The Antarctic and Southern Ocean Coalition

August 10, 2006

ASOC REPORT ON THE
XXIX ANTARCTIC TREATY CONSULTATIVE MEETING

Edinburgh, United Kingdom
12-23 June 2006
EXECUTIVE SUMMARY

BACKGROUND


2. ATCMs are hosted by Consultative Parties (essentially voting members – currently 28) in English-language alphabetical order. All Consultative Parties attended the Edinburgh meeting. There are also 17 Non-Consultative Parties – non-voting members, although the majority do not regularly attend ATCMs (7 attended in Edinburgh). The ATCM lasts two weeks, and conducts its business through a number of Working Groups – presently four: Legal and Institutional Affairs, Tourism and Non-Governmental Activities, Operational Matters and the Committee for Environmental Protection (CEP).

3. The Antarctic and Southern Ocean Coalition (ASOC) has participating ‘Expert’ status at ATCMs. It is the only environmental non-governmental group with such access. IUCN and UNEP are also invited ‘Experts’.

4. The XXIX ATCM was held in Edinburgh from 12 – 23 June 2006. In addition, a pre-CEP Workshop on “Antarctica’s Future Environmental Challenges” was held on June 9-10.

5. The ATCM considered 44 Working Papers and 120 Information Papers tabled by Parties and other participants, as well as 12 Secretariat papers, and produced an agreed Final Report that contains three Measures\(^1\) (management plans for protected/managed areas); three Resolutions\(^2\) (on Site-Specific Guidelines relating to tourism, ballast water exchange, and Southern Giant Petrels); two Declarations (on CCAMLR-ATCM Cooperation, and the Edinburgh Declaration on the International Polar Year); and two Decisions\(^3\) (ballast water exchange and protection of Southern Giant Petrels). Electronic copies of these documents (in the original language for Information Papers, and in English, French, Spanish and Russian for Working Papers) are available on the Antarctic Treaty Secretariat site - www.ats.aq/29atcm.

6. The ASOC Report on the Edinburgh meeting focuses on the key issues for the wider NGO community whom we represent, including detailed reporting on outcomes, papers and press associated with ASOC participation. The official Final Report of the Meeting on the ATS website provides a record of key discussion of and decisions on all matters discussed.

7. The ASOC delegation comprised:
   - Jim Barnes (ASOC Executive Director – France)
   - Yeyong Choi (ASOC Adviser – Korea)
   - Clifton Curtis (Antarctic Krill Conservation Project Director, Pew Trust, US) (second week)
   - Sarah Dolman (Whale and Dolphin Conservation Society – UK) (first week)
   - Dr Alan Hemmings (Senior ASOC Adviser – Australia)
   - Jessica Leigh O’Reilly (ASOC Adviser – New Zealand and US)
   - Lic. Ricardo Roura (Madrid Protocol and Tourism Campaign Coordinator – The Netherlands) (pre-CEP workshop and ATCM/CEP)
   - Karen Scott (ASOC Adviser – New Zealand and UK) (first week)
   - Dr Tina Tin (ASOC Adviser – France) (pre-CEP workshop and ATCM/CEP)
   - Estelle van der Merwe (ASOC Southern African Coordinator – South Africa)
   - Dr Simon Walmsley (WWF-UK) (second week)

---

\(^1\) A Measure is legally binding once it has entered into force.

\(^2\) A Resolution is hortatory.

\(^3\) A Decision is an administrative action, usually relating to a short-term event, and like a Resolution, hortatory.
8. In addition, two delegations included NGO representatives from ASOC:
   - Lyn Goldsworthy (ASOC Board Member) on the Australian delegation
   - Michele Perrault (ASOC Board Member-Sierra Club) on the US delegation

MATERIALS
9. ASOC presented 9 Information Papers, including our annual report, which, like other requested reports is reproduced verbatim in the ATCM Final Report. In addition, for our participation in the first-ever strategic planning meeting of the Committee on Environmental Protection, ASOC produced a poster on threats and challenges in the Antarctica. These papers and the poster are available both on the ASOC website (www.asoc.org) and the ATS website (www.ats.aq).

<table>
<thead>
<tr>
<th>Paper Number</th>
<th>Agenda Item</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poster</td>
<td>Pre-CEP workshop</td>
<td>Antarctic Futures: Growth, Wilderness Protection and Change</td>
</tr>
</tbody>
</table>
| IP061        | CEP 6b, 7, 8  
               | ATCM 7, 10, 14 | An Update on Recent Noise Pollution Issues |
| IP062        | CEP 3, 9  
               | ATCM 10, 14, 16 | The Antarctic and Climate Change |
| IP063        | CEP 3, 6  
               | ATCM 7, 10, 12 | Beyond Direct Impacts of Multi-year Maintained Ice Routes. Case Study: McMurdo-South Pole Surface Re-Supply Traverse |
| IP064        | CEP 5, 6b  
               | ATCM 7, 10, 11 | A glimpse into the Environmental Legacy of the International Polar Year 2007-2008 |
| IP065        | CEP 6b, 7  
               | ATCM 7, 12 | Managing Antarctic Tourism: A Critical Review of Site-Specific Guidelines |
| IP094        | CEP 5, 6b, 9  
               | ATCM 10, 11, 14 | Station Sharing in Antarctica |
| IP107        | ATCM 4 | Report of the Antarctic and Southern Ocean Coalition (ASOC) |
| IP 108       | CEP 3, 9  
               | ATCM 14 | Management of Antarctic Krill |
| IP120        | ATCM 12 | Strategic Issues posed by Commercial Tourism in the Antarctic Treaty Area |

10. Five editions of the international newspaper ECO were produced. These are available at the ASOC website and include the following stories:

ECO No 1 (13 June):
   - The Big Picture: Protecting Antarctica in the long term
   - Liability Annex Update

ECO No 2 (15 June):
   - Towards Better EIA
   - Station Sharing and International Bases
   - CCAMLR and ATCM

ECO No 3 (16 June):
   - India’s plans for a Base in middle of proposed Larsenmann Hills ASMA
   - ‘Strategic’ What?

ECO No 4 (20 June):
   - Summary of Week One - a Woeful Start to the Antarctic Futures ‘World Cup’
   - Environmental Legacy
   - Lessons from the CEP Workshop
ECO No 5 (22 June):
- US Blocks Tourism Agreement
- Krill Campaign Underway
- Updating Annex I

11. Leading up to the ATCM we provided background materials for a number of journalists around the world, which led to a one-page feature story on infrastructure development in The Sunday Telegraph on 4 June⁴ and a story on the de-listing of fur seals in the Scottish Sunday Herald on 11 June⁵, the day before the meeting opened. With the assistance of the press office created for the ATCM by the UK Government, ASOC representatives were interviewed in depth by accredited journalists from the BBC, BBC Wildlife Magazine, New Scientist, various Scottish and other UK newspapers, TV3 in New Zealand, and a major Korean newspaper across a range of Antarctic issues. Post-ATCM there have been stories in the Indian press (including The Hindustan Times) about the Indian station in the Larsemann Hills, and a number of stories in The Sydney Morning Herald and The Age in Australia covering a number of Antarctic issues.

KEY ISSUES
12. ASOC's priorities were:

- Raising awareness about emerging environmental pressures on the Antarctic – including commercial developments, new station proposals, climate change, and subglacial lake research (including the proposed drilling into Lake Vostok during the next two years);
- Promoting the steps needed to ensure an ecologically sustainable Antarctic future – including progress on regulation of commercial tourism in the Antarctic, station sharing or creation of international stations, and deferral of the Lake Vostok drilling proposal;
- More focused scrutiny by the CEP of the significant infrastructure developments in the Antarctic planned for the next few years, and the associated need for review of application and scope of Environmental Impact Assessment (EIA), particularly in the light of International Polar Year 2007-2008 (IPY), the growth of infrastructure proposals and the need to incorporate emerging scientific data;
- Highlighting the role of the IPY as an opportunity to emphasise globally significant science and address minimisation of infrastructure development through shared and/or international stations and logistics, laying a greener legacy for the IPY.
- Review and updating of Annex II on the Conservation of Antarctic Fauna and Flora, consideration of proposals for new protected species listings for threatened albatross and petrel species, and ensuring that any de-listing of fur seals was accompanied by a clear statement of intent by Parties that this was not a green-light for depredations upon these animals.
- Raising awareness about deficiencies in Protocol compliance, the entrenchment of chronic sub-standard Protocol implementation by many operators, and the increasing tendency to ‘roll back’ the more innovative and progressive environmental management initiatives under the Protocol;
- Progress by governments on ratifying Annex VI on Liability Arising from Environmental Emergencies so that it can be brought into force legally as soon as possible;
- Promoting a serious discussion about the inter-relationships of the Antarctic Treaty Consultative Meeting and CCAMLR;
- Informing the governments about ASOC's new krill conservation project and begin making contacts among relevant governments;
- Serious discussion of developments regarding commercial biological prospecting, which is now a regular agenda item;
- Agreement to consider measures to address noise pollution/acoustic impacts, also now a regular agenda item;
- Agreement on developing measures to limit the risks of invasive species.

---

⁴ Antarctic cold rush raises fears for last great wilderness’
⁵ ‘Cull set to return for seals in the protected Antarctic’
KEY OUTCOMES

13. Positives:

- CEP’s workshop on the need for a strategic action plan to protect the future of Antarctica’s wilderness and scientific values was very important. It led to a good discussion in the CEP, and to the agreement of a draft action plan for the CEP. Everyone seems to see the need to use a more strategic approach in decision making in order to protect Antarctica’s intrinsic values.

- The serious discussion on limiting the size of ships landing tourist passengers in Antarctica, restricting the size of tourist ships in the Antarctic, and prohibiting/discouraging land-based tourism infrastructure, was significant. Resolutions were put forward to limit the size of ships landing passengers to 500, and urging parties to discourage building tourist-based infrastructure on land. Although many parties agreed with these, agreement could not be reached, even though the resolutions were hortatory, i.e. not legally binding.

- Site-specific guidelines for regulating tourism impacts were agreed. These can be a useful management tool, but are not a substitute for a global tourism policy and legally binding regulatory structure – the Guidelines are without legal obligation. Also, the site guidelines agreed to date cover only 12 out of more than 200 sites of tourism interest (of which some 10-20% have become mass tourism destinations).

- Sharing of scientific stations was discussed for the first time in depth, as well as the idea of establishing international stations, which is long overdue and welcome. This will be tested in the near future by decisions taken by several countries that have been considering building new stations, including India and Korea, which carried out discussions of sharing options with other countries during the meeting.

- The new Antarctic Krill Conservation Project presented by ASOC was welcomed by the meeting, with support for the campaign’s goals expressed by a number of delegations. There was also an excellent public presentation of the important krill component of the IPY during one of the main side meetings, which was well attended by delegates.

- The discussion of acoustic impacts on the marine environment based on papers by ASOC, COMNAP and SCAR represented a step forward for the ATCM, and the issue will be on the agenda again next year.

- A positive resolution was agreed to strengthen cooperation between the ATCM and CCAMLR, which should lead to better protection of the Antarctic marine ecosystem and more practical cooperation on Marine Protected Areas and limiting the adverse impacts of noise in the Southern Ocean.

- There was a decent, if restrained, discussion of biological prospecting, and a view seems to be emerging that this is a major issue that needs more attention by the ATCM.

- Some small steps forward were taken regarding invasive species issues, including a Resolution on Ballast Water Exchanges within the Antarctic Treaty Area.

- A full day was devoted to the IPY 2007-08. This was interesting, however, most of the day was taken up by presentations rather than discussions.

- Climate change was featured in a number of different ways during the two weeks, including the annual SCAR Science Lecture, the special day devoted to considering the IPY, and in the debate surrounding the SCAR and ASOC climate change papers. This, however, did provoke the US to make a number of negative remarks, including opposing the “climate assessment” proposed by SCAR.

14. Negatives:

- The US blocked the proposed Resolution to set limits on the size of ships allowed to land tourists to those carrying 500 or fewer, although many delegations strongly supported it. Without US opposition, the Resolution almost surely would have passed.

- The proposed Resolution to discourage land-based infrastructure - strongly supported by many Parties - was not agreed, essentially as a result of opposition led by the US and
reservations by Argentina about existing tourism land-based infrastructure operated by Chile and the UK in the area of overlapping territorial claims.

- It was very disappointing that the long-awaited Antarctic Specially Managed Area for the Larsemann Hills could not be approved, because of India’s insistence on building a new station in the middle of the ASMA, with the consequent withdrawal of the ASMA by its sponsors.
- There was little progress on the review of Protocol Annex II. The process has already been arduous, and it was referred to the Legal and Institutional Working by the CEP two meetings back after the CEP itself had spent several years (including intersessional work) on the matter.
- It was disappointing that SCAR didn’t provide the Parties with a clear proposal for listing the Southern Giant Petrel as a specially protected species, given evidence that populations within the Antarctic Treaty Area are at risk. However, it is clear this proposal will be back next year, with the agreed Resolution merely an instruction to SCAR to do better and bring a clear proposal. The de-listing of fur seals and the hoped for listing of southern giant petrels and macaroni penguins now needs to be folded into the Annex II review.
- As mentioned above, the US tried to block an Antarctic Climate Assessment being carried out by SCAR, which would be an analogue to the Arctic Climate Assessment. In general the Meeting couldn’t reach agreement on how to make better use of the striking scientific information emanating from Antarctica in taking to address dangerous climate change on a global basis.

**DETAILED REPORT ON ISSUES**

The following section reports in more detail on some of the key issues at XXIX ATCM. Appendix 2 contains the approved agenda for CEP IX. Appendix 3 contains the preliminary agenda for ATCM XXX. Appendix 4 contains the Measure to de-list Fur Seals from specially protected status.

**OPERATION OF THE ATS**

15. **Belarus**

Belarus signalled its intention to accede to the Treaty and was invited to attend the ATCM as an Observer. This invitation extended only to the XXIX ATCM on the assumption that Belarus would adhere to the Treaty and its Protocol before the XXX ATCM.

16. **Malaysia**

This was the 5th meeting Malaysia has been invited to attend as an Observer. Prior to and at side-meetings during the ATCM, Malaysia was informed it would not receive additional invitations until it commits to a time frame for accession to the Treaty. Malaysia announced its intention to accede ‘as soon as possible’ (which privately was indicated might take up to 5 years) and its desire to continue scientific research and contribute to the IPY in cooperation with Australia.

**ANTARCTIC TREATY SECRETARIAT**

17. As at the Stockholm ATCM, there was extensive discussion on how the Secretariat is functioning and performing.

18. The Secretariat reported on a number of initiatives underway, particularly the development of the Database of the Recommendations, Measures, Decisions and Resolutions of the ATCM, which went online in the Secretariat Website in the beginning of April 2006; the establishment of a database of information on Environmental Impact Assessments (EIAs); and templates for the reporting of information on the implementation of the Environment Protocol and on the general information exchange.

19. Priorities identified for 2006/07 include completion of the database on recommendations in the four Treaty Languages, the development of the Electronic Information Exchange System, and
further development and expansion of the Secretariat website, including the incorporation of the CEP website.

**REVIEW OF RECOMMENDATIONS**

20. As noted above, the Secretariat has initiated the process of review of the status of all past Recommendations, Measures, Resolutions and Decisions. Its first focus is on the status of ATCM Measures on protected areas. The Meeting set up an ICG, chaired by the US, to prepare a list of all Recommendations and Measures relating to area protection and management that have been superseded and another list of Recommendations and Measures that are still current and therefore require implementation. These will be further considered in New Delhi.

**FUTURE ATCM HOSTS**

21. As indicated at Stockholm, India will host the XXX ATCM, which will be held 30 April - 11 May in New Delhi. Ukraine is still positive about hosting the XXXI ATCM in 2008 although they sent only one participant for each week of the ATCM (it is usual for near-term hosts to send several delegates to observe proceedings and discuss organisational requirements with the preceding hosts.) US and Uruguay reported to be prepared to host the ATCM in 2009 and 2010, respectively. Argentina noted its willingness to host the 2011 ATCM, which will be the 50th anniversary of the Antarctic Treaty’s entry into force.

**RELATIONSHIP BETWEEN ATCM AND OTHER ELEMENTS OF THE TREATY SYSTEM**

22. New Zealand tabled a paper proposing stronger ties between CCAMLR and the ATCM. CCAMLR is a separate decision-making body with its own specific mandate but it’s not independent of the ATS. Article V of the CAMLR Convention requires Consultative Parties to provide comment to the Commission on matters related to the protection of the Antarctic environment and matters having wider implications for the ATS.

23. There was agreement in principle on the need for ‘close synergy and cooperation’ between CCAMLR and ATCM. The US chaired an informal working group in drafting a Resolution regarding better cooperation, on which ASOC participated actively. A Resolution was adopted that encourages all CCAMLR nations to accede to the Antarctic Treaty as well as encouraging appropriate AT expertise on national CCAMLR delegations, partly to avoid CCAMLR becoming just another RFMO. Overall, the NZ paper triggered a very positive discussion of ways in which CCAMLR and the ATCM will try to cooperate more effectively in the future, with MPAs being singled out as most important, and with a number of delegations supporting joint work on noise impacts. This is an improvement in relation to the secretive way in which the relationship of the ATCM with CCAMLR, and the discussion of MPAs, has taken place so far.

24. Argentina tabled WP 28 on cooperation between CEP and Scientific Committee of CCAMLR. ASOC thanked Argentina for its paper, which underscored the need for greater integration and cooperation between the CEP and SC-CCAMLR to ensure the protection of the Antarctic environment and dependent and associated ecosystems in the Antarctic Treaty Area.

25. China noted its intention to accede to CCAMLR shortly.

**OFFICERS**

26. Dr Tony Press (Australia) completed his second term as Chair of CEP with the conclusion of CEP VIII. Dr Neil Gilbert (New Zealand) was elected as the new Chair and will commence his duties with CEP IX. Dr Tania Brito (Brazil) was elected as Vice Chair to replace Anna Carin Thomer of Sweden (who has stepped down as Sweden’s CEP representative to take another position). Dr Yves Frenot (France) continues as Vice Chair.

27. Prof Olaf Orheim (Norway) chaired the Working Group on Legal and Institutional Affairs; Dr José Retamales (Chile), chaired the Working Group on Operational Matters; and Michel Trinquier (France), chaired the Working Group on Tourism and Non-governmental Activities.
COMPLIANCE WITH THE PROTOCOL

28. At the Stockholm ATCM, the CEP endorsed the establishment of an online Discussion Forum of Competent Authorities (DFCA) to share experiences on administration of domestic Antarctic legislation. This forum, a joint Dutch-German initiative, could become a useful mechanism to advance national procedures for assessing and/or authorising activities in Antarctica; implementation of ATCM Measures, Resolutions and Decisions at a national level, and coordination of the assessment and/or authorisation process for multilateral activities. However, few Parties have been using the DFCA, so Germany has offered to host a workshop in Berlin later in 2006.

29. An online CEP Handbook, containing all CEP-related procedures and approved guidelines, prepared by Australia, will now be maintained and housed on the Secretariat website (www.ats.aq). This followed discussions at CEP VIII, which identified this Handbook as one of the Committee’s ‘must-do’ tasks.

30. An online template for Annual Reporting under Article 17 of the Madrid Protocol will be trailed.

STRATEGIC DISCUSSION ON THE FUTURE OF THE CEP

31. At CEP VII, Sweden initiated discussion on the strategic direction and future work of the CEP. The discussion was continued at CEP VIII, and focused both on the work arising from the environmental impacts from human activity within the continent, and on work associated with external environmental pressures such as anthropogenic climatic change.

32. To help prepare the discussion, a pre-meeting Workshop by the CEP on “Antarctica’s Future Environmental Challenges” was held in Edinburgh on June 9-10, at which ASOC was represented by Ricardo Roura and Tina Tin. They presented ASOC’s poster, which summarizes the various longer-term threats posed to the Antarctic by both surging commercial pressures and the development of scientific infrastructure and associated logistics operations.

33. The aim of the Workshop was to provide dedicated time for CEP Members to get together in an informal setting to consider the likely environmental challenges facing Antarctica over the next 15 years and beyond. The Workshop’s Steering Committee (Chair, Vice-Chair and host of CEP IX) produced a stimulating non-paper, “Developing a Strategic Plan for the Committee for Environmental Protection.” The Workshop discussions were dynamic and thought-provoking, although regrettably the Workshop Report did not reflect adequately the texture of the debate, with many concepts worth exploring lost along the way. More than fifteen posters were prepared on a broad range of issues, although almost exclusively by English speaking countries (plus ASOC, COMNAP, and SCAR). Based on the discussion of small sub-groups the Workshop identified a range of key issues facing the CEP. A draft action plan was subsequently produced to discuss what should be done about those issues and by when, which was the most concrete and useful outcome of the Workshop.

34. One area receiving attention at the workshop was the provision of scientific advice to the CEP. Some Parties believe that SCAR is often late and/or unhelpful in the way that it provides information. This was again clear at CEP VIII, where SCAR failed to provide the requested assessment of macaroni penguin for listing as a specially protected species (apparently because SCAR wanted to ensure their format was correct), an action plan to accompany the proposed listing of southern giant petrels, the review of NZ’s Systematic Environmental Geographic Framework, or the paper on Hull Fouling. SCAR’s paper on marine acoustics also arrived only one week before the meeting, and its special working group of acoustics experts didn’t include biologists.

35. Although the CEP Workshop was considered a success, there was little substantive discussion about it during the CEP’s official meeting. UK introduced a paper summarising the outcomes
from the CEP workshop. This was not so much a report of the meeting as a list of things to do. Those items identified as needing urgent action during the Workshop were taken up during the relevant agenda item of the CEP. An ICG was set up to review the outcomes of the Workshop, drawing from the work undertaken by CCAMLR in developing a work plan for its WG-EMM as a model example, and taking into account the IPY planning work, and develop a 5 year forward prioritised action plan for consideration at CEP X.

ANNEX I – EIA DISCUSSIONS

36. The CEP considered Belgium’s draft CEE for construction and operation of its proposed research station at Dronning Maud Land. Belgium was praised for its inclusion of passive energy conservation architecture, wind and photo-voltaic energy providing 90% of requirements and waste-water treatment. While several issues were raised (relating to fuel storage, solid waste management, monitoring of station impacts, water generation, emergency facilities, the potential impacts of the nearby airstrip and the criteria used for assessing the intensity of environmental impacts, and impacts on wilderness), the draft CEE was considered to be consistent with the requirements of Annex I of the Madrid Protocol. Belgium noted that it will address these issues as far as it can, but also indicated that it cannot map the location of snow petrel colonies and lichens in the vicinity of the proposed station before construction commences. It will thus be difficult to ensure an adequate baseline for impact assessment.

37. ASOC thanked Belgium for the CEE, drawing attention to the reliance on renewable energy and the built-in removal plans, but also noting the impacts on the Antarctic wilderness and other intrinsic values of Antarctica resulting from the establishment of new stations in near-pristine areas. ASOC also stressed the need to carefully consider the ‘no-go’ option, and that the decision to proceed must be justified on scientific grounds.

38. The UK informed the CEP that the proposed construction and operation of Halley VI Research Station has been delayed to 2007/08-2008/09. The final CEE will be available at the end of 2006 and will also include the decommissioning and removal of Halley V.

39. ASOC introduced its paper on station sharing, noting that there continues to be a tendency to connect the construction of a station with ATCP status. This generated a substantive and interesting debate. ASOC stressed that the growth in construction of stations was generating additional and unnecessary impacts, and noted the need to prioritise Antarctic research and associate this with infrastructure requirements. We recommended that the CEP should take on the role to encourage station sharing and minimise infrastructure. Germany strongly supported the ASOC paper and the proposed outline of research/science needs which could be utilised by Parties interested in undertaking research/siting a new station. NZ and Australia were also supportive. Netherlands and France also supported the ASOC approach, drawing attention to the French-Italian station and the Dutch scientific programme, which is not based on a station.

40. India noted the concept looks great on paper, but suggested that sharing a station on a long-term basis may generate issues relating to liability and long-term commitment. Russia also seemed to think that station sharing raised a liability issue, although this possibility was discounted by other Parties. Argentina noted the importance of cooperation but also stressed the need for nations to direct their own research/needs.

41. Amazingly, little of this discussion was incorporated to the CEP report. Following ASOC’s prompting, a brief reference to the broad support expressed by many Members to the concepts expressed in ASOC’s paper was included in the Final Report of the ATCM.

42. After quite a good start, the discussion moved to self-applause for sharing of logistics and a plethora of proposed new projects involving land-based infrastructure followed:

- Italy introduced the IEE for Construction and operation of Enigma Runway for light aircraft at the Mario Zucchelli Station in Terra Nova Bay, noting that there will be impact
but expect this to be minor or transitory and stating its intention to undertake environmental monitoring.

- New Zealand noted that the US, Italy, Germany and New Zealand collaborative drilling project which was delayed for two years, will now go ahead this coming season. The draft CEE was presented to Madrid ATCM, and the final CEE has now been finalised and is available on request.
- The Czech Republic provided an update on construction of its Johnn Gregor Mendel Station in James Ross Island on the Northeast of the Antarctic Peninsula. The proposal was first presented in 2001, and the CEE was approved in Cape Town, 2004. Construction covered two seasons over 2005-6 and is now completed. They highlighted use of wind and photovoltaic solar energy for 65% of energy needs, as well as station design engineered for ready dismantling and minimal impact.
- ASOC noted that while it is positive that complex projects such as routes, subglacial lake drilling and station construction involved CEEs, it is important to ensure that these are not merely administrative processes, but that they improve environmental protection.

LAKE VOSTOK

43. The UK referred to new British research suggesting that some sub-glacial lakes are interconnected, and thus the possible contamination of one lake leading to contamination of others, and the implications of this to the Vostok drilling project. SCAR noted that several aspects still remain unclear, particularly time-flows of inter-connectedness. Russia responded with a history of the delays to their plans because of concerns expressed by the international community, noting that after 8 years, the project was resumed in early 2006. They noted that neither Russia nor the US have found any indication of outflow/inflow from/to Lake Vostok. Penetration to 3633 metres was achieved in 2005/2006 season, still 100 metres from the lake water. The permit for the coming season is for a further 23 metres, and penetration to water is expected in 2007/2008. Russia will present (but not discuss) a revised and updated CEE at the next ATCM regarding the penetration, given that new technology will be used, different drilling fluids will be employed, etc.

44. There was also some discussion of recovering the immense quantity of kerosene and drilling substances in the Vostok borehole(s), the first time this has been formally raised (by New Zealand), although it led to no action at this CEP.

45. Vostok-related issues were raised in numerous informal discussions with delegations as well as with SCAR, and it is clear that the overwhelming feeling among scientists knowledgeable about Vostok is that Russia should defer their plans. The fact that there is new data suggesting that sub-glacial lakes are interconnected only reinforces these views.

46. The situation at the conclusion of XXIX ATCM is therefore extremely worrying. While we may hope that Russia could still decide not to penetrate the lake, all the indications are that it intends to do precisely this next season. If that happens, we can only hope that no damage is done. Some delegates expressed concern as to how one would find out if damage did happen. But this is, by any calculus, a depressing state of affairs, given the widespread and reasonable concerns about the risks entailed in the proposed activity. It is, in our estimation, a serious indictment of the wider ATS that post-Protocol a globally significant feature – the seventh largest freshwater body on the planet – should be put at risk in this way.

ANNEX II – CONSERVATION OF ANTARCTIC FLORA AND FAUNA

REVIEW OF ANNEX II

47. This issue has been lingering since at least the XXVI ATCM in Madrid (2003), when the UK opposed any changes to Annex II on the ground that the original Annex reflected carefully negotiated political arrangements. Subsequently there has been little leadership within the Treaty System on this. This year the Legal and Institutional Working Group considered Annex II review at the request of CEP for advice, particularly with respect to the scope of the Annex – i.e., whether it should address all Antarctic living organisms. The WG tried to send the issue back to
the CEP and eventually deferred the issue to ATCM XXX, although the UK did prepare, on an informal basis, a revised working draft of the CEP’s draft that is based on the assumption there won’t be a significant increase in scope. It is also expected that the UK will bring a much more detailed set of suggestions to the next ATCM in the form of a working paper. A realistic assessment is that only slight amendment of Annex II will be agreed at XXX ATCM. The issue of Specially Protected Species under Appendix A of Annex II is dealt with separately below.

ACOUSTIC ISSUES

48. SCAR’s noise paper, which reflected the workshop it held in Cádiz, Spain in January, made some useful research recommendations that ASOC would agree with as a whole. Disappointingly there were no biologists or noise specialists at the Cádiz meeting, which is reflected in the Final Report as a result of Germany’s intervention on this. Among SCAR’s key points made in the oral presentation of the paper were:

At present there are no analyses of ambient noise in the Southern Ocean, or of the additional noise introduced by ships, radars, etc. We do know that the Southern Ocean is a very noisy environment (mainly ice-related but also underwater quakes and explosions), but we need to do better than that – to have a baseline. We have outlined some areas where shipping is concentrated, starting with the Peninsula, and one way forward is to measure ambient noise in a non-trafficked area. Germany says they will do it near Neumayer, and we need someone to do this in a heavy shipping area.

Regarding our recommendations about equipment, we have tried to include examples of all major examples of acoustic equipment operating in the Southern Ocean plus some (large gun arrays) that could be used in the near future. We have tracked all of the past seismic lines, which is a useful planning tool for COMNAP regarding future seismic work.

Note that just by pushing ships through ice one causes up to 200 db – a large spike. We need to consider all the elements of noise in evaluating risks to the marine environment. The number of ship visits per year in the Antarctic, including tourist vessels, is still low compared to other regions. Ship noise from tourist vessels can be considered one of the highest potential sources of impact to marine wildlife, along with all other ships, while it appears that seismic noise from air guns is going down.

Regarding mitigation measures, there is a shortage of data in most all areas about their efficacy. So, although soft start, ramp up, etc. helps, how much it helps is not known and scientists disagree. The MMC has focused more attention on military sonars, and there is evidence linking their use to harm, but those sonars are not being used in Antarctica. There are technologies, such as infrared cameras, which can help avoid harm. Steps such as reducing propeller noise can come only with new ships, so big time lag.

49. COMNAP produced a very useful paper on the sources of noise produced by vessels in the Southern Ocean. ASOC welcomed COMNAP’s involvement in this issue. There was a broader discussion than in past years, with comments from many countries about the significance of noise. Near the close of this agenda item ASOC was invited to introduce its noise paper, including our recommendations for taking precautionary actions in the near future:

The international profile of undersea noise has been rising in the past few months in various forums. Although noise levels are lower in the Antarctic than elsewhere, there are reasons to be concerned. We welcome SCAR’s recommendations. There are data gaps concerning noise levels, so research is appropriate, but also management measures would be useful. Our recommendations are that noise impacts should be subject to impact evaluation, which could be the subject of a Resolution of the meeting. We
recommend monitoring of all ships using high-level noise instruments, and that mitigation measures be taken. We note the resolution coming forward from the legal group on greater cooperation between CCAMLR and ATCM, and suggest that acoustics is a good area for such cooperation. Also, there should be some protected areas where high-intensity noise is a problem.

50. Russia welcomed SCAR’s and ASOC’s papers but said that our recommendations were premature given the SCAR paper’s recommendations. The Chair thanked ASOC and agreed to come back to the issue again next year, including reviewing the IWC Scientific Committee Seismic Report, which ASOC raised in its intervention.

51. There was some discussion about the relevance of sonar in the Southern Ocean, mainly comments from a few countries that because there are no military activities in the region, military sonar information is not useful in the Antarctic context. This was focused on ASOC’s paper, which for the third straight year tried to bring to the meeting an overview of all noise issues, of which military sonar is one of the most significant.

INVASIVE SPECIES

52. The ATCM accepted the advice of the CEP to adopt the Recommendations of the Non-native Species Workshop hosted by New Zealand prior to the ATCM. These include adoption of a “zero tolerance” approach, establishment of non-native species as a standing item on the CEP agenda, the sharing of information with, seeking advice from, and coordinating action among other bodies, notably SCAR, CCAMLR, COMNAP, IAATO, IUCN and other organizations as appropriate (e.g. IMO), encouragement of research to increase our understanding of existing biological and genetic diversity, species distributions, and bio-geographic zones; the potential implications of a warming climate, and identification of high risk areas and ecosystems; and the inclusion of non-native species concerns in existing procedures and practices; notably EIA procedures and the protected areas system.

53. It was stressed that considerably more information is required to ascertain which are native species and which are introduced, and how do the native species establish in order to establish a baseline to help monitor the introduced / invasive species.

54. Related issues came up in the discussions of two Ballast Water exchange resolutions, and in papers submitted by several Parties about what introduced species have been found at their stations. One of the most important was by Russia (IP 71), which discusses research on King George Island, which brings together a global group of stations, with staff and equipment carrying various microbial populations. In some residential quarters at stations there were harmful concentrations of micro-organisms. Russia recommended that all Antarctic stations do microbiological monitoring to remove threats to the health of stations.

55. In the end, the process of keeping the Resolutions going forward (kind of a ping-pong game between the ATCM and IMO) has something positive in it, yet these types of resolutions are not legally binding.

SPECIALY PROTECTED SPECIES

56. Regarding listing of new species, the Stockholm ATCM asked SCAR to provide advice on the proposal to list the southern giant petrel as a specially protected species under Annex II of the Protocol, based on the IUCN classification for vulnerability of species. SCAR was asked to include a draft action plan with the designation advice so as to avoid unnecessary lag. SCAR also was asked to provide information on the status of macaroni penguins, which some believe should be given protected status.

57. Unfortunately, although SCAR tabled WP 038 supporting the listing of the southern giant petrel as worthy of protection, its paper was not a formal proposal for its listing and did not include the
required action plan. Further, it stated that they had become aware of new global data indicating that populations of southern giant petrels outside of the Antarctic are rising slightly to a ‘near-threatened’ global level but that the new data does not change the data for Antarctic populations. However, in spite of the plight of these birds, SCAR stated it could not recommend protected species status because the original terms of reference were based on global levels. They noted that this data will not be formally available for several months. Thus, no action could be taken and the issue was deferred.

58. ASOC expressed concern that southern giant petrels were not listed as a Specially Protected Species despite the clear information and recommendations available on WP 038 from SCAR. It further noted that the new data suggesting that southern giant petrels are not endangered globally did not apply to Antarctic population, and that the precautionary principle would suggest that it would be prudent to proceed with the listing.

59. No material on macaroni penguins was provided by SCAR.

60. Regarding De-listing of Fur Seals a decision was taken to de-list the two species of Antarctic Fur Seals. Five species of true seals (Family Phocidae) and two species of eared seals (Family Otariidae) spend all or some of their lives in areas governed by the Antarctic Treaty and derivative Conventions and Protocols. All species of southern fur seals (genus Arctocephalus) and Ross Seals were designated as “Specially Protected Species” under Annex II Appendix A of the Protocol on Environmental Protection to the Antarctic Treaty, (continuing a status first assigned in the 1960s).

61. ATCM XXVIII referred the proposal to de-list fur seals to SCAR. SCAR noted the remarkable recovery of the populations of fur seals, referencing this as a major conservation success, attributable to the concerted actions taken nationally and internationally to rescue heavily exploited populations from probable extinction.

62. SCAR reported that on the basis of the current population estimates, the continuing upward trend for the population, the continuing extension of the geographical area inhabited and the lack of any threats to the stability of the populations, Arctocephalus gazella (Antarctic fur seal) and Arctocephalus tropicalis (Subantarctic fur seal) do not require a Protection Action Plan, are not in need of any Special Protection and should both be removed from Annex A of Annex II of the Protocol. SCAR further recommended that as these are the only two species of this genus in the Antarctic Treaty Area, the wording in Annex II Appendix A of “All species of the genus Arctocephalus” can therefore be removed.

63. Australia, Germany and France supported the de-listing, but stressed the need to ensure that fur species remain under stringent protection of the Protocol and particularly Annexes I and II. New Zealand noted that this is a very important issue for New Zealand and asked that possible future threats be considered as well as past threats, stating: “We do not believe SCAR’s report adequately covers threats to the species. We believe that they will not be harvested because of general provisions in the Protocol. We suggest that the krill fishery should require observers because of by-catch of seals and also because of direct competition between seals and krill harvesting.” Chile fully supported NZ, including mortality from by-catch in krill fisheries, due to lack of control from observers. “While there have been some observers, we have a picture of the risk emerging. We will be discussing this measure in detail at CCAMLR, which must make such decisions. Re the “protection of a general nature” in the AT/Protocol, we await the draft measure.”

64. Norway got the last governmental word in, stating: “We got sound advice from SCAR on this and it is important to follow it.”
65. It was left to ASOC to articulate some points that we feel are pertinent to the overall context of the decision. ASOC’s intervention recognised the substantial work that has gone into WP 39 and expressed understanding about SCAR’s frustration at the time this process is taking:

While recognizing that fur seal populations have recovered – although the data is surprisingly weaker than we (and no doubt SCAR) might have hoped for, the question is really what consequences delisting might have in the real world. In this context, we note that fur seals are not neutral taxa - it is not as if we are considering a change of status for a species incidentally impacted, which has now recovered. Fur seals were deliberately harvested and overexploited. Other seal species, elsewhere in the world, are still being exploited, and other marine mammals are presently being harvested in Antarctic waters. As everyone here knows, these are contentious matters. Accordingly, ASOC is concerned that if fur seals are delisted without some very clear statement of intent regarding governments’ intentions for them, we may see them being killed in the Antarctic Treaty Area again. For our constituents – large international environmental organizations and animal welfare groups alike – this is a possibility of concern, whether it arises through scientific permits for culling to alleviate pressures on terrestrial vegetation or freshwater lakes, and/or commercial harvesting – either through direct interest in fur seals (unlikely as we may all expect this to be) or to create a precedent to support the exploitation of other marine mammals in the area. The likely public reaction in many of our countries to such contingencies can be guessed at. ASOC is not necessarily comforted by the promise that we would still have a requirement for permits under the Protocol, or that regulation of any emerging industry would be subject to CCAS – a now very old instrument imbued with an ethic that many in this room may now see as problematical. And we note that of course nobody has flagged an interest in commercial harvesting of fur seals – but that was inherently unlikely while the taxa was designated a Specially Protected Species. To conclude, we fear this could mean the introduction of new ethics in the Protocol: ‘rational use’ and ‘active management’. We believe that any moves towards these warrants caution, and should be only made as a matter of deliberate choice – not simply arise as a consequence of delisting of fur seals.

66. ASOC’s intervention on this issue was not recorded in the Final Report of the CEP. The UK – for it has always been the UK rather than SCAR per se, which has been interested in delisting fur seals – arrived in Edinburgh with a draft delisting Measure, finally adopted as Measure 4 (2006) – see Appendix 4. While the declaratory statements in the preambular paragraphs (the greatest ever seen in a Resolution) cannot guarantee that nobody will plan to cull or harvest fur seals, we have secured as clear a statement of intent as we could manage.

**MONITORING**

67. France reported the outcome of an Intersessional Contact Group on monitoring. From a methodological perspective, the key outcome of this work was to distinguish between operational monitoring (that is, monitoring key indicators of human activity) and environmental monitoring (that is, monitoring the effects of human activities on the environment using key environmental indicators).

68. ASOC thanked France for its work and noted that it looked forward to monitoring methodologies that could be readily applied, since monitoring issues had been discussed for many years during which time there had been significant changes in Antarctica that posed further challenges.

**ANNEX III – WASTE DISPOSAL AND WASTE MANAGEMENT**

69. There were no substantive papers or discussion on this issue.
ANNEX IV – PREVENTION OF MARINE POLLUTION
70. There were no substantive papers or discussion on this issue, other than the acoustic issues (discussed above) and the Ballast Water initiatives, whose focus is principally reducing the potential of introducing invasive species.

ANNEX V – AREA PROTECTION AND MANAGEMENT
71. The CEP is mandated by Article 12 of the Madrid Protocol to advise the ATCM on the operation and further elaboration of the Antarctic Protected Area system including proposals to declare marine protected/managed areas. CEP IX considered several management plans for new and revised ASMAS and ASPAs.

72. One of the more important ones currently under development covers the Larsemann Hills, whose ASMA Management Plan was jointly sponsored by Australia, China, Russia and Romania and has been in the process of development since 2001. It has gone through the inter-sessional review process that addressed all comments received. Unfortunately, despite several approaches, India did not engage in this process, although it already had stated the intention to construct a station in the Larsemann Hills at the Stockholm ATCM (2005). India’s preferred site, where a melon hut has apparently been located for over two seasons, is outside of the proposed Facilities Zone identified in the ASMA management plan.

73. ASOC noted that the building of a new base in the Larsemann Hills represented a diminution of the wilderness values of the region. It also noted that the location of the proposed base should be decided after a CEE that has taken into consideration the alternatives.

74. India refused to consider a relocation of its proposed station – indeed continued either in complete ignorance or total disregard of the impacts of their proposal – and the changes to the Management Plan required to accommodate their plans were too significant to be done during the meeting. The ASMA will now require significant adjustment and will be resubmitted, hopefully, to the next ATCM. Meanwhile, efforts remain underway by both ASOC and some governments to encourage India to reconsider and to share the Australian Mawson station instead of constructing a new station.

75. Chile put up a revised Management Plan for Antarctic Specially Protected Area No. 150 Ardley Island, which includes a tourist zone around a southern giant petrel colony. Following objections to the inclusion of a tourist zone in an ASPA designed to protect flora and fauna, the plan was referred to an ICG to be redrawn so as to permit continued tourist visits to the colony. While the overall size of the original ASPA will be reduced, the inclusion of a tourist zone within an ASPA would have suggested a significant change of policy and approach.\(^6\)

76. After 10 years of consideration, Admiralty Bay ASMA proposed by Brazil, Peru, US, Poland and Ecuador was adopted. These five nations operate in the area. This ASMA has a marine component, which has been considered and approved by CCAMLR.

77. There was consideration and approval of an ASPA at Edmonson Point, Wood Bay, Ross Sea (proposed by Italy), which includes a marine component; the designation of a Specially Protected Area at Port-Martin, Terre-Adelie (proposed by France), to preserve the site of an historic landing; a revised Management Plan for Antarctic Specially Protected Area 127 on Haswell Island and Adjacent Emperor Penguin Rookery on Fast Ice (proposed by the Russian Federation); a Revised Management Plan for Antarctic Specially Protected Area No 136 on the Clark Peninsula (originally SSSI 17) to make a small boundary revision; a revised Management Plan for ASPA No 116 on Cape Byrd, to map recently recognised re-vegetation areas and clarify boundaries; a revised Management Plan for ASPA Nos 131 for Canada Valley in the Dry

\(^6\) Note that the existence of this tourist zone was used by France as one of the arguments to support the establishment of ASTIs.
Valleys, with only minor changes; and a revised Management Plan for ASPA 134 on **Cierva Point** (proposed by Argentina).

78. Australia’s proposal for a new ASPA for **Hawker Island, Vestfold Hills**, which contains a breeding colony for Southern Giant Petrels, a critically endangered species in Antarctica, was also adopted without the usual year’s delay.

79. The CEP also considered a proposal for the establishment of an ICG to formalise the development of a management plan for **Filides Peninsula and Ardley Island**, incorporating ASPAs 125 and 150 (proposed by China, Russia, Uruguay, Chile and Korea, Germany). Germany noted they drew on environmental reports of the area provided by Greenpeace between 1988 and 1997 as well as inspection reports in 1999 and 2005 in preparing this proposal. Unfortunately Germany did not appear to have reached a consensus among the various Parties working in the area prior to coming to the ATCM – notably Chile. There was considerable opposition, led by Chile and supported by a few other states, to the approach proposed, with most speakers preferring the methodology used for the Deception Island ASMA.

80. Following a public debate and extensive private consultations, it was agreed that an international working group involving interested Parties should be established in order to discuss management approaches, possibly aiming at drafting a management plan for an ASMA covering the Filides Peninsula Region. This process would include Chile hosting a workshop. This would be the third workshop on the establishment of an ASMA at Filides Peninsula, but the first one in which Chile participates.

81. In this issue there were unmistakable overtones of assertion of territorial claims.

82. A progress report was provided on the implementation of the **Deception Island Antarctic Specially Managed Area (ASMA) Management Group** by Argentina, Chile, Norway, Spain, UK and the US. Previously reported conflicts of interest between science and tourism on the island have reportedly been largely resolved. There were concerns expressed about the proliferation of graffiti at HSM N° 71 at **Whalers Bay** and about uncontrolled yacht visits to the Island. A new website (www.deceptionisland.aq) has been launched this year in English and Spanish describing the most relevant aspects of the Deception Island ASMA, which includes a discussion forum for exchanging information.

83. Progress was made on establishing a **Systematic Environmental Geographic Framework**. Since CEP VIII, New Zealand has been classifying Antarctic environments using Environmental Domains Analysis. A fine-scale classification will soon be available for the Larsemann Hills ice-free area. Better incorporation of ice-free terrain into the continental classification will further improve the classification. The “proof of concept” classification provides a scientifically sound basis for differentiating parts of the ice sheet.

84. The **CCAMLR MPA** process was discussed both on its progress and in terms of greater cooperation between the ATCM and CCAMLR. To date there has not been much application of the Protocol’s provisions for protected areas with marine components, Annex V, Art. 6 (2) requires that “no marine area shall be designated as an Antarctic Specially Protected Area or an Antarctic Specially Managed Area without the prior approval of the CCAMLR”. The Stockholm ATCM adopted Decision 9 (2005), “Marine Protected Areas and other areas of interest to CCAMLR”, updating an earlier Decision providing for submission to CCAMLR for its consideration of management plans for proposed protected or managed areas that include a marine component. For the purpose of the implementation of Article 6.2 the Decision states that draft management plans that contain marine areas which require a prior approval of CCAMLR

---

7 The yachting community is not represented at ATCMs and is the target of criticism by the industry and others. Criticism is sometimes justified, however yachts are often used as scapegoats and described as a potential threat larger than that of mainstream tourism.
are those in which there is actual harvesting or potential capability of harvesting of marine living resources which might be affected by site designation; or for which there are provisions specified in a draft management plan which might prevent or restrict CCAMLR related activities. Furthermore, CCAMLR shall also consider proposed designations that might have implications for CCAMLR Ecosystem Monitoring Programme (CEMP) sites.

85. CCAMLR tabled a paper reporting on the outcome of its 2005 MPA workshop and the consideration of the workshop’s recommendations at the SC-CAMLR and CCAMLR meetings in 2005. CCAMLR has identified a workplan for developing a system of marine protected areas including holding another workshop to advice on bio-regionalisation of the Southern Ocean, establishing a joint Steering Committee and CEP, and inviting CEP to initiate work necessary to develop a bio-regionalisation of the coastal provinces.

86. The UK tabled a paper basically restating the outcomes of the 2005 CCAMLR MPAs workshop, which resulted in a series of recommendations to the CCAMLR SC that were subsequently adopted at the 2005 CCAMLR Scientific Committee and Commission meetings. CCAMLR then established the terms of reference for CCAMLR Members to take further action to elaborate the principles, practical guidelines and scientific requirements for MPA development, including representative areas, scientific areas and areas potentially vulnerable to impacts by human activities.

87. CCAMLR established a Steering Committee to coordinate and facilitate this work, and requested that a member of the CEP join the Steering Committee. The recent discussions and recommendations on MPAs adopted by CCAMLR are a major step forward in the development of a comprehensive marine protection strategy for Antarctica and the Southern Ocean. They also have important implications for interaction and cooperation between the instruments of the Antarctic Treaty System. It is now timely for the CEP to clarify its potential role in achieving objectives relating to MPAs, particularly through cooperation with CCAMLR.

88. Spain indicated its concern about the development of marine protected areas system, obviously worried about the impact of marine protected areas on its fishing effort, and stressed that MPAs should be limited to coastal areas, at least initially. Russia also noted that it was important to consider whether we should be protecting ecosystems or species and then designate areas for protection on the basis of science.

89. ASOC expressed a desire to be involved in the process and drew particular attention to the determination of areas requiring interim protection while other tasks are underway.

90. Regarding the proposal for inspections of Protected Areas, there was agreement to “ground-truth” a checklist for such inspections.

**KRILL ISSUES**

91. ASOC presented its IP108, outlining the Antarctic Krill Conservation Project. The highlights of the intervention stressed:

> Krill is central to Antarctic food web, and there are warnings from scientists that localized depletion may be harming other species. Not enough is known about effects of climate change impacts. New technology has been developed by Norway, which poses additional risks. The krill fishery presently is not managed on the same basis (monitoring, control and surveillance) as other fisheries. There are not precautionary catch limits at sufficiently small scales. There is a need to sub-divide krill fishing. We support the view that it is inappropriate for CCAMLR to delay while waiting for information, while at the same time it must be flexible in being able to take account of new information. CCAMLR’s own rules under Art. II (b) and (c) require a precautionary basis. One of the specific measures is to have observers on board krill vessels, which was brought up in plenary earlier regarding by-catch of fur seals. We
believe that a mandatory Vessel Monitoring System rule is needed, that there should be a reporting requirement at a finer level of detail, and submission of detailed fishing plans. Regarding a Catch Documentation Scheme, we’ve had a number of discussions with scientists here, and may remove it from the list since there is no Illegal and/or unreported fishing for krill, but it could be a useful tool on the economic/marketing level. Note that demand is driven by aquaculture. This initiative offers the chance for CCAMLR to be the premier institution globally implementing ecosystem management on a precautionary basis.

92. Australia, France, UK, Chile and others expressed thanks to ASOC for raising an important issue. Australia noted its IP25, which discusses an important krill survey in one area, “which we believe is the type of research needed to put into effect the measures ASOC has suggested. The krill fishery is unique in that the actual catch is lower than the allowable amount, which means we can take steps to manage the fishery correctly.” The UK and Chile both stated that it is for CCAMLR to take action, which ASOC expressed agreement with, noting its desire “was simply to inform delegates about this important new effort, which we are pleased is being supported in IPY.”

93. Chile provoked an interesting, and hopefully not too telling, discussion by stating: “We do not have an active krill fishery.” Later in the debate, Chile said its salmon farms did not use Norwegian krill. We decided not to deal with this on the floor but to try and discuss it with Chile directly. In the end, the Chilean represented admitted that Chilean companies do use krill from Norwegian companies but would not agree to be clear in the report language on this issue.

94. In conclusion, ASOC noted its appreciation of the positive comments about the paper. “We would like to stress the importance of precaution that Australia has raised – an ounce of prevention is worth a pound of cure. We know that CCAMLR is the decision-making body and will be submitting a similar paper there. We brought it here as an Information Paper given the role of the ATCPs in negotiating CCAMLR.”

INTERNATIONAL POLAR YEAR

95. Dr David Carlson, Director of the IPY Programme Office, gave an audio-visual presentation to the meeting on the International Polar Year. He emphasised the huge opportunities offered by the IPY for international collaboration in science and outreach programmes. He highlighted the various themes covered by IPY projects. Some 50,000 participants from 60 countries will be involved in IPY projects. He commented that IPY was a rare and unique opportunity for the Antarctic legacy and its sustainable future. He pointed out that for the North there were indigenous peoples who would speak for the Arctic environmental legacy of the IPY but questioned who would speak for the Antarctic environmental legacy.

96. Regarding Krill Research, one of the principal areas in the IPY, Dr Jon Watkins’ described the plans underway for the IPY, and in general the crucial ecosystem role played by krill – including lots of excellent graphics. He stated:

We are facing major questions – IPY is the opportunity to bring together biology and physics in ways we haven’t been able to do. 71% of the earth is water, which has very important roles in biology as we all know. The marine food web moves CO2 from surface to lower levels. We know that we depend on oceans for food supply, yet the fisheries are almost all over-exploited; ecosystems are changing; and by-catch is large. The Southern Ocean has characteristics that make it possible to learn about ocean processes globally, including its large scale (10% of all oceans), its inter-connectedness to other oceans, its circumpolar flow. Fisheries in the Southern Ocean are supposed to be subject to the ecosystem approach, and because of history, there is more cooperation there than in most other areas. The two big physical drivers in the Southern Ocean are the major flows (the Antarctic Convergence is the fastest moving in world) and the extent of its sea-ice.
In the center of the food web is krill, which dominates most of the pathways to other species at both higher and lower levels. *Euphausia superba* is found all around the Antarctic, with data irregularly obtained from the 1920s to 1950s, but there is increased density the Scotia Sea and Peninsula sector – maybe 50% of total. There have been significant longer-term changes in the Antarctic ecosystem, both because of harvesting by humans over 200 years, which removed an immense amount of biomass, and because of climate change. One of the big questions is what will happen to the ecosystem in the future – will it return to original levels?

The Peninsula is one of the most rapidly warming regions on earth. The duration of sea-ice in winter is diminishing, particularly in Scotia Sea and Peninsula, which is where the greatest concentration of krill is, and over the past 25 years there is a steady downward trend in krill abundance, which is linked to declining sea ice. Over past 100 years steady decline in macaroni penguins. What can we see for the future? Potential food web changes, perhaps rapid. Krill could be superceded by salps, which favor warmer, saltier water.

In the past, besides Discovery, we had BIOMASS in the1980s, the CCAMLR 2000 survey, and GLOBEC. IPY will bring physics and biology together. One project involves ICED (integrated analysis of circumpolar climate interactions and ecosystem dynamics), which brings together climate and biological modelling. CCAMLR is doing another large multi-disciplinary survey for krill in 2008, plus a Census of Antarctic Marine Life (CAML).

97. Regarding Climate Change, which will constitute about 1/3 of IPY research, Dr Robert Bindschadler stated:

Warmer climates always lead to less ice – paleo-climate data is unequivocal. But how we get to less ice is not clear – the processes are not known, but it is more than just melting – there are dynamic aspects of ice-sheet behavior. The Antarctic ice caps contain 70-80% of all fresh water on earth. How vigorously is mass exchanged between the ice sheet and the ocean? Glaciers and ice caps are very vigorous. What’s going to win? Increased discharge – paleo records are clear. In the Antarctic, the warming oceans are the likely explanation for greater melting of ice sheets. Ice shelves in Peninsula are retreating rapidly. Is Greenland a precursor for Antarctica? Probably. Things are changing faster than we ever expected.” In response to a question, Dr Bindschadler noted: “If either the Greenland or West Antarctic ice sheet were to melt, sea-level rise would be about 5 meters. Estimated cost to the US for just a one-meter rise would be more than $400 billion. We see in the sea-level record instances where rises were very rapid, 50 times what we see now.

98. Some representatives expressed concern about the effect that so much activity during the IPY would have on the Antarctic environment and encouraged others to consider joint logistics whenever possible. To this end it was suggested that Parties make known their research plans as soon as possible. Although one representative expressed disappointment that the CEP had not been more pro-active in feeding into IPY plans at an earlier stage, others noted that opportunities remained to create political momentum during the IPY through outreach programmes.

99. ASOC introduced IP 64, A Glimpse into the Environmental Legacy of the IPY 2007-2008, which shows that a large number of projects are planning to leave physical infrastructure in Antarctica and at least 20 projects may need to submit IEEs and CEEs by 2007. ASOC involved with a formal project in the IPY 2007-08, so that it could act as a “voice for Antarctica.”

8 At the time of writing this report ASOC is developing such a proposal.
100. A working group on an IPY Declaration met several times and prepared a working draft for decision by the ATCM. ASOC participated actively on this. The ATCM adopted the Edinburgh Declaration on the IPY, which confirms political and financial support for the IPY.

SCAR SCIENCE LECTURE: CLIMATE CHANGE
101. Valérie Masson-Delmotte gave the SCAR science lecture this year, entitled ‘Climate change: an Antarctic perspective’. The paper and powerpoint of the presentation are available on the SCAR website: http://www.scar.org/communications/. The presentation showed that Antarctica is a crucial area for extracting key information about past climate and environmental change; that extracting this information generally requires very significant coordinated national operational support; that Antarctica is experiencing large changes today, which are expected to increase with the increasing human emissions of greenhouse gases (+20 % since 1990); and that the Antarctic environment and biodiversity are particularly vulnerable to climate change and human pressure. The uncertainty about the impact on Antarctica, and on global projections, is compounded by a poor knowledge base – that is, large areas of Antarctica are still poorly known and past climatic knowledge is still very poor. The charts presented show temperature rising steadily since 1880, and 0.6 C since 1960:

There are areas warming more than others – in the Arctic and along the Antarctic Peninsula, and land warms more quickly than oceans. It takes about 500 years for a complete cycle in the global ocean system. We have accurate temperature records in the Antarctic only for last 50 years. Antarctica is a key area for global climate processes, partly because of intense exchanges between ocean, sea-ice and atmosphere. The Antarctic ice cap contains 70% of fresh water on earth and is a long-term climate memory of the world (average of 125,000 years). In deep cores there are air pockets trapped that show the atmospheric composition, including greenhouse gases. The presentation described the EPICA A ice core at Dome C in 2004, which went to 3270 meters and recovered cores about 800,000 years old. Vostok is about 400,000 years old. Dome F ice cores are about 1 million years old. “We are about 30% higher in CO2 while methane is double. What we are doing now has no analogue in the past. We are facing unprecedented change in the atmospheric composition due to human activities in the industrial era.” Our climate models capture the main features of the past. Extrapolating from this record, coupled to the modelling, suggests a huge increase in temperature based on rising CO2 levels – up to 6 degrees centigrade if CO2 levels go up 4 times.

102. The take-home messages from this sobering presentation were:
- Antarctica will continue to warm, with profound implications for global sea level.
- The models of future climate change need to be improved through approaches such as targeted ice coring programmes to give more reliable predictions on which to base decision making.
- Only in Antarctica can we gain the long-term data needed for this, so more investment is required in ice coring and climate modeling to ensure more accurate predictions of future changes.
- Action is required urgently by all governments to reduce the pollutants that are causing global warming. Time is running out.
TOURISM

103. ASOC tabled two papers on tourism, IP 65 on site-specific guidelines, and IP 120 on strategic issues. These are discussed separately below. The discussion on tourism took place in the Tourism Working Group chaired by Michel Trinquier of France. The issues discussed under this agenda item were divided into the following broad categories, not all of which will be discussed here:
- Trends in Tourism
- Site Guidelines for Visitors
- Land-based infrastructure for Antarctic tourism
- Strategic Issues
- Accreditation

104. There was a reasonably robust discussion of some aspects of commercial tourism this year, which is positive, even though relatively little was agreed on at the end of the day, and the number of Treaty Parties that engaged on this agenda item remains somewhat limited (Argentina, Australia, Chile, France, Germany, India, New Zealand, Russia, UK and US. Both ASOC and IAATO actively participated in the debates.

105. For the past five years, the UK has been the most solid supporter of IAATO, and seemingly reluctant to see any regulatory inroads into industry “self-regulation”. Shortly before the ATCM commenced ASOC heard that the UK delegation was pursuing controls on both large ships and tourism infrastructure ashore – both issues long supported by ASOC (and some Parties), but which had previously not appeared to attract significant UK support. The UK stance for Edinburgh was not reflected in any Working or Information Paper, but in media stories attributing clear statements to the Head of Delegation, Dr Mike Richardson. At the meeting, it transpired that the UK proposed to address both large ships and infrastructure ashore via two Resolutions. While merely hortatory, ASOC viewed these as both useful immediate steps, while discussions proceeded on what more permanent approaches were appropriate, and significant as indicators of a UK commitment to some form of tourism regulation. However, although the majority of states supported these proposals, the US vetoed both of them (and Chile took the lead in opposing the Resolution on land-based tourism infrastructure). They argued that the solution is the application of the Protocol by Parties – despite the repeated and clear statements by numerous Parties in recent years that the Protocol does not provide a sufficient legal basis, and indeed their own recognition that US implementing legislation lacked this capacity too – and that the absence of a paper laying out these proposals was, somehow, a problem.

106. ASOC spoke in support of the UK proposals, noting that whereas we and IAATO did not always see eye to eye on the matter of tourism regulation, we were in concert on the merits of these proposals; that it was surely not (in the case of 500 passenger limits) the ATCM’s intention to undermine a standard which IAATO had already adopted for its own members; that these proposals were, after all, merely hortatory; and that if the meeting could not even agree to these reasonable little proposals, those outside the meeting might wonder whether the ATS was indeed taking its duties seriously. We developed these themes in the story ‘US blocks tourism agreement’ in ECO 5.

107. Regarding the debate on the proposed Resolution to discourage land-based infrastructure, the most visceral opposition came from Chile. It noted that it has territorial claims over the Antarctic Peninsula and that as part of those claims it has given its Ministry of Public Assets the authority to grant concessions over the use of Antarctic infrastructure. A ban on land-based tourism infrastructure would place unacceptable restrictions on the autonomy of that national authority, and therefore Chile could not agree to it. Chile noted that there was absolutely no possibility that it would ever change its position on this matter. However, it also stated that it did not desire land-

---

9 See ‘Antarctic luxury cruises ‘a disaster waiting to happen’’ The Scotsman 13 June.
based tourism infrastructure and that the Antarctic Treaty states should prevent it from developing. Argentina opposed a ban on infrastructure that included only future infrastructure, noting that there were already examples of land based tourism infrastructure such as those used by Chile and the UK. Argentina noted that it would in principle consider favourably a ban on both existing and future infrastructure.

108. There were several comments to the effect that the EIA process could be used to deter land-based tourism. ASOC noted that the application of EIA is in itself insufficient to limit the development of tourism land based infrastructure and that there were already examples of tourism infrastructure ashore. In addition, ASOC noted that most EIAs submitted to the CEP to date had been IEEs rather than CEEs, and no CEE to date had addressed tourism activities.

109. Seeing that the discussion on land-based tourism was coming to an end, ASOC stated that it opposed this type of tourism in all its forms. It further noted that land-based tourism is an increasingly complex issue since it is already taking place in Antarctica. Although this practise is not yet widespread, in its view there is an urgent need for Parties to prevent further land-based tourism infrastructure to develop. ASOC regretted that no Resolution addressing this issue had been reached in Edinburgh.

110. Despite the strong opinions expressed by various Parties on these issues, the stand-off was mainly between the UK and US on the two draft Resolutions. The UK launched the most trenchant criticism of the US position that any of us have ever seen in an ATCM – all the more striking and significant coming from what is traditionally the US’s closest ally on just about everything bar the English language. But, regrettably, the US was intransigent, and thereby ensured that no agreement whatsoever relating to tourism regulation came out of the meeting.

111. Aside from the specific discussion of land-based infrastructure and ship size/carrying capacity, and the usual range of IAATO papers, there was some discussion around what we have termed the “strategic” issues – the scale, trends and wider implications of ever-growing commercial tourism. This part of the discussion was led by New Zealand WP 15, and led into ASOC presenting IP 120. We received fairly positive comments on this paper. Not that this should be taken as support for all our concerns; quite clearly our warnings about geopolitical instability and the complications around sovereignty (while privately concurred with) are not the sort of matters where anyone is likely to publicly applaud us. In one of its interventions, ASOC noted:

112. Tourism and non-governmental activities have been a standing ATCM agenda item since 1966. The scale of Antarctic tourism has grown rapidly from 6,500 passengers landed in 1992-93 to almost 31,000 entering the Treaty Area in 2005-06, of which 26,000 landed. Ship numbers have also increased from 11 in 1992-93 to over 45 last season. The International Association of Antarctic Tour Operators (IAATO) represents 80 Antarctic tour operators (95% of all Antarctic tour companies) at the ATCM.

113. IAATO intervened quite frequently. The presenter of IAATO’s opening report stated:

    Last year we grew to 75 members (up 6), including ship-based operators, charterers, yachts, ship agents, government organizations, conservation organizations. We implemented IAATO-wide procedures to manage tourism in Antarctica, and include most all operators – for those we don’t cover, we maintain communications. Have set up scheduling program that allows us to self-regulate “one ship at one time at one place”. A new vessel data center was set up, to manage any kind of environmental emergency. We updated site-visits reporting to get rid of duplicates in the statistics. Regarding the Peninsula, we know it is the area of most interest to tourism, so have been working on how to manage it better. Emergency medical operation plan worked well – four on King George, using Chilean Marsh station, and one at McMurdo. We have evaluated the site-specific guidelines, including the inspection, and support the
guidelines in WP 1 for this ATCM. At our annual meeting April 24-27, about 100 people came from governments, operators and conservation groups. Worked with COMNAP on logistics and site guidelines, and IHO. Tourism is growing but we believe it is managed well. The EIA system is working. We implement guidelines, recommendations and measures on continuing basis, and are proud of our efforts.

114. WP 23 introduced by Russia proposed a database where all ships going to the Antarctic must check in at their final port before entering the Southern Ocean in an attempt to prevent unauthorized visits to the Antarctica. There was a long pause before comments. US already requires an IEE passed through the EPA for all tourist ships. Argentina already has a permit system. France said there’s a timing issue—by the time permits arrive, the expeditions have already happened. New Zealand suggested passing this to the tourism Working Group. In the end, this couldn’t be resolved. This is at least the second ATCM in which Russia voiced strong concerns about supposed rogue NGO operators and proposed to clamp down heavily on them. However it is unclear to whom exactly Russian officials are referring. Most tour operators are IAATO members, and it is generally known who the rest of tour operators are. The only operators outside this list are a handful of private, commercial or semi-commercial individuals or entities that travel in private vessels, and one or two NGOs such as Greenpeace and Sea Shepherd.

115. As at the XXVIII ATCM in 2005, France reintroduced the concept of Antarctic Specially Managed Areas (ASTI), this time as a Working Paper. However, the suggestion did not generate any positive reaction. ASOC thanked France for an interesting paper and noted that it offered new approaches and perspectives about the understanding and management of tourism that was lacking in other analysis.

SITE GUIDELINES FOR VISITORS

116. This topic received substantial attention during the two-week meeting. The UK introduced a paper summarising the work of the CEP ICG on Site Guidelines for Visitors to Antarctica, which included an on-site review of most of the sites for which site-specific guidelines exist. It noted that the four Site Guidelines adopted under ATCM Resolution 5(2005) have been revised and draft Site Guidelines have been prepared for a further seven sites. The ICG noted that the Site Guidelines submitted are based on the current level of visitation to each site, and the CEP agreed to review the concept of maximum daily visits. The ATCM adopted the revisions to the four Site Guidelines and the seven new Site Guidelines. It further agreed that future Site Guidelines will be prepared along similar lines.

117. ASOC introduced IP 65, “Managing Antarctic tourism: A critical overview of site-specific guidelines,” which noted some of the positive and negative aspects of the site-specific guidelines approach,” emphasizing that the process of turning a place into a tourism destination was accepted uncritically by ATCPs despite the actual and potential environmental risks, and conflict with scientific values and uses. We noted that site-specific guidelines are a non-binding tactical response to tourism developments and currently cover only a small percentage of sites visited by tourists.

118. While there had been initially great enthusiasm for the concept of site-specific guidelines (including at least one Party developing the equivalent of site-specific guidelines for its stations) the Meeting recognised the inherent limitations of the approach and described it as “…only one component in the concept of an environmental management toolbox.”

119. Adding it all up, the discussion on limits to tourism (albeit how those limits might be determined, let alone set, has a way to go) went better at this meeting than previously, but without true substantive outcomes. Overall, the atmospherics around tourism regulation improved in Edinburgh. With the UK’s stance somewhat changed (and despite its failure to achieve its proposals) the debate had a depth previously lacking. As a delegate noted, the ATCM almost
always moves forwards, seldom backwards, so we are likely to see progress on these issues in the future.

**BIOLOGICAL PROSPECTING**

120. Three papers were tabled: French IP 13 (a development of an academic paper published earlier in the year), which examined issues related to a putative legal regime, addressing, inter alia, the international legal context, who might be a competent authority for authorising the activity, environmental considerations, implications for free availability of scientific results, and benefit sharing. It concluded that a political solution was necessary. The paper drew heavily on Hemmings and Rogan-Finnemore 2005\(^\text{10}\). Argentina’s IP 112 was a report on Argentine bioprospecting activities, and their work on bioremediation. This was a very useful short paper, not least because it provides a model of the sort of simple annual exchange of national bioprospecting practice that is envisioned in Recommendation 2 of Resolution 7 (2005). UNEP’s IP 116, produced by the Institute of Advanced Studies of the United Nations University, was a further development of the extremely useful role it has taken on in annually updating the ATCM on commercial and scientific developments and trends in Antarctic bioprospecting.

121. Useful as these papers were, each was only an Information Paper, and both general practice (and the seeming position of some states – including the US at this meeting) is that substantive discussion of an agenda item hinges on a Working Paper. While this did not inhibit many states from discussion, neither the US nor Japan spoke on this agenda item other than to block a proposal for intersessional work on the ground that this was premature.

122. Norway raised the interesting issue of whether it should be considered right to patent material taken from Antarctica, and noted that they were in the process of developing regulations in Norway. Italy specifically thanked Argentina for its paper, which it said showed that it recognised its duty in relation to Article 3 of the Antarctic Treaty and provided a model that should be followed by others. Chile noted the need for an orderly legal development.

123. ASOC made an intervention noting that the ATCM had an excellent discussion last year that resulted in Resolution 7, welcoming the three papers introduced and mentioning Argentina’s in particular), as an encouraging response to Recommendation 2 of that Resolution. We noted that they covered a diverse range of aspects of biological prospecting, revealing the complexity of the issue. ASOC suggested that subsequent ATCMs could explore what biological prospecting is underway in Antarctica, drawing on the example provided by Argentina this year. This would help in defining the term and deciding what parts of the activity fell to the ATS to concern itself with.

124. The substantive difficulty with biological prospecting is the unwillingness of Japan and the United States in particular to enter into detailed discussion of the issue, precisely because they are beneficiaries of a ‘no-regulation’ arrangement (as on other Antarctic resource/commercial issues). Other states, some of which have their own concerns about opening up this issue, take this stance by such significant states as necessarily foreclosing the debate. An encouraging development at this ATCM was the indication that at least some states are at least beginning to talk to each other about the core issues.

**Liability**

125. Annex VI on *Liability Arising from Environmental Emergencies* was adopted in Stockholm. While the Annex is a reasonable ‘first step’ towards comprehensive liability rules, it only deals with response action to environmental emergencies in certain circumstances. Decision I(2005) adopted by the Stockholm ATCM requires an annual evaluation of progress towards the entering into force of the Annex and any action that may be necessary to encourage Parties to approve the Annex, which allows Parties to keep the issue on the table. Decision 1 (2005) also

---

\(^{10}\) *Antarctic Bioprospecting*. 
requires a decision of the ATCM by 2010 on the establishment of a time frame for resumption of negotiations to elaborate more comprehensive rules on liability for damage arising from Antarctic activities, as obliged by Article 16 of the Protocol, which this first Protocol does not address.

126. Sweden is the only Party so far to have implemented Annex VI, via a Statute. About half the Parties indicated that they have initiated the process of implementation, although in most cases this seems to mean merely that inter-agency discussions about the modalities and options for domestic legal development have begun. Many of these indicated that they probably will need to pass domestic legislation to enact Annex VI, and our enquiries suggest that in most cases such legislation is several years away. There was an extensive question and answer session following Sweden’s explanation of its Statute, regarding several practical aspects of how to implement particular provisions of the Annex. Some negotiators agreed to establish an informal email consultation group to share questions and answers further.

127. The fact of Swedish implementing legislation is extremely important. Its imminence appears not to have been widely known pre-ATCM. The fact that one state has created legal tools increases the pressures on others to do likewise.
APPENDIX 1: GLOSSARY OF ANTARCTIC TERMS RELEVANT TO ATCMS

ACAP  Agreement on the Conservation of Albatrosses and Petrels
AEON  Antarctic Environmental Officers Network
ASMA  Antarctic Specially Managed Area
ASOC  Antarctic and Southern Ocean Coalition http://www.asoc.org/
ASMA  Antarctic Specially Managed Area
ASPA  Antarctic Specially Protected Area
ASTI  Area of Special Tourism Interest (None designated)
ATCM  Antarctic Treaty Consultative Meeting
ATCP  Antarctic Treaty Consultative Party
ATS  Antarctic Treaty System
CCAS  Convention on the Conservation of Seals
COMMISSION  Commission for CCAMLR
CEE  Comprehensive Environmental Evaluation
CEMP  CCAMLR Environmental Monitoring Program
CEP  Committee for Environmental Protection (of the ATCM) http://www.cep.aq/
COMNAP  Council of Managers of National Antarctic Programs http://www.comnap.aq/
CRAMRA  Convention on the Regulation of Antarctic Mineral Resources (Not enacted)
EIA  Environmental Impact Assessment
GOSEAC  Group of Specialists on Environmental Affairs and Conservation
HCA  Hydrographic Committee on Antarctica
HSM  Historic Sites and Monuments http://www.cep.aq/
IAATO  International Association of Antarctica Tour Operators http://www.iaato.org/
ICG  Intersessional Contact Group
ICSU  International Council of Science Unions
IEE  Initial Environmental Evaluation
IHO  International Hydrographic Organisation http://www.aho.shom.fr/
IMO  International Maritime Organisation http://www.imo.org/
IOC  Intergovernmental Oceanographic Commission http://ioc.unesco.org/iocweb/
IP  Information Paper presented to either the ATCM or CCAMLR.
IPO  IPY Program Office
IPY  International Polar Year
IWC  International Whaling Commission
MARPOL  International Convention for the Prevention of Pollution from Ships
PA  Preliminary Assessment
SATCM  Special Antarctic Treaty Consultative Meeting
SCALEP  Standing Committee on Antarctic Logistics and Operations
SCAR  Scientific Committee on Antarctic Research http://www.scar.org/
SDR  Special Drawing Right
SEA  Strategic Environmental Assessment (Not used in the Antarctic Treaty System)
SPA  Specially Protected Area (now ASPA) http://www.cep.aq/
SSI  Site of Special Scientific Interest (now ASPA) http://www.cep.aq/
TANGO  Tourism and NGOs Working Group
WG  Working Group
WMO  World Meteorological Organisation http://www.wmo.ch/
WP  Working Paper
WTO  World Tourism Organization
WWF  Worldwide Fund for Nature
*  IUCN is the old acronym and now used for the ‘World Conservation Union’
APPENDIX 2: CEP IX PROVISIONAL AGENDA (New Delhi, 30 April – 4 May 2007)

1. Opening of the Meeting
2. Adoption of the Agenda
3. Strategic Discussions on the Future Work of the CEP
4. Operation of the CEP
5. International Polar Year
6. Environmental Impact Assessment (EIA)
   a. Draft Comprehensive Environmental Evaluations
   b. Other EIA Matters
7. Area Protection and Management Plans
   a. Management Plans
   b. Historic Sites and Monuments
   c. Site Guidelines
   d. Systematic Environmental Geographic Framework
   e. Other Annex V Matters
8. Conservation of Antarctic Flora and Fauna
   a. Quarantine and Non-native Species
   b. Specially Protected Species
   c. Marine Acoustics
   d. Other Annex II Matters
9. Environmental Monitoring and Reporting
10. Inspection Reports
11. Emergency Response and Contingency Planning
12. Waste Management
13. Prevention of Marine Pollution
14. Cooperation with Other Organisations
15. General Matters
16. Election of Officers
17. Preparation for Next Meeting
18. Adoption of the Report
19. Closing of the Meeting
APPENDIX 3: PRELIMINARY AGENDA FOR ATCM XXX  (New Delhi, 30 April – 11 May 2007)

Opening of the Meeting
Election of Officers and creation of Working Groups
Adoption of the Agenda and allocation of items
Operation of the Antarctic Treaty System: Reports by Parties, Observers and Experts
Operation of the Antarctic Treaty System: General matters
Operation of the Antarctic Treaty System: Review of the Secretariat’s Situation
Report of the Committee for Environmental Protection
Safety and Operations in Antarctica
The International Polar Year 2007-2008
Tourism and Non-Governmental Activities in the Antarctic Treaty Area
Inspections under the Antarctic Treaty and the Environment Protocol
Science Issues, particularly scientific co-operation and facilitation
Operational issues
Education issues
Exchange of Information
Biological Prospecting in Antarctica
Preparation of the XXXI Meeting
Any other business
Adoption of the Final Report

The Representatives

Recalling Article 3 of Annex II to the Protocol on Environmental Protection to the Antarctic Treaty ("the Protocol"), providing for the designation of Specially Protected Species to be accorded special protection by the Parties;

Further recalling that the Committee for Environmental Protection ("CEP") adopted at CEP VIII guidelines for consideration of proposals for new and revised designations of Specially Protected Species, under which risk of extinction is to be assessed using criteria established by the IUCN;

Noting that SCAR has determined that the Antarctic Fur Seal (Arctocephalus gazella) and the Sub-antarctic Fur Seal (Arctocephalus tropicalis) are no longer at significant risk of extinction, and that as these are the only two species of the genus Arctocephalus in the Antarctic Treaty area, the genus Arctocephalus should be removed from the list of Specially Protected Species;

Further noting that the CEP has assessed the implications of removing these species from the list of Specially Protected Species, and has advised that they be removed;

Welcoming the recovery of the population and range of the Antarctic Fur Seal and the Sub-antarctic Fur Seal;

Believing that, in the light of the scientific advice from SCAR, the Antarctic Fur Seal and the Sub-antarctic Fur Seal should now be removed from the list of Specially Protected Species contained in Appendix A to Annex II to the Protocol;

Recognizing that the Antarctic Fur Seal and the Sub-antarctic Fur Seal will continue to receive comprehensive protection under the Protocol, and that their delisting will have no implications for the protection of those species of the genus Arctocephalus that occur only outside the Antarctic Treaty area;

Further noting that the Ross Seal (Ommatophoca rossii) remains a Specially Protected Species;

Bearing in mind the historical exploitation of fur seals in the region that made necessary the special protection of the Antarctic Fur Seal and the Sub-antarctic Fur Seal, and the deep public interest in the protection and conservation of fur seals in Antarctica;

Resolving to keep under review the conservation status of fur seals in the Antarctic Treaty area;

Urging those Consultative Parties which are members of the Commission for the Conservation of Antarctic Marine Living Resources to continue to provide data on the amount of incidental seal mortality, potential impacts of krill harvesting on seal populations, and the development and effectiveness of mitigation measures in the krill fishery;

Recommend to their governments the following Measure for approval in accordance with Article 9 of Annex II to the Protocol on Environmental Protection to the Antarctic Treaty:

That:
In Appendix A to Annex II to the Protocol on Environmental Protection to the Antarctic Treaty, the words “All species of the genus Arctocephalus, Fur Seals.” be deleted.