“Back to the Future” for Marine Protection

Back to the Future is a trilogy of US comic science fiction films from 1985-1990. The films follow the adventures of a high school student, Marty McFly and a scientist, Dr. Brown, as they time travel through different periods in the history of a fictional town in California. Their ability to time travel enables them to fix mistakes made in the past that will alter the future. In the first film the characters travel from 1985 to 1955. In the second film, the characters fly forward to the future. They depart on 26 October 1985, and arrive in the future on 21 October 2015 - today.

ECO has also done some time travelling and is now coming back from the distant CCAMLR IV in 1985. By 26 October 1985 CCAMLR had already completed its fourth meeting. The topics that preoccupied CCAMLR IV, with respect to marine protection, were quite broad. Below are some examples from CCAMLR IV Final Report:

- The Chairman, Dr. Orlando Rebagliati of Argentina, "...reminded members of the Commission’s request for more detailed advice from the Scientific Committee to enable the Commission to consider at this meeting whether further measures are necessary to protect fish stocks in the Convention Area."
- Concerning Marine Debris (para 20), CCAMLR agreed to continue to study and take actions "...to ensure in so far as possible that man-made debris does not become a hazard to navigation or interfere with the conservation of marine living resources in the Convention Area."
- Concerning Incidental Catch (para 21), and aiming "...to assure in so far as possible that the incidental catch of birds, mammals and other non-target species during fishing operations does not interfere with the conservation of Antarctic marine living resources” Members agreed that "...steps should be taken, as necessary and appropriate, to ensure that their vessels engaged in fishing operations record and report the species and numbers of birds, marine mammals and other non-target species caught during fishing operations."
- Based on advice of the Scientific Committee (para 36) the Commission agreed upon "the prohibition of Directed Fishery on Notothenia rossii and Protection of Notothenia rossii around South Georgia, South Orkney and Kerguelen."
- With respect to Statistical Subareas 48.1 and 48.2, attention was drawn to the Scientific Committee’s view regarding the "urgent need to make assessments of the finfish resources in the vicinity of the Antarctic Peninsula and the South Orkney Islands”. The recommendation relating to N. rossii in these areas for 1985/86 as an initial precautionary measure reflects concern for these stocks (para 38).
- In the context of the discussion of Subareas 48.1 and 48.2, it was noted that the Scientific Committee had recommended that "to prevent over-exploitation it would be desirable to establish measures limiting fisheries activities in such areas until such time as data are sufficient to estimate fishery productivity in these areas”. In the view of many members, should sufficient data not be forthcoming for adequate estimates of fishery productivity in these areas, this would necessitate consideration of further precautionary measures pending availability of such data." (para 40).

CCAMLR IV was a moment of reflection, as evidenced in these statements:

- The Chairman noted that "...the Commission last year received the Scientific Committee’s advice which indicated that the stocks of certain species had been reduced to unacceptably low levels and that urgent protection was consequently required. Regulations which sought to provide this protection were adopted. Member states carrying out fishing activities were further required to provide more complete and detailed data for the competent bodies of the Convention to make the necessary analysis." (Chairman’s statement).
- The Chair also noted that "...it is also important to recall that the Convention embodies the sole existing international mechanism for the conservation and
rational utilisation of resources within the Antarctic Treaty System...There is a legal responsibility among States Parties to the Convention to resolutely face these problems. But there also exists a moral and political responsibility towards the rest of the international community, which the Member States are equally required to consider" (Chairman’s statement).

- Brazil stated that "Within the scope of the Convention, the establishment of standards and procedures for the maintenance and protection of species being commercially exploited is a responsibility to be shared by all countries active in Antarctica "
- The Republic of Korea noted that "The Convention has been instrumental in the ways of safeguarding the environment of the ecosystem in the Antarctic and ensuring the conservation of marine living resources, through the implementation of various measures provided for in the Convention, and thanks to the positive cooperation among the member states of this Commission."
- Spain reiterated that "...through her presence at these meetings, wishes to continue supporting the work of the Commission, in its earnest desire to assure the conservation of the living resources of the Antarctic marine environment."

While the report language is peppered with familiar caveats such as "in so far as possible" and "as necessary and appropriate", there is still a strong sense that the mission of CCAMLR was the conservation of the marine environment, and that CCAMLR had a responsibility to the international community to make decisions that would allow it to achieve these objectives.

Fast forward to 2015. We are arriving to 21 October 2015, CCAMLR XXXIV. Following from discussions that started more than a decade ago, Members are meeting for the fifth time to discuss a series of proposals for MPAs, which in turn were developed from discussions dating back to 2002 and a commitment to establish a network of MPAs by 2012, a date now rapidly receding in the past. So if one asks - as in the movie - "When are we?" with respect to MPAs, the answer is: "late".

There are many arguments and counter arguments for and against MPAs, but some of the counter arguments are particularly noticeable in contrast to the excerpts from past meetings.

- MPAs must make way to fishing, either by shrinking in size and/or by allowing fishing within MPAs.
- Rational use (aka harvesting aka fishing) should "balance" conservation - the more conservation, the more fishing.
- Most distressing is that MPAs are only a temporary distraction from the important business of fishing, and therefore should last only for a few decades and have a sudden death when the time is up.

Overall "conservation" of marine living resources (as in CCAMLR) reflects nice intentions, but the "consumption" of those resources seems to be the priority of many Members

The world has changed tremendously since 1985. For instance, climate change is now high in the international agenda but it was not an issue then. Also, the global community as well as CCAMLR have agreed to establish representative networks of MPAs: this is clearly established through the World Summit on Sustainable Development and other international commitments. MPAs are relevant to both examples, and there are therefore plenty of incentives to establish MPAs in the CCAMLR area.

So Members have a clear choice this year: either they complete the process of adopting MPAs, which have already tinkered enough, or continue delaying, stopping, and weakening MPAs with an ever ending litany of requirements that threaten to would make MPAs, well, as little MPA-like as possible!

What will happen by the end of this meeting? ECO hopes MPAs will have been adopted so that CCAMLR in 2015 matches the 1985 past and, conceivably, the future as it was envisaged then.

Conversely, if nothing positive happens, CCAMLR will start to look like a dysfunctional entity in the eyes of the world and not up to the international responsibility referred to by the 1985 Chair. In that case perhaps we would have to say with respect to MPAs, as the main character said in the first movie, “I guess you guys aren’t ready for that yet. But your kids are gonna love it.” Reflecting on 2015, the kids of the future will also question why on earth CCAMLR did not take action on marine protection early on when it had the opportunity to do it.

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