

CCAMLR SYMPOSIUM

16.1 Since 1996, the Commission has discussed the Convention's objectives under a specific agenda item. The time available for such discussion has usually been limited.

16.2 In 2002, Australia (CCAMLR-XXI/BG/13) and Chile (CCAMLR-XXI/BG/44) submitted papers suggesting that more in-depth discussion at a designated symposium would provide an opportunity for Members to ponder the Commission's significant role in world affairs. The Commission noted that the Symposium would contribute to preparations for the IPY as well as the 25th anniversary of CCAMLR (CCAMLR-XXII, paragraph 15.1).

16.3 With the Commission's ongoing support (CCAMLR-XXII, paragraphs 15.1 to 15.4; CCAMLR-XXIII, paragraphs 15.1 to 15.13), Chile and Australia hosted the 'CCAMLR Symposium' in Valdivia, Chile, between 5 and 8 April 2005. Details of the Symposium's purpose and an outline of subjects to be addressed had been developed following proposals originally described in CCAMLR-XXII/BG/49. The Symposium's outcomes were reported in summary in CCAMLR-XXIV/38 and in a more complete form in CCAMLR-XXIV/BG/30.

16.4 The Commission noted that individuals from most of the Commission's Members had participated in the Symposium along with participants from Acceding States, the academic/conservation community and the CCAMLR Secretariat. The Symposium was conducted under 'Chatham House Rules' with participants acting in their individual capacities.

16.5 The Symposium's major purpose was to provide for open and frank discussion of CCAMLR's future, particularly with respect to:

- CCAMLR's relationship with other elements of the ATS
- development of a policy for cooperation with RFBs
- enabling CCAMLR to focus more effectively on IUU fishing.

16.6 It was structured to address the following themes:

- CCAMLR: a review of past developments
- Current and future challenges facing CCAMLR
- Conservation of Antarctic marine living resources
- Managing harvesting activities in the CAMLR Convention Area
- CCAMLR as part of the ATS
- CCAMLR in the wider international context
- Options for the future.

16.7 The Commission noted that the CCAMLR Symposium had achieved an invaluable and exceptionally wide-ranging discussion over many aspects of the policies and practices of CCAMLR.

16.8 The Commission thanked Australia and Chile for organising the Symposium and noted that it was a milestone event in CCAMLR's history.

16.9 Argentina thanked Australia and Chile for organising such an excellent symposium, which allowed participants to make both a retrospective analysis and examine future perspectives for CCAMLR's work. Argentina expressed the view that, with respect to certain

proposals presented in Appendices 1 and 2 of CCAMLR-XXIV/BG/30, these proposals must adhere to international law, including UNCLOS, in particular those related to implementation and compliance, those referring to multilateral actions intended to be taken in the high seas and those intending to modify Port States' jurisdictions. Argentina stated that a revision of fundamental norms that entails an alteration of the balance of States' competencies reflected by UNCLOS, should only be dealt with at an appropriate global level, thus avoiding sectorial actions that may diminish due transparency, or contribute to uncertainty.

16.10 As an initial step in considering the main suggestions arising from the CCAMLR Symposium, the Commission decided to request its subsidiary groups to consider the items which had been identified as 'matters which received special consideration' (CCAMLR-XXIV/BG/30, Appendix 1), including taking into account any related commentary in Appendix 2 of the same document and the fact that there were many common views reflected in those discussions as well as divergent views.

16.11 Accordingly, the Commission requested SCIC to consider and advise on those matters from the proceedings of the CCAMLR Symposium relating to:

- (i) CCAMLR's inspection and surveillance capability – including multilateral cooperative compliance and enforcement that can be taken under UNCLOS;
- (ii) 'commissioning a legal review of high-seas enforcement capacity to determine if legal action against non-Party States or third-Party States fishing in the Convention Area can be taken under UNCLOS';
- (iii) developing 'the use of diplomatic tools, in a cooperative manner, to encourage compliance with CCAMLR measures'.

16.12 The Commission requested the Scientific Committee to include in its intersessional program of work and its agendas for next year's meetings consideration of:

- (i) 'ways to achieve broader conservation objectives for the marine environment, including:
 - looking at the establishment of MPAs as appropriate
 - addressing the call from the UN to take action on destructive fishing practices
 - the link between CEMP monitoring and the decision-making process';
- (ii) 'understanding trends and responses to climate change including the consideration of establishing ecosystem reference areas'.

16.13 The Commission requested that the Scientific Committee consider, where appropriate to its mandate, other aspects of the outcomes of the CCAMLR Symposium when it is reviewing its program of work, including:

'ways to achieve a robust management framework for CCAMLR high-seas fisheries including the use of multi-year management plans and a revision of the principles and procedures for new and exploratory fisheries.'

16.14 Russia expressed the view that, with respect to paragraph 16.12, the Scientific Committee should consider the possible establishment of MPAs only in accordance with the decision of the Commission based on the recommendations of the 2005 Scientific Committee MPA workshop held in Silver Spring, MD, USA (SC-CAMLR-XXIV, Annex 7). With respect to paragraph 16.12, Russia noted that any revision of the principles and procedures for new and exploratory fisheries should include consideration of the transition from an exploratory fishery into an established fishery.

16.15 The Commission noted that the Scientific Committee had begun to review its program of work and to consider how it might organise this work in the future. This would provide opportunities for incorporating these items on its agenda and for including associated work in its working groups. In this respect, the Commission noted the work by the Scientific Committee this year on:

- (i) initial discussions of a work plan that can lead to the development of a system of MPAs (paragraph 4.15);
- (ii) the use of data arising from CEMP to help develop models for evaluating the subdivision of the Area 48 catch limit for krill amongst SSMUs (paragraph 4.7);
- (iii) advice on future interactions with RFMOs and other fisheries organisations and other organisations with respect to incidental mortality of seabirds (paragraph 5.9; SC-CAMLR-XXIV, paragraph 5.55).

16.16 The Commission recommended that 'CCAMLR parties should make efforts to engage, in accordance with international law, with other organisations as appropriate through:

- the Commission utilising Article XXIII of the Convention to forge links with RFMOs and other organisations and agreements to further CCAMLR's objectives;
- parties individually and collectively making efforts in a strategic way in RFMO's and other organisations to further CCAMLR's objectives;
- CCAMLR developing an annual review paper for the observers to present at other international meetings.'

16.17 The Commission requested that the Secretariat:

- (i) suggest opportunities for better CCAMLR involvement with long-standing RFMOs and other fisheries organisations which may have particular relevance to CCAMLR and likewise provide relevant information to the Commission on newly-formed RFMOs and other fisheries organisations;
- (ii) prepare a draft annual review paper for CCAMLR observers to international meetings.

16.18 The Commission also recognised the need to enhance cooperation with other elements of the ATS. In this context it welcomed the establishment of formal collaboration with CEP to address the topic of MPAs.