. The Chair declared that without the work and support of the Secretariat and the Executive Secretary, including the Executive Secretary's professionalism and wisdom, it would not have been possible to conduct the 39th meeting of the Commission.

Invitation of observers

7.9 The Commission will invite the following to attend the Fortieth 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 Catch Documentation Scheme (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 – 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 – Bolivia, Brunei Darussalam, Colombia, Dominican Republic, Lebanon, Malaysia, Republic of the Maldives, Mexico, Myanmar, Philippines, Switzerland, Thailand, Trinidad and Tobago, 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.

7.10 The Executive Secretary advised the Commission that a list of NCPs to be invited to CCAMLR-40 will be circulated to Members for comment prior to meeting invitations being issued in July 2021.

7.11 The following intergovernmental organisations will be invited to attend CCAMLR-40 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.

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

Next meeting

7.13 The Commission agreed that the Fortieth Meeting of the Commission will be held at the CCAMLR Headquarters building (181 Macquarie Street) in Hobart, Australia, from 18 to 29 October 2021, unless the Commission decides otherwise.

7.14 The Commission noted that the Fortieth Meeting of the Scientific Committee will be held in Hobart from 18 to 22 October 2021, unless the Scientific Committee decides otherwise. It also encouraged the Scientific Committee Bureau to develop a detailed intersessional working plan as soon as possible to cope with its markedly increased work load and to facilitate the participation of Member delegates.

7.15 The Commission also requested the Executive Secretary and the Secretariat begin planning for CCAMLR-40 as soon as possible and, given the uncertainty that the pandemic has created, plan for all eventualities. This should include planning for formal meetings of SCIC and SCAF.

7.16 The Commission requested the Secretariat to update the report on the practices regarding meeting planning in other international organisations during the pandemic, including international organisations involved in fisheries.

7.17 The Commission requested that Heads of Delegation meetings be conducted early and as necessary during the course of next year to discuss virtual meetings, should these be necessary.

Other business

Implementation of objectives of the Convention

8.1 Chile made the following statement:

‘When Members negotiated conducting a virtual meeting, it was on the understanding that, beyond any time constraints, the principles of the Convention would always be

observed. Today, however, we see that as discussions are becoming more complex, we have concerns about the difficulty of reaching agreements and carrying out our work as Members of the Commission. Fortunately, we also notice that the majority of Members are committed to strengthening the role of the Convention as an integral part of the Antarctic Treaty System. The most important thing is to keep in mind the values we have committed to.

One of Chile's concerns with the Commission is the need to maintain the fragile balance established in Article II between the conservation of marine Antarctic ecosystems and the rational use of marine living resources. It is for this reason that we have encouraged the Members of the Commission to reflect on the evolution and the future of the organisation, and we have proposed to maintain a dialogue about CCAMLR strategic priorities. It is what we did at the Valdivia Symposium in 2006 with Australia and again at the Santiago Symposium in 2015, in collaboration with Australia and the USA. These efforts should gain further momentum when we hold our 40th Meeting.

Today, more than ever, there are serious threats to the protection of Antarctica, which we cannot ignore. In this scenario, it is the duty of the Commission to take into account the rapid climatic evolution in the Convention Area and its effects on ecosystems and Antarctic fishing. To that effect, it is essential to recall the role of the Scientific Committee and how important it is to this Commission to use the best available science in its decision-making.

Therefore, we would like to reiterate the urgent need to have a document of strategic guidelines that will allow us to have a clear vision of what our priorities are and so avoid discussion of matters that are not the role of the Commission. With this purpose in mind, we propose the creation of an e-group aimed at reinforcing the treatment of these matters, thus paving the way to our 40th meeting, where we hope to be able to send a clear signal of unity as we face the expectations that we have been asked to fulfill regarding the protection of marine living resources and associated ecosystems.'

8.2 The United Kingdom made the following statement:

'CCAMLR is an intrinsic part of the Antarctic Treaty System. Its objective is conservation, where this also includes rational use. The Convention also commits all CCAMLR Members to not engage in any activities in the Antarctic Treaty area, contrary to the principles and purposes of that Treaty, which include freedom of scientific investigations and cooperation.

Cooperation on science is fundamental to the effective functioning of the Antarctic Treaty System. Too often, however, in the Scientific Committee of CCAMLR, the focus is shifting from consultation and co-operation concerning the collection, study and exchange of information, as envisaged in Article XV of our Convention, towards legal and procedural matters – moving from the substance to the process. This means that we are increasingly seeing participation in the Scientific Committee by those without appropriate scientific credentials and advice to the Commission littered with national statements, often introducing non-scientific considerations. This year has been particularly frustrating, as the Scientific Committee has actually been prevented from delivering its functions.

The key challenges we have before us to deliver our Convention objectives need to be addressed on the basis of the best available science, and on a precautionary basis. Our focus must be on conservation, yet increasingly we are seeing Members unwilling to fully engage in enhancing conservation measures – such as in relation to MPAs or the protection of marine areas newly exposed by ice shelf or collapse or glacial retreat – and focusing only on how much fish they can catch, whilst actually contributing very little science. The range of challenges before CCAMLR include climate change, where there are currently more unknowns than known and where a failure of CCAMLR to take precautionary steps and effective management of activities in the Convention Area could be catastrophic for the protection of the Antarctic environment.

This has obviously been a year of significant challenge for CCAMLR and consequently discussions have been necessarily curtailed and limited. However, CCAMLR has also come together and is conducting a series of very well administered virtual meetings. No one knows what next year will bring. CCAMLR cannot postpone the implementation of its objective any further because of procedural, technical or process reasons. Through truly embracing the spirit of cooperation envisaged under the Antarctic Treaty System, CCAMLR should be able to reinvigorate its work through the forthcoming intersessional period and plan for a full suite of meetings – physical or virtual – next year. There are a number of issues that must be addressed next year, including assessments, krill catch distribution and an expected report of SCAR on the Antarctic Environment and Climate Change. We hope these discussions will be informed by detailed scientific substance advice and encourage all Members to engage constructively this year.’

8.3 Belgium made the following statement:

‘This year marks 40 years since the CAMLR Convention was signed. While we are of course looking forward to celebrations next year, we believe it is also an appropriate moment to reflect on where we stand today. Even more so in these unprecedented times where COVID-19 has obliged us to re-evaluate our priorities and to do things differently.

We have noticed that discussions tend to become more and more polarised every year while we all have the important and joint responsibility to conserve and safeguard Antarctica and Antarctic marine living resources for the generations after us. Therefore, we want to call on all Members to truly and genuinely adhere to the spirit of peace and collaboration of the Antarctic Treaty System and to step up our engagement and ability to cooperate and to reach consensus.

Five years ago, when I became the Belgian Commissioner for CCAMLR, the organisation was lauded for its cooperation and its ability to make difficult decisions and to reconcile different interests. Nowadays, I hear more and more whispers doubting this capability. Let me be very clear Mr Chair, colleagues, and reconfirm Belgium’s strong commitment to the objective of the Convention, to maintaining CCAMLR’s high standards, and to uphold the integrity of this organisation. The importance of respecting the Convention and the Rules of Procedure cannot be overestimated. In this regard we would like to reiterate that the proceedings of this year’s meetings should be considered as exceptional and that they do not constitute any precedent for the future.

We would also like to emphasise the importance of the precautionary principle as well as the importance of the conservation of Antarctic biodiversity and ecosystems. Any sustainable use of marine living resources relies on these two principles. Therefore, adhering to Article II of the CAMLR Convention is essential for us. While we acknowledge that conservation includes rational use, we want to reiterate both go hand in hand and that the latter cannot be an end on itself.

As a Commission, we depend on the Scientific Committee to provide us with sound and robust advice based on the best available science to support our decision-making. We all agree that the Scientific Committee is an essential pillar of this organisation. For this to continue to be the case we need to provide the Scientific Committee with the necessary tools, time and independence to conduct its business as it sees fit and according to its own Rules of Procedure.

We must take measures to ensure that the Scientific Committee will be able to perform its task in the next intersessional period. Currently it is difficult to say how long COVID-19 restrictions will continue to be in place and to what extent. As such, we hope that we can agree on an approach that will allow the Scientific Committee to provide formal advice to the Commission regardless of any travel restrictions that may or may not be in place. While using an online platform may have its limitations, we note it provides an opportunity for much broader participation of scientists from a variety of Members. Extended use of online platforms may therefore enable more engagement of smaller delegations as well as provide a tool to reduce the need for international travel and associated emissions.

As we haven't done so before, we would like to use this opportunity to thank the Scientific Committee and its Chair for their hard work and efforts during the past intersessional period to advance the Committee's work and especially on the priority matters that were identified.'

8.4 New Zealand made the following statement:

'It is important that we mark and celebrate the occasion of the 40th anniversary of the adoption of the Convention (May 1980). We should celebrate that we have organised and held the regular meeting of CCAMLR in these extraordinary circumstances and celebrate that CCAMLR is a highly effective and intrinsic part of the Antarctic Treaty System, but we must not rest on our laurels. We have a responsibility to work proactively, and at pace, to continue to give effect to the objective of the Convention. This will require: (i) collaboration to ensure that we have a coherent and proactive approach to addressing the implications of climate change for the Antarctic marine environment; (ii) attending to our shared commitment to designate a representative network of MPAs; (iii) providing whatever support our Scientific Committee needs to do its work in the way that it sees fit, and to work collaboratively as scientific experts; (iv) we need to hold ourselves and each other to account, to implement our objective and uphold conservation measures; and (v) we must be prepared to continue to adapt to the new global situation where we cannot necessarily expect to meet in person, and continue the pace of our progress regardless.'

8.5 Australia made the following statement:

‘The integrity of CCAMLR as a functional and effective part of the Antarctic Treaty System is of critical importance. This year the world has faced an unprecedented set of circumstances. We have had to pivot and change the way we do everything. In every aspect of our lives. We have all done things and achieved things in ways previously considered difficult or impossible. And as a Commission, we have proven that we have the tools to meet virtually and to conduct our business. It is how we utilise those tools that is important.

I would like to bring the Commission’s attention to the 2019 Prague Declaration on the Occasion of the 60th Anniversary of the Antarctic Treaty. Almost every Member of this Commission signed onto that declaration as a Consultative Party to the Antarctic Treaty. Some components of that declaration that I would like to reflect on are as follows: the importance of ensuring the continuance of international harmony in Antarctica; the ability of the Antarctic Treaty System to evolve and adapt to addressing current and future challenges; the importance of drawing on the best scientific and technical advice available; the commitment to limit adverse impacts on the Antarctic environment and dependent and associated ecosystems; and the importance of CCAMLR as part of the Antarctic Treaty System.

Moving forward it is critical that as a Commission we continue to develop, promote and support measures that fulfil CCAMLR’s conservation objective, and make management decisions (including adopting conservation measures and undertake activities) based on the rules adopted by CCAMLR, and consistent with CCAMLR’s practice and obligations under Article IX of the Convention to use the best available science.

The future is uncertain. But what we know is that this Commission has an obligation to ensure the conservation of Antarctic marine living resources. We have a range of critical issues that we must address next year. These issues cannot wait. For that reason, we urge all Members to act in good faith to ensure that no matter what next year brings, that we engage constructively in the intersessional period and we resume our normal schedule of meetings. CCAMLR’s ability to make important decisions that conserve Antarctic marine living resources while allowing rational use will be a testament to its strength in these challenging times.’

8.6 Russia made the following statement:

‘We would like to support the objectives and the tasks of the Commission and we would like to emphasise the importance that the Commission has as part of the Antarctic Treaty System. It is important for us to continue every effort to tackle those important strategic issues facing the Commission. We think that the idea of using our existing possibilities or tools including the intersessional work to the maximum should be used. We also would like to stress, as we did before on a number of occasions, our readiness and our interest in a substantive and progressive discussion.

Based on the norms of the Convention and the Antarctic Treaty and matters relating to the creation, the functioning and cessation of the so-called MPAs, we support and we consider it of principal importance, which is provided by Article II of the Convention, to have a balance between the conservation of the living marine resources and their

rational use in Antarctic. We consider that one of the utmost conditions to ensure such a balance is, or would be, the efforts by the Commission and the Member States to get the best available science on the status or the conditions of the ecosystem in the Antarctic.

We share the concerns of those delegations that noted or remarked on the importance of stepping up and optimising all the efforts, including as part of the work of the Scientific Committee on obtaining such data. We think that international cooperation as part of the Antarctic Treaty and as part of the Commission is of principal importance and an important condition, a precondition for the implementation of the Convention's objectives.

Very briefly, we'd like to comment on the climate change issues. We think that the Commission must work in relation to this issue. Firstly, in strict accordance with its mandate as established by Article II of the Convention. It is important that the Commission in its practical work pays very serious attention to the matter of how such changes impact the state of the marine ecosystem in Antarctica. It is important to consider subitems A, B and C of the Convention. At the same time, we think it is important to draw your attention to the fact that such matters directly concern the mandate of the consultative meeting of the Antarctic Treaty and the Committee for Environmental Protection (CEP).

We would like to stress that as part of the dialogue which is held on systematic challenges to the Antarctic Treaty, Russia is chair of the informal working group which has been set up intersessionally. Climate change is one of the most serious challenges that we face. Following from that, we think it's important to establish close cooperation of the Commission with the ATCM as part of its mandate and with the CEP and with SCAR. It is indeed on the basis of the data and the documents of those meetings the Commission would have a reliable basis for assessing the situation as part of its mandate.'

8.7 China made the following statement:

'China attaches great importance to the objective of the Convention which is enshrined in Article II. We have three points to make. First, our work on conservation of marine resources should be aligned with the Agenda for Sustainable Development. We recognise that conservation of marine resources provides basic guarantees and stronger impetus for implementation of Sustainable Development Goals (SDGs), including poverty reduction, job creation, food security, the enhancement of health and et cetera. The realisation of SDGs also contributes to improve and enhance the effectiveness of the conservation of marine resources.

Second, we should uphold freedom of scientific research and investigation in the Antarctic and to further consolidate the scientific foundation for its protection and utilisation. We need to focus our efforts on making better plans for scientific research and building stronger capacity of investigation and learning. Our priority should be basing our policy making on sound scientific research and its finding.

Third, we should stress equal-footed consultation and mutual benefit and stick to the spirit of cooperation of Antarctic. We should cherish our tradition of cooperation.'

8.8 Argentina made the following statement:

‘We yearn for the possibility of a frank face-to-face conversation in Hobart that can allow us to advance issues which are the very essence and objectives of this Commission and of our presence and functions within it.

For moments this delegation truly feels that we tend to lose our way. When at a meeting we cannot reach agreement with respect to the scientific advice it requires; or the ways in which it should be elaborated and provided by the Scientific Committee so that we may adopt measures that allow us to preserve the ecosystem; or the way in which its Standing Committees should session. When we are unable to reach consensus regarding how to undertake scientific research in newly exposed sites after thousands of years of being covered by ice-shelves. When we are unable to agree on identifying Member non-compliance of conservation measures. When we cannot move forward on central concerning issues like spatial management and the definition or establishment of MPAs or on how to address the impacts of climate change.

The pandemic has put us before unprecedented challenges regarding the need to conduct our business in a virtual manner. That challenge, that due to technological complications and time differences would limit the time available for our agenda, was faced with some attitudes that do not align with the spirit of cooperation enshrined in the Antarctic Treaty, which should drive us all. We cannot fail in this task as this will affect this organisation’s reputation.

Having seen that even with its shortcomings, the virtual systems used have allowed us some kind of dialogue and exchanges, and in view of the uncertainties which still lurk over what may happen next year or how we may need to conduct our business, we suggest and hope that we may agree to a further use of these technologies to advance the intersessional work and agenda of the Scientific Committee and its working groups, or even of our Commission. It’s probable we will need clearer rules for its operation. Let us start work early on towards that goal. But let’s not misuse this moment, which ultimately is also an opportunity to improve the way we work, particularly by facilitating participation of delegations that are not always able to do so.

Finally, we hope that the situation in which we find ourselves this year will allow us to seriously reflect during the intersessional period as to the type of organisation we want to be and allow us to have more clarity as to the subject of this very agenda item “Objectives of the Convention”, that is, what are the true objectives of our Convention and the functions of this Commission. We hope that while enabling us to reach new points of understanding, the 40th Commission Meeting in 2021 will allow us to be more satisfied with our work, by achieving concrete progress on the main topics on our agenda.’

8.9 Ecuador made the following statement:

‘Ecuador thanks and recognises all the Member countries of this organisation for their effort to have the fisheries in the Convention Area with sustainable exploitation, through the information that is reviewed in the meetings of the Scientific Committee and management measures in plenary meetings. Ecuador began a research fishing activity in a public–private partnership in jurisdictional waters in June 2017 in order to establish

the distribution, abundance, and biological aspects of Patagonian toothfish (*Dissostichus eleginoides*) in Ecuadorian waters, with successful results by the fishing vessel *Belle* (TRN = 39). In 2020, it has started its second phase with the vessel *Daichi Maru No. 25* (TRN = 134) in island waters of the Galapagos. This research project will run until 2022 and the possibility of opening the fishery will be determined, under parameters of sustainability, precautionary principle and ecosystem approach. Since the acceptance of Ecuador under the status of Cooperating Non-Contracting Party with CCAMLR in October 2018, we received the visit of two CCAMLR technicians, specialists in the *Dissostichus* spp. Catch Certification System (e-CDS), to carry out in February 2019, a capacity building workshop for the public and private sectors, which included the Ecuadorian scientific, customs, maritime and fisheries administrations, to highlight the importance of having an inclusive resource traceability protocol as a deterrent to combat IUU fishing. Likewise, in the month of August 2019, we had the visit of the Executive Secretary, Dr David Agnew, who explained the protocols at the Commission level for accessing and ratifying the Convention upon acceptance as a Member of CCAMLR. It is allowed to inform that the internal legal procedures have been initiated in Ecuador, for the adhesion to the Commission for the Conservation of Antarctic Marine Living Resources, which advances according to the national guidelines for the ratification of international instruments, in order to become a full Member of CCAMLR.’

8.10 The Commission agreed to establish an e-group aimed at facilitating discussions on reinforcing the objective of the Convention, to pave the way for the Commission’s 40th meeting, where the Commission may wish to send a clear signal of unity and cooperation to fulfil its obligations for the conservation of Antarctic marine living resources.

8.11 ASOC made the following statement:

‘ASOC is again disappointed to see a lack of progress towards conservation at this year’s CCAMLR meeting. We commend Members for holding a meeting in difficult circumstances, but regret that not all Members were willing to use this opportunity to advance the objective of the Convention. CCAMLR Members must adopt meaningful conservation measures that strengthen ecosystem resilience in the Southern Ocean.

MPAs are a nature-based solution in response to climate change and the biodiversity crisis. The proposed system of MPAs will safeguard Antarctic species and habitats by reducing anthropogenic pressure and providing space for nature to adapt to the accelerating effects of climate change. CCAMLR should make progress on this by adopting the East Antarctic, Weddell Sea and Domain 1 MPAs.

With new research highlighting the impact of the concentrated krill fishery on penguins in the Antarctic Peninsula, it is imperative the Scientific Committee is able to do its work to complete the krill fisheries management work plan.

The way CCAMLR manages fisheries needs to change in order to take better account of climate change information to ensure CCAMLR’s conservation principles continue to be met.

ASOC calls on CCAMLR Members to use the intersessional period to engage and prepare at the appropriate levels to ensure CCAMLR 40 can contribute to the extraordinary historic legacy of Antarctic multilateralism and global cooperation.

Together we have the solutions and the commitment to conserve the Southern Ocean and its iconic wildlife. As leaders have done before when they established the Antarctic Treaty System, you can and must choose to collaborate in good faith, and to uphold CCAMLR's leadership for the long-term benefit of people and nature.'

Spatial management

8.12 The Commission noted the discussion by the Scientific Committee (SC-CAMLR-39, paragraphs 3.11 to 3.15) regarding the proposal to designate the newly exposed marine area adjacent to Pine Island Glacier (Subarea 88.3) as a Stage 2 Special Area for Scientific Study (SASS). The Commission could not reach agreement on this proposal, nor on the suggestion to extend the period of the Stage 1 designation for an additional year. The Commission noted that the Stage 1 SASS expires 31 May 2021 and encouraged proponents to submit a proposal for redesignation of a Stage 1 SASS.

8.13 The UK made the following statement:

'CM 24-04 provides a two-stage approach for the establishment of time-limited Special Areas for Scientific Study in newly exposed marine areas following ice-shelf retreat or collapse. Stage 1, lasting two years, automatically occurs following notification of a newly exposed marine area. Stage 2, lasting 10 years, occurs after review of the necessary detailed information on the extent and characteristics of the Special Area.

In the case of the Pine Island Glacier, the Secretariat was notified about the dramatic retreat on 1 June 2019, and CCAMLR-38/20 was submitted to CCAMLR, outlining the extent and rate of retreat as required under CM 24-04. Last year, the Scientific Committee agreed this was an area of significant scientific value. However, in response to requests by two Members, further information – above and beyond what was required under CM 24-04 – was provided to WG-EMM and the Scientific Committee in SC-CAMLR-39/02.

The purpose of CM 24-04 is to enable scientific research in areas that are likely to reveal new and important scientific information about a range of ecological processes. Moving to Stage 2 for the Pine Island Glacier marine area should be a straightforward process, yet the reasons put forward are that there is insufficient evidence. To this, and other delegations, this is somewhat ironic.

Scientific interest in these areas is high, as demonstrated by the three major cruises which set out to study the marine area exposed near the Larsen C ice-shelf in 2018, and the planned German cruise to Pine Island Bay in 2024. In the case of Pine Island, there is therefore already established scientific interest. Further, there is also a multi-national multi-year study of the neighbouring Thwaites Glacier, which is also experiencing retreat.

We could have agreed to extend the Stage 1 designation for another year, but it seems even that will be tricky to achieve here. No counter scientific evidence has been tabled or demonstrated that would justify a conclusion that this marine area is not of high scientific importance. If indeed there is no consensus, the designation of this highly important and significant marine area will expire before the Commission meets again,

leaving the area without any special recognition of its scientific importance. This is extremely disappointing and will send another signal from CCAMLR to the Antarctic Treaty Consultative Meeting that it is not able to prioritise science or conservation.'

8.14 Sweden made the following statement:

'Sweden would like to thank the UK for its hard work providing additional information on the proposed designation of Pine Island Glacier as a Stage 2 Special Area for Scientific Study, in line with the comments and requests at last year's meeting.

The Scientific Committee agreed that the area is of significant scientific value, for example to understand changes in the benthic communities after exposure when ice shelves are lost and should therefore be protected from other activities than scientific studies. Several projects have already been planned, however, there is an urgent need to ensure long-term protection of the area to enable, facilitate and encourage long-term research activities to be undertaken in the region. Since such research activities are large scale and resource demanding, they will often require several years of studies before results can be expected.

We consider that the area meets the criteria for designation of a Stage 2 Special Area set out in paragraph 2 of CM 24-04, and we fully support the adoption of the proposal by the Commission.'

8.15 Many Members supported the statements by the UK and Sweden, noting the purpose of CM 24-04 is to enable scientific research in areas likely to reveal new and important scientific information, and that Pine Island is an area of high scientific interest with many Antarctic programs intending to conduct research there in the near future.

General issues related to spatial management

8.16 The EU, its member States and the UK, Argentina, Australia, Chile, New Zealand, Norway, Uruguay, and the USA made the following statement:

'The Southern Ocean supports unique ecosystems and sustains marine biodiversity. MPAs, such as the large-scale MPAs under consideration by CCAMLR, conserve marine biodiversity, maintain ecosystems and build ocean resilience. They also play an important role in sustaining the key life-history stages of harvested species and protecting vulnerable areas from adverse impacts of human activities.

MPAs are a critical component of the CCAMLR conservation and management system in furthering the objective of the Convention. In 2009, CCAMLR committed itself to establishing a representative system of MPAs in the Convention Area by 2012. Eight years after this deadline has passed, while CCAMLR still has not delivered on this commitment, we have adopted two MPAs to date. We note that there are currently three proposals for new MPAs under consideration by CCAMLR, notably in East Antarctica, in the Weddell Sea and in the Western Antarctic Peninsula and South Scotia Arc. We have a strong scientific foundation to underpin these.

Due to the exceptional and unprecedented circumstances brought about by the COVID-19 pandemic, CCAMLR-39 is taking place in a virtual format and with a reduced agenda. In a spirit of compromise, proposals to establish new MPAs will be exceptionally discussed under the agenda item “Other business” rather than as a self-standing agenda item, as has been CCAMLR’s practice to date.

These arrangements do not reflect the importance CCAMLR attaches to MPAs and should not be considered a precedent for future discussions. Rather, we note that the format of this year’s meeting is not conducive to building consensus on such an important and complex issue. We believe that MPAs should remain at the centre of CCAMLR’s work and deliberations going forward.

We therefore remain committed to progressing work on the MPA proposals with the objective of making substantial progress towards their adoption at CCAMLR-40. It would be a fitting way to celebrate the 40th meeting of the Commission. We stress the need for continued momentum and constructive engagement in the intersessional period in a spirit of openness and compromise so that we can deliver on our shared responsibility and commitment to protect the Southern Ocean for present and future generations.’

8.17 Spain made the following statement:

‘Spain wishes to express its support for the joint statement by the EU and its member States regarding the issue of Antarctic MPAs.

Before delving into that matter, though, I would like to bring the focus to the global agenda of our times, which requires harmonised action for those matters that concern us all. Spain is all for bold multilateral action and supports joint and cooperative action to tackle shared endeavours.

Spain wishes to thank and congratulate the authors of the MPA proposals for East Antarctica, Weddell Sea and Domain 1 for their effort and relentless work towards submitting the required information for those areas to be adopted and integrated in the network of such areas envisioned in the Convention for the Conservation of the Antarctic Marine Living Resources.

The creation of those Antarctic MPAs is the best example of our countries’ international diplomacy, science and effort to preserve biodiversity and to cooperate towards the mitigation of the effects of climate change.

Approximately 10% of Spanish domestic waters are nationally established MPAs, and in this spirit, Spain has supported the creation of the above-mentioned MPAs from the outset. We are aware of the need to protect Antarctic marine living resources.

Also, Spain, like so many other countries, has committed to protect 30% of its land and sea ecosystems by 2030. Working together in the Antarctic region is the duty of our generation. For this reason: (i) first, Spain encourages the authors of the proposals to continue with their work. We feel a strong commitment to that work, so they can all count on our active and constructive cooperation. We would like to express our complete willingness to cooperate with the authors by means of making available to them our

scientific, technical and diplomatic capabilities wherever they may be considered useful and whenever they are deemed required – all with the aim to achieve the objectives stated in the Convention; (ii) also, Spain aspires to drive the achievement of our shared objectives by curating spaces for holding negotiations intersessionally.

2021 will be a special year in which we will commemorate both the 40th anniversary of the Convention for the Conservation of Antarctic Marine Living Resources and the 30th anniversary of the Madrid Protocol for the environmental protection of Antarctica. Spain wishes to contribute with mobilising initiatives to a growing understanding that allows us to take decisive steps towards the protection of Antarctica.’

8.18 The USA made the following statement:

‘The USA was pleased to join the statement on MPAs read out by the EU. We had very much hoped that this year we could make significant progress on CCAMLR MPAs. It wasn’t just the pandemic that got in way of that, but a continuing lack of full support for the effort. We hope that during the coming year we can revive our mutual efforts intersessionally. We continue to emphasise the importance of implementing the existing CCAMLR MPAs, including, in particular, undertaking science within the MPAs. In the USA, we’ve been supporting substantial and important research relevant to MPAs, including research initiated after the existing CCAMLR MPAs entered into force (e.g. SC-CAMLR-39/BG/17). We hope that all Members can find the will to agree on the RSRMPA Research and Monitoring Plan (RMP), which fully meets the criteria of CM 91-04 and was already endorsed by the Scientific Committee. In our view, there is no reason to delay agreement on the RMP; in any event, science in the MPAs continues, and we appreciate the work being done by many Members in that respect. Finally, I want to encourage the proponents of the current MPA proposals to continue their efforts. That is hard to do, in particular when the pandemic prevents important meetings, but we fully support the efforts of scientists and others to advance their work, and trust that there will be new MPAs to celebrate in the near future.’

Review of proposals for new MPAs

8.19 The Commission noted proposals to establish MPAs in Domain 1 (CCAMLR-39/08 Rev. 1), the East Antarctic (CCAMLR-39/07 Rev. 1) and in the Weddell Sea region (CCAMLR-39/06 Rev. 1). Many Members thanked the proponents for their work and revised and updated proposals.

8.20 Argentina presented a revised proposal for a conservation measure establishing a Marine Protected Area in Domain 1:

‘Jointly with our colleagues from Chile, we have submitted a revised version of the MPA proposal for Domain 1 already submitted in 2019. The proposal revolves around three main themes deserving attention.

First, the model submitted with the 2019 proposal is a simplified model. Those changes are related to the outstanding points mentioned at the 37th meeting (2018) of the Scientific Committee and to the evolution of the strategy for managing the fisheries in Subareas 48.1 and 48.2. In this respect, the proponents deem it essential to point out that

both the fisheries management strategy and the marine protected areas are a priority for CCAMLR and that one should not move forward in disregard of the other.

The MPA proposal for Domain 1 protects important areas of the ecosystem – with important areas for the life cycle of predators throughout the year and important sites for the life cycle of Antarctic krill as outstanding features – thus guaranteeing the observation of Article II of the Convention. Parallel to that, the proposal allows for the redistribution of fishing (catch allocation) and aims to minimise the higher concentration of krill fishing in time and space. It is also a fact acknowledged by all that the largest impact of climate change in Antarctica is being recorded in the very region of the Antarctic Peninsula. It is a region very much impacted by the melting of ice and glacial retreat and those effects are already having a very direct impact on the size and distribution of krill populations.

The Delegations of Argentina and Chile reaffirm their commitment to elaborate MPA proposals in an open, transparent and cooperative manner, a process attested to by the workshops organised, the creation of the expert panel and the incorporation of Members' comments. The MPAs in the Convention Area are the result of work carried out collectively and their implementation will ultimately be the responsibility of all of us.'

8.21 The EU and its member States, Norway, Australia and Uruguay presented a revised proposal for the Weddell Sea MPA (WSMPA) Phase 1 for consideration, noting Uruguay and Australia have joined as co-proponents of the proposal in the previous intersessional period. They noted that the proposal presented at CCAMLR-38 regarding a two-phased approach is based on the best available science, and that data compiled and analysed for Phase 1 has been made available to the scientific community. Intersessionally, the proponents led by Norway and in close cooperation with other CCAMLR Members have been progressing on the identification and collation of additional environmental and ecological data for the planning area of Phase 2. The development of the WSMPA Phase 2 proposal is ongoing and its progress will continue to ensure that the areas to be protected, the objectives, management measures and the research and monitoring requirements will be complementary, coherent and seamlessly integrate with those in the WSMPA Phase 1 proposal. The WSMPA proposal has been developed taking into consideration potential climate change impacts on Antarctic marine living resources across Planning Domains 3 and 4.

8.22 The EU and its Members states, Australia, Uruguay and Norway presented a proposal to establish an East Antarctic Marine Protected Area, noting Uruguay and Norway have joined as co-proponents of the proposal in the previous intersessional period. They noted that this proposal was first presented to the Commission in 2012, and that the proposal had incorporated feedback from other Members, was based on the best available science and had benefitted from continued data collection by Members. They further noted that the EAMPA proposal has been developed taking into consideration potential climate change impacts on Antarctic marine living resources across the East Antarctic Planning Domain. The co-proponents recommend the East Antarctic MPA proposal for adoption.

8.23 Sweden made the following statement:

'Sweden supports the joint statement by the EU and its member States, MPA-proponents and others. We think that it is important to create MPAs to reduce stresses from human activities that have an impact on the ecosystem, so that species and ecosystems can

increase resilience to climate change and continue to deliver the ecosystem services that we depend on in the long term. Sweden considers that MPAs are key for the conservation of biodiversity and ecosystems, including their functions and ecosystem services which is the prerequisite for any rational use. We also consider MPAs to be an essential area-based management tool that together with other effective area-based conservation measures and fisheries regulations constitute a good toolbox for an effective and integrated ecosystem-based management of the Southern Ocean. With that said, we hope to have good progress on the three MPA proposals in the coming year.’

8.24 Uruguay made the following statement:

‘Please, allow me first to extend congratulations from my Delegation for the leadership shown in conducting this 39th meeting of the Commission. MPAs are one of the most important conservation measures promoted under the purview of the Commission. Uruguay has, for some years now, stated its support for their development. Thus, bearing in mind the opportunity represented by the EU proposals for the establishment of MPAs in East Antarctica and in the Weddell Sea (phase 1), we wish to state our appreciation for the great work done by the EU and thank them for it. Therefore, we support and co-sponsor both proposals.’

8.25 Germany made the following statement:

‘Germany would like to highlight the importance of MPAs. The issue of MPAs is not only important for the German government but also for the German Parliament “German Bundestag” – which has recently adopted a political decision on MPAs. On the Weddell Sea MPA proposal of the EU and its member States, which was again submitted this year, no changes of substance have been made in comparison to the proposal which was submitted to CCAMLR-38 last year. Germany is grateful to other CCAMLR Members who have joined the proposal – Norway last year, Australia and Uruguay this year. This shows the importance of MPAs. The Weddell Sea MPA proposal is based on best available science and therefore fully in line with the requirements of CM 91-04. Nevertheless, the scientific work on Phase 1 is continuing, being led by scientists of the German Alfred Wegener Institute. On Phase 2 Norway is progressing its scientific work in close cooperation with our scientists. Supporting the overall statement on MPAs expressed by the EU, we hope to make good and substantial progress during the upcoming months towards the adoption of MPA proposals in general and the Weddell Sea MPA proposal during CCAMLR-40 next year. The proposals are ready for adoption!’

8.26 Poland made the following statement:

‘Poland fully supports the joined statement made by the EU and its member States and co-proponents, which joined this year. We would like to underline the importance of the establishing MPAs, one of the most important topics on the agenda of CCAMLR every year. MPAs are the main pillar for protecting marine living resources in the CAMLR Convention Area to preserve biological diversity and protect species living in the Antarctic area. The Antarctic MPAs are examples for creating similar protected areas around the world. It also shows huge cooperation between scientists from different countries, which Poland really appreciates. CCAMLR has succeeded in many matters regarding protection of marine living resources, achieving a consensus. But after many

years of negotiations, the three proposals based on the best available science are still on the table, waiting for adoption. Poland hopes that during this intersessional time, working together on achieving this goal, next year, in the anniversary session, the MPA will be established.'

8.27 France made the following statement:

'We fully support the statement by the EU. MPAs are essential for the protection of the unique and fragile ecosystems of the Southern Ocean, and they maintain the capacity of those ecosystems to adapt to the impacts of climate change. There is an urgent need for CCAMLR to establish a representative network of MPAs following its commitment to do so in 2008. We wish to reiterate CCAMLR's authority in the matter.'

This Delegation is particularly involved in the Eastern Antarctica MPA project. This is the eighth consecutive year that the project has been submitted to the Commission for adoption. It is fully in line with the conservation objectives set out in Article II of the Convention, moreover, the Scientific Committee considered in 2011 that this MPA proposal was based on the best available science, which it reaffirmed in 2013.

Three robust MPA proposals are available today and we hope that Members of the Convention will continue the discussions during the intersessional period, to progress towards reaching our common goals, and that we can extend the network of MPAs in the Southern Ocean in the near future.'

8.28 Ukraine made the following statement:

'Ukraine notes the hard work done by Members who have initiated proposals for the establishment of new MPAs. CCAMLR has already demonstrated its ability to achieve outstanding results in this field of endeavour, in particular, by coming to agreement on the creation of the large MPA in the Ross Sea. We express our support for the continuation of the Commission's work in this direction in order to achieve the objectives of the Convention. Ukraine confirms the full support it expressed earlier for the implementation of the draft East Antarctic MPA proposal, and we express our willingness to cooperate towards the expeditious harmonisation of parties' positions in a constructive and transparent manner in order to implement the Weddell Sea and Domain 1 MPA proposals in the next few years. We would also like to note that Ukraine intends to complete in the near future preparatory work on a draft ASPA proposal, which includes a marine component, in the Argentine Islands Archipelago. We plan to present a research and monitoring plan for this ASPA at the CCAMLR meeting in 2021.'

8.29 Russia made the following statement

'Russia noted that the designation of a representative system of MPAs is one of the most important and urgent parts of CCAMLR activity. Russia, in a spirit of cooperation, actively participates in the development of scientifically based measures aimed at conservation of marine biological resources and unique ecosystems in Antarctica. Over the past five years, the Russian Delegation has submitted at CCAMLR sessions a number of papers reflecting its position and proposals on designation of MPAs in the CCAMLR area.'

We consider it of principal importance that the designation of MPAs should be consistent with spatial management on the basis of balance between conservation and rational use of the living marine resources in the Antarctic.

We have carefully reviewed the proposals to establish MPAs in Domain 1 (CCAMLR-39/08 Rev. 1), the East Antarctic (CCAMLR-39/07 Rev. 1) and in the Weddell Sea region (CCAMLR-39/06 Rev. 1) and note that these proposals have not undergone any significant changes since last year. There are still a number of unresolved scientific issues regarding the baseline data for the scientific justification and planning of MPAs (including goals, objectives, boundaries, monitoring and research plan, indicators and measures for monitoring and effectiveness of MPAs). We especially note the lack of justification regarding the necessity and urgency of establishing MPAs, including the mechanism and space–time scales of existing or potential threats to living resources and ecosystems. Our comments regarding the proposals for the establishment of the above mentioned MPAs remain outside the field of vision of the proponents.

Taking into account the above we do not support the proposals for establishing MPAs in Domain 1 (CCAMLR-39/08 Rev. 1), the East Antarctic (CCAMLR-39/07 Rev. 1) and in the Weddell Sea region (CCAMLR-39/06 Rev. 1) in the existing versions.

In our opinion, the procedural aspects of the designation of MPAs and a regulated and unified process to assist in developing the rationale for the establishment of any MPA are necessary. We 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. Neither the Convention, nor CM 91-04, contains such a definition. Russia noted that CM 91-04 is brief and does not contain enough procedural and implementation measures to manage a unified process for designating MPAs. The results of repeated discussions on spatial management issues in the Convention Area showed the absence of a solid and transparent basis for the establishment of MPAs.

Russia provided proposals for a regulated and unified process for developing the establishment of any effective MPA in the CCAMLR area (CCAMLR-38/30). The Scientific Committee and Commission to endorse for mandatory implementation an MPA checklist based on one previously proposed by Japan (CCAMLR-XXXIV/19) as a basis for determining a unified approach and criteria for designating MPAs in the Convention Area. This MPA checklist could be approved as Annex 1 to CM 91-04. We propose to add the following paragraph to CM 91-04: “MPAs may be designated on the basis of the best available data, which must be sufficient to provide a scientific rationale for designating an MPA in a specific area.”

Russia proposes to develop an agreed definition of the term “MPA”, which may be designated in the CAMLR Convention Area, without prejudice to the provisions of the UN Convention on the Law of the Sea 1982.

Last year, Russia made an attempt to create a platform for discussion and development of a document regulating unified requirements for the establishment of MPAs. Unfortunately, these initiatives were not supported. We are ready to continue the dialogue and take part in joint activity with the Member States to establish a

representative system of MPAs in the Convention Area on the basis of a previously developed document regulating uniform requirements for the establishment of MPAs.’

8.30 Belgium made the following statement:

‘Belgium fully aligns with the intervention made by the EU on behalf of the co-proponents of the different MPA proposals. We also fully support the intervention made by Sweden and other Members highlighting the importance of marine biodiversity and ecosystems, not only for Antarctica but for our blue planet and for all of us.

Belgium would like to point out the overall importance of Agenda 2030 and the SDGs, and more specifically SDG14. This is why Belgium is a proud supporter of the 30x30 Initiative.

Belgium would like to express its support for the designation of the newly exposed marine area adjacent to Pine Island Glacier (Subarea 88.3) as a Stage 2 SASS. Assigning a Stage 2 status will ensure that highly relevant research on benthic ecology and evolution and past climate can take place in this region. This requires a multidisciplinary approach including physical processes as outlined in CM 24-04. We would like to underline that the goal of the assignment of Stage 2 is to ensure that the necessary research can be developed and conducted in areas that are newly available for research. We encourage all Members to designate the Stage 2 status and to work together on this and to continue development of plans for study in these regions.’

8.31 China made the following statement:

‘I would like to thank the proponents of MPA proposals for their continuous endeavours in the conservation of marine living resources.

At the 38th meeting of the Commission last year, Members have discussed proposals, but since then, no significant progress has been made. We express our concerns and made some proposals regarding different MPAs proposals in previous meetings. Those concerns are still there.

In general, we are supportive to establish MPAs in accordance with international law and on the basis of sound scientific evidence, while balancing the conservation and reasonable use of Antarctic marine living resources. MPAs are one type of conservation measures to give effect to both the objective and the principles of the Convention, rather than an objective per se.

In the past 10 years, we have made great progress by establishing the first and the biggest MPAs on the high seas while leaving a series of issues behind us. For example, critical issues in the designation and consideration of MPA proposals, RMPs and etc.

In the past two years, the Scientific Committee has considered the technical aspects of RMPs and the baseline data constructively and agreed on opportunities for further discussion on this issue to enhance mutual understanding. This, in our view, sets a very good start for our future work in this regard. China will continue to participate in future discussion actively and constructively, and move in the same direction with our colleagues and jointly demonstrating to the international community our determination for marine conservation.’

8.32 The UK made the following statement:

‘The UK would like the record to show that we also support the statement read out by the EU. The UK is obviously in support of the East Antarctica and Weddell Sea MPA proposals as we have stated over many previous years. We will also continue to support work on the Domain 1 MPA proposal.’

8.33 Brazil made the following statement:

‘I would just like to register that Brazil has been invited by the EU to participate as co-sponsor on both MPA submissions. The necessary internal consultations were made, and the Ministry of External Relations had positive reactions, but unfortunately not in time for Brazil to reply favourably to the European part. In any case, I would like to express my country’s full support to the initiatives. We appreciate the efforts made by all parties involved in these proposals.’

8.34 Korea made the following statement:

‘Korea expressed its support for proposals to establish the WSMMPA and EAMPA noting that given the lasting discussion the Members had on this issue, it is now appropriate for the Commission to adopt them.’

8.35 The Delegations of New Zealand and the USA also expressed their support for the three MPA proposals presented to CCAMLR-39 and thanked the proponents for their work.

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

8.36 The Commission noted the discussion by the Scientific Committee (SC-CAMLR-39, paragraph 3.18) on climate change, and welcomed the intent to develop new terms of reference for the climate change e-group in order to further development of mechanisms to ensure the latest climate change research is integrated into the work of the Scientific Committee and considered in the development of management advice for the Commission.

8.37 The UK made the following statement:

‘Over the past decades, global warming has led to widespread changes in both the physical and biological environment, including within that region of our planet managed under this Convention. This year saw the highest ever temperature of 18.3°C (64.9°F) recorded on the Antarctica Peninsula, clear evidence of change and the fact that management must be responsive if CCAMLR is to fulfil its objective and obligations.

As such the Scientific Committee has recognised the importance of integrating relevant climate change research into its work in order that it can provide advice that ensures management is responsive to the effects of climate change on Antarctic marine living resources. The Commission has also recognised the urgency of appropriate management responses to climate change.

The basis of good management is object evidence – science. This is in keeping with the principles and objectives of the Antarctic Treaty System, which are indeed science and

scientific cooperation. The ever-increasing mountain of peer-reviewed scientific evidence available from the IPCC, SCAR, SOOS and from work undertaken by CCAMLR Members is now incontrovertible. The Antarctic marine ecosystem and therefore marine living resources are now facing unprecedented challenges. At present the future is not clear, but what is clear, is that CCAMLR must respond to this challenge – now.

There is an ever-increasing spotlight on the climate change implications on Antarctica and the warming of the Southern Ocean – this spotlight will burn even brighter next year as CCAMLR will meet just prior to the Parties to the UN Framework Convention on Climate Change in Glasgow. It's vital that the Antarctic Treaty System demonstrates that it is seized of, and dealing with, the implications of climate change on the conservation and protection of Antarctica.

On many occasions, this Delegation, along with many others, has pressed the Commission to address this challenge with serious action, as it remains amongst the most important now facing the Antarctic. Future generations will look back with horror if we do not take action on this issue. Again, at this meeting, we ask Members to work together in the spirit of cooperation in order to address climate change.

We must empower our scientists to provide us with advice. We must listen to them, including through the SCAR lecture next year, and we must respond with a concrete plan of action.'

8.38 Norway made the following statement:

'The impacts of climate change represent some of the gravest management challenges facing CCAMLR. According to the special report from the IPCC on the Ocean and the Cryosphere in a Changing Climate, the Southern Ocean ecosystem is likely to be increasingly affected by climate change and ocean acidification.

CCAMLR will find it challenging to implement an effective, adaptive, ecosystem-based approach to management without taking into consideration global warming and its effect on the distribution and abundance of krill, other harvested species, and those species that depend on them. Rapid changes in the ecosystem conditions will affect fisheries strategies and CCAMLR must show capacity to adapt to changes in factors such as species composition, distribution and abundance.

Effective responses require management regimes that can develop and utilise scientific knowledge, adopt regulations that maintain fishing activities to sustainable levels, and enforce its regulations. This emphasises the importance of establishing a dynamic management system using the establishment of a combined FBM system and network of MPAs as tools for developing a sustainable fishery that neither impacts negatively on the fishery resource stock or other levels of the food chain.

CCAMLR and its Member States should acknowledge this, and actively work to integrate the scientific information on climate change and its impacts on Antarctic marine living resources.

In CCAMLR, we base conservation measures on the best available scientific information. Therefore, discussions on the implications of climate change should not be

limited to the Scientific Committee, with just routine reporting to the plenary. It needs to be mainstreamed fully into the work of the Commission so that it is reflected in future conservation measures.

Regretfully, the COVID-19 pandemic and the format of this year's meetings has not allowed for SCAR to report to us on the state of knowledge pertaining to climate change and its implications for the Southern Ocean as agreed in CCAMLR-38. Norway strongly recommends that we give priority to this issue next year. At that time, the forthcoming decadal update to the original ACCE report will also provide information on advances in understanding of climate change across Antarctica and the Southern Ocean, and its impacts.

This year, Norway would like to draw your attention to two reports presented to the Scientific Committee this year, namely SC-CAMLR-39/BG/12 on the findings of the IPCC-SROCC, what they mean for CCAMLR and SC-CAMLR-39/BG/03 presenting recommendations on how relevant scientific outputs on climate change should be identified and integrated into the work of the Scientific Committee and its working groups.

Norway encourages the Scientific Committee to continue these efforts and supports its recommendations to reinstate the climate change e-group, and the further development of mechanisms to facilitate appropriate management advice.

Norway strongly recommends all delegations to consider these two reports from the Scientific Committee, engage actively in intersessional work on climate change, and meet well prepared for discussions next year that moves us forward in integrating and understanding climate change in the context of CCAMLR work.'

8.39 The EU and its member States made the following statement:

'The EU and its member States would like to reiterate their firm commitment to addressing the global challenges that we are all facing due to climate change as well as their deep concern regarding the extreme urgency of strengthening the global response to climate change. Climate change, biodiversity loss and ocean degradation and depletion are strongly interconnected. That is why we are working towards climate neutrality by 2050. We are grateful that several other Members around this virtual table share this ambition.

The arrangements agreed for CCAMLR-39 to exceptionally discuss this important issue under the agenda item "Other business" should in no way constitute a precedent for future discussions.

The Southern Ocean is the thermal regulator of the planet thanks to its circumpolar current and, as such, plays a major role in the global climate system. The IPBES Global Assessment Report on Biodiversity and Ecosystem Services identified climate change as one of the major drivers for the loss of biodiversity. The impacts of climate change are already visible, not only in the Convention Area, but across the globe. Indeed, the changes occurring in the Antarctic Peninsula, where record temperatures above 20°C were recorded during the last austral summer, show that these impacts are real and that they are accelerating.

In this regard, the Special Report on the Ocean and Cryosphere in a Changing Climate of the Intergovernmental Panel on Climate Change highlighted that large-scale MPAs, such as those under consideration by CCAMLR, conserve marine biodiversity, maintain ecosystems and build ocean resilience against the impacts of climate change.

We consider it of utmost importance that climate change considerations are integrated into the work of the Scientific Committee and that they are taken into account in the development of management advice. We therefore fully support the decision of the Scientific Committee to establish an e-group for enhanced consideration of climate change impacts within CCAMLR and we look forward to receiving the advice from this group next year.

Finally, we recall the decision of the Commission at CCAMLR-38 to invite SCAR to present the substantive decadal review of the Antarctic Climate Change and the Environment (ACCE) Report next year. It will be important to set aside sufficient time for this at CCAMLR-40. We hope that the review will form the basis for future discussions on concrete and practical ways to progress climate change-related work within the Commission and to include climate change considerations in its deliberations. The EU and its member States stand ready to engage constructively in these future discussions.’

8.40 China made the following statement:

‘Given its unique geographical location and ecological environment, Antarctica has high importance for global climate change, human survival and development. Also, Antarctica is especially vulnerable to external impacts. China appreciates the fruitful discussion and hard work of the Scientific Committee in this difficult time and we support the Scientific Committee to conduct and strengthen its research on the impact of climate change. We believe that the impact of climate change on the Antarctic environment and biodiversity should be evaluated in an objective manner. The evaluation should be strengthened. Corresponding measures should be taken on the basis of solid scientific evidence. Considering that it is a very complex and cross-cutting issue, we recommend that the Members include their experts on climate change into the Scientific Committee to carry out in-depth study on the impact of climate change.’

8.41 Korea made the following statement:

‘Korea highlighted the vulnerability of the Southern Ocean from the impacts of the climate change and the needs for the Commission to pay close attention and cooperate to address the impacts while expressing its appreciation to SCAR for its work on the issue.’

8.42 SCAR made the following statement:

‘SCAR would like to draw the attention of the Commission to SC-CAMLR-39/BG/22, which presents an update on climate change research relevant to the work of CCAMLR, highlighting key publications on changes to the Antarctic physical and biological environments, as well as work on the development of new management approaches incorporating considerations of climate change. To give just a few examples, these publications report record warming at the South Pole, reductions in summer sea-ice in the Weddell Sea, shifts in krill habitat, and the projected near extinction of some

emperor penguin colonies. Further, a recent and unprecedented circumpolar assessment of Areas of Ecological Significance derived from a 20-year analysis of tracking data for 17 species of birds and mammals (Hindell et al., 2020, *Nature*) has highlighted the influence of changing climate scenarios on the predicted locations of these areas in the future (see SC-CAMLR-39/BG/23). All of these studies highlight the critical importance of including considerations of climate change research in management decision-making. SCAR is committed to continuing to contribute relevant scientific expertise to assist with this process, and we would welcome opportunities to engage further with Members in this regard. The next major update of the SCAR Antarctic Climate Change and the Environment Report will be published in 2021. Together with recent IPCC reports on climate change, particularly in the oceans and cryosphere, we note that there is a large amount of highly relevant scientific evidence now available, and we encourage the Commission to recognise and take account of this. As discussed during the Scientific Committee meeting last week, SCAR would be pleased to deliver a lecture summarising the ACCE report to the Commission during its meeting next year, since it has not been possible to do so this year as originally planned.’

8.43 Oceanites made the following statement:

‘In SC-CAMLR-39/BG/46 Rev. 1, Oceanites reports progress ensuring that the best available scientific data regarding penguin populations are available to assist the analyses of climate change impacts in Antarctica. To this end, Oceanites reports a successful, 26th consecutive field season of the Antarctic Site Inventory, data from which flows – along with data from other researchers – into the continent-wide MAPPPD penguin database that Oceanites maintains. The MAPPPD database is then utilised to produce Oceanites’ annual State of Antarctic Penguins reports, the fourth, 2020 edition of which is now available (<https://oceanites.org/soap2020>). This year’s penguin report notes a total of 5.77 million breeding pairs of Antarctica’s five species, a decline from the 6.1 million pairs reported one year ago. More particularly, the report notes a decline in Adélie penguin populations across the continent, and a notable, 10.71% decline of chinstrap penguins in the vastly warmed Antarctic Peninsula. Gentoo penguins continue to increase in the Peninsula region. The MAPPPD database now contains 4 010 records from 130 data sources, reflecting a 7% and 12% increase respectively from one year ago. Oceanites greatly appreciates the growing use of MAPPPD by colleagues and encourages those who have not yet contributed to do so. Lastly, the State of Antarctic Penguins 2020 report notes data gaps that need to be filled and the suite of factors being examined regarding the interactive effects of climate change vis-à-vis human activities and other synergies that might explain penguin population changes. These factors include: a potentially shifting or shrinking krill stock; the amount of krill fishing and penguins’ exposure to fishing during the breeding season; competition for krill among penguins, whales, and seals; penguins’ winter foraging ranges and other non-breeding season impacts; and rising temperatures and retreating sea-ice due to global warming.’

8.44 IUCN made the following statement:

‘IUCN would like to make a brief intervention today. As this is the first time we are taking the floor, we would like to thank all Members and the Secretariat for the work accomplished in the intersessional period and for organising this 39th virtual Meetings of the Scientific Committee and the Commission in these trying times.

The fact that it is held virtually certainly adds some constraints but, as some delegations stated, this new way of working also brings notable advantages. IUCN believes that we should try to learn together and from each other, fix the different technical and organisational issues, in order that CCAMLR can pursue its objective and successfully conduct its important work in the future when situations such as the COVID-19 pandemic arise preventing Members to meet face-to-face.

Why is it so important to ensure the continuity of the work of CCAMLR? Because there is an urgency. As one delegation stated during the Scientific Committee: climate change cannot be postponed. And climate change has already impacted Antarctic ecosystems as stated in many scientific reports and publications.

Antarctica plays a unique role in the global climate system regulation involving two aspects: its physics and its biology. In maintaining the contribution of the second one, CCAMLR has a major role to play. IUCN believes that identifying and integrating relevant scientific research outputs on climate change into the work of the Scientific Committee and its working groups is essential. That is the only way that the management of Antarctic marine living resources is responsive to the effects of climate change.

IUCN is convinced that a representative network of MPAs is the way forward to ensure the effective conservation of Antarctic marine ecosystem and the sustainability of its living resources in the context of climate change. In this regard, on the previous agenda item, we would like to support the joint statement on MPAs from the Delegations of the EU and its member States, Argentina, Australia, Chile, New Zealand, Norway, Uruguay and the USA.

IUCN stands ready to support the work of the Commission and the Scientific Committee in coming years.'

Cooperation with the Antarctic Treaty System and international organisations

Cooperation with the Antarctic Treaty System

8.45 The Commission noted that ATCM XLIII scheduled for 2020 had been cancelled due to the pandemic.

Cooperation with international organisations

8.46 COLTO thanked INTERPOL for its work in the Southern Oceans and, as a sign of appreciation, has provided INTERPOL with €10 000 for equipment to support investigations on stateless vessels and digital forensics. The Secretariat will announce the winners of the 2019/20 COLTO toothfish tag-return lottery via a Scientific Committee circular.

8.47 The Commission noted with gratitude a number of background papers submitted by observers (CCAMLR-39/BG/06, CCAMLR-39/BG/08, CCAMLR-39/BG/09, CCAMLR-39/BG/10, SC-CAMLR-39/BG/14, SC-CAMLR-39/BG/18, SC-CAMLR-39/BG/21, SC-CAMLR-39/BG/22, SC-CAMLR-39/BG/46 Rev. 1 and SC-CAMLR-39/BG/47).

8.48 The Commission noted with gratitude reports from CCAMLR representatives at meetings of international organisations in the previous intersessional period (CCAMLR-39/BG/12, CCAMLR-39/BG/13, CCAMLR-39/BG/19 and CCAMLR-39/BG/20).

8.49 The Chair welcomed nominations to observe upcoming meetings of other organisations on behalf of the Commission (Table 1).

Report of the Thirty-ninth Meeting of the Commission

9.1 The report of the Thirty-ninth Meeting of the Commission was adopted.

Close of the meeting

10.1 The Chair reflected that it had been a privilege to chair the Commission in these unprecedented times and thanked the Commission for its patience, professionalism and expertise. He also thanked observers, the Executive Secretary and the Secretariat, interpreters, CongressRental and other support staff for their contribution to a successful virtual meeting of the Commission at CCAMLR-39.

10.2 The EU and Argentina congratulated Mr Curcio Ruigómez on his inspirational leadership, his patience, energy and hard work in very difficult circumstances this year. They also extended their thanks to the Secretariat and support staff for ensuring a successful virtual meeting.

10.3 Argentina, as Vice-Chair, welcomed Sweden to the role of Chair for the next two years.

10.4 The Executive Secretary thanked Mr Curcio Ruigómez for his friendship and guidance of the Secretariat over the last two years, and, as is traditional, presented him with a gavel made from Tasmanian native timber.

10.5 The Chair declared CCAMLR-39 closed.

Table 1: List of 2020/21 meetings of organisation or arrangement with nominated observers for the Commission.

Entity	Dates (where available)	Observer
The Agreement for the Conservation of Albatrosses and Petrels (ACAP) MoP	2022	Australia
The Antarctic Treaty Consultative Meeting (ATCM)	June 2021	Executive Secretary
The Food and Agriculture Organization of the United Nations (FAO) COFI		Executive Secretary
The Commission for the Conservation of Southern Bluefin Tuna (CCSBT)	October 2021	New Zealand
The Inter-American Tropical Tuna Commission (IATTC)	2021	Republic of Korea
The International Commission for the Conservation of Atlantic Tunas (ICCAT)	2021	USA
The Indian Ocean Tuna Commission (IOTC)	2 to 6 November 2020	Australia
The World Conservation Union (IUCN)	2021	
The International Whaling Commission (IWC)	September 2021	Japan
The Northwest Atlantic Fisheries Organization (NAFO)	2021	EU
The North East Atlantic Fisheries Commission (NEAFC)	10 to 13 November 2020	Norway
The South East Atlantic Fisheries Organisation (SEAFO)	25 and 26 November 2020	Norway
The Southern Indian Ocean Fisheries Agreement (SIOFA)	2020 and 2021	EU
The South Pacific Regional Fisheries Management Organisation (SPRFMO)	January 2021	New Zealand
The United Nations Environment Programme (UNEP)	22 to 26 February 2021	Argentina
The Western and Central Pacific Fisheries Commission (WCPFC)	8 to 15 December 2020	USA

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List of Documents

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CCAMLR-39/01 Rev. 1	Report on the General Capacity Building Fund (GCBF) Secretariat
CCAMLR-39/02	Proposal to amend CM 26-01 Delegation of the European Union
CCAMLR-39/03 Rev. 1	Examination of the audited financial statements for 2019 Executive Secretary
CCAMLR-39/04 Rev. 1	Review of the 2020 Budget, Draft 2021 Budget and Forecast Budget for 2022 Executive Secretary
CCAMLR-39/05	Executive Secretary's Report, 2020, including Second Year Implementation Report for the Secretariat's Strategic Plan (2019–2022) Executive Secretary
CCAMLR-39/06 Rev. 1	Proposal to establish a Marine Protected Area across the Weddell Sea region (Phase 1) Delegations of the European Union and its member states, Norway, Uruguay and Australia
CCAMLR-39/07 Rev. 1	Proposal to establish an East Antarctic Marine Protected Area Delegations of Australia, the European Union and its member States, Uruguay and Norway
CCAMLR-39/08 Rev. 1	Revised proposal for a conservation measure establishing a Marine Protected Area in Domain 1 (Western Antarctic Peninsula and South Scotia Arc) Delegations of Argentina and Chile
CCAMLR-39/09	Re-emphasising the importance of the D1MPA proposal for the conservation of the Antarctic marine ecosystem under scenarios of environmental and management uncertainties Delegations of Argentina and Chile
CCAMLR-39/10 Rev. 2	CCAMLR Compliance Evaluation Procedure (CCEP) Summary Report and analysis Secretariat

CCAMLR-39/11 Rev. 1	IUU fishing activity and trends in 2019/20 and IUU Vessel Lists Secretariat
CCAMLR-39/12	Proposal for the deployment of scientific observers on fishing vessels during the COVID-19 pandemic Delegation of the USA
CCAMLR-39/13 Rev. 2	Activities of the General Capacity Building Fund (GCBF) GCBF Panel
CCAMLR-39/14	Report of the Thirty-ninth meeting of the Scientific Committee (Hobart, Australia, 26 October 2020)

CCAMLR-39/BG/01	Potential amendments to CMs 21-01, 21-02 and 23/05 Delegation of the European Union
CCAMLR-39/BG/02	Domain 1 MPA Proposal CM 91-XX: Rationale of the changes for the Proposal for the Establishment of a Marine Protected Area in the Western Antarctic Peninsula–South Scotia Arc Delegations of Argentina and Chile
CCAMLR-39/BG/03	Dormant Special Funds Secretariat
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CCAMLR-39/BG/05	Fishery notifications 2020/21 Secretariat
CCAMLR-39/BG/06	Rising to the challenge: maintaining CCAMLR’s focus on marine protected areas Submitted by ASOC
CCAMLR-39/BG/07	2017/18 pre-season vessel activity in Subarea 88.1 – Member reviews requested by SCIC-19 Delegation of the Russian Federation
CCAMLR-39/BG/08	ASOC report to CCAMLR Submitted by ASOC
CCAMLR-39/BG/09	Enhancing CCAMLR’s compliance regime Submitted by ASOC

CCAMLR-39/BG/10	2020 Report to SC-CAMLR-39 and CCAMLR-39 by the Association of Responsible Krill harvesting companies (ARK) Submitted by ARK
CCAMLR-39/BG/11	Support to CCAMLR to identify and deter illegal, unreported and unregulated (IUU) fishing activities that undermine the objective of the CAMLR Convention – Interim Report 2020 INTERPOL and CCAMLR Secretariat
CCAMLR-39/BG/12	Report from the CCAMLR Observer (USA) on the 16th Regular Session of the Western and Central Pacific Fisheries Commission (WCPFC) (Port Moresby, Papua New Guinea, 5 to 11 December 2019) CCAMLR Observer (USA)
CCAMLR-39/BG/13	Report from the CCAMLR Observer (European Union) on the 42nd annual meeting Northwest Atlantic Fisheries Organization (NAFO) (Virtual meetings, 21 to 25 September 2020) CCAMLR Observer (European Union)
CCAMLR-39/BG/14	Information submitted to CCAMLR-39 from Ecuador Delegation of Ecuador
CCAMLR-39/BG/15 Rev. 1	Chair’s Report of the Informal Virtual Meeting of the Standing Committee on Implementation and Compliance (SCIC) (Hobart, Australia, 12 to 21 October 2020) Chair of SCIC (J. Kim, Republic of Korea)
CCAMLR-39/BG/16	Report of the Acting Chair of SCAF of the Informal Virtual Meeting of the Standing Committee on Administration and Finance (SCAF) (Hobart, Australia, 12 to 22 October 2020) Acting Chair of SCAF (S. Langerock, Belgium)
CCAMLR-39/BG/17	Vacant
CCAMLR-39/BG/18	Chair’s Guide to the agenda and summary of papers Chair of the Commission

CCAMLR-39/BG/19 Report from the CCAMLR Observer (Norway) on the 16th Meeting of the South East Atlantic Fisheries Organization (SEAFO)
(Swakopmund, Namibia, 26 to 30 November 2019)
CCAMLR Observer (Norway)

CCAMLR-39/BG/20 Report from the CCAMLR Observer (Norway) on the 38th Annual Meeting of the North-East Atlantic Fisheries Commission (NEAFC)
(London, UK, 12 to 14 November 2019)
CCAMLR Observer (Norway)

Other Documents

SC-CAMLR-39/BG/18 Recommendations for CCAMLR to take a proactive role addressing climate change in the Southern Ocean
Submitted by ASOC

SC-CAMLR-39/BG/21 The Scientific Committee on Antarctic Research Annual Report 2019/20
Submitted by SCAR

SC-CAMLR-39/BG/22 Climate change and CCAMLR – update on recent research
Submitted by SCAR

SC-CAMLR-39/BG/46 Rev. 1 2020 Report to CCAMLR by Oceanites, Inc. — Antarctic Site Inventory / MAPPPD and Related Projects / State of Antarctic Penguins 2020 Report and Penguin Population Changes / Climate Analyses / Recent, Notable Scientific Papers Relating to MAPPPD
Submitted by Oceanites, Inc.

SC-CAMLR-39/BG/47 Progress toward ecosystem-based management of the Antarctic krill fishery
Submitted by ASOC

SC-CAMLR-39/BG/56 Feasibility of establishing limits on use of continuous fishing system for the krill fishery in the Area 48
Delegation of Ukraine

SC-CAMLR-39/BG/57 A summary of catches of target species in the Convention Area in 2018/19 and 2019/20
Secretariat

Agenda for the Thirty-ninth Meeting of the Commission

**Agenda for the Thirty-ninth Meeting
of the Commission for the Conservation
of Antarctic Marine Living Resources**

1. Opening of meeting
2. Organisation of meeting
 - 2.1 Adoption of agenda
3. Implementation and compliance
 - 3.1 Advice from SCIC
 - 3.2 CCAMLR Compliance Report
 - 3.3 Illegal, unreported and unregulated (IUU) fishing in the Convention Area
4. Administration and Finance
 - 4.1 Advice from SCAF
 - 4.2 Review of the 2020 budget, 2021 budget and forecast budget for 2022
5. Management of marine resources
 - 5.1 Advice from the Scientific Committee
 - 5.2 Notifications
 - 5.2.1 Notifications for exploratory and krill fisheries
 - 5.2.2 Research fishing notifications under CM 24-01, paragraph 3
 - 5.3 Harvested species
 - 5.3.1 Krill resources
 - 5.3.2 Fish resources
 - 5.4 Non-target species
 - 5.4.1 Fish and invertebrates
 - 5.4.2 Seabirds and mammals
 - 5.4.3 Bottom fishing and vulnerable marine ecosystems
6. Conservation measures
 - 6.1 Review of existing measures
 - 6.2 Impacts of COVID-19 on the 2020/21 fishing season
7. Administrative matters
 - 7.1 Election of officers
 - 7.2 Appointment of the Executive Secretary
 - 7.3 Invitation of observers
 - 7.4 Next meeting

8. Other business
 - 8.1 Implementation of Objectives of the Convention
 - 8.2 Spatial management
 - 8.2.1 General issues related to spatial management
 - 8.2.2 Review of existing marine protected areas (MPAs)
 - 8.2.3 Review of proposals for new MPAs
 - 8.3 Impacts of climate change on the conservation of Antarctic marine living resources
 - 8.4 Cooperation with the Antarctic Treaty System and international organisations
 - 8.4.1 Cooperation with the Antarctic Treaty System
 - 8.4.2 Cooperation with international organisations
 - 8.5 Other items
9. Report of the Thirty-ninth Meeting of the Commission
10. Close of the meeting.

Guidelines for the Administration of the General Capacity Building Fund

Guidelines for the Administration of the General Capacity Building Fund¹
(as provided by Regulation 6.2 of the Financial Regulations)

Objectives

1. The overall objectives of the Fund are to:
 - (i) support all Contracting Parties, with priority given to all those Contracting Parties that are least effective in the implementation of their obligations under the Convention. This priority shall be afforded on the basis of evidence-based need in accordance with these guidelines
 - (ii) create confidence and ability for Members to achieve the objectives of the Convention
 - (iii) improve Members' ability to contribute to the work of the Commission, and the Scientific Committee, their subsidiary bodies and the Secretariat
 - (iv) improve the overall system of operation of CCAMLR
 - (v) support the needs of individual Members
 - (vi) increase knowledge sharing and expertise between CCAMLR Members emphasising the value of cooperation.

Provisions

2. The Fund will be operated according to the following provisions:
 - (i) The Fund shall be used for specific projects, activities or travel support, or to address special needs of Members if the Commission so decides, aimed at enhancing Members' capacity to better achieve the objective of the CAMLR Convention. The Fund may also be used for assisting the Secretariat or Members to provide capacity building activities/opportunities to other Members.
 - (ii) The Fund shall be used primarily for projects or specific activities identified and proposed to be conducted by Members. Initiatives that build partnerships between Members or between Members and the Secretariat are encouraged.
 - (iii) The Fund shall also be accessible to Acceding States and non-Contracting Parties cooperating with the Catch Documentation Scheme for *Dissostichus* spp. (CDS) where the project, activity or travel support aligns with the objectives of the Fund and has the support of one or more Members.

¹ Guidelines for the Administration of the General Capacity Building Fund (hereafter the 'Fund').

- (iv) The Fund shall not be used for routine Member or Secretariat activities, unless it is aimed to increase the diversity and effectiveness of meetings, through attendance, participation and chairing meetings.
- (v) Where there are more than one application from a Member, the Member will be asked to rank the applications in their preferred order. The Panel will consider applications in this order.
- (vi) The Fund will support projects/activities that address the needs identified by the Capacity Building Workshop and included at Attachment 1 except if these activities could be supported by another Special Fund maintained by the Commission. The types of projects/activities that the Fund will support include:
 - (a) educative activities such as ensuring that many different interest groups involved in CCAMLR (such as scientists, fishers, fishing industry and supply chain companies, policy makers, etc.) understand the conservation measures and individual obligations
 - (b) mentoring and partnership programs (where partnerships are developed on the basis of geographic operation or other consideration) which can be between Members, the Secretariat or other stakeholders as determined by the Panel and approved by the Commission from time to time
 - (c) the development of organisational capacity through training courses and work programs and secondments or internships
 - (d) projects, activities and meeting support to increase the diversity and effectiveness of meetings, through attendance, participation and chairing meetings
 - (e) other activities, as shall be decided by the Panel and approved by the Commission.

3. The Financial Regulations of the Commission shall apply to the Fund. The use of the Fund shall be underpinned by the principles of transparency and accountability.

Resourcing

4. The Fund will be open to voluntary contributions and to specific allocations made from dormant special funds following the mechanism agreed by CCAMLR in 2018 (SCAF-2018, paragraph 53) or from the surplus of the General Fund, as decided by the Commission.

Procedures for applications for specific projects or activities seeking support from the Fund

5. The following procedures will apply:
- (i) Proposals for specific projects or activities may be made by Members, by the Commission or the Scientific Committee and their subsidiary bodies, or by the Secretariat.
 - (ii) Proposals being submitted shall, as a minimum, include:
 - (a) a description of the project and/or scope of the project/activity
 - (b) a statement of the anticipated benefit to the Member(s) and CCAMLR
 - (c) an outline of how the project addresses a capacity building need as identified in Attachment 1 and modified from time to time by the Commission
 - (d) details of the project timeline, budget and when the outcomes will be reported to CCAMLR
 - (e) explanation of reasons why applicant cannot undertake project without the assistance of the Fund (for example, lack of funding, expertise or staffing).
 - (iii) Applications by those eligible to access the Fund shall be submitted to the Executive Secretary in the form contained in Schedule A for general applications, no later than 15 July each year. The Executive Secretary shall promptly circulate any such applications to the Panel established to review the proposals.

Provision of funds

6. Projects will be funded 30% of the approved budget upon the signing of the Deed of Funding by all relevant parties.
7. Interim payments will be released as outlined in the Deed of Funding, typically upon the reaching of milestones or the acceptance of interim reports.
8. The last payment will be made when the final report is accepted by the Panel and the Commission meeting of that year.

Assessment of Applications

9. The Commission will designate no less than six Members to serve on a Panel, each of which shall serve for a term of two years and may serve no more than two consecutive terms, to review proposals and to make recommendations to the Commission on whether to fund proposals.

10. The Commission will select the Members of the Panel. In order to achieve this, the Commission will call for nominations.

11. The Panel should seek to be comprised of representatives with a range of suitable expertise who are capable of assessing proposals that span science-related work; compliance and management; institutional affairs; and developing data and information systems to support decision-making. Where necessary, Panel members may seek expert advice on specific proposals.

12. The Panel will receive applications by 1 August each year and will meet virtually prior to the Commission meeting. The Panel will meet during the first week of the Commission's annual meeting and shall make a recommendation for funding to the Standing Committee on Administration and Finance (SCAF). To avoid conflict of interest, a Panel member will be excluded from the discussion of applications from which their country would directly benefit.

13. When reviewing specific projects or activities, the Panel shall apply the selection and evaluation criteria contained in Schedule B for assessing applications for capacity building. In doing so, the Panel shall consider how closely aligned to the capacity building needs, as identified in Attachment 1, the project is, the availability of funds, whether the project is value for money, the number of Members benefiting from the project and the geographic spread of benefit.

14. Components of applications that are eligible for funding from another CCAMLR fund will be ineligible for funding from the General Capacity Building Fund (the Fund).

15. The Panel shall report its recommendations on new applications to the Commission. SCAF shall consider the recommendations of the Panel and decide on appropriate projects and funding as a standing agenda item at its annual meeting and make a recommendation to the Commission.

16. A blended model of funding using the Fund and other suitable, operational CCAMLR funds, can be considered by the Panel. In order to facilitate this, the Chair of the Panel and the Secretariat will make inquiries of the decision-making bodies of those funds.

17. The proposed management of the funding is a transfer from the relevant other CCAMLR fund to the Fund with the Panel acting as coordinator of the grant funding and ensure all reporting and budget criteria are met. The Secretariat will assist with the coordination as required.

Procedure for travel assistance to a meeting/workshop

18. The Commission shall, each year, define an amount of money from the Fund that the Panel may allocate to supporting travel applications. The Panel shall have the authority to grant applications for travel assistance, up to this limit, according to the priority indicated by the selection and evaluation criteria contained in Schedule D.

19. In assessing applications for travel assistance to a meeting, the Panel shall apply the criteria for selection and evaluation as contained in Schedule D and be guided by the purpose of the Fund, the provisions of the Convention, the financial needs of the applicant and the availability of the Fund.
20. The Fund will only fund applications for travel to attend CCAMLR-related meetings.
21. The closing date(s) for application for travel assistance to a meeting will be defined by the Panel as appropriate. The Panel may define more than one closing date each year.
22. The applicants will receive confirmation of the level of support granted, according to the outcomes of the matrix in Schedule D, as soon as possible.
23. The following conditions shall apply to the travel support granted:
 - (i) maximum limits for airfare and hotel accommodation shall apply, being economy class airfare and the relevant United Nations per diem rate
 - (ii) the Head of Delegation, or, alternatively, the applicants themselves, shall be required to sign a statement disclosing details of additional funding, if any, obtained or sought for this travel
 - (iii) the applicants shall make travel arrangements according to the type and level of support granted
 - (iv) the applicants shall provide adequate supporting documents to the Secretariat to prove the travel costs declared within two months of the end of the meeting, such as invoices, hotel booking/receipts, air tickets and air flight boarding cards in the context of the checks or audits for the Secretariat's accounting records.

Reporting

24. Where a Member(s) project is being funded according to paragraph 5, with the exception of paragraph 22 below, that Member(s) shall provide an annual report on the progress of the project, including details of the expenditure on the project. The report shall be submitted to the Secretariat no later than 15 July. When the project is completed, that Member shall provide a final statement of account certified as appropriate and approved by SCAF.
25. Where the funding is provided solely in relation to travel for attendance at meetings, a simplified report shall be appropriate detailing the staff involved and meetings attended.
26. The Secretariat shall report to the annual meeting of the Commission on the activities of the Fund, including its income and expenditure. Annexed to the report shall be reports on the progress of each project being funded by the Fund, including details of the expenditure on each project, and a summary of travel grants issued. The report will be circulated to Members in advance of the annual meeting.
27. Ongoing and final project reports will be circulated to Panel members on, or before, 1 August for consideration. The Panel will meet (virtually if necessary) to review these reports and to formulate recommendations on all ongoing projects for the upcoming Commission meeting.

28. The Panel may consider a recommendation to cancel an ongoing project. Such a recommendation shall be exceptional and shall consider progress made to date and likely progress in the future. Such consideration will be communicated to the project coordinator who will have an opportunity to present a case for continuation of funding to the Panel.

29. A working paper will be presented annually to the Commission and will present recommendations on the following:

- (i) new applicant projects and recommendations regarding their funding
- (ii) a report on all the applications for travel assistance that it has approved and granted through the year
- (iii) report to the Commission annually on the operation of the Fund procedures
- (iv) report of the activities for all ongoing grants and note those that have been completed.

30. The Commission shall review the Panel's report of all ongoing projects at its annual meeting as a standing agenda item and reserves the right, after notice, to cancel a project at any time should it decide that it is necessary.

31. The Commission may modify these provisions at any time.

Accounting

32. Appropriate records and accounts shall be maintained for the Fund, and the Executive Secretary shall report the status of the Fund, the amount used to provide assistance for the development of capacity building and details of such assistance, together with the level of available funds, during the annual meeting of the Commission.

**Relationship between the objective of the capacity building program
and the needs that will be addressed by the program**

Objective	Focus area	Needs
Article II of the Convention	Research and science	<ul style="list-style-type: none"> • Research plan quality • Data reporting quality • Observer skills • Scientific skills • Marine protected area science
	Compliance and management (conservation measures)	<ul style="list-style-type: none"> • Catch Documentation Scheme for <i>Dissostichus</i> spp. implementation • Inspections/reporting • Understanding Member and vessel obligations • Combatting illegal, unreported and unregulated fishing
	Cooperation, engagement and administration	<ul style="list-style-type: none"> • Attendance at meetings and workshops • Early career researchers and gender diversity • Accessing States/non-Contracting Parties/regional fisheries management organisations and others as identified from time to time by the Commission

**Application form for assistance from
the General Capacity Building Fund¹**

1. Project Summary (250 words maximum)

A Project Summary shall be submitted with the application. This will detail, at a minimum, the following:

- (i) CCAMLR Member, Acceding State² or Party cooperating with the Catch Documentation Scheme for *Dissostichus* spp. (CDS)
- (ii) activity proposed (guidelines, paragraph 2.iii)
- (iii) needs addressed (guidelines, Attachment 1)
- (iv) budget requested
- (v) project start date and duration
- (vi) anticipated outcome
- (vii) reason/s why applicant cannot undertake project without assistance from the Fund.

2. Proposal narrative (six pages maximum)

(i) Introduction

- (a) Situation, need and previous efforts – gaps in knowledge or capabilities, why the proposed project should be performed, review significant related work and how the project is relevant to the purpose of the Fund, and specific need addressed by project as identified in Attachment 1.
- (b) Objective(s) – the anticipated outcome(s).
- (c) Applications, benefits, and importance – how the anticipated results relate to the purpose/objectives of the Convention and the expected benefits including an outline of how the project addresses a capacity building need(s) as identified in Attachment 1 and how the project will improve the capacity of the beneficiary to assist in fulfilling its obligations under the Convention, and participate effectively in the work of the organisation.
- (d) Will the project benefit more than just the beneficiary? Does the capacity building activities target a number of Members?

(ii) Method and approach

- (a) Description of major activities and tasks – describe the tasks that must be performed to accomplish the objective(s) (as listed in the guidelines paragraph 2(v)(a)–(e)). For applications for supported meeting attendance (guidelines, paragraph 2(v)d), list the meetings.

² An Acceding State or non-Contracting Party (NCP) cooperating with the CDS may apply to the Fund where an application has the support of a Member.

- (b) Follow-up action – identify follow-up action after completion of the project, including when and how the outcomes will be reported to CCAMLR.
 - (c) Describe which existing organisations, either at a regional or national level, could assist with coordination or capacity building and have these been approached for this assistance?
- (iii) Project management
 - (a) Administration – the administrative responsibilities and authority of those involved in the execution of the proposal – particularly those of the overall project manager (including full contact details).
 - (b) Roles/assignments and participation time – the team composition, estimate of the duration of the project and project timeline.
- (iv) Literature cited
 - (a) References used in the proposal narrative.
- (v) Budget and audit
 - (a) General information – when did the applicant last receive assistance from the Fund.
 - (b) A fully itemised budget including co-financing and funding in-kind – a detailed budget identifying all sources of funding and items of anticipated expenditure shall be provided.
 - (c) Applications must be made in Australian dollars.
 - (d) Audit – applicants should note that an audit will be mandatory for any funding over A\$200 000 and may be required by the Panel for funding less than A\$200 000.
- (vi) Biographies and qualifications
 - (a) A brief biography for each team member that highlights education, experience and publications related to the proposed project shall be provided.
- (vii) All applications must be accompanied by a letter of support from one or more Members.

**Selection and evaluation criteria to be used by the Commission
for assessing applications for capacity building**

1. Needs
 - (i) A Member that is two or more years in arrears shall be ineligible for funding.
 - (ii) Applications that are eligible for funding from another CCAMLR fund will be ineligible for funding from the General Capacity Building Fund¹.
 - (iii) Does the project address a **need** that is identified in the guidelines, Attachment 1?
 - (iv) Does the proposal make it clear that the Member has this specific need?
 - (v) Will the project adequately address the need, and improve the capacity of the beneficiary to assist in fulfilling its obligations under the Convention, and participate effectively in the work of the organisation?
 - (vi) Assessment of applications will also consider positively whether the Member has a low existing engagement in CCAMLR's work, measured, for instance and where relevant, by the following:
 - (a) low number of papers submitted per year
 - (b) low infrastructure, including bases a Member has in Antarctica
 - (c) small size of delegation at each CCAMLR meeting.
 - (vii) Has the applicant articulated the reason(s) the project will not proceed without assistance from the Fund?
 - (viii) Is a letter of support from Member(s) attached?
2. Projects/activities and objectives
 - (i) Are the approach, methods, outcomes and objectives clearly set out?
 - (ii) Does the project address the wider objectives of the Fund (guidelines, paragraph 1) to:
 - (a) create confidence and ability for Members to achieve the objectives of the Convention
 - (b) improve Members' ability to contribute to the work of the Commission and the Scientific Committee, their subsidiary bodies and the Secretariat
 - (c) improve the overall system of operation of CCAMLR
 - (d) support the needs of individual Members

- (e) increase knowledge sharing and expertise between CCAMLR Members emphasising the value of cooperation?
 - (iii) Does the application seek to apply one of the identified projects/activities (guidelines, paragraph 2(v)(a)–(e))? If not, is this new project/activity justified in terms of addressing the identified need?
 - (iv) Will the project benefit more than just the beneficiary? Does capacity building target a number of Members across a wide geographical area (guidelines, paragraph 13)?
 - (v) Is maximum use made of other existing organisations, either at regional or national level, to coordinate and assist with capacity development?
3. Costs and capacity
- (i) Is the project value for money; are the proposed costs of the activity reasonable and in proportion to the likely benefits?
 - (ii) Has the applicant received prior support from the Fund? If so, was the activity successful?
 - (iii) Does the applicant have the demonstrated capacity to benefit fully from the project and ensure the outputs are fully utilised?
4. Outcomes
- (i) How will the success of the intervention be measured?
 - (ii) Is there provision for disseminating information on the project's activities and results to CCAMLR and an appropriate range of stakeholders?

The table below shows how the above criteria will be applied by the Panel:

Member ³ :			
Project title:			
Funding sought:			
Evaluation criteria	Yes/No	Weight	Score ⁴ (between 1 and 5, or scores in between)
Is the application from a Member which is two years or more in arrears in their contribution? If 'yes' the Member is ineligible for funding from the Fund ¹ .			If 'yes' the application is ineligible for funding
Can the application be funded through another CCAMLR fund?			If 'yes', the application should be transferred to the relevant fund for consideration
Is the applicant unable to carry out the project without assistance from the Fund?		3	
Does the Member have a low existing engagement in CCAMLR (e.g. low number of papers produced per year, limited infrastructure (research platforms, fishing vessels, bases in Antarctica), small size of delegation to CCAMLR)?		2	
Does the project address a need that is identified in guidelines, Attachment 1? Does the proposal make it clear that the Member has this specific need?		3	
Will the project adequately address the need, and improve the capacity of the beneficiary to assist in fulfilling its obligations under the Convention, and participate effectively in the work of the organisation?		2	
Does the project address the wider objectives of the Fund (guidelines, paragraph 1)?		3	
Are the approach, methods outcomes and objectives clearly set out?		2	
Does the application seek to apply one of the identified projects/activities (guidelines, paragraph 2v)? If not, is this new project/activity justified in terms of addressing the identified need?		2	
Will the project benefit more than just the beneficiary? Does capacity building target a number of Members across a wide geographical area (guidelines, paragraph 9)		1	
Is the project value for money; are the proposed costs of the activity reasonable and in proportion to the likely benefits?		3	
Is maximum use made of other existing organisations, either at regional or national level, to coordinate and assist with capacity development?		1	
Needs evaluation score ⁵			

³ Includes Acceding States or non-Contracting Parties cooperating with the Catch Documentation Scheme for *Dissostichus* spp., where an application has the support of a Member.

⁴ Where 1 = Poor, 2 = Fair, 3 = Good, 4 = Very Good, 5 = Excellent.

⁵ An application must score over 60% of the total possible score in order to be considered.

Application form for travel support to attend a meeting/workshop

1. Applicant basic details:

Full name: _____

Position: _____

Organisation: _____

Email: _____

Delegation⁶: _____

2. Type of support (please select one or more options):

Travel (only available for CCAMLR-related meetings)

Meeting: _____

Dates: _____

Economy flight expenditure A\$ _____

Per diem

Dates required: _____

Number of days required⁷: _____

Other details: _____

Per diem total amount will be completed by the Secretariat.

3. Has the applicant previously participated in Commission, Scientific Committee or working group meetings and/or workshops?

Yes

No

⁶ An Acceding State or non-Contracting Party cooperating with the Catch Documentation Scheme for *Dissostichus* spp. may apply to the Fund where an application has the support of a Member.

⁷ The per diem funding will be provided for the day/s of the meeting and two days travel – to the meeting and return.

4. Will the applicant play a significant role during the meeting?

Yes (please elaborate)

No

5. Will the applicant receive other financial assistance to attend this meeting?

Yes

Details: _____

No

6. Please explain why funding from the General Capacity Building Fund is required for this travel?

**Selection and evaluation criteria to be used by the Panel
for assessing applications for travel support**

1. A Member that is two or more years in arrears shall be ineligible for funding.
2. Is the application for support to travel to a CCAMLR-related meeting?
3. Is the applicant from a Member⁸ with a clear **need** for assistance to deliver the Objectives of the Fund¹ (guidelines, paragraph 1)?
4. Is a letter of support from a Member attached?
5. Reason/s why funding is not provided by the Member or applicant's organisation?
6. The annual total claims to the travel portion are limited to 20% of the balance of the Fund provided that this is limited to a maximum A\$40 000 per year.
7. Is the applicant the only representative of a Member at the meeting, or part of a small delegation where the size of the delegation restricts the ability of the Member to fully engage and deliver the objectives of CCAMLR?
8. Will the applicant play a significant role during the meeting such as Chair/Vice-Chair, Head of Delegation (HoD) of the meeting?
9. Does the applicant represent a Member who does not have any outstanding financial contribution to the Commission?
10. Has the applicant previously participated in CCAMLR meetings/workshops?
11. Will the applicant receive other financial support for attending the meetings/workshops?

⁸ Includes Acceding State or non-Contracting Party cooperating with the Catch Documentation Scheme for *Dissostichus* spp., where an application has the support of a Member.

The table below shows how the above criteria will be applied by the Panel:

Meeting/workshop:		
Name:		
Delegation:		
Evaluation criteria	Yes/No	Score ⁹ (between 1 and 5 or scores in between)
Is the application from a Member which is two years or more in arrears in their contribution? If 'yes' the Member is ineligible for funding from the Fund ¹ .		
Is the application for a CCAMLR-related meeting?		
Can the application be funded from another CCAMLR fund?		
Is the applicant from a Member with a clear need for assistance to deliver the objectives?		
Is the applicant the only representative of a Member at the meeting, or part of a small delegation where the size of the delegation restricts the ability of the Member to fully engage and deliver the objectives?		
Will the applicant play a significant role during the meeting such as Chair/Vice-Chair, HoD during the meeting?		
Has the applicant previously participated in CCAMLR meetings/workshops?		
Will the applicant receive other financial support for attending the meeting/workshop?		
Score		

⁹ Where 1 = Poor, 2 = Fair, 3 = Good, 4 = Very Good, 5 = Excellent.

Terms of reference for the General Capacity Building Fund¹ Panel

The following draft terms of reference shall apply to the Panel:

1. Composition of Panel

- (i) The Commission will designate no less than six members to serve on a Panel to review proposals and to make recommendations to the Commission on whether to fund proposals. Members of the Panel shall serve for a term of two years and may serve no more than two consecutive terms.
- (ii) Members of the Panel may nominate individuals with particular expertise that covers different disciplines. The different disciplines are defined in term of reference 3(i).
- (iii) The panel should reflect the diversity of Members of the Commission. Diversity includes language, geographic spread and gender.

2. Co-option of members

- (i) It is recommended that a process be developed so that the Panel, through its Chair, can co-opt members through Commissioners.

3. Expertise

- (i) The Panel should seek to include representatives spanning the Commission, Scientific Committee, Standing Committee on Implementation and Compliance and Standing Committee on Administration and Finance. The Panel should seek to be comprised of representatives with a range of suitable expertise who are capable of assessing proposals that span science-related work; fisheries compliance and management; institutional affairs; and developing data and information systems to support decision-making.

4. Functions

- (i) The Panel shall approve the method of application.
- (ii) The Panel shall consider the applications submitted and make recommendations to the Commission.

5. Regularity of meetings and reporting

- (i) The Panel shall convene virtually in September and will meet in person during the first week of the Commission meeting.
- (ii) The Panel Chair may call an extraordinary meeting. The conditions for calling an extraordinary meeting shall be agreed by the Panel.

6. Vacancy management
 - (i) The Panel will decide a replacement considering the rules for the composition of the Panel and the remaining Panel member composition.
7. Decisions
 - (i) Decisions will be made according to the rules of the Commission.
8. Chairing
 - (i) Members of the Panel will nominate the Chair.
9. Convening of meetings
 - (i) The Chair will convene the meetings of the Panel. Assistance will be provided by the Secretariat as required.
 - (ii) A quorum of one half + 1 of the Panel's membership must be in attendance in order for the meeting to proceed.
10. Term of office
 - (i) The term of office is a period of two years. The Commission will consider staggering expiration of terms.
11. Code of conduct
 - (i) Will be in line with the Rules of Procedure of the Commission.
12. Declaration of interests
 - (i) To avoid conflict of interest, a Panel member will be excluded from the discussion of applications from which their country would directly benefit.

Deed of Funding

(Approved travel will be documented using CCAMLR's standard travel permission document)

CCAMLR General Capacity Building Fund¹

Researcher/organisation name: _____

Primary point of contact: _____

Other collaborators: _____

Grant purpose: _____

Grant amount A\$: _____

Grant timeline: _____

The above project was approved by the Panel and the Standing Committee on Administration and Finance and this decision was endorsed by the subsequent meeting of the Commission <<CCAMLR-XX, paragraphs xx to xx>>.

The conditions of this agreement are set forth below:

1. The purpose of the project
 - 1.1 The objectives and purpose of the project are detailed in the attached project proposal (Attachment A).
2. Funding and grant duration
 - 2.1 CCAMLR will provide A\$_____ to <<name of organisation>> to carry out the activities as described in the approved project proposal (Attachment A). Funds granted are to be expended as shown in the project budget (contained within Attachment A).
 - 2.2 The project's timeline is _____ to _____ (see Attachment B for detailed timeline).
3. Payment of Funds
 - 3.1 Funds will be paid in the following manner: ___% at the commencement of the Project and after the signing of this agreement; a subsequent payment at the completion of _____ (#) milestone, and the last payment after the final report has been submitted and accepted by the Commission. Such acceptance shall not be unreasonably withheld.
 - 3.2 The financial and reporting requirements for the project are outlined in paragraphs 5, 6 and 7.

4. Use of Funds
 - 4.1 The funds provided for this project must be used only for the purpose agreed in the project proposal and budget.
5. Financial record keeping
 - 5.1 All financial reports and statements are to be prepared in accordance with generally accepted accounting principles.
 - 5.2 A copy of all receipts, invoices and financial records substantiating grant expenditures must be submitted with the financial report.
 - 5.3 All expenditure statements must be verified by relevant invoices and signed by appropriately senior officials within the funded organisation.
6. Financial reporting requirements
 - 6.1 The financial report will include project budget line items and reporting of expenditures against budget items. The financial report is to be certified as true and correct by the Head of Finance (or similar) for the <<name of organisation being funded>>.
 - 6.2 The financial report will be submitted within 60 days of the submission of the final report at the completion of the project.
7. Project reporting requirements
 - 7.1 Annual progressive implementation reports, and a final report, will be submitted to the Commission. These will be submitted to the Secretariat in time for a summary report to be distributed as a working paper.
 - 7.2 The final 20% of the project funds will not be released until the Commission has been informed of project outcomes and the financial report has been submitted and accepted by CCAMLR. Such acceptance shall not be unreasonably withheld.
8. Requirements and variations
 - 8.1 <<name of organisation and contact>> agrees to expend the funds in accordance with the approved budget and project proposal. Any modifications to the agreed budget or to the agreed project proposal must have written authorisation from the Panel. In some circumstances such changes may need to be referred to the Commission.
 - 8.2 Any funds disbursed but not expended will be returned to CCAMLR at the time the financial report is submitted to CCAMLR.

9. Termination

- 9.1 CCAMLR may terminate this Agreement by giving the <<name of organisation>> 10 days' notice in writing if it is determined that the Terms and Conditions of this agreement are not being followed. <<name of organisation>> may terminate this agreement by giving CCAMLR 10 days' notice in writing.
- 9.2 In the event of such termination, the <<name of organisation>> shall be entitled to funding for the part of the work performed in accordance with this agreement up to the date of termination.
- 9.3 In the event of termination, CCAMLR reserves the right to take such action as may be necessary to recover any unauthorised expenditures. Such recovery shall only take place under this agreement and not extend to recovery from any other agreement in place between CCAMLR and <<name of organisation>>. Funds recovered shall in no event exceed the funding actually granted to <<name of organisation>> under this agreement.

10. Intellectual property

- 10.1 Any arising intellectual property rights shall reside with the collaborator generating the same. Each collaborator shall grant to the other collaborators and to CCAMLR an irrevocable, royalty-free right to use its arising intellectual property for academic research purposes, including in research projects that are sponsored by third parties provided that the use of the intellectual property in those projects does not involve the disclosure of any confidential information to the third Parties. For the avoidance of doubt, background intellectual property shall continue to be owned by the party introducing the same.
- 10.2 <<name of organisation>> and the other collaborators reserve the right to publish results in accordance with normal practice. Publication shall only include CCAMLR data with the prior agreement of CCAMLR under the [Rules for Access and Use of CCAMLR Data](#).

11. Confidentiality

- 11.1 The confidentiality arrangements detailed in this section 11 shall apply and shall also be adhered to in respect of the [Rules for Access and Use of CCAMLR Data](#). For the purpose of section 11, 'Confidential information' shall mean any information that is by its nature confidential and a party knows or ought to know is confidential or is agreed between the Parties as constituting confidential information for the purposes of this Agreement.
- 11.2 Both Parties will use all reasonable endeavours not to disclose to any third Party any confidential information nor use for any purpose except as expressly permitted by this agreement, any of the other Party's confidential information.
- 11.3 The provisions of clause 11.2 shall not apply for disclosure or use of confidential information, if and in so far as:

- 11.3.1 the confidential information became publicly available by means other than a breach of the recipient's confidentiality obligations
- 11.3.2 the disclosing Party has informed the recipient that the confidential information is no longer confidential
- 11.3.3 the confidential information is communicated to the recipient without any obligation of confidence by a third Party who is in lawful possession thereof and under no obligation of confidence to the disclosing party
- 11.3.4 the confidential information, at any time, was developed by the recipient completely independently of any such disclosure by the disclosing party
- 11.3.5 the confidential information was already known to the recipient prior to disclosure as proven by the recipient's pre-existing documentation.

12. Liability

12.1 The liability of the <<name of organisation>> howsoever arising in respect of, or attributable to, any breach, non-observance or non-performance of the agreement or any error or omission shall be limited to the funding granted to the <<name of organisation>> under this agreement, except in the case of death or personal injury, attributable to the negligence of the <<name of organisation>> or its employees.

13. Attachments

13.1 All attachments to the grant agreement are incorporated into the agreement.

- Attachment A – Project Proposal including Project Budget
- Attachment B – Project Timeline.

Signed this _____ day of _____

Signed for CCAMLR: _____

Name: _____

Position: _____

Signature of Witness: _____ Name: _____

Signed for the <<name of organisation>>: _____

Name: _____

Position: _____

Witness: _____ Name: _____

Updated 2020, 2021 and 2022 Budgets

Updated 2020, 2021 and 2022 Budgets

	2017 Final audit figures	2018 Final audit figures	2019 Final audit figures	2020 Budget	2020 Revised budget	2021 Forecast	2022 Forecast	Notes
General Fund								
Income								
Core Members' Contribution	3 272 000	3 349 500	3 433 238	3 453 435	3 518 332	3 571 096	3 624 667	2020: As requested by the Commission in 2005 (CCAMLR-XXIV, paragraph 3.24) the current Members' contributions, including unpaid, are shown in Appendix 4. 2020: Members' contributions are calculated on the basis of a 2.5% increase. 2021 and 2022 are calculated on the basis of a 1.5% increase. This takes into account the Commission's zero real growth policy.
Members' Special Contributions								
Interest	157 447	166 135	161 712	180 000	150 000	150 000	150 000	Interest rates remain low and predicted to remain so during 2020, 2021 and 2022. Interest is dependent on actual rates, timing of receipts of Members' contributions, number of fishery notifications received. There is considerable uncertainty associated with each of these items
Staff Assessment Levy (SAL)	517 836	489 639	550 663	470 000	500 000	550 000	550 000	The SAL represents income deducted from staff salaries in respect of tax. The actual SAL will not be known until the completion of the tax year and the staff members' tax returns have been assessed by the Australian Taxation Office.
Fund transfers – Forfeited Fishery Deposits	220 000	240 730	135 000	150 000	150 000			In line with the Strategic Plan 2019–2022, the deposit system has ceased with last forfeited deposits being transferred to the General Fund in 2020.
Fund transfers – other			643 920					
Sales (Tagging)	48 175	21 239	50 094	35 000	35 000	35 000	35 000	
Miscellaneous income – Fishery Notifications	385 800	414 000	427 200	732 872	600 000	700 000	700 000	
Miscellaneous income – Rent Contributions	390 561	399 087	407 250	415 375	415 375	425 800	436 400	Contributions from the Australian and Tasmanian governments are matched against the rent expenditure and are budgeted to increase 2.5% each year through to 2022.
Miscellaneous income – Grants			327 405					
Miscellaneous income – Other	69 105	54 419	933 509	40 000	40 000	50 000	50 000	
Total income	5 060 924	5 134 749	7 069 991	5 476 682	5 408 707	5 481 896	5 546 067	

	2017 Final audit figures	2018 Final audit figures	2019 Final audit figures	2020 Budget	2020 Revised budget	2021 Forecast	2022 Forecast	Notes
Expenditure								
Salaries	3 456 291	3 292 728	3 706 486	3 891 304	3 822 047	3 870 836	4 068 424	The final Salaries and Allowances expenditure will depend on the amount of overtime payable, particularly during annual meeting time, and payments required to the Staff Termination Fund. 2021 and 2022: Are budgeted based on the Strategic Plan 2019–2022 and include incremental and CPI increases.
Equipment (including depreciation)	150 096	178 066	238 956	243 735	243 735	248 610	253 582	
Insurance and Maintenance	229 777	222 072	259 884	265 082	265 082	252 000	252 100	The provisions across the forward estimates takes account of anticipated CPI increases.
Training	13 070	20 580	46 075	60 000	60 000	60 000	60 000	The training budget is projected to increase in line with the recommendation of the Strategic Plan 2019–2022 as an important tool to ensure staff remain up to date with the increasing complexity of Secretariat activities.
Meeting Facilities	301 648	372 919	343 820	370 000	200 000	375 000	378 000	As a result of COVID-19, the 2020 budget has been decreased to reflect the decision to not hold a meeting in Hobart. This budget item is forecast to have small increases annually. Final amounts of overtime associated with interpretation during the annual meeting will impact the final totals.
Travel	153 230	153 838	177 374	190 000	50 000	170 000	170 000	Due to COVID-19 restrictions, the travel budget for 2020 has been decreased.
Printing	12 266	14 889	14 934	18 000	18 000	18 000	18 000	
Communications	31 446	29 749	21 907	47 000	47 000	30 000	30 600	The budget for 2021 and 2022 has been decreased to reflect the actual, ongoing expense in this area.
Sundry (incl. audit)	91 940	206 808	597 757	95 000	95 000	95 000	95 000	
Rent/COGS	435 900	419 169	488 819	450 375	450 375	460 800	471 400	Rent expenditure is predicted to increase by 2.5% annually.
Website Redevelopment				25 000	25 000	25 000		
40th Anniversary exp.				20 000				
Transfer to WCF			1 321 851	-97 023	2 791	-76 001	-54 216	In 2019 the WCF is established with a transfer from the General Fund. In subsequent years, the transfers ensure that the WCF remains at a balance equivalent to 3 months' budgeted expenditure.
Transfer to General Capacity Building Fund						-150 000		As recommended by the SCAF e-Group
Transfer to General Science Capacity Fund				200 000	200 000			
Total expenditure	4 875 664	4 910 818	7 217 863	5 675 496	5 276 239	5 580 246	5 797 106	
Surplus/-Deficit	185 260	223 931	-147 872	-198 814	132 468	-98 350	-251 039	
General Fund balance at 01 Jan	1 991 209	2 176 469	2 400 400	2 252 528	2 252 528	2 387 788	2 063 437	
General Fund balance at 31 Dec	2 176 469	2 400 400	2 252 528	2 156 692	2 387 788	2 063 437	1 758 182	As forecast in the Strategic Plan 2019–22, the General Fund balance slowly declines towards the approved year-end balance of approximately A\$100 000.

**Revised budget for the year ended 31 December 2020, draft budget for year ending
31 December 2021 and forward estimate for year ending 31 December 2022
– Equity and Special Funds**

**Revised budget for the year ended 31 December 2020, draft budget for year ending 31 December 2021
and forward estimate for year ending 31 December 2022 – Equity and Special Funds**

Commission for the Conservation of Antarctic Marine Living Resources														
Revised Budget for the Year Ended 31 December 2020 – Equity and Special Funds														
	Equity Funds					Special Funds								
	Asset Replace- ment	Working Capital Fund	Staff Replace- ment	Korea Contribu- tion Fund	China Contribu- tion Fund	General Capacity Building Fund	Observer	VMS	CDS	Com- pliance	MPA	Enforce- ment	General Science Capacity	CEMP
	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$
Income														
Members' Special Contributions						28 100					41 100			
Interest						4 325	2 136		23 525	498	1 881		2 377	10 504
Fund transfers – other			40 000											
Miscellaneous income – Grants													200 000	
Miscellaneous income – Other	25 000													
Total income	25 000		40 000			32 425	2 136		23 525	498	42 981		202 377	10 504
Expenditure														
Salaries			90 000											
Equipment (including depreciation)														
Insurance and Maintenance														
Training														
Meeting Facilities	4 444													
Travel	0													
Sundry (incl. audit)	40 000			125 000		171 457		17 889	20 000			15 149		40 000
Transfer to WCF		2 791												
Transfer to General Capacity Building Fund														
Transfer to General Science Capacity Fund														
Total expenditure	44 444	2 791	90 000	125 000		171 457		17 889	20 000			15 149		40 000
Surplus/-Deficit	-19 444	2 791	-50 000	-125 000		-139 032	2 136	-17 889	3 525	498	42 981	-15 149	202 377	-29 496
Balance at 1 January 2020	225 160	1 321 851	206 931	361 055	323 224	288 304	142 379	17 889	1 568 352	33 212	125 424	15 149	158 441	719 492
Balance at 31 December 2020	205 716	1 319 060	156 931	236 055	323 224	149 272	144 515	0	1 571 877	33 710	168 405	0	360 818	690 284

Commission for the Conservation of Antarctic Marine Living Resources

Draft Budget for the Year Ended 31 December 2021

	Equity Funds					Special Funds								
	Asset Replace- ment	Working Capital Fund	Staff Replace- ment	Korean Contribu- tion Fund	China Contribu- tion Fund	General Capacity Building Fund	Observer	VMS	CDS	Com- pliance	MPA	Enforce- ment	General Science Capacity	CEMP
	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$
Income														
Members' Special Contributions				185 700		123 800								
Interest						4 746	2 168		22 078	506	1 910		1 212	10 504
Fund transfers – other	-40 000	76 001	40 000			150 000								
Miscellaneous income – Grants														
Miscellaneous income – Other	25 000													
Total income	-15 000	76 001	40 000	185 700		278 546	2 168		22 078	506	1 910		1 212	10 504
Expenditure														
Salaries			90 000											
Equipment (including depreciation)														
Insurance and Maintenance														
Training														
Meeting Facilities														
Travel					50 000								120 000	
Sundry (incl. audit)				174 846		150 000			200 000					40 000
Transfer to WCF														
Transfer to General Capacity Building Fund														
Transfer to General Science Capacity Fund														
Total expenditure			90 000	174 846	50 000	150 000			200 000				120 000	40 000
Surplus/-Deficit	-15 000	76 001	-50 000	10 854	-50 000	128 546	2 168		-177 922	506	1 910		-118 788	-29 496
Balance at 1 January 2021	205 716	1 319 060	156 931	236 055	323 224	149 272	144 515		1 571 877	33 710	167 305		360 818	690 284
Balance at 31 December 2021	190 716	1 395 061	106 931	246 909	273 224	277 818	146 682		1 393 955	34 216	169 215		242 030	660 789

Commission for the Conservation of Antarctic Marine Living Resources

Forecast Budget for the Year Ended 31 December 2022

	Equity Funds					Special Funds						
	Asset Replace- ment	Working Capital Fund	Staff Replace- ment	Korean Contribu- tion Fund	China Contribu- tion Fund	General Capacity Building Fund	Observer	CDS	Com- pliance	MPA	General Science Capacity	CEMP
	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$	A\$
Income												
Members' Special Contributions				185 700		123 800						
Interest						4 425	2 200	20 909	513	1 938	3 630	10 062
Fund transfers – other		54 216	80 000									
Miscellaneous income – Grants												
Miscellaneous income – Other	25 000											
Total income	25 000	54 216	80 000	185 700		128 225	2 200	20 909	513	1 938	3 630	10 062
Expenditure												
Salaries			60 000									
Equipment (including depreciation)												
Insurance and Maintenance												
Training												
Meeting Facilities												
Travel					50 000						80 000	
Sundry (incl. audit)	80 000			125 000		150 000		200 000				40 000
Transfer to WCF												
Transfer to General Capacity Building Fund												
Transfer to General Science Capacity Fund												
Total expenditure	80 000		60 000	125 000	50 000	150 000		200 000			80 000	40 000
Surplus/-Deficit	-55 000	54 216	20 000	60 700	-50 000	-21 775	2 200	-179 091	513	1 938	-76 370	-29 938
Balance at 1 January 2022	190 716	1 395 061	106 931	246 909	273 224	277 818	146 682	1 393 955	34 216	169 215	242 030	660 789
Balance at 31 December 2022	135 716	1 449 277	126 931	307 609	223 224	255 786	148 883	1 214 865	34 729	171 753	165 660	630 700

Members' Contributions 2020, 2021, 2022

Members' Contributions 2020, 2021, 2022
 General Fund Contributions – Payable by 31 May
 (all amounts in Australian dollars)

Member	Contributions 2020	Balance Outstanding 28 October 2020	Draft Contributions 2021	Forecast Contributions 2022
Argentina	125 326	123 970	128 901	129 918
Australia	139 548		146 273	147 557
Belgium	125 326		128 901	129 918
Brazil	125 326	255 120	128 901	129 918
Chile	129 206	129 206	135 844	140 243
China	148 098		149 150	152 023
European Union	125 326		128 901	129 918
France	152 542		158 029	159 176
Germany	125 326		128 901	129 918
India	125 326	125 326	128 901	129 918
Italy	125 326		128 901	129 918
Japan	126 561		130 273	131 098
Korea, Republic of	143 967		150 630	152 695
Namibia	125 326		128 901	129 918
Netherlands	127 922		128 901	129 918
New Zealand	130 665		133 780	134 671
Norway	203 214		224 420	241 618
Poland	125 326		128 901	129 918
Russia	127 866		130 888	131 851
South Africa	126 922		130 338	131 517
Spain	127 057		130 745	131 915
Sweden	125 326	125 515	128 901	129 918
Ukraine	131 866		136 692	140 758
UK	132 447		136 395	138 454
USA	125 326		128 901	129 918
Uruguay	126 968	106 968	130 827	132 077
Total	3 453 435	866 105	3 571 096	3 624 667