

COOPERATION WITH OTHER ELEMENTS OF THE ANTARCTIC TREATY SYSTEM

Cooperation with Antarctic Treaty Consultative Parties

14.1 The Executive Secretary reported on his attendance at ATCM-XXVIII in Stockholm, Sweden (CCAMLR-XXIV/BG/7).

14.2 In accordance with Article 9 of the Antarctic Treaty, a report of CCAMLR activities in 2004/05 was tabled.

14.3 The Commission noted the following main points of direct relevance to CCAMLR-XXIV as discussed at ATCM-XXVIII and presented in the report of the Executive Secretary:

- (i) Revision of Annex II to the Environmental Protocol continues to be an issue of importance for CCAMLR in terms of its responsibility in respect of marine species (exploited, dependent and related). The review of Annex II will be revisited at ATCM-XXIX.
- (ii) ATCM adopted Annex VI to the Protocol on Environmental Protection: Liability Arising from Environmental Emergencies.
- (iii) CCAMLR will remain apprised of developments concerning strategic issues facing CEP and may be invited to attend a workshop on the subject planned for the period immediately prior to ATCM-XXIX.
- (iv) Decision 8 (2005) on the use of heavy fuel oil should be noted in terms of its relevance to fishing vessels operating in the Treaty Area (e.g. Subarea 88.1).
- (v) Decision 9 (2005) on MPAs and other areas of interest to CCAMLR relates to CCAMLR responsibilities on MPAs (Annex V to the Environmental Protocol, Article 6).
- (vi) The ATCM continues deliberations on the application of the new Liability Annex in respect of fishing vessels and their results may be of direct interest to the application of CCAMLR Resolution 20/XXII.
- (vii) CCAMLR should note the continued work of the ATCM on the Census of Antarctic Marine Life (CAML) and consideration of bioprospecting in the Antarctic.
- (viii) SCAR was invited to make an oral presentation to ATCM-XXIX on scientific issues relevant to the ATCM and the usefulness of a similar presentation should be considered by CCAMLR highlighting the activities of the Commission, as this would improve the communication and understanding between both organisations.
- (ix) The Executive Secretary has again invited the ATCM Executive Secretary to visit the CCAMLR Secretariat during CCAMLR-XXIV.

- (x) The next ATCM and CEP meetings will be held in Edinburgh, UK, from 12 to 23 June 2006.

14.4 On the question of liability as it relates to Annex II of the Environmental Protocol, Spain acknowledged the importance of Annex VI but expressed concern that it excluded fishing vessels (see paragraph 14.3(vi)). Spain stressed that vessels must be ice strengthened to avoid any environmental risk and that the Commission should assume responsibility and make this a conservation measure.

14.5 Spain advised that it denied access to vessels which did not meet ice-strengthening standards and noted its concern about the consequences should these vessels change flags to Members who do not apply this resolution.

14.6 New Zealand reminded the Commission of a draft conservation measure on ice strengthening proposed at CCAMLR-XXII. No consensus on the measure was reached and Resolution 20/XXII was adopted. New Zealand supported Spain and would like to see mandatory ice strengthening of all vessels.

14.7 Argentina expressed its support for Spain's position on ice strengthening.

14.8 The UK advised that Annex VI was the conclusion of 13 years of negotiations and that no agreement on liability relating to fishing vessels was reached. The International Maritime Organization (IMO) should be approached for advice on the scale of the problem as it relates to fishing vessels and their use of heavy oil. The UK further noted that the Commission has a resolution on ice strengthening (Resolution 20/XXII) and a move to make this mandatory would be out of step with IMO itself.

14.9 Norway and Japan agreed with the UK and suggested sending a request to IMO whose responsibilities include matters on ice strengthening of vessels.

14.10 Japan supported the UK and agreed that vessel ice strengthening would be much better dealt with by IMO.

14.11 The European Community noted there was clearly no consensus and suggested the Commission should enhance cooperation with IMO and forward to it Resolution 20/XXII to enable it to act on the matter as appropriate.

14.12 The Commission agreed that a formal letter regarding Resolution 20/XXII be sent to IMO, requesting its advice on actions planned in respect of fishing vessels. The Commission further requested the Executive Secretary to write to various classification societies asking for more information on ice-strengthening classifications.

14.13 Russia stressed the importance of ice strengthening and believed Resolution 20/XXII was adequate, but recommended the Commission await decisions to be taken by IMO and the ATCM, before taking the matter further.

14.14 The UK noted the text on MPAs agreed to in Stockholm, Sweden (Decision 9) and proposed that it be appended to the Commission report for further reference and guidance. The Commission agreed to this (see Annex 10).

14.15 South Africa believed that a presentation to the ATCM similar to the oral presentation invited from SCAR would improve knowledge on CCAMLR and enhance the relationship between both organisations and offered its assistance in the development of such a presentation.

14.16 The USA questioned whether the presentation would be regarding the work of the Scientific Committee or the work of the Commission.

14.17 The UK noted that the report of the Executive Secretary to the ATCM is very comprehensive and that a special presentation is, therefore, not necessary.

14.18 The Executive Secretary suggested that in celebrating 25 years of CCAMLR in 2006, a statement on this event could be addressed to the ATCM.

14.19 The USA noted numerous areas of overlap between the ATCM and the Commission, and asked Members to give consideration on how to improve and standardise cooperation between the two organisations.

14.20 Sweden reported to the Commission a paper to be tabled at the UN in New York on 1 November 2005 on behalf of the State Parties to the Antarctic Treaty. Ambassador G. Widgren (Sweden) read out the following extract:

‘The Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) is a key element of the Antarctic Treaty System. CCAMLR covers a wide range of issues in terms of fisheries and ocean management. Among the most significant have been attempts to curb illegal, unreported and unregulated (IUU) fishing, particularly of the highly lucrative toothfish, through a range of measures including enhanced port inspections and “blacklisting” of IUU vessels. Of particular note, CCAMLR has established and further developed a satellite-based Centralised Vessel Monitoring System (C-VMS) and a Catch Documentation Scheme (CDS) to track the international trade in toothfish. The Antarctic Treaty Parties have joined with CCAMLR in condemning such illegal practices, most of which are being undertaken by vessels of “flags of non-compliance”.

The Antarctic Treaty Parties in support of CCAMLR would, in this forum, call on such Flag States to ensure that their vessels act responsibly within CCAMLR waters in accordance with the regulatory measures established for the area.’

14.21 Dr A. Press (Australia), the CEP Chair and the CEP Observer to SC-CAMLR, reported that CEP is discussing the importance of data and scientific research in the CAMLR Convention Area undertaken by the Scientific Committee. He noted the intimate knowledge that the Scientific Committee has of the species in the CAMLR Convention Area surrounding the Antarctic continent. He encouraged the continued dialogue between CEP and the Scientific Committee.

14.22 The Chair of the Scientific Committee, Dr Fanta, presented a report on her attendance at CEP-VIII (CCAMLR-XXIV/BG/20). The full report has been submitted to, and discussed by, the Scientific Committee (SC-CAMLR-XXIV, paragraphs 9.2 to 9.7). Dr Fanta focused, in addition to the report of the Executive Secretary, on the following points:

- (i) the work of CCAMLR on lowering the level of IUU fishing be supported by ATCM Members;
- (ii) the increased level of human activity in the Antarctic;
- (iii) the need for databases of environmental indicators and the possibility of obtaining information from other bodies such as SCAR, CCAMLR or COMNAP;
- (iv) information on the status of protected area management plans, and initial/comprehensive environmental impact evaluations will become available on the ATS website;
- (v) the suggested incorporation of climate change, bioprospecting and outreach in the CEP agenda;
- (vi) the use of satellite images for environmental monitoring was highlighted;
- (vii) guidelines for CEP Consideration of Proposals for New and Revised Designations of Antarctic Specially Protected Species under Annex II of the Protocol;
- (viii) the problem of introduction of new species to the Antarctic and the transfer of species between Antarctic sites;
- (ix) ASPA No. 149, Cape Shirreff and San Telmo Island, Livingston Island, South Shetland Islands, and ASPA No. 145, both with marine components, were approved by the ATCM;
- (x) criteria to be developed for the indication of new areas for protection and nominations of areas were discussed;
- (xi) it was noted that CCAMLR could make available data obtained through its programs on marine debris and the CCAMLR Ecosystem Monitoring Program (CEMP);
- (xii) progress made by the Intersessional Contact Group on the State of the Antarctic Environment Reporting System (SAER) was reported.

14.23 Dr Fanta stressed the importance of cooperation and collaboration between CEP and the Scientific Committee.

14.24 South Africa thanked Dr Fanta for her report and noted the need to clarify the roles and responsibilities of the ATS and CCAMLR regarding Antarctic marine living resources, and highlighted the overlap between the organisations.

14.25 The Commission approved CCAMLR's representation at ATCM-XXIX by the Executive Secretary and the Chair of the Scientific Committee at the meeting of CEP-IX.

Cooperation with SCAR

14.26 The SCAR Observer to CCAMLR, Dr G. Hosie, presented a report and focused on intersessional activities of SCAR of direct relevance to the work of CCAMLR (CCAMLR-XXIV/BG/36). The full report had been submitted to, and discussed by, the Scientific Committee (SC-CAMLR-XXIV, paragraphs 9.8 and 9.9).

14.27 The main activities of SCAR were:

- (i) A new SCAR EBA program (Evolution and Biodiversity in the Antarctic) is a major program which seeks to describe the past, understand the present and predict the future (www.scar.org/researchgroups/lifescience).
- (ii) SCAR is the leading sponsor of the CAML program, which is a Southern Ocean contribution to EBA and to the global Census of Marine Life (CoML).
- (iii) SCAR is developing a Marine Biological Information Network (SCAR-MarBIN), which will provide CCAMLR with useful references on general ecosystem activity (see www.scarmarbin.be).
- (iv) SCAR is keen to sponsor a Southern Ocean Continuous Plankton (CPR) recorder database as a service to the Antarctic community, which can assist in addressing CEMP's objectives.
- (v) The next SCAR Meeting and 2nd SCAR Open Science Conference will be held in Hobart, Australia, from 9 to 19 July 2006. SCAR-XXIX is being jointly held with the COMNAP-XVII meeting. The 2nd SCAR Open Science Conference will be held from 12 to 14 July 2006 and the theme of the conference is 'Antarctica in the Earth System'.

14.28 Dr Hosie informed the Commission that SCAR is keen to continue to play a major role in the Antarctic and Southern Ocean forum, and in particular SCAR seeks to develop a strong mutual relationship with CCAMLR, providing data and advice on request and participating in workshops and meetings of the Scientific Committee and its working groups.

14.29 The Chair of the Scientific Committee agreed with Dr Hosie that programs such as EBA and CAML should interact with the working groups of the Scientific Committee.

Assessment of proposals for Antarctic Specially Protected Areas and Specially Managed Areas, which include marine areas

14.30 There were no new draft management plans for Antarctic protected areas received by the Commission from the ATCM (see also paragraph 4.11 for other decisions on this subject).