Monday's detailed report from the Executive Secretary of CCAMLR concerning the illegal and unregulated fishing occurring within the CCAMLR area is extremely alarming. ECO understands that the Scientific Committee has made assessments suggesting that Antarctic toothfish, Dissostichus eleginoides, will be commercially extinct within three years if such fishing is not brought under control. The estimated value of this illegal activity is perhaps $500 million per year. The projected mortality figures for albatross and petrel killed as by-catch in the illegal longline fisheries -- perhaps 120,000 birds a year -- are equally if not more frightening.

Some of the illegal fishing is being carried out either directly or indirectly by companies licensed in CCAMLR and Antarctic Treaty parties, while most of the illegally caught fish is being sold in CCAMLR member countries.

This situation requires the urgent attention of Antarctic Treaty Parties operating at a political level. It seems surreal to ECO that Treaty Parties have been sitting around the table for the past week congratulating themselves on the fine efforts they are making to protect the Antarctic environment, while the Antarctic region is facing its most serious threat since the era of commercial sealing and whaling. ECO notes the strong expressions of concern by several Parties in response to the CCAMLR report, but asks where these statements lead? Were these issues even discussed in the Heads of Delegation meeting on Monday afternoon following the CCAMLR report?

ECO urges that the Antarctic Treaty Parties consider a series of concerted, cooperative, concrete steps designed to stop the illegal fisheries. We hope that Parties will agree to discuss these possibilities here in Tromso, so as to make concrete suggestions to CCAMLR, and that the issue of illegal fishing be placed on regular CEP and ATCM agendas until it is successfully resolved.

What is clearly missing is the application of serious political will by Antarctic Treaty members, and indeed the Treaty System as a whole, to find solutions to this problem. Does not the wholesale flouting of international law and the possible extinction of seabird species as well as the commercial extinction of a valuable fishery warrant cooperative actions under the umbrella of the Treaty itself? ECO would say "YES" and we hope all Parties agree.

The thorny problem of illegal toothfish fishing has been with us for several years. Several solutions have been advanced, and many have been discussed at CCAMLR meetings. Drawing from those past discussions, ECO provides the following "shopping list" of measures that Antarctic Treaty Parties should both urge CCAMLR to take -- and with their CCAMLR "hats" on start taking themselves, while here in Tromso.

1. Cooperative Intelligence Activities

Using military and civilian satellite data to identify vessels that are involved in unregulated or illegal fishing is a key tool in the hands of several Parties. It is no state secret that the existing panoply of satellites operated by a number of Parties can easily be used to identify those vessels fishing illegally, and to track their movements from and to ports. This is crucial information needed for the other steps outlined here.
2. Cooperative Use Of Enforcement Assets

This relates primarily to vessels that could be used to stop the illegal fishing directly, based on the intelligence referred to in point 1. During the past two years several Parties have independently undertaken enforcement measures, but this has been ad hoc and obviously too limited to have had any real impact on the illegal fishing boats. If available vessels were "pooled" and assigned different inspection tasks based on allocation to various portions of the illegal fishing zone, the enforcement results will be improved substantially.

3. Cooperative Political Action Toward Non-CCAMLR States

The focus here would be on states which are sponsoring illegal fishing vessels, including strong efforts to induce them to join and abide by CCAMLR rules, and sanctions if that doesn't work. Parties should be utilizing all means available to encourage membership in CCAMLR, including diplomatic, economic aid and economic links. Among possible sanctions are cuts in aid and trade restrictions against illegal fishing states. ECO is certain that the ATCPs, as a group, can stop the illegal fishing by such states.

4. Aggressive Flag State Enforcement

This is necessary to ensure that no illegal fishing is being undertaken by vessels registered to a member Party. This has many possible aspects, including use of fines or other penalties for non-compliance, and requiring mandatory Vessel Monitoring Systems (VMS) on all vessels operating in the CCAMLR area. Countries may also want to consider legislation to control reflagging to avoid the CCAMLR rules.

5. Use Of Port State Enforcement

This can be done both in ports where illegal fishing vessels are picking up supplies and fuel and in ports where they are off-loading the illegally caught fish. Obviously there is a link here to having accurate intelligence about the vessels in question, since that would make port state enforcement more reliable and effective. Market monitoring would be useful to help identify where illegal fish is being sold. Key steps that port states should consider taking include seizure of illegal fish, denial of port access to illegal fishers, and legislation to ban sales of illegally caught fish.

6. Cooperative Monitoring

This could be achieved by sharing lists of infringing vessels, coordinating surveillance activities, and other types of practical information exchange that will support various types of enforcement actions, whether undertaken by an individual Party or in a coordinated way.

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The integrity of the ATS is at stake. As some Parties have noted, this illegal fishing is a cancer eating away at the Treaty itself. The time for talk is over. The time for action is now. Until ECO sees some real action taken to stop the gross illegal fishing for toothfish and the consequent pillaging of seabirds, it will continue to find the rhetoric of Parties sitting around the table here in Tromso empty and unconvincing.