(IR)RATIONAL USE

When attending international meetings, ECO expects to hear words and phrases that are relevant to the topic of the meeting repeated over and over. At CCAMLR, these usually include “Commission”, “scientific”, “conservation”, “conservation measures”, and increasingly, from a few Members, “rational use”. While the first four make sense, the last one is a little strange.

The graphic above is a word cloud that analyses the frequency of words used in the CCAMLR Convention. Bigger words are those that are used the most often. Some of these bigger words are not very informative and mostly reflect the standard language rules used in writing international treaties. Other words, however, are indicative of the essential principles and focus of the Convention. “Rational” and “use” are nowhere to be found in the graphic, reflecting that they were mentioned just one time. “Conservation”, on the other hand, is quite large, reflecting the frequency with which it occurs. In brief, CCAMLR is a conservation convention, and the objective of the Convention is conservation.

Increasingly, ECO has noticed that any reference to the term "conservation" is followed by a reminder to Members that, under Article II of CCAMLR, the term conservation "includes rational use". The concept of "rational use" is undefined in the Convention but is usually - albeit not always - used as a euphemism for "fishing" (or "harvesting" in the language of the Convention). In fact, "rational use" is increasingly elevated to be one as the same of "conservation". So, in some interpretations, conservation is rational use and rational use is only fishing. It follows from this logic that the more fishing the more Members comply with the objectives of the Convention, and everybody is happy.

It should be noted that a key word in Article II is "includes" - conservation includes rational use, and not the other way around. The Convention very clearly puts limits on fishing through a certain number of rules and standards - beginning in Article II - and that it is their role to enforce them - for instance through the establishment of marine protected areas. ECO is confident that this how most CCAMLR Members interpret the meaning of the Convention.

ECO finds this constant reminder of the term "rational use" quite puzzling given our understanding of the text. Unless ECO is mistaken, the treaty that all CCAMLR Members ratified is not called the Convention for the Rational Use of Marine Living Resources (CRUMLR).
ECO hopes that a few CCAMLR Members can turn around and join the flow of regular traffic.

**GUIDELINES FOR CREATING AN MPA**

ECO understands that CCAMLR Members have different ideas about the proper process for identifying and creating MPAs in the Southern Ocean. This is an issue on which reasonable people can be expected to have a range of opinions. But ECO is worried that the discussion may be undermining CCAMLR’s mandate and the spirit of cooperation. It seems some suggestions are contradictory, or intentionally prevent MPAs from moving forward. So ECO has compiled the unhelpful suggestions together into a set of guidelines, or perhaps “anti-guidelines”:

1. When setting out to conserve and protect ecosystems, the most important consideration is not how to protect and conserve ecosystems. It’s how to minimise the impact on fishing activities, whether already in existence or only a twinkle in a CCAMLR delegate’s eye.

2. Before you create MPAs, you need a lot of scientific information. The best way to get this information is through research fishing. Though some CCAMLR Members may be surprised by this fact, fishing data is the most important source of information about Southern Ocean ecosystems. Naturally the most important organisms in an ecosystem are those that are harvested, so you can ignore the greater than 90% that are not, including but not limited to: pycnogonids, hexactinellids, cephalopods, molluscs, cnidarians, echinoderms, nemerteans, polychaetes, copepods, tunicates, pygoscelids, pteropods, foraminifera, and pinnipeds.

3. Determining what constitutes sufficient science to justify an MPA is difficult. When in doubt, conduct 15 more years of research fishing.

4. When choosing areas for MPAs, make sure you select pristine areas where no fishing has occurred.

Areas where fishing has occurred are not suitable candidates. Since you should be research fishing in every area, your task is greatly simplified.

As you can see, the proper process for creating MPAs (according to some CCAMLR Members) can be summed up in two words: don’t bother. 😆 LOLO!

**ECO’S CONGRATULATIONS CORNER**

ECO is seeing some very welcome changes on the part of the Republic of Korea this year. Korean vessels in the Convention area have been getting into trouble quite frequently in recent years. But we have received encouraging information from Korea indicating that the country is undertaking promising actions and initiatives to make sure its vessels obey CCAMLR conservation measures and avoid IUU activities. ECO congratulates ROK for its efforts so far, and hopes to hear next year that those efforts have been continued and expanded. It’s often a tough process to implement new regulations for an industry that is not used to them. If Korea continues on its current path, however, we are optimistic that their efforts will be successful, not just for the Southern Ocean but for all fisheries where their vessels operate.