COOPERATION WITH OTHER ELEMENTS OF THE ANTARCTIC TREATY SYSTEM

Cooperation with Antarctic Treaty Consultative Parties

15.1 The Executive Secretary represented the Commission at the 30th Antarctic Treaty Consultative Meeting (ATCM XXX) in New Delhi, India. In the absence of the Scientific Committee Chair, the Executive Secretary also observed the Tenth Meeting of the Committee for Environmental Protection (CEP X). For completeness and convenience, outcomes from ATCM XXX and CEP X of interest to CCAMLR were presented by the Executive Secretary together in one report (CCAMLR-XXVI/BG/4).

15.2 The Commission noted the following main points of direct relevance to CCAMLR-XXVI as discussed at ATCM XXX and CEP X and presented in the report of the Executive Secretary:

(i) impending submission of the management plan for the Anvers Island/Palmer Basin ASMA;

(ii) ATCM Resolution 2 (2007) on southern giant petrel conservation;

(iii) ATCM Resolution 3 (2007) on long-term monitoring and sustained environmental observations in Antarctica;

(iv) CEP X support for Conservation Measure 26-01;

(v) preparation for a CCAMLR information session to be held at CEP XI;

(vi) report of CCAMLR Observer to ATCM XXX;

(vii) ATCM XXX deliberations on IUU fishing in the CAMLR Convention Area;

(viii) potential parallels between tourist vessels flagged to non-Parties and fishing vessels flying flags of non-compliance in the CAMLR Convention Area.

15.3 Australia noted the need for a growing level of cooperation between all elements of the Antarctic Treaty System, especially in respect of long-term monitoring in, and environmental protection of, the Treaty Area.

15.4 The UK welcomed the growing cooperation between the Scientific Committee and CEP, especially on consideration of bioregionalisation issues. In the UK's view this offered a useful model for such cooperation between the two bodies.

15.5 The UK and New Zealand expressed disappointment that a CCAMLR information session could not be accommodated in the CEP X deliberations.

15.6 The USA noted that there are many important elements of cooperation within the Antarctic Treaty System which should be promoted. The reciprocal exchange of observers between CEP and the Scientific Committee was a good example of where this had occurred.

15.7 The Executive Secretary advised that he would pursue the issue of including the CCAMLR information session on the agenda of the next meeting of CEP with the Chair of the Scientific Committee, the Treaty Secretariat and the organisers of ATCM XXXI in Kiev, Ukraine.

15.8 The Commission also noted the following general matters which the Executive Secretary had drawn to the attention of the Commission and the Scientific Committee:

(i) ways to improve the processing of management plan proposals that contain marine areas through expediting administrative application of ATCM Decision 9 (2005);

(ii) potential need for action in respect of CEP calls for observer data from the krill fishery on incidental mortality of fur seals;

(iii) possible inclusion of 'climate change' as an agenda item, or subitem, on the Commission's and the Scientific Committee's agendas similar to CEP;

(iv) continued involvement in ATCM deliberations on reviewing Annex II of the Protocol on Environmental Protection;

(v) potential future involvement in ATCM initiatives concerning bioprospecting.

15.9 In respect of item (i) in the previous paragraph, the Commission noted that the administrative procedures implemented by the Secretariat in respect of the Anvers Island ASMA proposal (ASMA X; CCAMLR-XXVI/BG/3) had meant that the proposal had been speedily dealt with (in approximately six months) in conformity with ATCM Decision 9 (2005) and CCAMLR's own internal procedures. It agreed that future referrals from the ATCM to CCAMLR on protected areas with marine areas should be administered in the same way.

15.10 In her advice to the Commission, the Scientific Committee Chair observed that from the report presented by the CEP Observer to the Scientific Committee there is an increasing number of issues of mutual interest to both the Scientific Committee and CEP.

15.11 CEP X had considered the potential for designating southern giant petrels as a specially protected species (CCAMLR-XXVI/BG/4, paragraphs 20 and 30; SC-CAMLR-XXVI, paragraph 10.3). Members of the CCAMLR Scientific Committee with relevant data were requested to provide them to SCAR so as to assist that organisation in its assessment of the species population status. The Commission also noted that Ross seals had been retained on the list of specially protected species given the uncertainty over the current status of the species' population (SC-CAMLR-XXVI, paragraph 10.4).

15.12 The Scientific Committee had also noted that CEP intended to focus its attention on long-term ecosystem and environmental monitoring at its next meeting. The latter had therefore welcomed the CCAMLR Observer's offer to report on CCAMLR's experience in the development of the ecosystem monitoring program (CCAMLR-XXVI/BG/4, paragraph 24; SC-CAMLR-XXVI, paragraph 10.6). The Commission agreed that this would serve to further enhance cooperation between the Scientific Committee and CEP.

15.13 The Commission noted a proposal considered by the Scientific Committee that a joint CEP-Scientific Committee workshop be held in 2009. This would further strengthen cooperation between the two bodies. WG-EMM members in particular should be encouraged to participate in the workshop (SC-CAMLR-XXVI, paragraphs 10.8 and 10.9).

15.14 The Commission considered the proposal of the Executive Secretary that the CCAMLR Science Officer periodically attend CEP meetings to assist the Scientific Committee Chair and to ensure institutional continuity between SC-CAMLR and CEP on mutually relevant matters (CCAMLR-XXVI/BG/4, paragraphs 37 to 40, 44 and 45; SC-CAMLR-XXVI, paragraph 10.10). It was therefore proposed that the new Science Officer should attend CEP XI and thereafter attend further CEP meetings whenever a new Scientific Committee Chair is attending. The Commission supported the proposal but clarified that the formal observer role to CEP should remain with the Chair of the Scientific Committee (SC-CAMLR-XXVI, paragraph 10.10).

15.15 The Commission agreed that CCAMLR should be represented at ATCM XXXI by the Executive Secretary and at CEP XI by the Chair of the Scientific Committee, and that the Science Officer should also participate.

Climate change on the agenda of CCAMLR

15.16 The Commission noted a joint Norwegian and UK proposal that climate change and its impact on physical and biological processes in the Antarctic marine ecosystem should be placed on the Commission's agenda (CCAMLR-XXVI/39). The proposal comprised three elements:

(i) the issue of climate change should be included in future agendas of both the Scientific Committee and the Commission;

(ii) a scientific assessment be undertaken to consider the impact of climate change on the Southern Ocean;

(iii) SCAR should be the 'organisational nexus' for the project and should appoint a steering committee for it. Updated information from the project should be reported annually to CCAMLR and the ATCM.

15.17 The UK, as co-sponsor of the proposal presented by Norway (CCAMLR-XXVI/39), noted that some changes in the climate have already become evident. In that regard, the Commission was referred to an ASOC paper (CCAMLR-XXVI/BG/28) which, in particular, provided a selection of abstracts from recent publications on climate change and marine ecosystems. Thirteen of these abstracts were from research conducted by British Antarctic Survey scientists. The UK recommended that special consideration should be given to the effects of climate change on the Antarctic ecosystem and that it was CCAMLR's duty to provide responsible policy action on the matter. The matter of climate change should therefore become an important agenda item for CCAMLR.

15.18 The European Community supported the Norwegian/UK proposal, noting that the issue of climate change is one of the European Community's political priorities. The

European Community noted that it would be appropriate for this issue to be placed on the agendas of both the Commission and the Scientific Committee as these bodies are responsible for conservation of marine living resources in the Convention Area.

15.19 Italy noted that CCAMLR has a special role in monitoring climate change.

15.20 Australia noted that the ATCM had already commenced discussions on how to bring climate change issues to the attention of other elements of the Antarctic Treaty System. It advised that during early IPY surveys under CAML, scientific data had been collected highlighting the impacts of climate change. Australia expressed the view that the Scientific Committee should consider the scientific aspects of the issue and that the Commission is able to respond to the advice it receives.

15.21 China agreed with the importance of climate change for the Antarctic ecosystem. It recalled that climate change was not introduced as a separate item but as a subitem under the state of the environment monitoring at both the ATCM and CEP. It proposed that it may be appropriate for the Scientific Committee to discuss climate change as a subitem under the current agenda item 'Ecosystem monitoring and management'.

15.22 New Zealand agreed that early IPY voyages have already delivered important information on climate change and that it would be important for the Commission to find an appropriate place for such an item on its various agendas.

15.23 Japan agreed with the importance of climate change to CCAMLR but it also shared China's view, noting that CCAMLR should avoid any duplication of work being carried out by other fora.

15.24 South Africa supported the proposal and advised that climate change is a high priority on its national agenda.

15.25 In considering placement of a climate change item on the Commission and the Scientific Committee agenda, the USA suggested that it was for the Scientific Committee to consider whether and how to focus its work related to climate change. The Commission could then consider issues related to climate change as part of its discussions of the Scientific Committee report.

15.26 Russia supported the proposal to include a climate change item on the Scientific Committee agenda, as CCAMLR should continue to maintain its leading position in the application of an ecosystem approach to conservation and management of marine living resources. Russia also noted that the work on the issue should be coordinated between CCAMLR, CEP and SCAR to avoid duplication.

15.27 Brazil shared the views expressed by China and others on the need to find an appropriate place on CCAMLR's agenda for discussions of climate change issues. If the focus was on monitoring, then climate change could be a separate agenda item. However, if discussions were only on a scientific assessment of climate change impacts, a permanent agenda item would not be required.

15.28 Belgium reminded the Commission of the need to avoid duplication of work and to strengthen cooperation with other Antarctic Treaty System elements.

15.29 Uruguay supported the proposal as contained in CCAMLR-XXVI/39.

15.30 The SCAR Observer, Dr G. Hosie, welcomed the proposal, noted that SCAR was proposed to act as a project coordinator as identified in CCAMLR-XXVI/39 and advised that SCAR would be willing to discuss establishment of a steering committee. He also noted that SCAR may need to find additional resources to undertake the project.

15.31 ASOC introduced CCAMLR-XXVI/BG/28 entitled 'Climate change and implementation of CCAMLR's objectives'. The paper suggested that CCAMLR could play an important role in monitoring the effects of climate change on marine ecosystems and species. This would entail regularly reporting on the likely effects and consequences that climate change may have on the Antarctic marine environment in the Convention Area. In this context, ASOC urged CCAMLR Members to take the following steps at CCAMLR-XXVI:

- adopt a resolution acknowledging that climate change is a major factor currently affecting the Southern Ocean and commit Members to deal with the issue;
- establish a Commission standing agenda subitem 'Consequences of climate change' under Agenda Item 17 'Implementation of the Objectives of the Convention';
- establish mechanisms whereby CCAMLR can identify and annually report on the likely effects and consequences that climate change may have on the Antarctic marine environment in the Convention Area.

15.32 The UK urged the Scientific Committee to consider the issue of climate change further by having a separate agenda item. By definition, consideration of a policy to deal with climate change would be the responsibility of the Commission based on advice received from the Scientific Committee.

15.33 Norway agreed with the UK and urged Members to cooperate with SCAR by making resources available and to proceed with any recommendations. Norway recommended that the issue of climate change remain open and asked the Scientific Committee to report back with advice on how to proceed so as to enable the matter to be placed on next year's Commission agenda.

15.34 The European Community suggested the issue of climate change should be placed on the Scientific Committee's agenda with the Committee's agreement. In its view, the Commission will therefore be able to analyse this issue together with other subjects included in the Scientific Committee report.

15.35 The Republic of Korea proposed that the Scientific Committee be requested to consider where the issue of climate change could be placed on its agenda and how it could be addressed and to report back to the Commission for further discussion next year.

15.36 The Commission agreed with the proposal made by the Republic of Korea and to ask the Scientific Committee how it will address the issue of climate change in relation to the conservation of Antarctic marine living resources within its agenda, and how it will formulate advice accordingly to the Commission.

Cooperation with SCAR

15.37 The SCAR Observer to CCAMLR presented his report and highlighted SCAR's intersessional activities of direct relevance to the work of CCAMLR (CCAMLR-XXVI/BG/36 and BG/37). In addition, the Chair of the Scientific Committee referred to the discussions on cooperation with SCAR by the Scientific Committee contained in its report (SC-CAMLR-XXVI, paragraphs 10.11 to 10.15).

15.38 Most of SCAR's activities in 2007 have focused on IPY field projects, including direct collaboration with CCAMLR. SCAR had participated in the CCAMLR-IPY planning meeting and in the CCAMLR Bioregionalisation Workshop where SCAR-MarBIN and Continuous Plankton Recorder data were used extensively. In turn, SCAR had invited CCAMLR onto the SCAR-MarBIN Scientific Steering Committee and the Action Group on CPR Research. The SCAR Executive has welcomed closer interactions with CCAMLR and the Scientific Committee in particular, and has invited the Chair of the Scientific Committee to participate in its 2008 meetings. SCAR is keen to develop further collaborations with CCAMLR, particularly on research projects of mutual interest.

15.39 A summary of key areas of cooperation between CCAMLR and SCAR is given in SC-CAMLR-XXVI, paragraph 10.11.

15.40 The Commission welcomed the ongoing and growing cooperation between CCAMLR and SCAR.

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

15.41 The Commission noted that the Scientific Committee had considered a proposed management plan submitted by the USA for ASMA No. X: Southwest Anvers Island and Palmer Basin (CCAMLR-XXVI/BG/3) which had been forwarded to CCAMLR under ATCM Decision 9 (2005). The proposed ASMA has a small marine component, and has not been subjected to sustained commercial harvesting.

15.42 The Commission noted that under Annex V of the Protocol on Environmental Protection to the Antarctic Treaty, ASMAs are not prohibited-access areas, but are intended to provide a means to coordinating the range of activities occurring in such an area.

15.43 The Scientific Committee had indicated that the proposed ASMA would create an important coordination framework for activities such as scientific research and tourism. In particular, the area would enhance Members' ability to undertake scientific research in furthering both CCAMLR and CEP objectives.

15.44 The Commission noted the Scientific Committee's advice that:

(i) the marine component of the proposed ASMA contains a very tiny fraction of the krill population distributed throughout Area 48 (only comprising 0.5% of Subarea 48.1) and that, should fishing activities be undertaken, these should be carried out in such a way as to not impact research activities;

(ii) the research being undertaken in marine areas within the ASMA would:

(a) be for an important and representative area in terms of potential ecosystem interactions involving krill and that this would assist WG-EMM and, as such, would enhance CCAMLR's work;

(b) contribute to cooperative research important for the work of CEP, CCAMLR and the Antarctic Treaty System as a whole;

(c) be compromised if activities in the marine area are not appropriately managed and thus should interfere with research.

15.45 The Commission further noted the Scientific Committee's advice that:

(i) there are no restrictions on the navigation of any vessels through the marine areas concerned, with the exception of seasonal buffer zones extending 50 m from the shore at a small number of islands aimed at protecting sensitive bird colonies during the breeding season;

(ii) scientific research can be undertaken within the ASMA by any CCAMLR Member or an Antarctic Treaty Consultative Party, in accordance with the general Code of Conduct and the Scientific and Environmental Guidelines contained within the management plan;

(iii) text could be inserted into the management plan to indicate that fishing activities are permitted within the ASMA, but that any such activities must be conducted in accordance with the provisions of the management plan, and in coordination with the research and other activities taking place in the area. This could include the development of a research plan for fishing in the Area.

15.46 The Commission agreed to forward the draft management plan for ASMA No. X with CCAMLR comments to the ATCM for approval under Annex V to the Protocol on Environmental Protection to the Antarctic Treaty.

15.47 In future, all draft management plans for ASMAs and ASPAs submitted to CCAMLR by the ATCM should be dealt with in accordance with the procedure described in paragraph 15.9.

15.48 The Commission noted that a draft management plan for Southwest Anvers Island had been submitted to CEP X and is now in the process of intersessional review under CEP. In this regard, CEP's expectation is that, in due time, the Scientific Committee will provide input to this review.

15.49 At the conclusion of the Commission's deliberations on cooperation with other elements of the Antarctic Treaty System, Australia made the following statement:

> 'It is important in this the fourth IPY, 50 years since the International Geophysical Year which spawned the Antarctic Treaty, and 25 years since this Convention came into force, to acknowledge this Commission's past achievements and its future challenges.

Article 2 of the Convention establishes the objective of the Convention: the conservation of Antarctic marine living resources, which includes rational use. In framing the Convention, the Parties foresaw the importance of taking into account the whole ecosystem in considering rational use of its resources. The development of CCAMLR's precautionary catch limits takes into account the whole ecosystem.

The Scientific Committee and Commission have established two important principles that set CCAMLR apart in conserving and managing marine living resources. The first is that a CCAMLR fishery should not advance faster than our ability to manage it. The second is that Antarctic marine living resources are managed "under uncertainty", which means that population and ecological uncertainty and statistical uncertainty are considered in establishing precautionary catch limits in order to protect the whole ecosystem.

Discussions in CEP, here in the Scientific Committee, and in other international fora including the Valdivia Symposium, highlight that these important ecological relationships cannot be underestimated. We have the largest under-exploited fishery in the world (the krill fishery). As other world fisheries collapse, there will be increasing focus on this resource. We need to ensure that we are prepared to react to this emerging pressure and manage this fishery appropriately.

Scientific research shows that parts of Antarctica are changing as a result of climate change, especially around the Antarctic Peninsula. Ocean acidification is considered by some to be the greatest ecological threat to the world's oceans. This will also impact on the Southern Ocean ecosystems and CCAMLR's ability to conserve Antarctic marine living resources.

Australia believes therefore that the relationships between the Antarctic Treaty, CEP, CCAMLR and its Scientific Committee should be strengthened to allow this Commission to stay at the forefront of the conservation of Antarctic marine living resources.'