

COOPERATION WITH OTHER ELEMENTS OF THE ANTARCTIC TREATY SYSTEM

Cooperation with Antarctic Treaty Consultative Parties

14.1 The Executive Secretary represented the Commission at the 32nd Antarctic Treaty Consultative Meeting (ATCM XXXII) in Baltimore, USA. In the absence of the Chair of the Scientific Committee, the Executive Secretary also observed the Twelfth Meeting of the Committee for Environmental Protection (CEP XII) supported by the Science Officer. For completeness and convenience, outcomes from ATCM XXXII and CEP XII of interest to CCAMLR were presented by the Executive Secretary in one report (CCAMLR-XXVIII/BG/3 Rev. 1).

14.2 The Commission noted that this was a particularly important meeting of the ATCM as 2009 marks the 50th anniversary of the signing of the Antarctic Treaty. The importance of this anniversary was reflected in Ministerial Declarations on the Fiftieth Anniversary of the Antarctic Treaty and the International Polar Year and Polar Science. These declarations included an affirmation of the principles of the Antarctic Treaty System that are at the core of CCAMLR and the promotion of the science that underpins all of the Commission's work. In recognition of their importance, the Commission agreed that the text of these Declarations should be appended (Annex 7).

14.3 The Commission endorsed the recommendations of the Joint SC-CAMLR-CEP Workshop report and agreed that this had been a very productive and timely meeting.

14.4 The Commission noted that during the intersessional period the Chairs of the CEP and the Scientific Committee would consider and suggest to their respective committees:

- options for making progress on the various recommendations from the Joint Workshop;
- options for further joint meetings and workshops, and possible timing of such meetings;
- how to improve coordination on other intersessional meetings and workshops that may be of common interest;
- in doing so, take into account the recommendations from the CCAMLR Performance Review Panel on how to improve coordination with the Antarctic Treaty System.

The Commission requested that the Scientific Committee provide a report on progress made on these matters during the intersessional period.

14.5 There were no decisions or resolutions of direct relevance to CCAMLR-XXVIII arising from ATCM XXXII and CEP XII, although the Commission noted the completed revision of Annex II to the Madrid Protocol.

14.6 The Commission agreed that CCAMLR should be represented at ATCM XXXIII by the Executive Secretary and by the Chair of the Scientific Committee at CEP XIII, with the Science Officer providing support in both meetings.

14.7 Norway informed the Commission that there would be an Antarctic Treaty Meeting of Experts (ATME) on Climate Change in Svolvær, Norway, 6 to 9 April 2010 (SC-CAMLR-XXVIII, paragraph 9.42), to which an invitation to CCAMLR had been extended.

14.8 The USA introduced CCAMLR-XXVIII/32, which responded to a request by ATCM XXXII in Resolution 1 (2009) for CCAMLR to provide its views to the ATCM on the possibility of asking the International Maritime Organization (IMO) to amend the Antarctic Special Area to extend its boundary northward to the Antarctic Convergence. The USA sought support for this idea, by which Parties that are also Parties to MARPOL 73/78 would coordinate action within the IMO to amend the Antarctic Special Area, and said that its proposal flowed from a desire to take an ecosystem approach that has underpinned much of the Antarctic Treaty System's work in seeking to manage the impacts of human activities and protect the Antarctic environment, and this ecosystem approach is very much a part of the Environmental Protocol to the Antarctic Treaty and of course CCAMLR.

14.9 In response, the Commission noted that the Report of the Scientific Committee (SC-CAMLR-XXVIII, paragraphs 9.12 and 9.13) 'recognised that the aim of the proposal in CCAMLR-XXVIII/32 was to extend the protection of the Antarctic marine ecosystem to a boundary that reflected the boundary of that ecosystem and that this was consistent with its custom and practice in defining other such boundaries' for protection of the marine environment. In addition, the Commission noted that some Members expressed concerns regarding the operational capability of vessels when considering this proposal.

14.10 The UK stated that in its view, CCAMLR is competent to take action to apply the provisions of the MARPOL Antarctic Special Area to fishing vessels, as defined in Conservation Measure 10-03, operating in the CAMLR Convention Area, north of 60°S, for example, through modification of Conservation Measure 26-01. The UK considered that the Antarctic Treaty System, of which CCAMLR is an integral part, should take the lead on matters relating to the Antarctic and Southern Ocean. The UK, therefore, was concerned about sending a request to the IMO to take action, which would be subsequently binding on CCAMLR licensed fishing vessels. In the view of the UK, CCAMLR should act first to extend the provisions of the MARPOL Antarctic Special Area, and then ask the IMO to consider extending those actions to the wider IMO community. The UK, however, endorsed the advice of the Scientific Committee that the CCAMLR boundary is an acceptable interpretation of the boundary of the Antarctic Convergence.

14.11 China emphasised that the potential impacts of expanding the Antarctic Special Area northwards need further evaluation.

14.12 The USA highlighted that the IMO is the regulatory authority for marine shipping and as such represents an appropriate forum to address the proposal in CCAMLR-XXVIII/32. IMO's global mandate would allow for management actions to apply across all shipping sectors, as well as ships flagged to non-CCAMLR members. The USA had no objection to additionally applying conservation measures through CCAMLR, such as was done after creation of the original IMO Antarctic Special Area.

Cooperation with SCAR

14.13 The Commission noted the presentation from SCAR to the Scientific Committee (SC-CAMLR-XXVIII, paragraphs 9.14 to 9.26) and welcomed progress on increased interaction with SCAR on areas of mutual interest.

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

14.14 The Commission noted that no proposals had been received during 2009 in relation to Antarctic Specially Protected Areas and Specially Managed Areas that include marine areas under ATCM Resolution 9 (2005). It also noted that the administrative procedures currently in place to deal with such proposals are working well.