

COOPERATION WITH OTHER ELEMENTS OF THE ANTARCTIC TREATY SYSTEM

Twenty-fifth Antarctic Treaty Consultative Party Meeting

13.1 The Executive Secretary reported on his participation at ATCM-XXV (CCAMLR-XXI/BG/15). In accordance with Article 9 of the Antarctic Treaty, a report on CCAMLR's activities in 2001/02 was tabled.

13.2 The main points of direct relevance to CCAMLR-XXI discussed at ATCM-XXV, were the adoption of:

- (i) Resolution 3 in support of CCAMLR and its measures to combat IUU fishing for *Dissostichus* spp. in the Convention Area;
- (ii) a procedure outlining the steps to be undertaken when proposing a draft management plan for ASPAs with a marine component; and
- (iii) a two-step approach in setting up the Antarctic Treaty Secretariat, i.e. adoption of a measure setting out the legal framework and a decision enabling the Secretariat to function pending entry into force of the measure.

13.3 The Commission commended the Executive Secretary on his report and involvement with the ATCM, and for the way he promoted the interests of CCAMLR at ATCM-XXV. The Commission also gave its full support for the Executive Secretary to continue to provide assistance and guidance to Argentina and the ATCM in helping them to set up the Secretariat in Buenos Aires.

13.4 Four current issues were of particular relevance to the ATCM/CCAMLR dialogue – Specially Protected Species, Marine Protected Areas, seabird by-catch and IUU fishing.

13.5 The UK commented that CCAMLR was a major constituent of the Antarctic Treaty System and as such it was important that linkages between CCAMLR and the ATCM were strengthened. Three such formal links currently existed:

- CCAMLR as a formal observer to the ATCM;
- the Chair of the Scientific Committee as an observer to CEP; and
- the CEP observer to the Scientific Committee.

13.6 Last year Sweden raised the issue of the importance of avoiding any inconsistencies between different parts of the Antarctic Treaty System. A number of other Members endorsed this (Australia, Chile, Italy, Norway, South Africa, UK and the USA). The discussion is reflected in CCAMLR-XX, paragraphs 11.3 to 11.8.

13.7 As is reflected in the Executive Secretary's report on ATCM-XXV (CCAMLR-XXI/BG/15), a number of issues and decisions taken were of direct relevance to CCAMLR. Sweden thanked the Executive Secretary for his constructive participation in Warsaw.

13.8 Sweden welcomed the development of clearer and closer cooperation between CCAMLR and the ATCM. Such cooperation is essential given the fact that more and more

countries adhere to CCAMLR while not being formal parties to the Antarctic Treaty. At the same time it must be stressed that, although those new parties to CCAMLR are not formal parties to the Antarctic Treaty, they are bound by the most crucial provisions of the Antarctic Treaty, through their adherence to CCAMLR.

13.9 They are bound not to engage in any activities in the Antarctic Treaty area contrary to the principles and purposes of the Antarctic Treaty, and the obligation to use Antarctica for peaceful purposes only. The important Article IV on sovereignty and the non-prejudice clause on high seas freedoms in Article VI bind them.

13.10 While Sweden warmly welcomed the development taken at the last ATCM, Sweden believed that the cooperation between CCAMLR and other different parts of the Antarctic Treaty System must continue to be strengthened.

13.11 The Commission stressed that CCAMLR is an important part of the Antarctic Treaty System and must retain strong links with the ATCM.

13.12 The Commission noted that an item 'Question of Antarctica' was on the agenda of the forthcoming UN General Assembly and that the ATCM was preparing a statement to the UN on the matter. The Commission decided that text outlining the most recent developments in CCAMLR, including the outcome of CCAMLR-XXI, would need to be prepared by the end of the meeting and forwarded to diplomatic missions in New York for inclusion in the statement which is being coordinated by Poland, as the recent host of ATCM-XXV.

13.13 The USA informed Members that the ninth edition of the Antarctic Treaty Handbook, containing information on the Treaty, its reports, resolutions and decisions, was being sent to all Members via their Embassies. Members were encouraged to contact the US State Department if they do not receive a copy.

13.14 The Chair of the Scientific Committee participated in the Fifth Meeting of the Committee on Environmental Protection (CEP-V) (CCAMLR-XXI/BG/8). The most important issues of relevance to CCAMLR considered at CEP-V, were:

- (i) two SCAR reports regarding marine acoustic technology and the Antarctic environment;
- (ii) Argentina and SCAR had provided papers on the issue of specially protected species in Antarctica. SCAR offered to undertake, in conjunction with the IUCN, an assessment of the status of well-documented species using the IUCN criteria;
- (iii) CEP recognised the complexity of possible biological prospecting in Antarctica and agreed that there were strong reasons for the Antarctic community to be pre-emptive and discuss this further at the next CEP meeting (CCAMLR-XXI/BG/41);
- (iv) four management plans for Specially Protected Areas were reviewed and forwarded to CCAMLR for approval prior to being accepted by the ATCM. This included a new ASPA in Terra Nova Bay, Ross Sea, proposed by Italy; and
- (v) Dr A. Press (Australia) was elected as the CEP Chair.

13.15 At ATCM-XXV the CEP Chair noted the need for cooperation with SCAR, CCAMLR and the Convention on the Conservation of Antarctic Seals (CCAS), and possibly with other organisations, on the designation of Antarctic Specially Protected Species. Italy, as the current Chair of CCAMLR, was requested to submit the following text to CCAMLR-XXI in respect of possible consideration of special protection for marine species:

‘To take early steps to seek the agreement of CCAMLR, CCAS and, where appropriate, other organisations, to establish cooperative working relationships (with those organisations) to seek a common approach as to how special protection for species in the marine environment could be achieved and how proposals under the Protocol for designating Specially Protected Species in the Antarctic marine environment could be addressed.’

13.16 The Commission noted this text and also that a dialogue between CCAMLR and the ATCM was needed on how the category of Specially Protected Species under the Protocol might be applied to marine species that are under the purview of CCAMLR. The Commission looked forward to participating in further work on this matter.

Cooperation with SCAR

13.17 Dr E. Fanta (Brazil), the SCAR/CCAMLR Observer, presented a summary of the intersessional activities of SCAR (CCAMLR-XXI/BG/33; SC-CAMLR-XXI, paragraphs 9.25 to 9.28):

- (i) SCAR held its 27th meeting in Shanghai, China, from 13 to 26 July 2002. During this meeting a new structure for SCAR was approved and implemented.
- (ii) Under the new structure, the SCAR Working Group on Biology became the SCAR Standing Scientific Group on Life Sciences (SSGLS). During its meeting there was agreement on the following subsidiary groups: Action Groups (Global International Waters Assessment (GIWA); Best Practices for Conservation), Expert Groups (Birds; Seals; Human Biology and Medicine), Scientific Program Planning Groups (Evolution and Biodiversity in Antarctica: the response of life to change; Biological Monitoring) and Scientific Program Groups (Ecology of the Antarctic Sea Ice Zone (EASIZ); Antarctic Pack Ice Seals (APIS); Evolutionary Biology of Antarctic Organisms (EVOLANTA); Regional Sensitivity to Climate Change in Antarctic Terrestrial and Limnetic Ecosystems (RiSCC)).
- (iii) The SCAR Group of Specialists on Environmental Affairs and Conservation (GOSEAC) held a meeting in College Station, USA, in April 2002. It will cease to exist under the new SCAR structure, but it was stressed that there is a need to have a new SCAR group that could interact with CEP, the ATCM and SCAR subsidiary bodies, providing independent scientific and environmental advice.
- (iv) The SCAR Biology Symposia will continue to be held every four years. It was felt that this forum is important to congregate SCAR and CCAMLR scientists, and to allow the establishment of joint scientific ventures and planning of integrated research activities. The next meeting will be in Brazil in 2005.

- (v) The SCAR Group of Specialists on Seals met prior to the SCAR meeting. It reviewed projects and data, available to CCAMLR, that related to the status of the stocks of fur seal species and elephant seals, whereas data on pack-ice seals, derived from the APIS Program, are still under evaluation.
- (vi) The SCAR Sub-committee on Birds met in Jena, Germany, in June 2002. It discussed a number of items of relevance to CCAMLR, *inter alia*, the breeding distribution of Antarctic and sub-Antarctic seabirds, dietary studies of seabirds, potential adverse effects of penguin banding, and the conservation status of Antarctic birds and the potential inclusion of vulnerable species as protected species under the Antarctic Treaty.
- (vii) The Sub-committee on Evolutionary Biology of Antarctic Organisms will hold a workshop on Evolutionary Adaptation of Antarctic Organisms in Pontignano, Italy, from 1 to 7 December 2002. Collaboration in the interests of CCAMLR in the genetic discrimination of bird and fish populations and species should be improved.
- (viii) Concerns were expressed about the adverse effects that measures against the use of acoustic equipment which may cause impacts on Antarctic organisms, would cause to the research of Antarctic marine animals in general, and also to security in navigation. Results of the two workshops revealed that these impacts are negligible if the equipment is managed correctly.
- (ix) SCAR was asked to provide a contribution to the UNEP Program on GIWA and a workshop will be held in Curitiba, Brazil, in April 2003, to establish the parameters to be considered for Region 66 (Antarctica and Southern Ocean). Among the GIWA parameters, fishery and sustainable use of living resources are specifically mentioned. The future participation of CCAMLR may be appropriate.
- (x) Recognising the need for a new SCAR marine program, it was decided to start to develop a program entitled 'Evolution and biodiversity in Antarctica: the response of life to change' which would combine the interests of EVOLANTA, of the Group of Specialists on Global Change (now ended under the new structure of SCAR), and the EASIZ Program (ending in two years' time). Such a program would facilitate collaborative research with CCAMLR scientific groups.
- (xi) Bioprospecting of Antarctic organisms might develop into an important pressure on Antarctic marine living resources in the near future, and CCAMLR should be prepared to deal with this new challenge.

13.18 The Commission noted that the Scientific Committee also considered the topic of cooperation with SCAR, details of which were given in paragraphs 9.25 to 9.28 of SC-CAMLR-XXI.

13.19 The Commission agreed that there was a need for more active cooperation and information exchange with SCAR in order to take into account results of its work in a number of programs of direct relevance to CCAMLR.