



CCSBT-EC/0610/04

2. Report from the Secretariat 事務局からの報告

Purpose 目的

To submit a report to the Extended Commission on the activities of the Secretariat since the 12th Annual Meeting in October 2005.
2005年10月に開催された第12回年次会合以降の事務局の活動を拡大委員会に提出すること。

Secretariat Staff and Office Management 事務局職員及び事務所管理

In 2006, the Secretariat's staff has comprised:
2006年における事務局職員は以下のとおり

- Executive Secretary : 事務局長
- Deputy Executive Secretary : 事務局次長
- Database Manager : データベースマネージャー
- Office Administrator : 事務担当
- Data Entry Officer : データ入力官

The Executive Secretary's tenure will expire on 13 October 2006. His replacement, Mr Neil Hermes, will attend CCSBT13 and commence formally on 16 October 2006. 事務局長の雇用契約は2006年10月13日に終了する。後任のニール・ハーメス氏はCCSBT13に出席し、2006年10月16日から正式に着任する。

A new Deputy Executive Secretary, Mr Kiichiro Miyazawa, commenced in the Secretariat in May 2006.
新事務局次長の宮澤軌一郎は2006年5月から事務局に勤務している。

The office administrator position is job-shared. Ms Chika Scally, who worked two days per week resigned in August 2006 and was replaced by Ms Rie Connor. The other three days are worked by Ms Mari Warren. Both employees speak Japanese and English.

事務担当者は二人で業務分担を行っている。週2日勤務のチカ スカリーは2006年8月に退職、後任にリエ コナーを迎えた。他の3日についてはマリ ウォーレンが働いている。両者ともに日・英語を話す。

The Data Entry Officer is a part time position to input the tagging program and Trade Information Scheme data into the database. The position represents about one fifth of a full time position.

データ入力官は臨時職員ポストとなっており、データベースに標識放流計画及び貿易情報スキームデータを入力している。本ポストは正式職員の6分の1相当の労働時間となる。

If the Extended Commission were to take decisions at CCSBT13, which added to SBT management activities such as catch monitoring, it is unlikely that the Secretariat could manage with existing resources.

拡大委員会が CCSBT13 において漁獲監視のような SBT 管理活動を新設する決定がなされるならば、事務局は現存の資源での管理は困難である。

Financial 財政

An operating deficit in the general budget of about \$53,500 is estimated for 2006. The main reason for the deficit is the cost of the Special Meeting in Canberra on 18-19 July 2006. The approved budget for 2006 did not include any funding for this purpose and the additional cost could not be absorbed. A comparison between the approved budget and the estimated outcome is included in meeting document **CCSBT-EC/0610/ 05**. That document also provides a detailed explanation of the reasons for variations from the approved budget.

2006 年の運営における一般会計の不足金は 53,500 ドルと見込まれる。不足を生んだ主な理由は 2006 年 7 月 18-19 日にキャンベラで行われた特別会合である。2006 年の承認済み予算はこの目的のための費用を算入しておらず、追加経費を吸収出来なかった。承認済み予算と推定支出の比較については会議文書 **CCSBT-EC/0610/ 05** に含まれている。またこの文書は承認済み予算との差異を詳しく説明している。

A proposed budget for 2007 with indicative figures for 2008 has been prepared for Commission consideration taking into account the recommendations of the Extended Scientific Committee. The proposed budget with supporting documentation is set out in meeting document **CCSBT-EC/0610/06**.

2007 年予算案及び 2008 年提示予算は、委員会が科学委員会からの勧告を考慮した上で検討するよう用意されている。予算案及び参考資料は文書番号 **CCSBT-EC/0610/06** として用意してある。

Operation of Headquartering Agreement

本部協定の運用

The Executive Secretary reported at CCSBT12 that he would be writing to the Australian Government concerning a breach of privilege under the Headquartering Agreement. Copies of the Executive Secretary's letter and the reply from the Australian Government were sent to Members.

CCSBT12 において、事務局長は、本部協定に基づく特権の違反について、オーストラリア政府に申し入れする旨、報告した。事務局長の書簡とオーストラリア政府からの回答については、メンバーに回章した。

The exchange of correspondence has been included in this report for the information of Members at Attachment B.

往復書簡については、別紙 B にメンバーへの情報として本報告に添付した。

Organisation of CCSBT Meetings

CCSBT の会議の実施

The Secretariat organised and supported the following meetings and workshops:

事務局は以下の会議及び作業部会の実施を支援した:

- | | |
|------------------------------------------------------------|----------------------|
| - ERS Working Group | 20-23 February 2006 |
| 第 6 回生態学的関連種作業部会 | 2006 年 2 月 20-23 日 |
| - 7 th Stock Assessment Group Meeting | 4-11 September 2006 |
| 第 7 回資源評価グループ会合 | 2006 年 9 月 4-11 日 |
| - Extended Scientific Committee of the 11 th SC | 12-15 September 2006 |
| 第 11 回科学委員会に付属する拡大科学委員会 | 2006 年 9 月 12-15 日 |
| - 11 th Scientific Committee Meeting | 12-15 September 2006 |
| 第 11 回科学委員会 | 2006 年 9 月 12-15 日 |
| - Compliance Committee Meeting | 8-9 October 2006 |
| 遵守委員会会合 | 2006 年 10 月 8-9 日 |
| - Extended Commission of CCSBT 13 | 10-13 October 2006 |
| 第 13 回委員会に付属する拡大委員会 | 2006 年 10 月 10-13 日 |
| - CCSBT13 | 10-13 October 2006 |
| 第 13 回委員会会合 | 2006 年 10 月 10-13 日 |

Meetings of Other Organisations

他の機関の会合

The Secretariat represented the Extended Commission at the following meetings and conferences since CCSBT12:

事務局は、CCSBT12 以降、以下の会議及び会合に関し拡大委員会を代表し出席した:

- First FIRMS Technical Meeting (FAO) December 2005
第 1 回 FIRMS 技術会合(FAO)、2005 年 12 月
- Preparatory Conference for the South Pacific Fisheries Commission
February 2006
南太平洋漁業委員会準備会合、2006 年 2 月
- UN Fish Stocks Agreement Review Meeting March 2006
国連公海漁業協定のレビュー会合、2006 年 3 月
- Un Fish Stocks Agreement Review Meeting May 2006
国連公海漁業協定のレビュー会合、2006 年 5 月

Trade Information Scheme

貿易情報スキーム

The Secretariat issued the report on TIS exports for the final six months of 2005 in June 2006. The report for the first six months of 2006 is due on 1 December 2006.

事務局は 2006 年 6 月に 2005 年後半 6 ヶ月の TIS 輸出情報をまとめ報告した。2006 年前半 6 ヶ月の報告は 2006 年 12 月 1 日に行う予定である。

A report on compliance with the TIS scheme was provided to the Compliance Committee.

TIS 遵守に関する報告は遵守委員会に提出した。

The Scientific Committee recommended that 2 new statistical areas be created for SBT reporting and it is recommended that these new areas be included in the TIS. The new areas are shown in Attachment A as areas 14 and 15.

科学委員会は、SBT 漁獲報告のための 2 つの新統計水域の設立を勧告した、また TIS にこれらの水域を含むことも勧告された。新水域は、水域 14 及び 15 として、別紙 A に示す。

CCSBT Website

CCSBT ウェブサイト

The CCSBT website continues to be an actively updated and used information tool for both CCSBT members and the general public. The Secretariat receives a considerable number of enquiries by e-mail in relation to the material included in the website.

CCSBT ウェブサイトは引き続き頻繁に最新化され、かつ CCSBT メンバー及び公に対し情報を提供する道具となっている。事務局にはウェブサイドにあるマテリアルに関して、多数の照会の E メールが届く。

Since CCSBT 12, the public side of the web site has been modified to:

CCSBT12 以来、ウェブサイトのパブリックサイドは以下のように改造された:

- Incorporate reports from meetings held in the CCSBT 12 calendar year and to ensure that the information presented on the web site was up to date and correct as at the end of CCSBT 12;
第 12 回委員会年に開催された会合報告書を掲載するとともに、CCSBT12 が終了した時点で行った報告書の修正を反映するよう最新の物としてある;
- 2005/06. Incorporate updated data sets on the data page, including global catches, catch and effort, catch at size and TIS data;
2005/2006、全世界漁獲量、漁獲量と努力量、体長別漁獲量及び TIS データを含むデータページの最新情報が提供された
- Incorporate all updates provided by members and cooperating non-members for the authorised vessel list
メンバー及び協力的非加盟国から許可船リストに関する全ての最新情報が提供された

The private section of the CCSBT web site has continued to be actively used for the distribution of meeting documents. It is now also the primary mechanism for sharing data provided for the annual data exchange and for providing validation details for the TIS scheme. The private area has been enhanced since CCSBT12 to provide a bulk downloading facility for easier downloading of multiple documents and data at

a single time. Fifty eight people authorised by Members and Cooperating Non-members have accessed the private area of the web site in the past 12 months. CCSBT ウェブサイトのプライベートセクションより会議文書を得ることが出来るので活発にこのサイトは使用されている。更に、現在では年別データ交換用の共有データ及び TIS スキーム用の詳細確認のための重要な機構となっている。プライベートエリアは、CCSBT12 以降も、複数の文書やデータを一度に簡単にダウンロードするためのバルクダウンロード機能を提供するなど、機能強化を続けている。メンバーと協力的非加盟国により許可を得た 85 人が、過去 12 ヶ月において、プライベートエリアへアクセスしている。

Action Plan **行動計画**

No activity has been undertaken under the Action Plan since CCSBT10. CCSBT10 以降行動計画に基づく行動はとられていない。

CCSBT Surface Tagging Program **CCSBT 表層漁業標識放流計画**

The Secretariat managed the fifth year of the program, which included tag deployment and recovery activity. Preparations for tag recovery in 2007 have commenced and the costs are included in the general budget proposed for 2007. If the Extended Commission agrees to continue tag deployment in 2007, the Secretariat will manage this activity.

事務局は標識放流と回収活動を含む 5 年目の計画を管理した。2007 年における標識回収のための準備は始まっており、経費は 2007 年の一般予算案に含まれている。委員会が 2007 年の標識放流の継続に合意するのであれば、事務局が当該事業を管理する。

In total, 20,111 fish were tagged in the surface fishery and another 328 fish were tagged and seeded into sea cages this season (since 1 December 2005). Tags from a total of 329 fish, excluding seeded tags, have been recaptured this season at the time of writing this report taking total recaptures to 4,185 or 6.6% of releases.

今期は、合計 20,111 尾の魚が表層漁業において標識放流され、その他 328 尾の魚が標識され蓄養いけすの中に入れられた(2005 年 12 月 1 日以降)。蓄養種苗からの標識返還を除き、この報告作成をしている現在までに 329 尾の魚が今期再捕されており、これで総再捕尾数は 4,185 尾、放流尾数の 6.6%になる。

Expenditure on tag deployment for the 2005-06 season was \$574,000. 2005-06 漁期の標識放流にかかる支出は 574,000 ドルであった。

In addition to the deployment of tags, the Secretariat continued efforts on tag recovery activities. Members have assisted the Secretariat in this activity by publicising the need for recovery of tags with their fleets.

標識放流に加え、事務局は標識回収活動の努力も引き続き行った。メンバーは自国船団に標識回収の必要性を訴える印刷物を配布するなどして事務局のこの活動を支援した。

A special budget for the tagging program is presented to the Extended Commission in **CCSBT-EC/0610/06** should the Commission agree to continue the program in 2007. 委員会が 2007 年の計画継続に合意するのであれば、標識放流計画のための特別予算を文書 **CCSBT-EC/0610/06** として提出する。

Database Developments **データベースの開発**

At the time of finalising this report, the database was up to date for most data received. Exceptions include some data provided in the data exchange that were not required for use at SAG7/SC11 and recently received tag recaptures. These data will be loaded to the database as time permits.

この報告書を完成する時点で、データベースにおいてはほとんどのデータが最新化された。例外としては、SAG7/SC11 において必要とされなかったデータ交換用のデータと最近受領した再捕されたタグのデータがある。これらについては時間が許す時にデータベースに入力される。

Minor technical modifications were made to the database to incorporate new types of data provided through the 2005 Data Exchange. Enhancements have also been made to the database to provide automated routines for post processing of data requested by the Scientific Committee, including routines to produce the inputs for the operating model and management procedure and the CPUE inputs data (stratified effort and catch at age data) required for assessments. The outputs from these routines were provided to Members as part of the 2006 Data Exchange.

2005 年データ交換を通じて提供された新しいタイプのデータを編入する技術的な小変更が、データベースに施された。強化点は、データベースにオペレーティング・モデル及び管理手続きのためのインプットを作成する作業並びに資源評価に必要な CPUE 入力データ(努力量と年齢別漁獲量データの階層化)を含む、SC の要求するデータの後処理の自動化作業を設置したことである。上記作業のアウトプットは 2006 年データ交換の一部としてメンバーに提供された。

The CCSBT Data CD was updated and provided to Members in January 2006. The data on the CD is an extract of scientific data from the CCSBT database and is accompanied with extensive documentation.

CCSBT データ CD は 2006 年 1 月に更新されメンバーに配布された。CD のデータは CCSBT データベースの科学的データの抜粋及び広範にわたる文書が添付されている。

A risk with the CCSBT database continues to be the lack of technical documentation for this database. Development of adequate documentation was considered a high priority for the Secretariat in 2006, but there was no time available for this activity. Technical documentation remains a high priority for the Secretariat in 2007, but again this is subject to time availability.

CCSBT データベースのリスクであるデータベースを技術的に説明している文書が不在の状況は続いている。適切な文書の作成は 2006 年事務局にとって高い優先順位を持つとしたが、解決する時間は許されなかった。技術的説明文書は 2007 年事務局にとって引き続き高い優先順位が与えられるが、時間に左右される。

Participation in FAO's Fisheries Resource Monitoring System (FIRMS) **FAO の漁業資源監視システム(FIRMS)への参加**

The CCSBT is a partner in FAO's FIRMS system. During 2004/05, the Secretariat met its obligations to FIRMS by:

CCSBT は FAO の FIRMS の協力者となっており、2004/05 年事務局はその義務として以下のものを FIRMS に提供している:

- Loading the Scientific Committee's stock status report (incorporating some of CCSBT 11's decisions) into the FIRMS system;
FIRMS への科学委員会の資源状況報告(CCSBT11 のいくつかの決定事項も含む)のローディング
- Supplying agreed data to FIRMS; and
合意されているデータの FIRMS への提供;及び
- Contributing to developments of the FIRMS system through e-mail discussion and through participation at, and joint Chairing of, the First FIRMS Technical Meeting.
Eメール及び第1回 FIRMS 技術会合への出席を通じ、FIRMS システムの開発への貢献

Development of Discussion Papers

議論文書の作成

Discussion papers have been prepared by the Secretariat on:

事務局は議論文書を用意した:

- The CCSBT relationship with CCAMLR
CCAMLR との関係
- Management of overcatch and undercatch
過剰漁獲と過小漁獲の管理
- International observer programs
国際オブザーバー計画

Interaction with Non-members

非加盟国との対話

The Secretariat corresponded with Indonesia concerning cooperating non-membership. No request has emerged from this correspondence for Indonesia to become a Cooperating Non-member

事務局は協力的非加盟国についてインドネシアと連絡をとった。インドネシアが協力的非加盟国となる連絡に対し回答はない。

The Executive Secretary wrote to South Africa concerning the CCSBT offer for South Africa to become a Cooperating Non-member. South Africa has responded accepting the CCSBT's offer and will participate in CCSBT as a Cooperating Non-member.

事務局長は南アフリカを協力的非加盟国に迎え入れる旨の CCSBT の申し入れについてレターを出した。南アフリカは CCSBT の申し入れを受け入れ、協力的非加盟国として CCSBT に参加する旨回答した。

Fiji was asked for information on some minor catch landed by an Indonesian fishing vessel. No reply has been received.

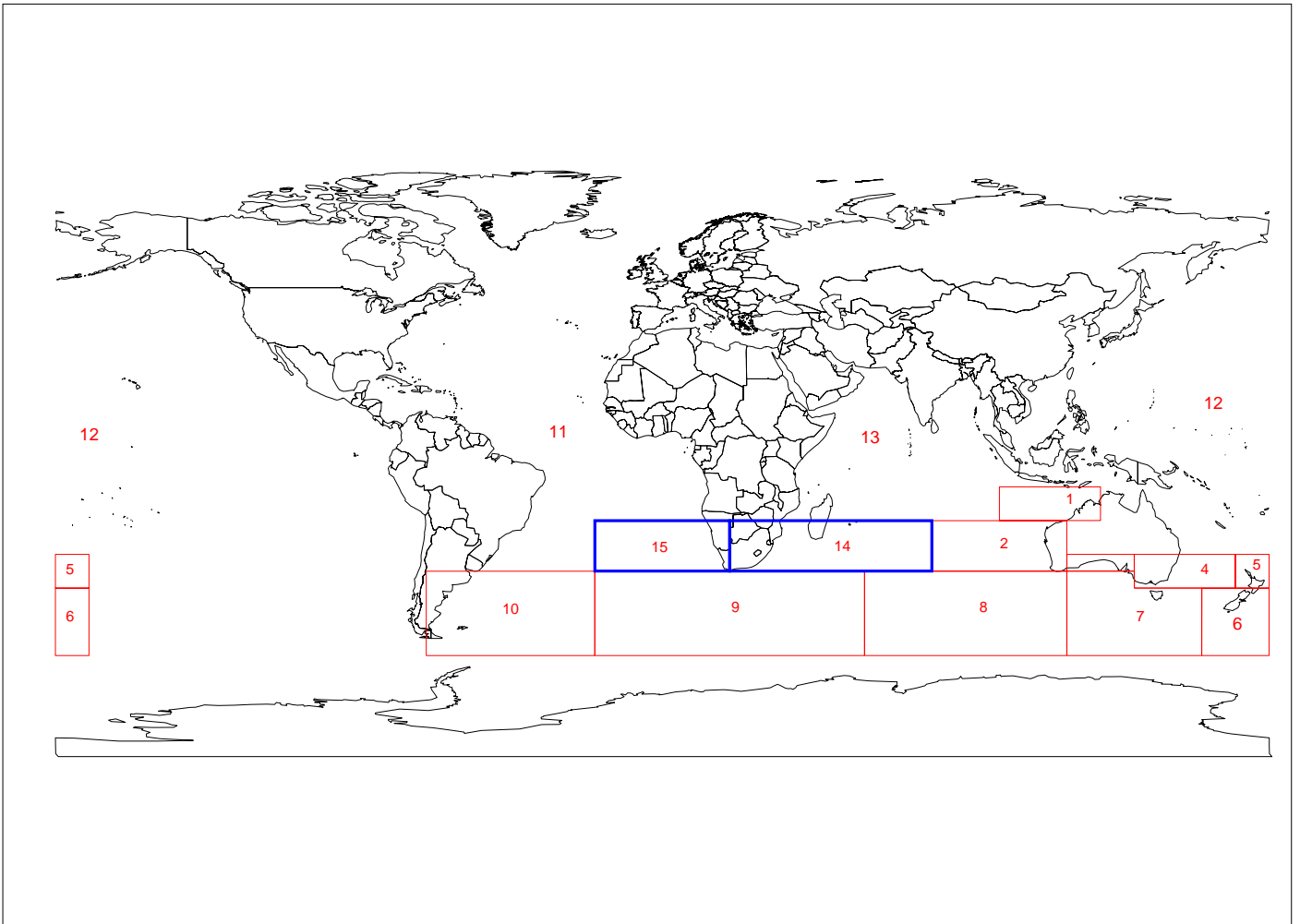
フィジーに対しインドネシア漁船による僅少な漁獲の水揚げに関する情報を尋ねた。回答は受け取っていない。

The Belize vessel registering authority contacted the Secretariat concerning the requirements for applying for Cooperating Non-member status. The Secretariat advised the authority of the requirements set out in the CCSBT Resolution and indicated the request would have to be made by the Belize Government.

ベリーズ船舶登録当局は協力的非加盟国の地位の申し込み要件について事務局に接触した。事務局はCCSBT決議に基づく要件を通知し、ベリーズ政府により依頼がなされなければならないことを指摘した。

Prepared by the Secretariat
事務局作成文書

CCSBT Statistical Areas: Areas 14 and 15 were proposed at SC11.



Commission for the Conservation of
Southern Bluefin Tuna



みなみまぐろ保存委員会

27 October 2005

The Hon. Alexander Downer MP
Minister for Foreign Affairs
Parliament House
Canberra ACT 2600

Dear Minister

I have been asked by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) to write to the Australian Government concerning a breach of the Headquarters Agreement the CCSBT has with the Australian Government.

On 20 January 1998 the CCSBT and the Australian Government entered into an agreement to headquarter the CCSBT in Canberra, Australia. The Headquarters Agreement defined the legal capacity, privileges and immunities of the CCSBT and its officers in Australia. Article 6 of the Agreement provides that the CCSBT's property, wherever situated, shall have immunity from any form of restriction or control and shall be immune from any form of administrative or judicial constraint. Article 7 of the agreement provides that the records of the CCSBT shall be inviolable wherever they are.

Proceedings are currently before the Australian Administrative Appeals Tribunal concerning an application by the Humane Society International against a decision of the Australian Minister for Environment and Heritage where confidential documents of the CCSBT were tendered as evidence. The documents were the reports of the 10th Meeting of the Scientific Committee and the 6th Meeting of the Stock Assessment Group held in September of this year.

Both reports were, at the time, confidential records of the CCSBT and subject to the protections guaranteed by the Australian Government in the Headquarters Agreement. While Australia, as a member of the CCSBT, had copies of the documents and under CCSBT rules was able to use the documents for domestic consultations under prescribed confidentiality provisions, they remained the property of the CCSBT.

On behalf of the CCSBT I attended the Tribunal hearing on 26 September 2005 and made submissions concerning the documents' privileged status. I sought their return.

The Tribunal did not agree with my submission and decided to proceed with the CCSBT's documents in evidence with confidentiality provisions attached to them. This course was supported by counsel representing the Australian Minister for the Environment and Heritage.

Attachment B

The CCSBT is gravely concerned over the operation of the Headquarters Agreement and its apparent inability to afford protection to CCSBT property and records. This concern is amplified by the expressed position of counsel representing a Minister of the Australian Government that possession of confidential CCSBT documents by Australia means that they are subject to Australian legal process.

The CCSBT Secretariat headquartered in Canberra maintains confidential material supplied by other members of the CCSBT and some of this material can come into Australia's possession. In the context of the decisions taken in the current case before the Administrative Appeals Tribunal, the CCSBT is concerned that this material may also be at risk.

I would be grateful if Australia could provide its formal position on the protections afforded to the CCSBT by the Headquarters Agreement and is it the Australian Government's view that CCSBT documents or data in the possession of Australia are subject to Australian legal process. Also, I would be grateful if I could have the formal view of the Australian Government on how it would respond to the CCSBT seeking to have its privileges honoured should a similar event occur in the future.

Yours sincerely

A handwritten signature in blue ink that reads "Brian Macdonald". The signature is written in a cursive style.

Brian Macdonald
Executive Secretary



THE HON ALEXANDER DOWNER MP

MINISTER FOR FOREIGN AFFAIRS
PARLIAMENT HOUSE
CANBERRA ACT 2600

25 NOV 2005

Mr Brian Macdonald
Executive Secretary
Commission for the Conservation of Southern Bluefin Tuna
PO Box 37
DEAKIN WEST ACT 2600

Dear Mr Macdonald

Thank you for your letter of 27 October 2005 concerning the operation of the Headquarters Agreement between Australia and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT).

I note your assessment that Australia has been involved in a breach of the Headquarters Agreement. The Australian Government has been pleased to host the CCSBT in Canberra since its inception and places the highest regard on its work in conserving and managing this important marine resource. Furthermore, the Australian Government takes this issue seriously and remains fully committed to respecting, and complying with, the terms of its Headquarters Agreements with international organisations in Australia.

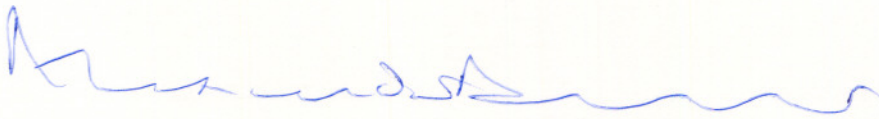
I am advised by my Department that, in this instance, a number of issues need to be taken into account in considering the application of the CCSBT Headquarters Agreement, including the question whether the documents at issue belonged to, or were held by, the CCSBT at the relevant time.

The Headquarters Agreement is implemented domestically through the *International Organisations (Privileges and Immunities) Act 1963* and the *Commission for the Conservation of Southern Bluefin Tuna (Privileges and Immunities) Regulations 1996*. It is a matter for the Commission to assert its privileges and immunities before the courts and tribunals in Australia, and the interpretation and application of this legislation is a matter for them.

Following the situation highlighted in your letter, my Department has reinforced with other agencies the critical importance of appropriate handling of documents that may be inviolable under the Headquarters Agreement. The CCSBT can be assured of the Government's commitment to rigorous compliance with the Headquarters Agreement.

I have copied your letter and my response to my colleagues the Attorney-General, the Minister for the Environment and Heritage and the Minister for Fisheries, Forestry and Conservation.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Alexander Downer', with a wavy underline.

Alexander Downer

CC: Attorney-General, Minister for the Environment and Heritage and Minister for Fisheries,
Forestry and Conservation