CONSERVATION OF ANTARCTIC SEALS.

Introductory note

Following the virtual extinction of fur seal in South Georgia after 1786 and the discovery of the South Shetland Islands in 1819, the major fur seal populations of the South Atlantic were almost wiped out by the 1820s. Effective seal conservation legislation was instituted in South Georgia early in the Twentieth Century but it was not until the adoption of the Agreed Measures for the Conservation of Antarctic Fauna and Flora in 1964 that an internationally agreed conservation scheme applicable to all of Antarctica was adopted. In that year, a pilot sealing expedition visited Antarctica to see if the crabeater seals which inhabit the floating pack ice could be economically exploited. Although the catches were very small the expedition provided a warning about a threat to seal species which, being found for the most part on the high seas, were not protected by the Agreed Measures. Recognizing this potential threat, the Consultative Parties embarked on the development of an internationally agreed conservation measure. The steps taken are given in the Recommendations set out below.

Both the Antarctic Treaty and the Agreed Measures contain an Article which states that the high seas rights of parties to both agreements are unaffected by those instruments. In the years between 1964 and 1972 when the Convention for the Conservation of Antarctic Seals was concluded in London, SCAR was engaged in developing practical conservation measures and the Consultative Parties were considering the form of an appropriate international instrument. The choice lay between, on the one hand, following the precedent of the Agreed Measures and incorporating the agreement in the form of an Antarctic Treaty Recommendation and, on the other hand, adopting a free-standing instrument. The Consultative Parties chose the latter course.

The text of the resulting Convention is set out below. It covers all species of seal in Antarctic waters. Although there has been no attempt to exploit Antarctic seals commercially since 1964, the SCAR Group of Specialists on Antarctic Seals continues to monitor the take of seals for scientific purposes. The operation of the Convention was reviewed, in accordance with Article 7, in 1988, ten years after its entry into force. The report of the 1988 meeting is set out below. Amendments to the Annex to the Convention that were adopted through the Meeting are marked in the Annex by strikethrough for deletions and by brackets for additions. Rules of Procedure for the Meeting, adopted in 1988, are set out below.

Convention for the Conservation of Antarctic Seals

The Contracting Parties,

Recalling the Agreed Measures for the Conservation of Antarctic Fauna and Flora, adopted under the Antarctic Treaty signed at Washington on 1 December 1959;[(1)]

Recognizing the general concern about the vulnerability of Antarctic seals to commercial exploitation and the consequent need for effective conservation measures;

Recognizing that the stocks of Antarctic seals are an important living resource in the marine environment which requires an international agreement for its effective conservation;

Recognizing that this resource should not be depleted by over-exploitation, and hence that any harvesting should be regulated so as not to exceed the levels of the optimum sustainable yield;

Recognizing that in order to improve scientific knowledge and so place exploitation on a rational basis, every effort should be made both to encourage biological and other research on Antarctic seal populations and to gain information from such research and from the statistics of future sealing operations, so that further suitable regulations may be formulated;

Noting that the Scientific Committee on Antarctic Research of the International Council of Scientific Unions (SCAR) is willing to carry out the tasks requested of it in this Convention;

Desiring to promote and achieve the objectives of protection, scientific study and rational use of Antarctic seals, and to maintain a satisfactory balance within the ecological system,

Have agreed as follows:

Article 1: Scope

1. This Convention applies to the seas south of 60° South Latitude, in respect of which the Contracting Parties affirm the provisions of Article IV of the Antarctic Treaty.

2. This Convention may be applicable to any or all of the following species:

   Southern elephant seal *Mirounga leonina*,
   Leopard seal *Hydrurga leptonyx*,
   Weddell seal *Leptonychotes weddellii*,
   Crabeater seal *Lobodon carcinophagus*,
   Ross seal *Ommatophoca rossi,*
   Southern fur seals *Arctocephalus* sp.

3. The Annex to this Convention forms and integral part thereof.

Article 2: Implementation

1. The Contracting Parties agree that the species of seals enumerated in Article 1 shall not be killed or captured within the Convention area by their nationals or vessels under their respective flags except in accordance with the provisions of this Convention.

2. Each Contracting Party shall adopt for its nationals and for vessels under its flag such laws, regulations and other measures, including a permit system as appropriate, as may be necessary to implement this Convention.

Article 3: Annexed Measures

1. This Convention includes an Annex specifying measures which the Contracting Parties hereby adopt. Contracting Parties may from time to time in the future adopt other measures with respect to the conservation, scientific study and rational and humane use of seal resources, prescribing *inter alia*:

a) permissible catch;
b) protected and unprotected species;
c) open and closed seasons;
d) open and closed areas, including the designation of reserves;
e) the designation of special areas where there shall be no disturbance of seals;
f) limits relating to sex, size, or age for each species;
g) restrictions relating to time of day and duration, limitations of effort and methods of sealing;
h) types and specifications of gear and apparatus and appliances which may be used;
i) catch returns and other statistical and biological records;
j) procedures for facilitating the review and assessment of scientific information;
k) other regulatory measures including an effective system of inspection.

2. The measures adopted under paragraph (1) of this Article shall be based upon the best scientific and technical evidence available.

3. The Annex may from time to time be amended in accordance with the procedures provided for in Article 9.

Article 4: Special Permits

1. Notwithstanding the provisions of this Convention, and Contracting Party may issue permits to kill or capture seals in limited quantities and in conformity with the objectives and principles of this Convention for the following purposes:

a) to provide indispensable food for men or dogs;
b) to provide for scientific research; or
c) to provide specimens for museums, educational or cultural institutions.

2. Each Contracting Party shall, as soon as possible, inform the other Contracting Parties and SCAR of the purpose and content of all permits issued under paragraph (1) of this Article and subsequently of the numbers of seals killed or captured under these permits.

Article 5: Exchange of Information and Scientific Advice

1. Each Contracting Party shall provide to the other Contracting Parties and to SCAR the information specified in the Annex within the period indicated therein.

2. Each Contracting Party shall also provide to the other Contracting Parties and to SCAR before 31 October each year information on any steps it has taken in accordance with Article 2 of this Convention during the preceding period 1 July to 30 June.

3. Contracting Parties which have no information to report under the two preceding paragraphs shall indicate this formally before 31 October each year.

4. SCAR is invited:

a) to assess information received pursuant to this Article; encourage exchange of scientific data and information among the Contracting Parties; recommend programmes for scientific research; recommend statistical and biological data to be collected by sealing expeditions within the Convention area; and suggest amendments to the Annex; and

b) to report on the basis of the statistical, biological and other evidence available when the harvest of any species of seal in the Convention area is having a significantly harmful effect on the total stocks of such species or on the ecological system in any particular locality.

5. SCAR is invited to notify the Depositary which shall report to the Contracting Parties when SCAR estimates in any sealing season that the permissible catch limits for any species are likely to be exceeded and, in that case, to provide an estimate of the date upon which the permissible catch limits will be reached. Each Contracting Party shall then take appropriate measures to prevent its nationals and vessels under its flag from killing or capturing seals of that species after the estimated date until the Contracting Parties decide otherwise.

6. SCAR may if necessary seek the technical assistance of the Food and Agriculture Organization of the United Nations in making its assessments.

7. Notwithstanding the provisions of paragraph (1) of Article 1 the Contracting Parties shall, in accordance with their internal law, report to each other and to SCAR, for consideration, statistics relating to the Antarctic seals listed in paragraph (2) of Article 1 which have been killed or captured by their nationals and vessels under their respective flags in the area of floating sea ice north of 60° South Latitude.

Article 6: Consultations between Contracting Parties

1. At any time after commercial sealing has begun a Contracting Party may propose through the Depositary that a meeting of Contracting Parties be convened with a view to:

a) establishing by a two-thirds majority of the Contracting Parties, including the concurring votes of all States signatory to this Convention present at the meeting, an effective system of control, including inspection, over the implementation of the provisions of this Convention;

b) establishing a commission to perform such functions under this Convention as the Contracting Parties may deem necessary; or

c) considering other proposals, including:

   i) the provision of independent scientific advice;

   ii) the establishment, by a two-thirds majority, of a scientific advisory committee which may be assigned some or all of the functions requested of SCAR under this Convention, if commercial sealing reaches significant proportions;

   iii) the carrying out of scientific programmes with the participation of the Contracting Parties; and

   iv) the provision of further regulatory measures, including moratoria.

2. If one-third of the Contracting Parties indicate agreement the Depositary shall convene such a meeting, as soon as possible.

3. A meeting shall be held at the request of any Contracting Party, if SCAR reports that the harvest of any species of Antarctic seal in the area to which this Convention applies is having a significantly harmful effect on the total stocks or the ecological system in any particular locality.

Article 7: Review of Operations

The Contracting Parties shall meet within five years after the entry into force of this Convention and at least every five years thereafter to review the operation of the Convention.

Article 8: Amendments to the Convention

1. This Convention may be amended at any time. The text of any amendment proposed by a Contracting Party shall be submitted to the Depositary, which shall transmit it to all the Contracting Parties.

2. If one-third of the Contracting Parties request a meeting to discuss the proposed amendment the Depositary shall call such a meeting.

3. An amendment shall enter into force when the Depositary has received instruments of ratification or acceptance thereof from all the Contracting Parties.

Article 9: Amendments to the Annex

1. Any Contracting Party may propose amendments to the Annex to this Convention. The text of any such proposed amendment shall be submitted to the Depositary which shall transmit it to all Contracting Parties.

2. Each such proposed amendment shall become effective for all Contracting Parties six months after the date appearing on the notification from the Depositary to the

Contracting Parties, if within 120 days of the notification date, no objection has been received and two-thirds of the Contracting Parties have notified the Depositary in writing of their approval.

3. If an objection is received from any Contracting Party within 120 days of the notification date, the matter shall be considered by the Contracting Parties at their next meeting. If unanimity on the matter is not reached at the meeting, the Contracting Parties shall notify the Depositary within 120 days from the date of closure of the meeting of their approval or rejection of the original amendment or of any new amendment proposed by the meeting. If, by the end of this period, two-thirds of the Contracting Parties have approved such amendment, it shall become effective six months from the date of the closure of the meeting for those Contracting Parties which have by then notified their approval.

4. Any Contracting Party which has objected to a proposed amendment may at any time withdraw that objection, and the proposed amendment shall become effective with respect to such Party immediately if the amendment is already in effect, or at such time as it becomes effective under the terms of this Article.

5. The Depositary shall notify each Contracting Party immediately upon receipt of each approval or objection, of each withdrawal of objection, and of the entry into force of any amendment.

6. Any State which becomes a Party to this Convention after an amendment to the Annex has entered into force shall be bound by the Annex as so amended. Any State which becomes a Party to this Convention during the period when a proposed amendment is pending may approve or object to such an amendment within the time limits applicable to other Contracting Parties.

Article 10: Signature

This Convention shall be open for signature at London from 1 June to 31 December 1972 by States participating in the Conference on the Conservation of Antarctic Seals held at London from 3 to 11 February 1972.

Article 11: Ratification

This Convention is subject to ratification or acceptance. Instruments of ratification or acceptance shall be deposited with the Government of the United Kingdom of Great Britain and Northern Ireland, hereby designated as the Depositary.

Article 12: Accession

This Convention shall be open for accession by any State which may be invited to accede to this Convention with the consent of the Contracting Parties.

Article 13: Entry into Force

1. This Convention shall enter into force on the thirtieth day following the date of deposit of the seventh instrument of ratification or acceptance.

2. Thereafter this Convention shall enter into force for each ratifying, accepting or acceding State on the thirtieth day after deposit by such State of its instrument of ratification, acceptance or accession.

Article 14: Withdrawal

Any Contracting Party may withdraw from this Convention on 30 June of any year by giving notice on or before 1 January of the same year to the Depositary, which upon receipt of such a notice shall at once communicate it to the other Contracting Parties. Any other Contracting Party may, in like manner, within one month of the receipt of a copy of such a notice from the Depositary, give notice of withdrawal, so that the Convention shall cease to be in force on 30 June of the same year with respect to the Contracting Party giving such notice.

Article 15: Notifications by the Depositary

The Depositary shall notify all signatory and acceding States of the following:

a) signatures of this Convention, the deposit of instruments of ratification, acceptance or accession and notices of withdrawal:

b) the date of entry into force of this Convention and of any amendments to it or its Annex.

Article 16: Certified Copies and Registration

1. This Convention, done the English, French, Russian and Spanish languages, each version being equally authentic, shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, which shall transmit duly certified copies thereof to all signatory and acceding States.

2. This Convention shall be registered by the Depositary pursuant to Article 102 of the Charter of the United Nations.

In witness whereof, the undersigned, duly authorized, have signed this Convention.

Done at London, this 1st day of June 1972.

Annex

1. Permissible Catch

The Contracting Parties shall in any one year, which shall run from ~~1 July to 30 June~~ [1 March to the last day in February] inclusive, restrict the total number of seals of each species killed or captured to the numbers specified below. These numbers are subject to review in the light of scientific assessments:

a) in the case of Crabeater seals *Lobodon carcinophagus*, 175,000;

b) in the case of Leopard seals *Hydrurga leptonyx*, 12,000;

c) in the case of Weddell seals *Leptonychotes weddellii*, 5,000.

2. Protected Species

a) It is forbidden to kill or capture Ross seals *Ommatophoca rossi*, Southern elephant seals *Mirounga leonina*, or fur seals of the genus *Arctocephalus*.

b) In order to protect the adult breeding stock during the period when it is most concentrated and vulnerable, it is forbidden to kill or capture any Weddell seal *Leptonychotes weddellii* [one year old or older] between 1 September and 31 January inclusive.

3. Closed Season and Sealing Season

The period between 1 March and 31 August inclusive is a Closed Season, during which the killing or capturing of seals is forbidden. The period 1 September to the last day in February constitutes a Sealing Season.

4. Sealing Zones

Each of the sealing zones listed in this paragraph shall be closed in numerical sequence to all sealing operations for the seal species listed in paragraph 1 of this Annex for the period 1 September to the last day of February inclusive. Such closures shall begin with the same zone as is closed under paragraph 2 of Annex B to Annex 1 of the Report of the Fifth Antarctic Treaty Consultative Meeting at the moment the Convention enters into force. Upon the expiration of each closed period, the affected zone shall reopen:

Zone 1 – between 60° and 120° West Longitude

Zone 2 – between 0° and 60° West Longitude, together with that part of the Weddell Sea lying westward of 60° West Longitude

Zone 3 – between 0° and 70° East Longitude

Zone 4 – between 70° and 130° East Longitude

Zone 5 – between 130° East Longitude and 170° West Longitude

Zone 6 – between 120° and 170° West Longitude.

5. Seal Reserves

It is forbidden to kill or capture seals in the following reserves, which are seal breeding areas or the site of long-term scientific research:

a) The area around the South Orkney Islands between 60°20' and 60°56' South Latitude and 44°05' and 46°25' West Longitude.

b) The area of the southwestern Ross Sea south of 76° South Latitude and west of 170° East Longitude.

c) The area of Edisto Inlet south and west of a line drawn between Cape Hallett at 72°19' South Latitude, 170°18' East Longitude, and Helm Point, at 72°11' South Latitude, 170°00' East Longitude.

6. Exchange of Information

a) Contracting Parties shall provide before ~~31 October~~ [30 June] each year to other Contracting Parties and to SCAR a summary of statistical information on all seals killed or captured by their nationals and vessels under their respective flags in the Convention area, in respect of the preceding period ~~1 July to 30 June~~ [1 March to the last day in February]. This information shall include by zones and months:

i) The gross and nett tonnage, brake horse-power, number of crew, and number of days' operation of vessels under the flag of the Contracting Party;
ii) number of adult individuals and pups of each species taken.

When specially requested, this information shall be provided in respect of each ship, together with its daily position at noon each operating day and the catch on that day.

b) When an industry has started, reports of the number of seals of each species killed or captured in each zone shall be made to SCAR in the form and at the intervals (not shorter than one week) requested by that body.

c) Contracting Parties shall provide to SCAR biological information, in particular:
   i) Sex
   ii) Reproductive condition
   iii) Age

SCAR may request additional information or material with the approval of the Contracting Parties.

d) Contracting Parties shall provide to other Contracting Parties and to SCAR at least 30 days in advance of departure from their home ports, information on proposed sealing expeditions.

7. *Sealing Methods*

a) SCAR is invited to report on methods of sealing and to make recommendations with a view to ensuring that the killing or capturing of seals is quick, painless and efficient. Contracting Parties, as appropriate, shall adopt rules for their nationals and vessels under their respective flags engaged in the killing and capturing of seals, giving due consideration to the views of SCAR.

b) In the light of the available scientific and technical data, Contracting Parties agree to take appropriate steps to ensure that their nationals and vessels under their respective flags refrain from killing or capturing seals in the water, except in limited quantities to provide for scientific research in conformity with the objectives and principles of this Convention. Such research shall include studies as to the effectiveness of methods of sealing from the viewpoint of the management and humane and rational utilization of the Antarctic seal resources for conservation purposes. The undertaking and the results of any such scientific programme shall be communicated to SCAR and the Depositary which shall transmit them to the Contracting Parties.

[8. Cooperation

The Contracting Parties to this Convention shall, as appropriate, cooperate and exchange information with the Contracting Parties to the other international instruments within the Antarctic Treaty System and their respective institutions.]

Rules of Procedure: Convention for the Conservation of Antarctic Seals

Representation

1. Each Contracting Party shall be represented by a delegation composed of a Representative and such Alternate Representatives, Advisers and other persons as each State may deem necessary. Their names shall be communicated to the host Government prior to the opening of the meeting.

2. The order of precedence of the delegations shall be in accordance with the alphabet in the language of the host Government.

Officers

3. A representative of the host Government shall be the Temporary Chairman of the meeting and shall preside until the meeting elects a Chairman.

4. At its inaugural session, the meeting shall elect a Chairman. The other representatives shall serve as Vice-Chairmen of the meeting in order of precedence. The Chairman normally shall preside at all plenary sessions. If he is absent from any session or part thereof, the Vice-Chairman, rotating on the basis of order of precedence as established by Rule 2 shall preside during each such session.

Secretariat

5. The Secretary shall be appointed by the meeting on the proposal of the Chairman. The Secretary shall be responsible for providing secretarial services, and shall carry out such other tasks as the meeting may require or direct.

Committee and Working Groups

6. The meeting, to facilitate its work, may establish such committees as it may deem necessary for the performance of its functions, defining their terms of reference.

7. The Committees shall operate under the Rules of Procedure of the meeting, except where they are inapplicable.

8. Working groups may be established by the meeting or its committees.

Conduct of Business

9. A quorum shall be constituted by two-thirds of the Representatives participating in the meeting.

10. The Chairman shall exercise the powers of his office in accordance with customary practice. He shall see to the observance of the Rules of Procedure and the maintenance of proper order. The Chairman, in the exercise of his functions, remains under the authority of the meeting.

11. No representative may address the meeting without having previously obtained the permission of the Chairman. The Chairman shall call upon speakers in the order in which they signify their desire to speak. The Chairman may call a speaker to order if his remarks are not relevant to the subject under discussion.

12. During the discussion of any matter, a Representative may rise to a point of order and the point of order shall be decided immediately by the Chairman in accordance with the Rules of Procedure. A Representative may appeal against the ruling of the Chairman. The appeal shall be put to a vote immediately, and the Chairman's ruling shall stand unless over-ruled by a majority of the Representatives present and voting. A Representative rising to a point of order shall not speak on the substance of the matter under discussion.

13. The meeting may limit the time to be allotted to each speaker, and the number of times he may speak on any subject. When debate is thus limited and a Representative has spoken his allotted time, the Chairman shall call him to order without delay.

14. During the discussion of any matter, a Representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two Representatives may speak in favour of, and two against, the motion, after which the motion shall be put to the vote immediately. The Chairman may limit the time to be allowed to speakers under this rule.

15. A Representative may at any time move the closure of the debate on the item under discussion, whether or not any other Representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only two speakers opposing the closure, after which the motion shall be put to the vote immediately. If the meeting is in favour of closure, the Chairman shall declare the closure of the debate. The Chairman may limit the time to be allowed to speakers under this rule. (This rule shall not apply to debate in Committees.)

16. During the discussion of any matter, a Representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be put to the vote immediately. The Chairman may limit the time to be allowed to the speaker moving the suspension or adjournment of the meeting.

17. Subject to Rule 12, the following motions shall have precedence in the following order over all other proposals or motions before the meeting;

a) to suspend the meeting;
b) to adjourn the meeting;
c) to adjourn the debate on the item under discussion;
d) for the closure of the debate on the item under discussion.

18. Each Contracting Party shall have one vote. A Representative shall not represent and vote for another Representative.

19. Decisions of meetings of committees established by the meeting shall be taken by a majority of the votes cast by Representatives present at the time of the vote. Without

prejudice to Articles 6(1)(a), 8 and 9 of the Convention, which regulate the establishment of "an effective system of control, including inspection" and the conditions under which the Convention and its Annex may be amended, decisions at Plenary Sessions of the meeting shall be taken by two-thirds majority of the votes cast by Representatives present at the time of the vote.

20. For both Plenary and Committee meetings decisions of the meeting on all matters of procedure shall be taken by a majority of the Representatives participating at the session.

Observers

21. The participation of such observers and experts as the Contracting Parties have decided to invite to the meeting shall be governed by Rules 22 to 25 below.

22. The Chairman, with the agreement of all the Contracting Parties, may invite an observer or expert to address the meeting he or she is attending. The Chairman shall at any time give priority to the Representatives of Contracting Parties or non-Contracting Parties or observers, in that order of precedence, who signify their desire to speak.

23. a) Observers or experts may be present at public and private sessions of the meeting.

b) The meeting may determine that a session, at which a particular agenda item is under consideration, shall be restricted to the Contracting Parties alone or with the attendance of certain observer delegations only.

24. Observers are not entitled to participate in the taking of decisions.

25. a) Observers and experts may submit documents to the Secretariat for distribution to the Contracting Parties as information documents. Such documents shall be relevant to matters under consideration at the meeting.

b) Unless one or more Contracting Parties so request such documents shall be available in the language or languages in which they were submitted.

c) Such documents shall be considered as documents of the meeting only if so decided by the Contracting Parties.

Language

26. English, French, Russian and Spanish shall be the official languages of the meeting.

27. Any Representative may speak in a language other than the official languages. However, in such cases he shall provide for interpretation into one of the official languages.

Amendments

28. These rules of Procedure may be amended by a two-thirds majority of the Representatives participating in the meeting.

Convention for the Conservation of Antarctic Seals: Parties

The Convention entered into force 11 March 1978

State	Date of signature	Date of deposit of instrument of ratification, accession (Ac) or acceptance (A)
Argentina[1]	9 June 1972	7 March 1978
Australia	5 October 1972	1 July 1987
Belgium	9 June 1972	9 February 1978
Brazil		11 February 1991 (Ac)
Canada		4 October 1990 (Ac)
Chile[1]	28 December 1972	7 February 1980
France[2]	19 December 1972	19 February 1975(A)
Germany, Federal Republic of[1]		30 September 1987 (Ac)
Italy		2 April 1992 (Ac)
Japan	28 December 1972	28 August 1980(A)
New Zealand	9 June 1972	Not ratified
Norway	9 June 1972	10 December 1973
Poland		15 August 1980 (Ac)
Russian Federation[1 2 4]	9 June 1972	8 February 1978
South Africa	9 June 1972	15 August 1972
United Kingdom[2]	9 June 1972	10 September 1974
United States of America[2]	28 June 1972	28 December 1976

1. Declaration or Reservation
2. Objection
3. The instrument of ratification included the Channel Islands and the Isle of Man.
4. Former USSR

Final Act of the Conference on the Conservation of Antarctic Seals, London 1972

Conference on the Conservation of Antarctic Seals, London, 3–11 February 1972.
Final Act

I

The Governments of Argentina, Australia, Belgium, Chile, the French Republic, Japan, New Zealand, Norway, the Republic of South Africa, the Union of Soviet Socialist

Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and the Food and Agriculture Organization of the United Nations represented by an observer delegation;

Having accepted the invitation extended to them by the Government of the United Kingdom of Great Britain and Northern Ireland to participate in a Conference on the Conservation of Antarctic Seals...met at London on 3 February 1972 under the Chairmanship of Mr H.G. Balfour Paul, representative of the delegation of the United Kingdom of Great Britain and Northern Ireland....

The final session was held on 11 February 1972.

As a result of its deliberations the Conference has established and drawn up for signature a 'Convention for the Conservation of Antarctic Seals', the text of which is annexed hereto.

II

The Conference on the Conservation of Antarctic Seals

Resolves:

1. To express its gratitude to Her Majesty's Government in the United Kingdom for their initiative in convening the present Conference and for its preparation;
2. To express to its Chairman, Mr. H. G. Balfour Paul, its deep appreciation for the admirable manner in which he has guided the Conference;
3. To express to the officers and staff of the Secretariat and to the Interpreters and Translators its appreciation for their untiring services and diligent efforts in contributing to the attainment of the objectives of the Conference.

III

The Conference on the Conservation of Antarctic Seals

Resolves:

That the Government of the United Kingdom of Great Britain and Northern Ireland be authorised to publish the Final Act of this Conference (together with an Addendum containing statements by the Representatives of Chile and of the United States of America) and the text of the Convention annexed hereto.

IV

The Conference on the Conservation of Antarctic Seals

Recommends that when meetings of the Contracting Parties are convened by the Government of the United Kingdom of Great Britain and Northern Ireland as Depositary, such meeting should be held in the Capitals of each of the Contracting Parties in rotation and proceeding in alphabetical order in the English language.

In witness whereof, the following Representatives [not reproduced] have signed this Final Act.

Done at London, this eleventh day of February 1972, in a single original copy to be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, which shall transmit a certified copy thereof to all the other Governments participating in the Conference.

Addendum

The following statement was made by the Representative of Chile:

"The Delegation of Chile states that the reference to Article IV of the Antarctic Treaty contained in Article 1 of the present Convention signifies that nothing specified therein shall confirm, deny or impair the rights of the Contracting Parties as regards their maritime jurisdictions and their declared juridical position on this matter."

The following statement was made by the Representative of the United States of America:

"The Delegation of the United States of America believes that the Convention should contain stronger provisions for the observation of operations and enforcement of regulations, especially with regard to the use of observers of the Contracting Parties with each others' sealing expeditions. Opposition to stronger provisions has chiefly arisen not from commercial but from juridical interests.

Nevertheless, the Convention is a new and valuable International Agreement, achieved in advance of the development of commercial sealing in the Antarctic, that contains many provisions important to the conservation of seals and their protection against over-exploitation. We understand exploratory commercial sealing ventures may be imminent.

In order not to diminish the progress achieved by this Conference in international cooperation for effective conservation in the Antarctic, the delegation of the United States of America has decided to sign the Final Act and will submit the Convention for its Government's consideration."

Report of the 1988 Meeting to Review the Operation of the Convention for the Conservation of Antarctic Seals, London 12–16 September.

Opening of the meeting

1. A meeting to review the operation of the Convention for the Conservation of Antarctic Seals, convened in accordance with Article 7 of the Convention, was held in London from 12 to 16 September 1988.

2. All the Contracting Parties to the Convention were represented: Argentina, Australia, Belgium, Chile, France, Federal Republic of Germany, Japan, Norway, Poland, South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and the United States of America.

3. Brazil, Canada, New Zealand, Peru and Sweden participated as observers by invitation of the Contracting Parties.

4. The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) and the Scientific Committee on Antarctic Research (SCAR) were also present as observers. At the special invitation of the Contracting Parties the International Union for Nature and Natural Resources (IUCN) provided an expert to assist the Meeting in its consideration of the conservation aspects of the Convention's operation.

5. A list of participants is at Annex A [not reproduced].

6. The Meeting was opened by Mr Tim Eggar, MP, Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs. The text of this speech is at Annex B [not reproduced].

Election of Officers

7. Mr David Edwards (United Kingdom) was elected Chairman of the Meeting. Mr Michael Snell (United Kingdom) was appointed Secretary.

Opening addresses

8. Opening addresses made by Heads of Delegations are reproduced at Annex C [not reproduced].

Adoption of agenda

9. The Provisional Agenda was adopted. A copy of the agenda is at Annex D [not reproduced].

Adoption of Rules of Procedure

10. The Provisional Rules of Procedure were adopted. A copy of these Rules is at Annex E [reproduced].

Review of the operation of the Convention

11. In accordance with the requirement laid upon the Contracting Parties by the terms of Article 7 of the Convention to review the operation of the Convention at regular intervals since its entry into force (on 11 March 1978) the Meeting considered the number of seals that had been taken under special permit and the expedition that had taken place during this period.

12. The Meeting noted the conclusion of the SCAR Group of Specialists on Seals that the number of seals killed or captured under special permit had been low and could not be considered to have had any significant adverse effect on any seal populations. The numbers

of seals killed and captured in the Antarctic over the 21 year period 1964–1985 had been tabulated by Dr R. M. Laws (CCAS/RM88/INF2 reproduced at Annex F [not reproduced]). Over the 21 year period, 10, 142 seals had been reported killed or captured under the system of special permits. This was an average of 483 seals per year. When the data were considered for two sub-periods, the following facts emerge. For the decade 1964/65–1973/74, 6949 seals were reported taken, an average of 695 per year: for the eleven year period 1974/75 – 1984/85, 3193 seals were reported taken, an average of 290 per year, less than half that for the previous decade. This reduction in the average take reflects the reduction in seals killed as food for dog teams as they were replaced by mechanical transport. The Meeting noted that the SCAR Group of Specialists had previously reported that it saw no cause for concern that these catches were having a significantly harmful effect on the total stocks of the species concerned, nor on the ecological system in any particular locality and that the Group had seen no reason to change that view given the sustained reduction in the second period.

13. The Meeting noted that the reporting of seals killed or captured under special permit had been incomplete and therefore reminded all Contracting Parties of their reporting obligations under Article 4(2) (see paragraph 17 below).

14. The Meeting noted that during the 1986/87 austral summer, two vessels had been active in the vicinity of the Balleny Islands and the Ninnis and Mertz Glaciers (approximately 145°E to 165°E and 66°S). A report of this expedition was made available to the Meeting. It was noted that a programme of scientific research had been carried out. The Meeting heard with interest that the results of this expedition had been such as to indicate that the initiation of commercial sealing within the next five to ten years was not at all likely. In this context delegations indicated that their countries were unlikely to engage in commercial sealing in the foreseeable future.

15. In concluding its consideration of this element of the operation of the Convention the Meeting generally felt that, on the basis of the information it had before it, there was no evidence to suggest that the Convention had not operated in a reasonably satisfactory manner. Some delegations, however, felt that it would be advisable to review and improve various elements of the Convention, more especially with respect to the Annex, to ensure the more effective operation of the Convention in the event of more sustained sealion activity than had occurred hitherto.

16. Papers submitted by the delegations were initially discussed in Plenary. On the proposal of the Chairman it was then agreed that two open-ended working groups should be established to examine these matters further. A Working Group on the Annex was convened under Dr John Heap (United Kingdom) to consider sub-items 6(i), 6(ii), 6(iii) and the question of a review of protected species as proposed by Australia under sub-item 6(vi). The second group, the Chairman's Working Group, took subitems 6(iv) and 6(v). It also considered the remaining matters tabled for consideration under sub-item 6(vi) consisting of proposals by the United Kingdom to clarify the means by which suggestions made by SCAR under Article 5(4)9a) of the Convention for amendments to the Annex might be handled and for a consideration of the current accession procedures under Article 12 of the Convention.

Special Permits (Agenda item 6(i))

17. The Meeting discussed the operation of Article 4 of the Convention, including the proposals by Australia aimed at clarification of the objectives of this Article and at ensuring its effective implementation. The Meeting agreed:

A. When considering the issue of a special permit, each Contracting Party should:

a) ensure that the number of seals permitted to be killed or captured is strictly limited to the minimum necessary to meet the purpose for which the permit is sought;

b) for permits for scientific research, take all feasible steps to encourage co-operative planning and to minimise wasteful duplication; and, for all permits, take all feasible steps to maximise the scientific benefits derived. To these ends, permits should be issued as far in advance as possible of the commencement of activity under the permit.

B. Contracting Parties should provide to other Contracting Parties and SCAR the following information in respect of each permit:

a) without delay after a permit is issued:
   - i) the purpose of the permit, including the specific objectives of the research for which a scientific research permit is being issued;
   - ii) the content of the permit including the locality, time period, number, species and relative age of seals permitted to be killed or captured;

b) annually, by 30 June, a report describing activities undertaken under special permits in the previous year, including, as appropriate, the following information for each seal killed or captured:
   - i) Specimen number
   - ii) Species
   - iii) Collection date
   - iv) Collection location
   - v) Sex
   - vi) Relative age or size
   - vii) Reproductive condition (immature, mature, pregnant, lactating)
   - viii) Type of specimen material collected (eg teeth, reproductive organs, skeletal material, stomach contents, tissue samples, blood, urine, organs etc.)

Exchange of information (Agenda Item 6(ii))

18. The Meeting considered the existing provisions for the exchange of information on seals killed or captured (other than under special permit) as set down in Section 6 of the Annex to the Convention. The Meeting had before it a number of proposals as well as the results of an examination of this matter by the SCAR Group of Specialists on Seals at their 1988 meeting.

19. The Meeting recognised that exchanges of information were an important element of the Convention. It therefore felt that proposals for amendment should be considered with particular care. While there was a considerable measure of agreement as to changes that could be made with advantage, there was not enough time to give adequate consideration to

other proposals based on papers which had been circulated only a short while before the Meeting or which had not been available until the Meeting opened. (In the case of the report of the SCAR Group of Specialists on Seals this had occurred because the Review Meeting, for unavoidable reasons, had had to be scheduled a short time after the relevant SCAR meeting.) The matters on which there was concordance were as follows:

a) The existing requirement for information to be provided by SCAR by 31 October each year meant that the Contracting Parties would not be able to have the benefit of SCAR's advice until after a further sealing season had begun. Since this had implications for the proper operation of the Convention, it was considered that the following dates could, with advantage, be changed to overcome this problem:
    - Section 1: for 1 July to 30 June read 1 March to the last day in February.
    - Section 6(a): for 31 October read 30 June and for 1 July to 30 June read 1 March to the last day in February;

b) data on the number, sex, reproductive condition, and relative age (adult, juvenile, pup) of each species of seal taken could with advantage be reported by areas of one half degree latitude by one degree longitude (as determined by the noon position of the vessel each day) and by 10-day reporting periods;

c) careful consideration should be given to providing for the collection of biological information from a statistically valid random sample of seals taken along the lines proposed in paragraph 3.2.2 of the Report of the SCAR Group of Specialists on Seals;

d) if such provision were made it should be followed by a requirement for the results of the analyses of specimen material from the sample to be reported to SCAR within 12 months of the end of the sealing season, including the ages for each individual in the sample as estimated from teeth and the results of macroscopic analysis of ovaries (counts and size of corpora and large follicles);

e) the advance notice of the departure of sealing expeditions from their home ports under Section 6(d) of the Annex could, with advantage, be increased from 30 to 60 days and that information might be provided on the location(s) of proposed seal harvesting and the name of vessel(s), gross and net tonnage, brake horsepower and number of crew;

f) connection with paragraphs 6(a)(i) of the Annex, which requires Contracting Parties to provide certain information on vessels under their flags engaged in sealing, it was agreed that they would also provide the information required under paragraph 6(a)(i) in the case of vessels chartered by their nationals, wherever possible.

20. Other matters in this context upon which the meeting was not able to complete discussion were:

a) the precise extent to which (if at all) the Annex to the Convention applied to the capture and killing of seals undertaken in accordance with a special permit issued under Article 4;

b) the desirability of introducing requirements (cf paragraph 17 above) dealing with activity under special permits as a new section of the Annex to the Convention.

21. Representatives, pursuant to paragraph 19(a) above, agreed to recommend for approval by their respective Governments, that the Annex be changed in the following way:

- Section 1: for 1 July to 30 June read 1 March to the last day in February.
- Section 6(a) for 31 October read 30 June and for 1 July to 30 June read 1 March to the last day in February.

Sealing Zones and Catch Concentration (Agenda Item 6(iii))

22. The Meeting noted that since the conclusion of the Convention, further information had been gathered on the distribution of seals in relation to the pack ice. There have also been advances in understanding of the broad physical and biological processes operating in the Southern Ocean ecosystem, affording an ecological basis for distinguishing semi-discrete sub-systems or zones. The present information suggests that the boundaries of the sealing zones as specified in the Convention are not fully consistent with the current knowledge about the stock structure of the seal populations, and alternative boundaries might be preferable.

23. At the same time it was recognised that information was far from complete, and that new information might suggest further amendments to the boundaries. It was therefore premature to recommend changes to the boundaries as set out in Section 4 of the Annex to the Convention. In the meantime it is important that information on catches, particularly any large-scale catches taken, should be reported by small areas, so that they can be allocated to existing, or alternative, sealing zones or to sub-divisions within these zones.

24. In view of the current uncertainty the Meeting recommended that the scientists of the Contracting Parties and SCAR should keep the question of appropriate boundaries under review with the aim of re-defining zones in a manner more suitable for maintaining a satisfactory balance within the ecological system in a particular locality, as expressed in the preamble to the Convention and in Articles 5(4)(b) and 6(3).

25. As the Convention and the Convention for the Conservation of Antarctic Marine Living Resources share common ground in such an ecosystem approach, communication should be maintained between the Parties to these Conventions in reviewing zones.

26. The Meeting noted that the distribution of any future commercial sealing was unlikely to be evenly spread through the Antarctic. There was therefore a possibility that sealing could have a negative impact on local seal stocks of one or other species or on the local ecosystem, even when the catches for the Antarctic as a whole are well within the limits set in Section 1 of the Annex to the Convention. It further noted that, under Article 5(4)b, SCAR was invited 'to report when the harvest of any species of seal in the Convention Area [was] having significantly harmful effect on the total stocks of seal species or on the ecological system in any particular locality'. However, if the Convention is to operate in a predictive rather than a reactive manner, it would be essential to receive reports, not only when such effects had been clearly demonstrated to be occurring, but when there was a significant probability that they might be occurring, or could occur in the near future.

27. The Meeting therefore recognised the need for regular reviews of current information on the distribution and magnitude of localised stocks of each species of seal, and on current catches, and likely future catches. These reviews should inter alia examine the annual and cumulative catches of each species by moderately small areas, chosen to reflect available knowledge of the population structure of seal stocks, and other information relevant to seal population dynamics (eg the distribution of krill), likely future trends in these catches and the relation of these catches to available estimates of population abundance of seals of each species in these areas.

28. SCAR was invited to carry out studies and to report:

a) on measures that could be taken to avoid the possible adverse effects of sealing being concentrated in one or a few areas, and;

b) when it appeared to it that there was a significant risk of the occurrence of the harmful effects referred to in Article 5(4)(b). It was further invited to report on any additional information eg on seal biology, or on commercial activities, which might be provided, and which might facilitate these studies.

Commercial Sealing (Agenda Item 6(iv))

29. The Meeting discussed the question of when commercial sealing should be deemed to have begun for the purpose of Article 6 of the Convention, in the absence of notice by a Contracting Party that it or its nationals are commencing commercial sealing. The Meeting concluded that it was unnecessary to amend the Convention at this time to specify any particular criterion and that the matter was one for determination by Contracting Parties, in the light of all the circumstances, in accordance with the procedure set out in Article 6. It was recognised, however, that in reaching a determination that commercial sealing had begun, Contracting Parties would need to take into account, in particular, the following factors:

a) that in any sealing season the number of seals of any species taken exceed what could reasonably be required for the purposes described in Article 4(1) of the Convention; and

b) the number of seasons in which the taking of seals in such numbers has occurred.

Consistency and Co-operation with Other Components of the Antarctic Treaty System (Agenda Item 6(v))30.

Representatives reviewed developments in the Antarctic Treaty System since the Convention came into force in 1978. They considered it desirable and appropriate that there should be cooperation between the Contracting Parties to the separate instruments within the System. They agreed that such cooperation would best be expressed by the fullest possible exchange of information between the Contracting Parties to these instruments, relevant institutions of the Antarctic Treaty System, such as the Commission for the Conservation of Antarctic Marine Living Resources, and SCAR.

31. Accordingly, they agreed on the text of the following amendment to the Annex (new paragraph 8) which they recommended to the Governments of Contracting Parties for their approval.

'8: Cooperation. The Contracting Parties to this Convention shall, as appropriate, cooperate and exchange information with the Contracting Parties to the other international instruments within the Antarctic Treaty System and their respective institutions.'

Other Matters (Agenda Item 6(vi))

a. Procedures for dealing with amendments to the Annex to the Convention that may be suggested by SCAR

32. The Meeting discussed the procedure to be followed for dealing with any amendment of the Annex to the Convention which SCAR might suggest in pursuance of Article 5(4)(a) of the Convention. The Meeting concluded that any such suggested amendment should be treated in accordance with Article 9 of the Convention provided that it is submitted to the Depositary by a Contracting Party in accordance with paragraph (1) of that Article.

b. Accession Procedures

33. The Meeting discussed means to facilitate the procedure for considering the issue of invitations to States wishing to accede to the Convention in accordance with Article 12. The Meeting agreed that it would be appropriate, whenever the Depositary notifies Contracting Parties of the wish of a State to accede to the Convention, that the Depositary should issue an invitation to that State if it receives no objection from any Contracting Party within 120 days of the date of the notification.

c. Protected Species

34. The Meeting considered the proposal by Australia to extend the protection already given to the adult breeding stock of Weddell seals to include the pups, and also to afford similar protection to crabeater seals during the breeding season.

35. In the case of Weddell seals, it was agreed that locally concentrated stocks are highly vulnerable during the breeding season, warranting the extension of protection at that time to include the pups.

36. Representatives, noting that they agreed on the desirability of extending the protection afforded to Weddell seals to include pups during the breeding season, agreed to recommend to Governments the deletion in paragraph 2 of the Annex of the words 'one year old or older'.

37. With regard to the protection of crabeater seals during the breeding season, Representatives agreed to refer this to their scientists and to SCAR for further consideration and advice.

d. Avoidance of the Accidental Introduction of Infectious Diseases

38. During the Meeting much concern was expressed about evidence that the recent deaths of many thousands of harbour seals (Phoca vitulina) in the North Sea might have been caused by a viral disease and it was recognised that this had emphasised the vulnerability of Antarctic seal populations to infectious diseases originating outside Antarctica. While

noting that there are measures already in place under Annexes C and D of the Agreed Measures for the Conservation of Antarctic Fauna and Flora aimed at reducing the risk of accidental introduction of such diseases, it was agreed to draw the attention of Antarctic Treaty Consultative Parties and the Executive Secretary of CCAMLR, to the concern that all possible steps be taken to reduce the risk of accidental introduction into Antarctica of viruses potentially lethal to native mammals or birds. SCAR was invited to consider what pathways there might be for the accidental introduction of such virus infections into Antarctica and to advise as to what steps might be taken to render such introductions less likely.

39. Meanwhile Representatives urged that steps should be taken to:

a) avoid as far as possible the introduction into the Antarctic of any potential virus carrier;

b) minimise contact between dogs and seals in the Convention area;

c) quarantine sick dogs and carry out post mortem examination of all dogs and those seals which are believed to have died from unusual causes;

d) cremate or remove all dead domestic animals from the Antarctic in sealed containers.

Adoption of the final report

40. The Final Report was adopted by consensus. The Meeting requested the Depositary to transmit the Recommendations contained in paragraphs 21, 31 and 36 of this Report to all Contracting Parties in accordance with Article 9(2) of the Convention.

41. In view of the relevance of this Report to the interpretation and application of the Convention, the Meeting decided to request the Depositary to transmit a copy of this Report to all Contracting Parties, to observers invited to the Meeting, and to the Government of any State which indicates a wish to accede to the Convention.

Closing of the Meeting

42. The Meeting warmly expressed its gratitude to the SCAR Group of Specialists on Seals for the important work they had done since 1972 to improve understanding of the scientific basis for the Conservation of Antarctic Seals and, in particular, for the Report prepared by the Group, at its meeting in Hobart in August this year specifically for consideration at their review meeting. The Meeting also thanked Professor Don Siniff for his expert assistance to the Meeting. Following a closing address by the delegation of Australia, on behalf of all delegations, expressing warm thanks to the Government of the United Kingdom, to the Chairman, and to the Secretary and his staff, the Meeting was closed at 5.15 pm on 16 September.

Antarctic Treaty Recommendations.

Extract from Report of VIIth ATCM

The Meeting observed with special interest that a Convention for the Conservation of Antarctic Seals had been drawn up in London in February 1972, and had been signed by a number of Governments. It expressed its warm appreciation of the action of the British Government in hosting the Conference. The meeting took note of the following statement: "The Representative of Chile expressed regret that the conservation of Antarctic seals should have been dealt with at a special conference, and trusted that this subject would again be brought within the scope of the Antarctic Treaty."

Extract from Report of VIth ATCM

As regards Item 5 on the Agenda, the Meeting decided to consider it outside the framework of the Antarctic Treaty, since the conservation of seals in the sea does not fall within the scope of the latter and is of interest to countries which are not Parties to the Antarctic Treaty. In this connection, informal meetings were held, separate from the Consultative Meeting. All Delegations interested in this question participated in these meetings. Professor Alfred van de Essen of Belgium was elected Chairman of this informal meeting, which met several times concurrently with the Consultative Meeting for an unofficial exchange of views on a draft Convention for the Conservation of Antarctic Seals. As a result of the exchange of views, a new draft convention was drawn up. A consensus was reached at the meeting that the Representatives would transmit the draft Convention to their governments for consideration as a working paper.

V-7: Concerning the proposals of SCAR for the revision of the Interim Guide Lines for the Voluntary Regulation of Antarctic Pelagic Sealing

Taking into account the importance of conserving seals south of 60° South Latitude;

Considering that in the future an international Convention for the regulation of Antarctic pelagic sealing may be required;

The Representatives recommend to their Governments that, when implementing Recommendation IV-21, and until a decision is taken on the conclusion of an international Convention, they should voluntarily take account of the proposals of SCAR in its report to National Antarctic Committees in 1968 on the modification of the 'Interim Guide Line for the Voluntary Regulation of Antarctic Pelagic Sealing', as appended in a revised form to the Report of the Fifth Antarctic Treaty Consultative Meeting [not reproduced].

V-8: Examination of Draft Convention for the Regulation of Antarctic Pelagic Sealing

The Representatives,

Having had a preliminary exchange of views at the Fifth Consultative Meeting on the draft Convention for the Regulation of Antarctic Pelagic Sealing annexed to the Final Report of the Meeting [not reproduced];

Recognizing the need to study the preparation of such a Convention;

Recommend to their Governments that, before the next Consultative Meeting, they study the draft Convention with a view to its consideration at that Meeting.

IV-21: Interim guide lines for the voluntary regulation of Antarctic pelagic sealing

Recognizing that the seal stocks south of 60° South Latitude are a resource of potential value which at some future date may require a binding international agreement for its effective regulation;

Recognizing that this resource should not be depleted by over-exploitation, and hence that any harvesting should be regulated at or below the level of the maximum sustainable yield;

Recognizing that in order to improve scientific knowledge and so place exploitation on a rational basis, every effort should be made both to encourage biological research on these seal populations and to gain information from the statistics of future sealing operations;

Desiring to promote and achieve the objectives of protection, scientific study and rational use of Antarctic seals; The Representatives recommend to their Governments that in accordance with Recommendation III-11 each Government should voluntarily take account of the following Interim Guide Lines for the Voluntary Regulation of Antarctic Pelagic Sealing:

1. The total number of seals of each species taken in the area south of 60° South Latitude should not exceed the maximum sustainable yield of that species.

2. The maximum sustainable yield of each species in the area south of 60° South Latitude should be regarded as the number of each species specified in Annex A [not reproduced].

3. If the number of seals taken in any locality in any year is such as to disturb the natural ecological system in that locality, no seals should be taken therein until the balance of that system has been restored and in any case until one year has elapsed.

4. A seal should not be killed or taken when it is in the water.

5. The Ross Seal (*Ommataphoca rossii*) should not be killed or taken except for scientific purposes.

6. For the purposes of these Interim Guide Lines, the area south of 60° South Latitude should be divided into the zones set out in Annex B [not reproduced]. Seals should be killed or taken only in alternating zones and alternating periods, as set out in Annex B [not reproduced].

7. Each Government should provide the other Contracting Governments before 31 October of each year with the following information relating to the preceding period of 1 July to 30 June: (a) the number, for each species, of adult males, of adult females, of pregnant females, and of pups killed or taken; and (b) the locations where these seals were killed or taken.

8. At the same time, each Government should provide to the other Contracting Governments information on any steps it has taken in accordance with these Interim Guide Lines.

9. When it appears to any Consultative Party that the harvest of any species of seal in the area south of 60° South Latitude is approaching the maximum sustainable yield therein, or in any locality is disturbing the ecological system therein, that party may propose through diplomatic channels that a Consultative Meeting be convened under Article IX of the Antarctic Treaty. If all Consultative Parties so agree, such a Meeting shall be convened as soon as possible to consider the situation and the steps it may be necessary to take.

ANNEX A

Maximum sustainable yield

ANNEX B

Sealing Zones

IV-22: Interest of SCAR in Antarctic Pelagic Sealing

Recognizing the initiative already taken by the Scientific Committee on Antarctic Research (SCAR) on matters relating to Antarctic pelagic sealing, and considering its role as defined in Recommendation I-IV, the Representatives recommend to their Governments that they encourage SCAR to continue its interest in these matters and to prepare reports from time to time on this subject, and especially at this time on the matters that it considers should be listed in the annexes to the Interim Guide Lines for the Voluntary Regulation of Antarctic Pelagic Sealing.

III-XI: Pelagic sealing and the taking of fauna on pack ice

The Representatives at the time of adopting the Agreed Measures on the Conservation of Fauna and Flora,

1. *Considering* that appropriate voluntary regulation of pelagic sealing or the taking of fauna on pack ice is of great importance for the fulfillment of the purposes and principles of these Measures;

2. *Recommend* to their Governments that this matter be considered further by them on as broad a basis as practicable in preparing for the Fourth Consultative Meeting at Santiago, Chile, with a view to its inclusion on the Agenda for the Fourth Consultative Meeting;

3. *Recommend* to their Governments that when ships of their nationality engage in pelagic sealing or the taking of fauna on pack ice south of 60° South Latitude, each government voluntarily regulate these activities to ensure the survival of any species being taken and to ensure that the natural ecological system is not seriously disturbed.