

COOPERATION WITH OTHER ELEMENTS OF THE ANTARCTIC TREATY SYSTEM

Third Meeting of the Committee for Environmental Protection of ATCM (CEP-III)

11.1 In September 2000 a Special Meeting of ATCM (SATCM-XII) was held in the Hague, Netherlands. The Commission was not represented at the meeting.

11.2 The Chair of the Scientific Committee (Dr Miller) represented CCAMLR at the Third Meeting of the Committee for Environmental Protection (CEP) which was held as part of SATCM-XII. His report was presented to and discussed by the Scientific Committee (SC-CAMLR-XIX/BG/17).

11.3 The Chair of the Scientific Committee concluded that the most important issues of cooperation with CCAMLR, as discussed at CEP-III, were:

- (i) CCAMLR has been requested to table a report at the next CEP meeting on marine debris, especially in relation to compliance with the Protocol on Environmental Protection, Annex IV (SC-CAMLR-XIX, paragraph 4.73).
- (ii) The Scientific Committee should consider the designation of Specially Protected Species in respect of its own needs and in relation to available IUCN criteria (SC-CAMLR-XIX/BG/17).
- (iii) CCAMLR's consideration of Marine Protected Areas should be carried forward and in this context the Guidelines for Implementation of Article 3, Annex V to the Environmental Protocol (Antarctic Specially Protected Areas (ASPAs) developed by CEP), may offer a useful point of reference (SC-CAMLR-XIX/BG/17).
- (iv) The potential of CEMP data to complement that from the COMNAP environmental monitoring program around Antarctic research stations should be kept under review (SC-CAMLR-XIX/BG/17).
- (v) A request from SCAR for the Scientific Committee to be involved in the preparation of the *State of the Antarctic Environment Report* (SAER) should be noted (SC-CAMLR-XIX, paragraphs 11.4 to 11.8).
- (vi) The Secretariat has been requested to provide CEP-IV with a paper outlining its experience with data/information management (SC-CAMLR-XIX, paragraph 10.12).
- (vii) The participation of the Chair of the Scientific Committee in the work and meeting of CEP had been extremely useful and should continue to be supported.

11.4 CEP-III also adopted a resolution calling for support by Antarctic Treaty members of CCAMLR and its measures to combat IUU fishing, including the CDS.

11.5 Dr Miller noted that CEP was in a process of evolution. The delineation between the

objectives of CEP to protect the environment and objectives of CCAMLR to achieve conservation, which includes rational use of resources, should be developed.

11.6 Sweden strongly supported the developing cooperation between CCAMLR and CEP and looked forward to CCAMLR supporting SCAR in the preparation of the SAER.

11.7 The CEP Observer (Dr A. Press), agreed with the conclusion of the Chair of the Scientific Committee that the cooperation established between CEP and CCAMLR was constructive and productive.

11.8 The UK advised that at SATCM-XII it had raised its concern that the terms of reference of CEP for intersessional work on Antarctic Specially Protected Species did not take into account CCAMLR's responsibility for marine species (SC-CAMLR-XIX/BG/17, Table 1). CCAMLR must involve itself in this process and ensure it maintains its appropriate competence.

11.9 Chile emphasised that, in accordance with the jointly agreed definition of marine areas between CCAMLR and ATCM, the objectives of these two components of the ATCM in the establishment of marine protected or managed areas should coexist. In this respect the proposal by New Zealand for the Balleny Islands Specially Protected Area (SPA) (CCAMLR-XIX/21) is an important step which should not be ignored.

Assessments of Proposals for Antarctic Specially Protected Areas which include Marine Areas

11.10 In accordance with Article 6(2) of Annex V of the Protocol on Environmental Protection to the Antarctic Treaty, no marine area shall be designated as an ASPA or an Antarctic Specially Managed Area (ASMA) without the prior approval of CCAMLR. Annex V has not yet come into force and no proposals for marine areas have yet been formally submitted by ATCM to CCAMLR for consideration, although New Zealand had submitted its proposal initially at CCAMLR-XVIII in accordance with provisions of Annex V.

11.11 New Zealand has developed a proposal for an enlarged SPA No. 4, encompassing the Balleny Islands and the surrounding marine area in the northern Ross Sea. The SPA would be designated under the Antarctic Treaty and in accordance with Annex V of the Protocol. The Commission last year endorsed the recommendation of the Scientific Committee that the proposal be referred to the Scientific Committee's Subgroup on the Designation and Protection of CEMP Sites.

11.12 New Zealand stated that:

'New Zealand introduced the draft Management Plan (CCAMLR-XIX/21) noting that the Balleny Islands was an area of outstanding biodiversity. The proposal involved affording protection to all islands in the group and to a 50 n mile surrounding marine area. The Balleny Islands contained a representative range of Ross Sea marine communities from the coast to a depth of over 2 000 m and provided an example of a largely undisturbed ecosystem, free from direct human

influence.

The Balleny Islands contained the breeding, moulting and resting sites for many bird species and under the proposal, protection for a substantial part of the foraging range of these species would be accorded.

The proposal aimed to preserve the integrity of the natural terrestrial and marine ecosystems and associated interactions in the Ross Sea regions; protect a representative Antarctic oceanic archipelago; contribute to the protection of biodiversity in the Ross Sea region by creating a biodiversity preserve; avoid degradation of, or substantial risk to, the values of the area by preventing unnecessary human disturbance to the area; allow scientific research; minimise risk of introduction of alien plants, animals and microbes; and allow visits for management purposes.’

11.13 The Commission noted that the proposal had been revised to include the Balleny Seamount as a result of consideration at WG-EMM, and had been modified based on advice from the SCAR Group of Specialists on Environmental Affairs and Conservation (GOSEAC) in 1999. The modified plan had also been approved by the SCAR Working Group on Biology (WG-Biology), and finally been submitted in its amended version to CCAMLR-XIX (CCAMLR-XIX/21).

11.14 The Commission noted that the Scientific Committee agreed that the proposal contained the only, and hence best, scientific evidence available at this time (SC-CAMLR-XIX, paragraph 11.11).

11.15 However, the Commission noted that while many Members of the Scientific Committee supported the proposal, views remained divided on the scientific merits of this specific proposal (SC-CAMLR-XIX, paragraphs 11.12 to 11.14). The Commission also noted that the divergent views of Members were relevant to discussions as to whether the proposal would assist in the management of fisheries according to Article II of the Convention (SC-CAMLR-XIX, paragraph 11.16).

11.16 The Commission further noted that the Scientific Committee requested further advice on how to consider proposals for marine areas (SC-CAMLR-XIX, paragraphs 11.16 and 17).

11.17 The Commission took into account that the Scientific Committee needed to further develop a methodology for assessing (for CCAMLR purposes) proposals on marine protected areas forwarded by the ATCM (SC-CAMLR-XIX, paragraph 11.20) or by Members in accordance with Annex V of the Environmental Protocol. The Commission endorsed items which should be considered during such assessments, as defined by the Scientific Committee (SC-CAMLR-XIX, paragraphs 11.21 and 11.22).

11.18 The Commission considered the revised proposal for the Balleny Islands SPA (CCAMLR-XIX/21).

11.19 The Commission recommended that the ATCM consider the creation of an ASMA to augment SPA No. 4 for the Balleny Islands. New Zealand agreed to prepare a redrafted proposal to this end and to propose to the Commission additional measures for the conservation and management of marine living resources so that the Commission, taking into account the advice of

the Scientific Committee, may at its next meeting consider measures relating to the marine component mentioned in Article 6(2) of Annex V of the Environmental Protocol and Decision 4 (1998) of ATCM XXII.

11.20 Considering Decision 4 of ATCM XXII (1998) regarding implementation of Article 6(2) of the Environmental Protocol and given the deliberations of the Scientific Committee this year (SC-CAMLR-XIX, paragraphs 11.20 to 11.26), the Scientific Committee is requested to develop scientific advice on steps to be undertaken to determine:

- (i) whether a site proposed for designation as a marine protected area affects actual or potential harvesting of marine resources in relation to Article II of the Convention; and
- (ii) whether the draft management plan for the proposed site might prevent or restrict CCAMLR-related activities.

11.21 Furthermore, in this regard, the Scientific Committee is requested to provide advice on the application of the provisions of Article IX(2)(g) of the Convention.

11.22 IUCN noted that it had welcomed the New Zealand initiative for an SPA at the Balleny Islands, especially as there are so few examples of integrated protection of island archipelagos and adjacent marine environments. However, it was unable to comment on the revised proposal until more information was available. With respect to this and other similar precautionary efforts by CCAMLR in the future, IUCN offered to provide assistance to the Commission, particularly through access to IUCN's extensive practical experience in this area. It will also provide to the Secretariat two new publications on the subject which it has recently produced.

11.23 ASOC recalled its strong support of the proposal for an SPA at the Balleny Islands. ASOC considered that the ASMA designation was not designed for such a pristine natural environment and would not provide adequate safeguard for the scientific values concerned.

11.24 Brazil indicated that it attaches great importance to the creation of protected areas for marine species within the scope of related international fora such as the Antarctic Treaty and the International Whaling Commission (IWC). In this context, Brazil recalled its active participation in the IWC negotiations of proposals for the establishment of sanctuaries for the protection of whales in the Antarctic, South Pacific and South Atlantic Oceans. For the purpose of consistency, Brazil considered that the New Zealand proposal on the Balleny Islands merited the support of CCAMLR.

11.25 With respect to the proposal by Italy to establish a Special Site of Scientific Interest (SSSI) at Terra Nova Bay, the Scientific Committee noted that it would be premature to consider the proposal until comments from SCAR-GOSEAC are received.

11.26 The UK questioned the rationale of the Scientific Committee for delaying consideration of the Terra Nova Bay proposal while awaiting the advice of SCAR. The Chair of the Scientific Committee advised that a methodology for the assessment of ATCM proposals for marine protected areas needed further development (SC-CAMLR-XIX, paragraphs 11.20 to 11.26).

11.27 With respect to the provision of assistance by the Scientific Committee in preparing a SCAR paper on SAER for the 2001 meeting of CEP, the Commission agreed that the Scientific Committee

should provide copies of several CCAMLR publications to SCAR on the extent of data available on the Southern Ocean fisheries (SC-CAMLR-XIX, paragraphs 11.4 to 11.8).

11.28 The UK noted that the Commission should take into account that future work required from CCAMLR to assist SCAR in preparing the SAER would have an impact on its resources and could be very costly.

Cooperation with SCAR

11.29 The CCAMLR Observer to SCAR, Dr E. Fanta (Brazil) reported on the SCAR meeting that took place from 17 to 20 July 2000 in Tokyo, Japan, and highlighted items of potential interest to CCAMLR (see also CCAMLR-XIX/BG/34 and SC-CAMLR-XIX, paragraph 11.29).

11.30 SCAR WG-Biology (<http://www.up.ac.za/academic/zoology/scar/webcon.htm>) is organising a SCAR Biology Symposium on 'Antarctic Biology in a Global Context' which will be held in Amsterdam, Netherlands, from 27 August to 1 September 2001. CCAMLR scientists are invited to participate and present the latest scientific developments within CCAMLR. One of the aims of the Program on Evolution in the Antarctic (EVOLANTA) is the use of molecular biology techniques for species or population identification; these techniques may be useful for IMALF and CEMP, as well as for toothfish identification using small tissue samples. The Program on Regional Sensitivity to Climate Change (RiSCC) in terrestrial environments may have relevance to CEMP. The Program on Ecology of the Antarctic Sea-ice Zone has included studies on the relationship between bottom features and organisms in the water column, which can be taken into consideration when analysing the vertical migration of target species or the feeding grounds of land-based predators.

11.31 The SCAR Bird Biology Subcommittee presented data on seabird populations (WG-EMM-00/16) to WG-EMM. It requested that National Programs take part in assessments on the mortality levels of Southern Ocean seabirds in longline fisheries by their respective countries, and produce FAO National Plans of Action – Seabirds. The development and adoption of a Southern Hemisphere Albatross and Petrel Agreement should be encouraged. IUCN criteria should be taken into consideration when proposing species for protection.

11.32 The Working Group on Geodesy and Geographic Information is developing a program to run the Antarctic Digital Database (available at <http://www.nerc.bas.ac.uk/public/magic/add-home.html>). This provides useful information for correct nomination and definition of CEMP sites or protected areas.

11.33 The Working Group on Geology noted the publication of a new map of Antarctic bedrock that includes some marine areas to be considered for analysis of species distribution.

11.34 The Working Group on Physics and Chemistry of the Atmosphere is planning to establish a reference database of Antarctic climate observations over the last 50 years. This will allow correlation with changes in populations.

11.35 The Working Group on Solid-Earth Geophysics and WG-Biology expressed concerns regarding a possible restriction on the use of marine acoustic techniques for environmental reasons.

This would impair navigation and the acoustic assessment of krill or fish.

11.36 The SCAR Group of Specialists on Seals reported on the success of the Antarctic Pack Ice Seals (APIS) Program and the circum-Antarctic seals census, and on the protection status of Ross and fur seals (SC-CAMLR-XIX/BG/16 and BG/24).

11.37 Use of the *Handbook on Environmental Monitoring* will produce results to be considered when analysing population fluctuations and the development of fish larvae and juveniles in coastal shallow areas.

11.38 Operational guidelines for dealing with outbreaks of diseases in Antarctic wildlife (SC-CAMLR-XIX/BG/10) will be developed, and further research is recommended.

11.39 Guidelines for conducting Environmental Impact Assessments have been developed, and these relate to CCAMLR's assessments of beached marine debris.

11.40 The next SCAR meeting will be held from 8 to 19 July 2002 in Shanghai, China. The intersessional activities of several SCAR groups will continue.

11.41 SCAR considers that the links with CCAMLR should be improved and integrated research encouraged. The reports of these organisations' activities should continue (SC-CAMLR-XIX, paragraph 11.31).