The Heart of CCAMLR

While getting settled for another meeting in Hobart, ECO has been fondly recalling the signing of the Convention on the Conservation of Antarctic Marine Living Resources, which brought us all together. CCAMLR was the first international mechanism to apply an ecosystem approach to marine resource conservation, and its objectives are characterised by its origins within the progressive history of Antarctic cooperation. As a pioneer for including conservation as a founding principle, CCAMLR is globally touted as a model for resource conservation and management. ECO hopes Members remain mindful of their commitment to this conservation package as acceding Parties to the Convention, and that they are responsible for ensuring that CCAMLR continues to fulfil the objectives of its founding principles.

RESPONSIBILITY TO PROTECT

In a constructive and pioneering response to concerns about growing fishing pressure, members of the Antarctic Treaty created CCAMLR as mechanism for precautionary resource conservation and management - before the most promising species had been depleted. In becoming a Party to CCAMLR, countries have signed on to this commitment.

From its inception, the precautionary approach to conservation has remained central to CCAMLR’s ongoing work, and it has a subsequent history of creating Conservation Measures based on this approach. This includes a clear legal mandate to develop MPAs. ECO expects that the same precautionary approach should be taken for the development and management of MPAs.

CCAMLR Members should remain mindful that they have also signed up to global commitments to establishing MPAs, including the 2002 WSSD Commitment, 2003 IUCN World Parks Congress, and the 2006 CBD Conference of the Parties (COP8) Decision, among others. CCAMLR itself has acknowledged these global commitments and its intention to contribute to achieving their fulfilment through the development of a representative system of Southern Ocean MPAs, as implemented through Conservation Measure CM91-04.

CCAMLR Members are thus obliged to deliver those commitments through CCAMLR – the Southern Ocean doesn’t sit outside of global commitments.

The emergence of the group of ‘some fishing nations’ (since this group certainly does not represent all the fishing nations in CCAMLR) has illustrated that some members do not want MPAs to block their desire to fish anywhere and at any time. This is simply not acceptable and is inconsistent with the principles of the Convention. The MPA proposals on the table have clearly been developed with areas that can still be fished in appropriate circumstances.

They have also claimed further data is required to enable CCAMLR to identify a threat before it can establish a system of representative MPAs. There is an obligation to establish MPAs regardless of whether threats have been identified. CM91-04 recognises the need to protect the viability of marine life, for scientific reference areas and to resist a changing climate. This is not about sectoral fisheries management – this is about biodiversity conservation.

Some are also advocating that many closed areas be opened to fishing, even though there is limited data on those areas. ECO has noticed an interesting paradox here. If the same data requirement was placed on establishing fisheries within the Convention Area, lifting the bar to what is being expected of enacting precaution for MPAs, then there would be little fishing. Does CCAMLR’s approach to science and information change depending on the topic at hand? Shouldn’t the same information requirements apply to both permitting fishing and designating MPAs?
CCAMLR’s mission is to ensure that all fishing permitted is consistent with the objectives and principles of the Convention. Both the Ross Sea and the East Antarctica proposals achieve this. The EA proposal has been developed as a multiple use MPA, while the Ross Sea MPA has been designed to ensure fishing in the wider region outside the no-take zone.

CCAMLR must not abandon its principles and reputation and become just another Regional Fisheries Management Organisation.

TIME TO STEP UP THE FIGHT AGAINST IUU

ECO has lately been hearing a lot of information about IUU and finds itself extremely perturbed. The need for CCAMLR to make a renewed push to stop this lawless, damaging behaviour is clear.

A few key facts: France has observed an increase in suspected or confirmed IUU fishing in Area 58. One of the vessels caught fishing inside the French EEZ was a South Korean vessel, the Chung Yong 81. This vessel was later observed, as were the South Korean vessels Insung No. 8 and the Chung Yong 83, just outside the CCAMLR area, with toothfish on board. Two gill-netting vessels, the Chang Bai (flagged to Tanzania) and the Thunder (flagged to Nigeria), turned up in CCAMLR waters. The Thunder is one of CCAMLR’s repeat offenders, having also gone by the names Kako, Typhoon and Robin.

The MV Tiantai was spotted by Australia on numerous occasions, which is of concern because it is not a fishing vessel, but a “refrigerated mothership” that can assist in transhipping catches, enabling the fishing vessel to keep fishing. Although the Tiantai is currently being detained in Malaysia, the use of such an expensive ship indicates that someone expects to have many happy years of breaking the law. The mothership may be out of commission temporarily, but the worker drones remain free to flit about the Southern Ocean collecting their “white gold”.

Perhaps most interesting is the statistic that 80% of the IUU sightings in the past five years have been by surveillance vessels. ECO has heard repeatedly of the value of fishing vessels in combating IUU, yet these vessels don’t seem to see IUU vessels all that often. Well, you might say, that’s the idea – IUU ships won’t go where they know legal operators will be. Certainly those allegedly clever IUU operators should know that the EEZs, in addition to having a component of legal vessels, are much more heavily monitored by national patrol vessels. ECO thinks it more likely that these vessels are just targeting the low-hanging toothfish in and near the relatively accessible Indian Ocean, rather than making decisions based on where the legal fisheries are.

The lack of follow up by CCAMLR as a whole is a big problem. Australia, France and others, have gathered excellent information. The Secretariat has made a good effort to contact flag states about the violations their vessels have committed, but none of the states contacted has responded. ECO suggests that the Secretariat, diligent though it may be, can only do so much. Some of the countries on the list – Libya, Mali – have recently been undergoing quite a bit of internal strife, and may not have the resources to reply. Others should be able to send back some sort of response. The Secretariat additionally received no replies from countries it contacted about participating in the CDS.

It’s time for Members to conduct some outreach of their own to bolster the Secretariat’s efforts.

ECO suggests that those Members with surveillance capacity in the Southern Ocean and other enforcement assets should create a mechanism for timely sharing of data and information about IUU vessels operating in and near the Convention Area with the goal of completely closing down IUU fishing in the near term. CCAMLR should also find ways to block market access for IUU catches. Let’s suggest a goal – end IUU in Antarctica by 2016.