ASOC Report

XXXIII Antarctic Treaty Consultative Meeting

Punta del Este, Uruguay
3 – 14 May 2010

June 2010

ASOC Secretariat
1630 Connecticut Ave NW
Washington, DC 20009 USA
Tel: 1-202-234-2480
Fax: 1-202-387-4823
www.asoc.org
# Table of contents

Summary ................................................................................................................................................. 3  
1 Introduction ......................................................................................................................................... 5  
2 Overview of the XXXIII ATCM ........................................................................................................ 5  
3 Meeting of the Committee for Environmental Protection ............................................................... 9  
4 Tourism Issues ..................................................................................................................................... 12  
5 Shipping Issues ..................................................................................................................................... 15  
6 Liability ................................................................................................................................................ 17  
7 Biological Prospecting ....................................................................................................................... 18  
8 Climate Change Issues ....................................................................................................................... 18  
9 CCAMLR-related issues ...................................................................................................................... 20  
10 Miscellaneous Issues ......................................................................................................................... 22  
11 Conclusions ......................................................................................................................................... 22  
Appendix 1 – Acronyms ......................................................................................................................... 25  
Appendix 2 – Posters presented by ASOC to XXXIII ATCM ............................................................. 26  
Appendix 3 – Texts of Decisions and Resolutions of Interest to ASOC ............................................. 28
Summary

The XXXIII Antarctic Treaty Consultative Meeting (ATCM) was conducted in Punta del Este, Uruguay from May 3 – 14. ASOC was represented by 12 delegates (9 on the ASOC delegation and 3 as NGO representatives on national delegations). ASOC submitted eleven Information Papers – two on Marine Protected Areas and the protection of the Antarctic marine ecosystem, four on tourism, two on climate change, and one each on shipping and human impacts, in addition to the report of ASOC to the XXXIII ATCM. The selection of themes of the information papers reflected the key priority issues identified by the Coalition. Salient points of the ATCM from an ASOC perspective include:

• Climate change finally has become a major item on the agenda. Following the first ATCM experts meeting on climate change held in Norway in April, the governments endorsed thirty recommendations produced by the experts. SCAR’s *Antarctic Climate Change and the Environment*, a synthesis of the latest climate science from Antarctica, underpinned much of the discussion, and it was agreed to formally forward the report to the United Nations Framework Convention on Climate Change (UNFCCC) for use in the global negotiations. Climate change will be a major work item at the Antarctic Treaty meeting next year.

• Momentum was maintained towards a network of Marine Protected Areas in the Southern Ocean. The governments endorsed development of an initial representative network of marine protected areas in the Southern Ocean, including the Ross Sea, by 2012. The importance of protecting the Ross Sea region was particularly highlighted in terms of its biodiversity and function as a climate change reference area and ecological refuge for many Southern Ocean species in both ASOC’s paper and the discussion of the Italian Terra Nova Bay MPA proposal. However, efforts to advance harmonisation of MPA designations across the Antarctic Treaty system by extending the vessel related provisions of CCAMLR’s South Orkney MPA to all Parties’ vessels met with resistance and substantive progress in this area did not occur.

• Perhaps the most far-reaching and straightforward inspection report ever introduced at an ATCM was put forward by Norway, which prompted many Parties to mention it as a model for future inspections.

• In spite of the 'lessons learned' from the sinking of the Explorer, the governments have been hesitant on legally binding restrictions, and no new regulations were agreed at this ATCM. However, Argentina’s proposal for intersessional work on how to better inspect tourism operations and vessels was accepted.

• In the face of a clear report from SCAR on large and rapidly expanding scope of bioprospecting and patenting of Antarctic life forms in various countries, the governments couldn't even agree to maintain serious intersessional work on this set of issues. The Parties are about evenly divided between doing nothing - status quo, and taking at least initial steps towards a legal regime.

• There was only desultory progress reported on ratification of Annex VI to the Protocol on Liability and Emergency Response Action, with only a few Parties publicly acknowledging where they stand in their ratification process and no new ratifications since last ATCM. In a private session, closed (unusually) to all observers and experts, on 'political grounds' according to several governments, there was a more honest discussion, with at least one
country saying it did not see how it could ratify.

- Looking ahead to the 2012 ATCM in Hobart, the Parties agreed to significantly shorten ATCMs to 8 working days. This has important implications for the CEP and how the ATCM functions. Other steps are being considered to save money and time, such as taking all Information Papers from Parties as being read rather than having them introduced and discussed. Observers would still be able to introduce IPs.
1 Introduction

The XXXIII Antarctic Treaty Consultative Meeting (ATCM) was conducted in Punta del Este, Uruguay from May 3 – 14, 2010.

This Report on the XXXIII ATCM focuses on the key issues for ASOC member groups. It does not intend to be an exhaustive report, but rather to complement the official report of the ATCM. The report is structured as follows:

- Section 2 contains an overview of the XXXIII ATCM.
- Sections 3 – 10 report in more detail on some of the key issues at XXXIII ATCM.
- Section 11 contains conclusions.
- Appendix 1 lists commonly used Antarctic acronyms. Appendix 2 contains posters prepared for display during the meeting.

2 Overview of the XXXIII ATCM

2.1 ATCM structure

ATCMs give effect to obligations under the 1959 Antarctic Treaty, and the 1991 Protocol on Environmental Protection to the Antarctic Treaty. The XXXIII ATCM was held in Punta del Este, Uruguay from 3 – 14 May 2010.

ATCMs are hosted by Consultative Parties (the full voting members – currently 28) in English-language alphabetical order. There are also 19 Non-Consultative Parties – non-voting members, some of which are active in Antarctica and the Antarctic Treaty System although the majority are not. The ATCM lasts two weeks, and conducts its business through a number of Working Groups – presently on Legal and Institutional, Tourism, Operational Matters, and the Committee for Environmental Protection (CEP).

The Antarctic and Southern Ocean Coalition (ASOC) has Expert status at ATCMs, the only environmental non-governmental group with such access. The intergovernmental UNEP and hybrid governmental/non-governmental IUCN are also invited environmental Experts. ASOC works closely with both UNEP and IUCN normally, although at this meeting IUCN was not represented at all and UNEP only briefly.

The ATCM received 69 Working Papers and 130 Information Papers tabled by Parties, Observers and Experts, as well as a set of Secretariat papers dealing with operations of the Secretariat and a reviews of the status of ATCM recommendations. It produced a Final Report containing 15 Measures (mainly management plans for protected/managed areas and historic sites and monuments); 7 Resolutions (of which 6 are of particular interest); and 5 Decisions (of which 2 are of particular interest). 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 website - http://33atcm.ats.aq/.

---

1 This report was written by Claire Christian, Jim Barnes, Ricardo Roura, Tina Tin, Rodolfo Werner, Sian Prior, Richard Page, Veronica Cirelli and Rob Nicoll.
2 Argentina, Australia, Belgium, Brazil, Bulgaria, Chile, China, Ecuador, Finland, France, Germany, India, Italy, Japan, the Republic of Korea, the Netherlands, New Zealand, Norway, Peru, Poland, the Russian Federation, South Africa, Spain, Sweden, Ukraine, the United Kingdom, the USA and Uruguay.
3 Austria, Belarus, Canada, Colombia, Cuba, Czech Republic, Denmark, Estonia, Greece, Guatemala, Hungary, Korea (DPRK), Monaco, Papua New Guinea, Romania, Slovak Republic, Switzerland, Turkey, and Venezuela.
4 A Measure is legally binding once it has entered into force.
5 A Resolution is hortatory.
6 A Decision is an administrative action, usually relating to a short-term event, and like a Resolution, hortatory.
7 Exact text of these Resolutions and Decisions can be obtained from the ATS website’s official Report of the Meeting.
ASOC Report on XXXIII ATCM

The Final Report of the Meeting on the ATS website provides an official record of key discussions and decisions on all matters discussed. As an overall comment on how ASOC’s team performed, our 10 substantive Information Papers were widely commended, and were used and referred to in the ensuing debates.

2.1 ASOC delegation

ASOC was represented by 12 delegates (9 on the ASOC delegation and three as NGO representatives on national delegations). The ASOC delegation (Figures 1-2) was composed of:

- Jim Barnes (ASOC Executive Director – France)
- Lic. Ricardo Roura (ASOC Senior Adviser – The Netherlands)
- Dr. Tina Tin (ASOC Adviser – France)
- Sian Prior (ASOC advisor – UK)
- Claire Christian (ASOC advisor – US)
- Dr. Rodolfo Werner (Antarctic Krill Conservation Project - Pew Environment Group, Argentina)
- Veronica Cirelli (ASOC Adviser – Fundación Vida Silvestre Argentina)
- Richard Page (Greenpeace International – The Netherlands)
- Samuel Leiva (Greenpeace Chile)

In addition, three government delegations included NGO representatives from ASOC:

- Rob Nicoll (ASOC senior advisor, WWF-ASOI) on the Australian delegation
- Michele Perrault (ASOC Board Member-Sierra Club) on the US delegation
- Dr. Simon Walmsley (WWF-UK) on the UK delegation

Fig. 1 – ASOC team at XXXIII ATCM week 1: Left to right, Ricardo Roura, James Barnes, Veronica Cirelli, Rodolfo Werner, Tina Tin, Samuel Leiva, Claire Christian, Richard Page, Rob Nicoll, Michele Perrault, Simon Walmsley (not pictured: Sian Prior).
2.1 Materials submitted

ASOC submitted eleven Information Papers – two on Marine Protected Areas and the protection of the Antarctic marine ecosystem, four on tourism, two on climate change and one each on shipping and human impacts, in addition to the report of ASOC to the XXXIII ATCM. The selection of themes of the information papers reflected the key priority issues identified by the Coalition:

- IP 068: Working Towards a Polar Vessel Code
- IP 070: Comparison of Three Antarctic Treaty Meetings of Experts on Shipping and Tourism
- IP 073: Key Climate Change Actions in Antarctica: Emissions Reduction, Adaptation and Science
- IP 074: Energy Efficiency and Renewable Energy Under Extreme Conditions: Case Studies From Antarctica
- IP 077: The Case for Inclusion of the Ross Sea Continental Shelf and Slope in a Southern Ocean Network of Marine Reserves
- IP 079: Tourism and Land-based Facilities in Antarctica: Analysis of a Questionnaire Distributed to Antarctic Treaty Parties at XXXII ATCM
- IP 080: Making Tangible Progress on a Strategic Vision for Antarctic Tourism
- IP 081: Coastal Hydrocarbon Pollution: A Case Study From Deception Island, Antarctica
- IP 082: Antarctic Ship-borne Tourism and Inspections Under Article VII of the Antarctic Treaty and Article 14 of the Protocol on Environmental Protection
- IP 083: Rising to the challenge: Key steps to deliver a Comprehensive and Representative Marine Protected Areas Network in the Southern Ocean by 2012
- IP 114: Report of the Antarctic and Southern Ocean Coalition (ASOC)

The ASOC team published three issues of the international newspaper ECO, and displayed a poster describing the human footprint in Antarctica. A poster was also submitted as an attachment to IP 081. At the conclusion of the Meeting ASOC prepared a press release summarizing the main outcomes.

The information papers, ECOs, posters and press release are available on the ASOC website (www.asoc.org).

2.1 ASOC priorities

ASOC priorities for the XXXIII ATCM were to promote:

- Adoption of the recommendations of the ATME on climate change.
- Adoption of the recommendations of the ATME on shipping and tourism.
- Momentum towards a network of MPAs in the Southern Ocean by 2012.
- Development of a strategic vision for Antarctic tourism.

2.2 Key outcomes

Positives

- Parties were supportive of MPAs. The governments endorsed development of an initial representative network of marine protected areas in the Southern Ocean, including the Ross Sea, by 2012. The importance of protecting the Ross Sea region was particularly highlighted in terms of its biodiversity and function as a climate change reference area and ecological refuge for many Southern Ocean species.
- Parties agreed to make climate change a major item agenda at next year’s ATCM. The governments endorsed thirty recommendations produced at a meeting of Antarctic climate
experts held in Norway in April, and a Scientific Committee on Antarctic Research (SCAR) report on *Antarctic Climate Change and the Environment*, a synthesis of the latest climate science from Antarctica. They agreed to formally forward the report to the United Nations Framework Convention on Climate Change (UNFCCC) for use in the global negotiations.

- All Parties support the development of a legally binding Polar Code by the IMO, and set up a new web-based forum to discuss intelligence and submissions for those negotiations. However the Parties were unable to agree on specific guidance as to the content of the Polar Code. ASOC’s paper was cited by a number of countries as being the best source of information at the ATCM.

- Norway's inspection report set a precedent for honesty and clarity in presenting the facts on activities in Dronning Maud Land, including expanded use of private operators and the 'open door' provided to tourism by the air facilities.

**Negatives**

- Parties made no progress on bioprospecting. SCAR introduced a report revealing the extensive amounts of bioprospecting occurring in the Antarctic, despite the fact that little has been reported by Parties (as required by a 2005 Resolution). Unfortunately, the SCAR report seemed to have little impact, and the results of the Intersessional Contact Group (ICG) established at the previous ATCM similarly revealed little progress. There was no enthusiasm for further intersessional work and the Dutch proposal to continue discussing a proposed list of 10 principles was rejected.

- Though there was a good debate on commercial tourism, including several proposals to take actions of various types to regulate some aspects of the industry, in the end there was no consensus even on blocking use of open lifeboats or requiring companies to report to the public on what safety gear is on their vessels. Nor was there much discussion of 'lessons learned' from the sinking of the *Explorer* and the Liberian Registry's detailed report on the accident.

- The lack of progress on ratifying Annex VI to the Protocol, on Liability for harm to the environment and emergency response action, was sobering. There was no sense of urgency apparent, either in the public session in the Legal and Institutional Working Group or the private session joined by about half the Parties.

- The fact that only about half the ATCPs are complying with their most basic information exchange duties under the AT and Protocol is very worrying. The good news is that they are discussing this problem rather openly, but there were few promises to comply.

**Key instruments approved**

- No Measures of importance to ASOC were approved.

- The Resolutions of importance to ASOC were Resolutions 1, 2, 3, 4, 5 and 7. Resolution 1 adds four sites to those subject to Site Guidelines; asks the Secretariat to place the texts of Site Guidelines on the ATS website; recommends that the CEP discuss changes to Site Guidelines; and recommends that Parties urge visitors to follow Site Guidelines. Resolution 2 recommends that Parties, through various mechanisms, improve the hydrographic knowledge of the waters of the Antarctic Treaty area in order to protect human safety as well as the environment. Resolution 3 recommends the use of a revised checklist for Antarctic inspections under Article VII. Resolution 4 recommends that Parties publicize the SCAR ACCE report within their governments and Antarctic programmes and to the public. Resolution 5 recommends that Parties who make proposals to the ATCM that are subsequently referred to the IMO report back to the ATCM on the progress of the proposals within the IMO. Resolution 7 recommends that Parties apply the port State control regime to tourist vessels travelling to the Antarctic Treaty areas.

- The Decisions of importance to ASOC were Decisions 4 and 5. Decision 4 affirms the annual evaluation of Parties’ progress towards Annex VI on Liability arising from Environmental Emergencies and requires that ten years after adoption of Annex VI Parties restart negotiations on further regulations that may be necessary. This reflected that Parties
do not have anything close to a consensus on re-starting liability negotiations to complete their obligations under Articles 15 and 16 of the Protocol. Decision 5 asks the Chair of the ATCM to send the SCAR ACCE report to the head of the UNFCCC, the IPCC, the WMO and the IMO.

2.3 Operation of the Antarctic Treaty System

Update on Non-Consultative Parties

Non-Consultative Parties present at the meeting included Canada, the Czech Republic, Monaco, and Romania. The Czech Republic and Romania are active in Antarctic research and operate stations there (the Czech Republic on its own, and Romania jointly with Australia). Monaco attended the CEP as it had acceded to the Protocol.

This was the 9th meeting that Malaysia has been invited to attend as an Observer. Malaysia has been seeking representation at the annual ATCMs for some years now, without actually applying for accession, but Malaysia seems close to requesting accession.

Future ATCM hosts

Argentina will host ATCM XXXIV from 20 June to 1 July in Buenos Aires, while Australia will host the ATCM in 2012. Note that as a result of a decision by the ATCPs on the final day, that ATCM will last only 8 working days starting in 2012, as a cost-saving measure.

3 Meeting of the Committee for Environmental Protection

3.1 CEP work plan

The 12th meeting of the Committee for Environmental Protection (CEP) considered 48 working papers, 69 information papers, and 4 Secretariat papers, a substantive workload.

3.2 Exchange of Information

As of March 1, 2010, only 15 of the 28 Consultative Parties had supplied preseason information for 2009/2010. 17 Consultative Parties submitted their annual reports, 12 uploaded their reports in the Secretariat’s electronic format, and the rest either submitted a document or a link to the information on their own websites. 15 Consultative Parties have information in the permanent section of the Electronic Information Exchange System (EIES) and six provide that information to the Secretariat in the form of links or files. The Secretariat described the situation as “a slight progress.” Several Parties noted that the system is only useful if everyone participates, and the Committee agreed that better participation is necessary. Many Parties supported using EIES noting it is an obligation to exchange information on a timely basis. However, the figures presented by the Secretariat show that the reality is only about half the Parties are providing any information either via the EIES or in other ways.

ASOC noted that from an NGO perspective it is difficult to determine the extent to which the EIES was being used by Parties as the information can not be publicly accessed. ASOC asked Parties the reasons why they do not use the system and if there are any problems that need to be resolved, which prompted a number of side discussions and promises to do better. Argentina and Germany each stated that a review of the EIES was advisable and would improve the system. Germany submitted a working paper on the subject but there was little discussion. The Chair concluded by urging 100% participation by the next ATCM.

3.3 Annex I – Environmental Impact Assessment (EIA)

There were no draft CEEs circulated. Russia introduced a Working Paper titled Answers to comments on CEE for “Water Sampling the Sub-glacial Lake Vostok.” Russia prepared the paper due to concerns expressed during the ATCM XXVI in Madrid. Russia explained the scientific reasoning behind its current drilling method and asserted that it was the cleanest available and was unlikely to contaminate Lake Vostok. Some Parties expressed mild concerns but many seemed supportive. New Zealand, supported by the Netherlands and Germany, inquired whether it would be appropriate to submit a new draft CEE but Russia rejected this as being too time consuming. ASOC asked Russia to provide confirmation that the completion of drilling would not
result in drilling fluid leaking into the lake. Russia anticipated submitting the final CEE to CEP XIV, although it also made statements to the effect that it might decide to penetrate the lake during the next season.

India presented IP 6 Update on the Comprehensive Environmental Evaluation (CEE) of New Indian Research Station at Larsemann Hills, Antarctica. India also presented IP 1 Initial Environmental Evaluation for Development of Approach Path at Proposed New Indian Research Station at Larsemann Hills, East Antarctica.

NZ, Germany, UK and many Parties congratulated Korea for its new base. Unexpectedly, Romania flagged the need to reduce the size of the station from 3000 m$^2$ - which indeed is very large for 15 people. Netherlands questioned why there was no sharing of nearby existing infrastructure. Korea replied it is because they needed a year-round station for climate change monitoring and none of the existing stations are year-round. A draft CEE will be available next year, however the location of the base has already been established.

3.4 Annex II – Conservation of Antarctic Flora and Fauna

Non-native Species

The CEP noted that non-native species was still a priority 1 issue in the five-year workplan. The ICG convened by France produced a draft manual, draft goals and guiding principles, and suggested measures for minimizing the risk of introducing non-natives. There was support for this initial effort, which will be continued by New Zealand during the upcoming intersessional. SCAR expressed its support for the ICG outcome, and ASOC encouraged Parties to act on the recommendations of the ICG, especially for highly visited areas. There was general support from Parties for further development of this work, but some expressed concern about the language used. The UK was particularly active on this issue and presented six papers (three WPs and three IPs), including one on procedures for vehicle cleaning to prevent transfer of non-natives, one on guidelines for those who discover a non-native species, and one on intra-regional transfer of species. Although these papers were very useful there was little enthusiasm for adopting any of the proposed guidelines. SCAR and Australia presented a paper summarizing the current knowledge on reducing the risk of non-native species introductions, and recommended that risk assessments were a useful tool for reducing the chances of these introductions.

3.5 Annex V – Protected Areas

MPAs and Marine Reserves

2009 was a watershed year in terms of the development of a comprehensive and representative network of protected areas for the Southern Ocean, with the coming together of the CEP and SC-CAMLR for a joint workshop which included MPAs as a major agenda item and a subsequent agreement as to how the Antarctic Treaty Parties should be involved in the process initiated by CCAMLR. The objective for the ATCM XXXIII meeting was to ensure that this progress was built on and the outcomes of CCAMLR were endorsed by the AT Parties. In summary these objectives were largely met, but there is still a lack of urgency among the Parties, despite the clear need and the impending 2012 deadline.

ASOC introduced IP 83 Rising to the challenge – key steps to deliver a comprehensive and representative marine protected areas network in the Southern Ocean, calling on members to support the South Orkneys designation, emphasising the need for the CEP to collaborate in the work of SC-CAMLR in establishing a marine protected area network by supporting the work plan developed by CCAMLR, and proposing that a second joint workshop between the CEP and CCAMLR be convened in early 2010.

Many countries expressed their support for the South Orkneys MPA and the need to create a network of protected areas in the Southern Ocean. It was also pointed out that MPAs are even more important in the context of climate change. Some countries suggested that the respective roles of the ATCM and CCAMLR are not clear.

David Agnew, (chair of SC-CAMLR) and George Watters (chair of WG-EMM), outlined the developments in CCAMLR, the process for moving forward and the scope of the July meeting of
WG-EMM. EMM will discuss scientific data regarding spatial protection in the Southern Ocean, including the Ross Sea at its meeting in July 2010. In addition CCAMLR will convene an MPA workshop in 2011. Representatives from the CEP and other experts are invited in order to maintain the cooperation between the different bodies of the ATS.

There is now a clear MPA process whereby AT Parties can feed into the ongoing process with CCAMLR still taking the lead role.

**Ross Sea**

ASOC introduced IP 77, which summarises the outcomes of a workshop on The Ross Sea held at the International Marine Conservation Congress in May 2009. That workshop confirmed what is inferred by the CCAMLR broad-scale bioregionalisation of the Southern Ocean – that the Ross Sea is extremely rich in biodiversity and a priority for comprehensive protection. US remarked on the value of the workshop and the data emanating from it. France thanked ASOC for its paper, and expressed its support in achieving protected area status.

New Zealand spoke briefly about the fine-scale bioregionalisation of the Ross Sea that it has conducted and will be submitting to WG-EMM, stressing that a balance needs to be struck between conservation and sustainable use and that the next major step will be determining conservation goals and how to manage fishing and tourism interests.

Significantly, Polly Penhale (US) announced that the US would be putting forward a substantial science paper on the Ross Sea at the forthcoming EMM meeting. The US also stressed the need to synthesise all the different information on the Ross Sea. Belgium spoke in favour of full protection and Italy underlined the importance of both krill and toothfish in the Ross Sea ecosystem while putting forward its Terra Nova Bay MPA proposal.

An interesting development regarding the Ross Sea is the proposal by Korea to build a new research station near Terra Nova Bay to conduct scientific work on climate change, oceanography and geology. Italy revealed that it would be meeting with Korea in late May in Rome to discuss the new base in the context of the Terra Nova MPA proposal.

**Complementary measure for the South Orkneys**

ASOC advocated that the ATCM adopt a complementary measure regarding vessel discharges in the South Orkneys protected areas. Disappointingly, this did not progress – see shipping section for details.

**Human footprint and wilderness values**

This was the first time that footprint / wilderness appeared on the CEP agenda. Prior to the ATCM, ASOC had worked very closely with New Zealand on developing working and information papers on the issue. ASOC prepared a poster that elaborated further on the concepts only mentioned briefly by the New Zealand papers. The poster was on display outside the meeting rooms during the two weeks of the meeting. ASOC also instigated discussions and ideas for collaboration with the UK beforehand.

There was a healthy discussion around the topic during the CEP. Discussion focussed on footprint, centred around a topic summary by Australia and working papers by New Zealand and the UK. In addition, there was active participation from Argentina, COMNAP and South Africa. Wilderness was referred to but not discussed. Overall, this was a good first discussion. There was agreement that this was a complex subject, and there were many different ways of exploration. The item will stay on the agenda and the current CEP 5 year plan will allow more time to work on it. Because it is a complex subject and can have several different strands, such as EIA, environmental audit, and wilderness, ASOC will need to work hard to maintain Parties’ focus.

**Management plans**

During the intersessional period a workshop on ASMAs will be planned to be held prior to CEP XIV. It is expected that this workshop would collaborate in generating consistency among Management Plans for these areas. Besides, the proposal to standardize different types of ASMAs was welcomed as it would also improve directives for their designation.
4 Tourism Issues

4.1 Overview

The Working Group on Tourism and Non-Governmental Activities in the Antarctic Treaty Area (TWG) operated under Chair Mr. Evan Bloom (USA). The Working Group considered nine Working Papers on tourism and 12 Information Papers. The discussion was structured as follows: first IAATO introduced sequentially all of its papers, followed by key Working Papers. This was followed by the introduction of all papers submitted by ASOC, which were clustered in a single presentation.

In addition, there was a joint meeting of the Operations and Tourism Working Groups, during which several shipping issues were discussed. This meeting considered a further four Working Papers and nine Information Papers.

In addition, the TWG and the joint meeting discussed 17 Recommendations put forward by the Wellington ATME.

4.2 Overview of the Antarctic tourist activity in the 2009/2010 season

Compared with the total number of visitors for the 2008-09 Antarctic tourism season (37,858), the total for the 2009-10 season dropped slightly to 36,881 (counting IAATO Member visitors only). This represents a continued decrease in the total number of Antarctic tourists (about 2.5 % from the previous season). The actual figure is below the estimates reported in ATCM XXXII in 2009 (42,964 visitors). However, in this last season the category of cruise-only vessels carrying more than 500 passengers increased by 41% compared with 2008-09, reaching its peak to-date.

To date, the total number of visitors peaked in the 2007-2008 season, including those partaking in over-flights and cruise-only voyages, with a total reported of 46,265. Estimates for the 2010-2011 season indicate a total of 34,168 visitors.

The drop in tourism numbers can be explained as a result of the global economic crisis and a drop in overflights conducted by IAATO members. IAATO noted that a further decline is expected to result from the adoption of an IMO imposed ban on the use of heavy fuel oil, which would affect the ships transporting the largest number of passengers. However, some delegates expressed privately that that while the ban will increase costs and somewhat complicate operations, it will not in fact prevent ships from operating in the Antarctic.

IAATO reported a range of activities taking place primarily in the Antarctic Peninsula, including overnight stays, climbing and kayaking from vessels, SCUBA diving, the use of an Underwater Remotely Operated Vehicle (ROV), helicopter operations, and hovercraft operations. IAATO further reported ongoing land-based operations by some of its members. IAATO noted that many of these activities had taken place for lengthy periods of time (often more than a decade and in the case of the ALE camp in Patriot Hills, more than two decades).

The United Kingdom noted that the IAATO information did not provide the complete picture of tourism and non-governmental activities in Antarctica. This is technically correct, however preliminary results of the CEP tourism study have identified that tourism conducted by IAATO members constitute the vast majority of Antarctic tourism operations at present.

4.3 ASOC Information Papers on Tourism (IPs 70, 79, 80, 81, 82)

ASOC’s Information Papers covered a range of strategic and specific issues concerning Antarctic tourism. Three of the papers had previously been submitted to the Antarctic Treaty Meeting of Experts in Wellington, New Zealand, in December 2009. This resulted in an unusually large number of ASOC papers being submitted at the TWG. The various ASOC papers reflect cumulative work in that they build on from earlier outputs (information papers and other documents) and concepts that have been developed over the years. The papers are summarised below:

- IP 81 Coastal Hydrocarbon Pollution: A Case Study From Deception Island, Antarctica recommends that regular and effective monitoring should take place at locations with high levels of shipping. This is based on the argument that there are measurable (and in some
instances substantive) hydrocarbon concentrations in beach sediments at Deception Island, to which ship-borne tourism is almost certainly a contributor (this link, however, has not yet been unambiguously proven).

- **IP 82 Antarctic Ship-borne Tourism and Inspections Under Article VII of the Antarctic Treaty and Article 14 of the Protocol on Environmental Protection** suggests that future inspections could focus on tourism, and that tourism checklists may need to be developed.

- **IP 79 Tourism and Land-based Facilities in Antarctica: Analysis of a Questionnaire Distributed to Antarctic Treaty Parties at XXXII ATCM** describes responses to a questionnaire on tourism use of land based facilities distributed among Parties, which made apparent that more information is needed about this matter. Some of this information has become apparent at the XXXIII ATCM.

- **IP 70 Comparison of Three Antarctic Treaty Meeting of Experts on Shipping and Tourism** encouraged Parties to anticipate developments in a fast changing industry when regulating tourism. It implicitly criticises Parties for their reactive stance in addressing relevant issues since the previous two ATMEs on shipping and tourism (2000 and 2004, respectively).

- **ASOC's IP 80 Making Tangible Progress on a Strategic Vision for Antarctic Tourism** notes that there are relatively few legally binding instruments addressing tourism and recommends that a regulatory regime should be consolidated by means of legally binding instruments, including those that have been approved and are not yet effective, and by new instruments implementing the general principles of R7 2009. In addition, existing environmental management tools (EIAs, ASMAs and ASPAs) could be applied proactively as tourism management tools. ASOC argued that Parties should consider tourism in the context of other activities and processes (such as climate change) but avoid loosing focus from tourism in order to improve its management. ASOC acknowledged the problems caused by some yachts, but also recalled the sinking of the *MS Explorer* in 2007 and the risks of cumulative impacts posed by mainstream forms of tourism, which raised far more significant issues.

The ASOC presentation was well received, with greater appreciation expressed with respect to the strategic vision provided in IP 80, which was in fact the only document submitted under the heading of “Long term considerations in tourism policy”. Privately many delegates also expressed appreciation for ASOC’s information papers, individually or collectively, but some Parties complained about the lumping of various papers into a single presentation – an issue that needs to be brought to the attention of the Chair for ATCM XXXIII.

### 4.4 Management of Ship-borne Tourism (Wellington ATME report)

New Zealand informed the TWG that the ATME had agreed on 17 recommendations to the ATCM, covering a wide range of issues concerning ship-borne tourism in Antarctica. It made reference to the contribution of various experts to the meeting. These recommendations were discussed at the TWG and at the joint meeting, and are reported here, when relevant, in the corresponding sections.

### 4.5 Supervision and management of Antarctic tourism

This agenda item discussed several specific matters of tourism, such as issues concerning yachts, marathons, the drafting of site guidelines, and various guidelines, processes etc. adopted by IAATO for use by its members. ASOC noted (when presenting IP 80, further discussed below) that the TWG spent much of its time discussing “secondary” tourism issues, and some of the issues discussed under this agenda item exemplified this statement.

Argentina proposed an intersessional discussion on the supervision of tourism through a dedicated use of inspections, on board observers, and observers located at tourism landing sites. At some point or other ASOC has proposed the use of these mechanisms to increase the supervision of tourism, including at IP 82 submitted at this ATCM. After some discussion in which some Parties expressed concern about going beyond the limits of the Antarctic Treaty (which allows inspections at points of embarking and disembarking of passengers or cargo) this work was agreed.
Argentina also proposed that Parties draft guidelines for the visitation of bases. There was general support with the idea, however the proposal generated two different kinds of responses. Some Parties noted the primary role of science and that the existence of guidelines should not lead tour operators to believe that they had a right to visit bases. Other Parties took the opportunity to state that tourism provides opportunities for education about environmental protection. Their statement reflects that increasingly education and tourism are portrayed as one and the same thing, when in fact they are very different activities.

Russia’s WP 61 Queen Maud Land – a new center of non-governmental activity in the Antarctic discussed land-based tourism near Novolazarevskaya Station. Russia accused the ten other Parties involved in the DROMLAN network of double standards, in that they apparently gave permits to tourism activities that subsequently used the DROMLAN runaway, which is maintained by Russia, thus giving the false impression that Russia was sponsoring tourism when this was not the case. Rather, Russia was left to pick up the pieces concerning the accommodation of tourists, waste management, etc.

Prior to this ATCM there was very little clarity as to what was going on in this part of Antarctica with regards to land-based tourism. Russia’s presentation reflected a significant problem. Overall, the use of the blue ice runaway near Novolazarevskaya brought to the discussion a messy situation in which all involved appeared to have been looking to the other side, and that only now appears to become regularised – but not entirely resolved.

This discussion was buttressed by Norway’s very pointed Inspection Report (see below) raising this same set of issues.

ASOC thanked Russia for WP 61, which brought clarity about tourism uses of the DROMLAN airstrip. ASOC expressed some confusion as to how the situation described in WP 61 could arise, considering that if visitors had permits they would have to produce prior EIAs and submit them to the authorities – so that somebody should have known that people were travelling to Queen Maud Land as tourists. ASOC echoed the comments previously made by The Netherlands that sustainable tourism is essentially ship-borne tourism, and expressed the view that encouraging land-based tour operators to join IAATO was helpful, but was not in itself a solution the issue of land-based tourism, which requires strategic environmental planning.

In the 2004 ATME the issue of adventure tourism was raised as one of utmost concern, partly as a result of the workings between IAATO (then an emerging star) and the ATME’s Chair. The TWG never really focused on adventure tourism, partly because of the subsequent growth of “traditional” tourism that demanded more attention. The role of scapegoat appears to have now been transplanted to the yachts, and was brought to the ATCM following an incident with two drunken French sailors who were found sleeping at a historic hut where they did some damage. The main concern of French authorities appeared to be about issues of jurisdiction and of enforcing compliance. Various Parties and IAATO expressed concern about yachts in the Antarctic.

ASOC noted that it looked forward to the completion of the CEP tourism study to see data about yacht-related developments – because in fact it may be the case that there are not that many yachts so that they yacht issue is a non-issue (the latter point was implicit rather than explicit). ASOC asked some questions with respect to WP 68 by Chile and IP 75 by IAATO: how many yachts in WP 68 by Chile are members of IAATO? How many yachts they meet and with how many of them they have encounters that are difficult to manage effectively (a wording used in IAATO’s IP 75)? The Chair never gave the floor to Chile or IAATO to respond these questions, but privately IAATO responded that they estimated that 30 to 40 yachts operated in the Antarctic Peninsula, and that they had exchanges with 8 – 10 of them, and that some of these did not seem open to working with IAATO. Subsequently it transpired that half of the 20 yachts that appear on a list submitted by Chile are IAATO members, and several of the remaining yachts (including a few Dutch and Australian yachts) were identified as having complied with the requirements of their respective national legislations.

In a similar vein, the issue of marathons and “large scale sporting events” was discussed in some detail, and more intersessional work on this issue was agreed although the previous year’s intersessional was not very productive.
4.6 Long-term considerations in tourism policy

ATCM XXXII had adopted a Resolution containing the guiding principles for Antarctic tourism. This Resolution was based on a proposal by the UK (XXXII ATCM/WP 10) and overall it was considered by ASOC to be a positive step forward. However, the UK did not pursue this issue again at XXXIII ATCM. In fact, ASOC’s IP 80 was the only document submitted under this heading.

There was a substantive discussion on the issue of port state jurisdiction, based on Recommendation 6 from the Wellington ATME, which resulted in the adoption of Resolution 7 (2010).

IAATO’s IP 84 noted the establishment of an annual roundtable discussion of Antarctic tourism. Following discussions with IAATO, ASOC was invited to participate in the next roundtable discussion, which took place in Torino, Italy, on June 24.

4.7 Tourism regulations agreed or placed in motion

- Resolution 1 (2010) Annex adds four new sites for which site specific guidelines have been produced, raising the number of sites with such guidelines to 20.
- Resolution 7 (2010), The Enhancement of Port State Control for Passenger Vessels Bound for the Antarctic Treaty Area. It recommends “That the Parties proactively apply, through their national maritime authorities, the existing regime of port State control to passenger vessels bound for the Antarctic Treaty area.”

5 Shipping Issues

5.1 Polar Code

ASOC’s IP 68 Working Towards a Polar Vessel Code was introduced, and while there was good support from a number of Parties there was little actual discussion by Parties of the content of a Polar Code, which we had hoped for. ASOC recommended that the ATCM should consider the essential components of a Polar Code relevant to Antarctic vessels for input to the IMO’s Correspondence Group on the Polar Code and the DE sub-committee in October 2010. ASOC also recommended that the ATCM should agree to include in that Polar Code a broad enough scope to address mandatory measures for vessel design and construction, equipment, operations and planning, environmental protection, as well as crew training, search and rescue capabilities, environmental response, and infrastructure support including monitoring and information systems, port state control, and compliance for all vessels operating in Antarctic waters. Some Parties did place on record their positions, e.g. Norway, on the similarities between the Arctic and Antarctic and therefore the possibility of a universal approach, UK on the need to consider inputs to other IMO committees - i.e. not everything could be encompassed by a Polar Code, and Russia on the need for different approaches in the two poles to aspects of polar shipping. This limited exchange shows the amount of work needing to be done by ATCPs to prepare coherent submissions to the IMO.

It was agreed that the Antarctic Treaty Secretariat will establish a web-based forum to facilitate informal exchanges of views among Parties, Observers and Experts on the development of the Polar Code.

5.2 IMO Coordination

ASOC recommended in IP 68 that the ATCM should identify and adopt a mechanism for enhanced coordination between the ATPs with respect to all Antarctic-related matters within the IMO and all matters that would have specific application in Antarctic waters. ASOC also recommended that the ATCM should agree to approach the IMO with a proposal for a memorandum of understanding or similar instrument to formalize enhanced cooperation between the two bodies.

There was no support for a formal approach to better coordination between the IMO and the ATCM as proposed in the second ASOC recommendation above, however there was considerable support for improving coordination informally. A Resolution (led by Australia) was agreed on
Coordination Among Antarctic Treaty Parties on Antarctic Proposals under Consideration in the IMO (Resolution H (2010)).

The Resolution is generally good, and also recognises the work being undertaken to develop the mandatory Polar Code, however text requiring ATCPs to keep the ATCM informed of issues arising within the IMO with relevance to shipping in Antarctic waters was not agreed and was eventually removed from the Resolution.

5.3 Environmental Aspects of Ship-borne Tourism

ASOC recommended in IP 68 that the ATCM should ensure that WP 28 (submitted by Australia) on environmental aspects of Antarctic ship-borne tourism is considered further by the Committee for Environmental Protection (CEP) and Operations Working Group, and forwarded to the IMO’s DE sub-committee for consideration in the development of the Polar Code. It was not accepted that this paper from Australia should be sent to the IMO DE sub-committee, however there was considerable support for the paper and particularly Appendix A to be further considered by the CEP and within the context of the CEP tourism study currently underway. It was agreed that the work be expanded to identify the level of risk associated with the different environmental aspects identified in the paper. It was also recognised that the assessment was applicable to vessels more generally (i.e. not purely passenger vessels).

5.4 Port State Control

ASOC recommended in IP 68 that the ATCM should undertake, through an intersessional contact group or other appropriate mechanism, a comparison of the three port state control agreements and their appropriateness for the needs of vessels operating in Antarctic waters. It was not agreed that this work should be undertaken intersessionally, however a resolution on port state control (led by New Zealand) was adopted. The resolution is Resolution G (2010): The Enhancement of Port State Control for Passenger Vessels Bound for the Antarctic Treaty Area. It encourages Parties to proactively apply existing regimes of port state control to passenger vessels bound for the Antarctic Treaty area. ASOC may try to undertake the work proposed in our recommendation itself.

5.5 Oil Spills

ASOC recommended in IP 68 that the ATCM should task the CEP with the development of guidelines for responding to large-scale oil spills in the Antarctic Treaty Area, drawing on the extensive experience of ATPs that have dealt with large oil spills in national waters in recent years.

The ATME recommendation that ATCM should consider developing guidelines for an oil spill in the Antarctic Treaty area was endorsed, however no clear mechanism for undertaking the work was identified, although the Operations Working Group was identified by many as the most appropriate place for the work to be undertaken.

5.6 Inspections

ASOC recommended in IP 68 that the ATCM should develop a checklist for Antarctic Treaty inspections of tourist vessels and tourist activities in Antarctica, as well as intensify the conduct of inspections of tourist vessels and activities. The ATME recommended that Treaty Parties should consider the development of a specific checklist for Antarctic Treaty inspections of tourist vessels and tourist activities in the Antarctic Treaty area. An Intersessional Contact Group (ICG) was established to look at this during the coming year.

5.7 South Orkney Islands MPA

ASOC recommended in IP 68 that the ATCM should adopt a resolution prohibiting vessel discharge of all vessel wastes including sewage, sewage sludge, grey water and food wastes within or adjacent to the South Orkneys MPA and requiring reporting by ships transiting the MPA. In addition, the ATCM should inform the IMO of the measures adopted for ATP flagged ships, and seek similar measures for all vessels. The paper proposed by the UK proposing to introduce a ban on all discharges from ships and on ships’ reporting was withdrawn following a number of reservations raised by some delegations. It was clear that considerably more work is required to achieve harmonisation of the MPA designations across the Antarctic Treaty system and specifically
to determine how best to introduce such measures to protect marine protected areas from shipping.

5.8 Other Issues

Search & Rescue: A Resolution (Resolution A (2010)) was adopted on improving the coordination of maritime search and rescue in the Antarctic Treaty area. It proposes that Governments recognise the importance of ensuring the effectiveness of search and rescue efforts by placing material on the ATS website, making available advance vessel schedules, and encouraging national Antarctic programmes and operators of tourist vessels which do not take part in the COMNAP and IAATO vessel tracking schemes, to report the positions of their vessels to the relevant regional Maritime Rescue Coordination Centre.

Lifeboats: The US had proposed action with respect to life-saving appliances onboard passenger ships which included making information available to members of public on the type of life-saving boats available on vessels. It was not supported, however the report includes language which recognises that the Polar Guidelines requires that all lifeboats are either partially or totally enclosed, and encourages Parties to pay attention to the question of lifeboats in regulating tour ship cruises to the Antarctic Treaty area.

Training for ice navigators / ice masters: The meeting endorsed the ATME recommendation that all crew on vessels planning to navigate in Antarctic waters should be required to undertake relevant training appropriate to the conditions expected to be encountered.

Follow-up to publication of Republic of Liberia investigation report into the sinking of the Explorer: ASOC raised the presentation at last year’s ATCM of the Liberian Registry on the investigation report from the Republic of Liberia into the sinking of the Explorer, and asked how Parties would consider the conclusions and recommendations identified in the report. Nothing further was decided, although the final incident reports have not been considered by the IMO.

6 Liability

NZ indicated that all the necessary committees have gone through a first reading, and there has been good progress on solving all issues, so they are waiting for a second reading now, and then the final reading later this year.

The UK said it published a draft bill in November 2009, has held a public consultation, the government published its response in April 2010, and it will be for the new government to finalize the process.

Russia stated it has drafted a federal law governing activities in Antarctica, which is necessary for ratifying Annex VI. It identifies the necessary controls to fully monitor and control activities of entities and individuals in the AT Area. The draft has been approved by relevant ministries, is with the legal department of President’s office, and then will be sent to the Duma. This autumn the Duma likely will adopt the law and thus the go-ahead to join Annex VI.

The US noted that Secretary Clinton announced last year that President Obama sent the package to the Senate in April 2009, and it remains there. The agencies have drafted legislation to implement it - will be sent to the Office of Management and Budget soon for review. No timeline for formal ratification was mentioned.

The Netherlands stated its wish that the CEP consider measures for taking remedial actions to repair/restore the environment, as Annex VI calls for, and asked SCAR and others with information on this to send them to CEP. Noting that so far no such papers have been submitted, Netherlands felt it is not yet timely to resume negotiations on a remaining annex on remediation, and suggested this be put off for 5 years.

Chile disagreed stating that we should never have stopped the liability negotiation - we know that Annex VI does not address directly the protection of the environment. We should invite all delegations to submit papers about the goals outlined in the Protocol, including remediation of the environment. There were several brief comments on this, with most Parties willing to let it go back to sleep for another period of time while they try to complete ratification of Annex VI.
There were several closed sessions of ATCP legal advisors and some heads of delegation to discuss their problems in developing ratification packages. Many expressed having major difficulties, and there was no hint of a deadline or target for completing the Annex.

7 Biological Prospecting

Although bioprospecting was included in the Work Plan for the ATCM, it did not progress very far. SCAR’s WP 2 formed the intellectual basis for the discussion. At ATCM 31 SCAR was asked to review the most recent published research on biological prospecting in the ATA and by the SCAR community, which is outlined in WP 2. SCAR noted the difficulty of reviewing what is going on given the very inadequate reporting. SCAR’s report concludes that biological prospecting is going on in Antarctica across a full range of activities - it is extensive and widespread. 13 of its 31 full members acknowledged that they have or are undertaking biological prospecting. 18 said the research currently going on could be useful for bioprospecting. SCAR noted that so far 179 individual entries have been found regarding patents and products from Antarctic organisms.

Belgium presented IP 96 on the database ‘Bioprospector’ that it has produced with UNEP. It lists 23 ex-situ collections holding Antarctic collections - which is not exhaustive. Belgium suggested more sharing of information between ex-situ collections and AT parties.

The Netherlands presented WP 13 reporting on the intersessional contact group. The website was accessed more than 350 times, and 13 parties plus ASOC participated. The WP shows clearly how divided the ATCPs remain about even basic matters such as a definition of ‘biological prospecting’, much less sharing.

The Netherlands presented WP 24, stating the time has come for principles to guide further consideration of access to and use of biological material in Antarctica, flowing from Resolution 9 (2009), which agreed the ATS is the proper forum for dealing with Antarctic biological prospecting. The paper outlined 10 principles, including access to ex-situ collections given the AT rules on open science, which will limit harm to the environment.

ASOC noted that it was particularly struck by SCAR’s conclusion that bioprospecting is extensive and widespread and that should provide a good basis for taking the work forward, along with Information sharing, which is crucial. ASOC asked why so many Parties are having trouble complying with Resolution 7 of 2005.

After a vigorous debate, with many key countries saying the AT should not take any further steps at this point, there was no consensus on continuing formal intersessional work. A small group of countries and ASOC continued to exchange ideas about intersessional work. A number of Parties recommended more WPs be put on the table for next year so work can continue.

8 Climate Change Issues

Climate change was very prominent in the meeting this year. It was discussed variously during the plenary, the CEP and in Operations.

On the first day of the plenary, a significant amount of time was spent on discussing whether climate change could be put as a separate agenda item of the ATCM this year. Some Parties were strongly behind this proposal but consensus could not be reached. As a result, the subject was dropped and was picked up again on the last day of the plenary where climate change was put on the ATCM agenda as a separate item. It was noted that this addition will be “well thought-out” because UN policies must be considered.

After a vigorous debate, with many key countries saying the AT should not take any further steps at this point, there was no consensus on continuing formal intersessional work. A small group of countries and ASOC continued to exchange ideas about intersessional work. A number of Parties recommended more WPs be put on the table for next year so work can continue.
The general consensus was that Treaty Parties needed to examine how they could take into account the effects of climate change in their management of Antarctica. The meeting in accordance with SCAR approved the SCAR Report on Antarctic Climate Change and Environment, with all the 30 Recommendations. The only non-CEP-related ATME recommendation that received concrete action was recommendation 1. Sweden, together with New Zealand and Norway, pushed for a decision whereby the Chair of the ATCM would transmit the SCAR ACCE report to the IPCC, UNFCCC, WMO and IMO (Decision E).

Also, SCAR agreed to present the SOOS (Southern Ocean Observing System) Report during the next ATCM.

On the subject of non-native species, many guidelines and ideas were discussed. There was widespread consensus that action was needed but action is slow to come by.

ASOC introduced IP 73 Key Climate Change Actions in Antarctica: Emissions Reduction, Adaptation and Science, in which we put forward our priority for action that are reflected in the ATME recommendations, especially 4, 5 and 29. First, greenhouse gas emissions from activities in Antarctica can be reduced by using energy efficiency and renewable energy systems, coordination of transport and logistics and strategic planning about new facilities. This has environmental benefits, saves money and also allows Antarctica to lead the world by example in addressing climate change. Lastly, climate adaptation strategies will be necessary to help reduce the vulnerability of Antarctic ecosystems to the rapid changes underway. For example, protecting areas that are less likely to change, such as the Ross Sea, establishing a network of marine protected areas, implementing appropriate biosecurity measures are all examples of components of adaptation. ASOC made an intervention calling for the Parties to translate the recommendations from the ATME into concrete action.

Climate change was picked up again in the Operations Working Group. We had expected that the ATME recommendations that were not relevant to the CEP would be picked up here. Disappointingly, there was not serious consideration of the ATME recommendations. The underlying reason for this was unclear. Some Parties have commented that the ATME took place late and the joint chairs’ report was submitted to the ATCM after the deadline for working papers, and that Parties have had little time to consult their experts at home. ASOC presented IP 74 Energy Efficiency and Renewable Energy Under Extreme Conditions: Case Studies From Antarctica, which brought together case studies of energy efficiency and renewable energy systems from Rothera, Mawson, Princess Elisabeth, Wasa, Syowa, Neumayer, Concordia, as well as field camps from the US Antarctic Program. ASOC had asked the permission from the original authors to bring this paper to the Operations group because we thought Treaty Parties would appreciate exchange of such useful information. This paper also went very well with the recommendations from the ATME on climate change, in particular recommendations 4 and 5. These case studies acknowledged the efforts of energy efficiency and renewable energy systems in Antarctica. They demonstrated the economic and environmental benefits of such systems and try to reach out and be an example for rest of the world. Energy efficiency and alternative energy systems are starting to blossom in Antarctica. A positive supportive statement from the ATCM would have helped to reinforce and build a supportive environment, which would allow such innovations to develop further. ASOC strongly urged Parties to follow up on the recommendations from the ATME and support the deployment of energy efficiency and alternative energy systems in Antarctica. It makes sense for the environment and for the wallet.

Several Parties, including US, Australia, NZ and Argentina talked about the alternative energy systems they had put in place in their National Antarctic Programmes. In this sense ASOC congratulated parties for implementing Recommendation 5 ATME-CC on reducing emissions. Nevertheless, the number of activities and human constructions continues increasing significantly and nowadays there is no possibility to totally replace fossil fuels by clean energies - like France mentioned for wind power. While alternative energy and energy efficiency is a subject that everyone was excited about there was very little interest in moving forward on the relevant ATME recommendations.
9 CCAMLR-related issues

This section contains discussions that took place at the CEP meeting that are of relevance to CCAMLR work.

9.1 ASMAs

One particular aspect that is connected with the spatial protection process in CCAMLR is the development process for ASMAs by the ATCM. During the CEP XIII meeting, the need to improve the preparation of management plans for ASMAs was discussed. Currently no guidelines exist for the preparation of ASMA management plans, and therefore it was proposed that an ASMA workshop be convened so as to produce the necessary guidelines for the preparation of management plans. The workshop was proposed by the UK and the US highlighted the importance of holding such a workshop due to the need to revise three ASMA management plans within the next two years. Some discussions took place with regards to the date and venue of such a workshop. The workshop will analyse the use of the concept of ASMA applied to the MPA concept. This meeting is scheduled to be held in Montevideo, Uruguay, prior to CEP XIV in Argentina.

9.2 Marine spatial protection and management

The Committee welcomed the efforts made by CCAMLR on behalf the protection of the South Orkneys MPA in particular and MPAs in general, and for the future identification of new MPAs within the 11 priority areas identified by SC-CAML/CEP joint work. Also, the Committee supported the future joint work between these two bodies.

David Agnew (chair of the Scientific Committee of CCAMLR) noted that CCAMLR would be looking to draw on expertise elsewhere, in particular within SCAR and the CEP. In this context, he invited a CEP Observer to attend the next meeting of WG-EMM to be held in Cape Town, South Africa in July 2010 - this will be the next meeting on MPA work (in further deliberation under this agenda item, the CEP nominated George Watters (US) as its observer to WG-EMM). Also, David Agnew invited the CEP representative to participate in the planned CCAMLR workshop on MPAs in 2011. During both of these meetings, data from multiple sources will be synthesized and information provided by the CEP will be welcomed.

George Watters (US), as convener of WG-EMM reminded delegates that MPAs will be a key element in the next meeting of WG-EMM in July 2010, and that the discussion this year will focus mainly on the spatial management of the Ross Sea. Besides welcoming the paper by New Zealand and other papers that might be submitted on that matter, he made a special remark on the importance of linking the timeline of SC-CAMLR and CEP regarding MPAs.

Watters encouraged Italy and Korea to send the report on their joint workshop as a paper to the next WG-EMM meeting so it could be considered in the discussions on the Ross Sea. Italy agreed to send the report along with other spatial marine management papers.

Australia, supported by the United Kingdom, suggested that the CEP should welcome and support the action taken by CCAMLR, including affording protection to the South Orkneys Islands marine area, and reminded parties about the commitment taken by the CEP to harmonize MPAs and to establish a timetable for actions to develop a marine protected areas system.

Besides thanking NZ and Italy for their MPA proposals, the UK stated that it was important that the CEP gets involved in discussing the milestones of CCAMLR on this matter. In addition, the UK stated that there is still a need to have a discussion on the roles of the CEP and SC regarding the designation of MPAs.

One Party expressed concern over how MPAs will be administered, especially taking into account that these areas are located in the area of the ATS and – in the future some CCAMLR members might not be Parties to the ATCM. Therefore, the administration of MPAs should be conducted by the CEP/ATCM with the contribution of CCAMLR.
The UK thanked ASOC for IP 83 and highlighted the work for the CEP to achieve the 2012 network of marine protected areas. The UK also stated that CCAMLR should take the lead in establishing MPAs, and that the CEP should not duplicate the work of CCAMLR.

Finally, Neil Gilbert (as CEP chair) mentioned that it would be important to see how the ASMA concept could be applied to the marine environment in the proposed ASMA workshop, which might assist CCAMLR in dealing with the creation of MPAs. The UK proposed then that the Secretariat summarize previous papers on MPAs and provide them to SC CAMLR planned workshop on MPAs. In response, the Secretariat agreed to consider preparing a summary of the work that the CEP has done on MPAs as a contribution to SC-CAMLR's efforts.

9.3 Climate change

The UK introduced WP 16 The Implications of Climate Change for the Antarctic Protected Areas System, noting it is likely to have significant implications for terrestrial, freshwater and marine ecosystems, and for ASPAs protecting these environments, in particular in areas where regional climate warming is established (for example, the Antarctic Peninsula). The UK also noted that ASPAs should become an increasingly important tool in mitigating the impacts of climate change, by ensuring that other pressures are minimised.

The paper provided some information on the impact of climate change on seabird colonies, particularly Antarctic penguins. Another aspect presented in the paper is the need to review and adjust the distribution of ASPAs to enhance the protection of the more vulnerable Adélie and emperor colonies. According to the paper, currently 12 ASPAs on the Antarctic Peninsula protect colonies of chinstrap penguin, 11 protect gentoo colonies, 11 protect Adélie colonies (with a range of colony sizes for each of the species represented) and only 1 protects emperor penguins. In the case of gentoo and chinstrap colonies, which are expected to grow under climate-warming, the ASPAs protecting these species could be used as reference sites to monitor climate-related changes in population structure.

The following are some considerations proposed by the UK to the CEP, which are of relevance for CCAMLR:

- **Ensuring a more strategic approach to ASPA selection and designation.** Such an approach should consider the implications of climate change, particularly in regions of rapid change (e.g. Antarctic Peninsula). It should be evidence-based, dynamic and flexible enough to fast-track the protection of important new sites and facilitate the de-listing of sites for which the principal values no longer exist;

- **Giving newly-exposed marine habitats protection following the collapse of ice-shelves to allow scientific research to establish baseline information and monitor further change;**

- **Considering whether further spatial protection for species that are particularly vulnerable to climate change (e.g. Adélie and emperor penguins) is appropriate to minimise other impacts that might limit their survival in marginal locations;**

- **Reviewing the need for further or continued site-protection of species whose abundance or range has increased substantially under climate warming;**

- **Considering whether it would be appropriate to use the ASPA system to protect natural colonisation and establishment events on the basis of their importance to science, and their uniqueness or rarity.**

This paper was also submitted to the ATME on Climate Change, and Recommendation 26 from the ATME recommends: “recognising the responsibilities of and need to coordinate with CCAMLR, that the CEP consider, and advise the ATCM accordingly, as to means by which automatic interim protection might be afforded to newly exposed areas, such as marine areas exposed through ice-shelf collapse”.

9.4 Seabird monitoring

Under the agenda item “Other Annex II Matters” Australia made an interesting presentation (IP 41) about its monitoring of Southern Giant petrels in ASPA 167, Hawker Island using automated
cameras. The use of digital cameras to monitor the breeding colony of Southern Giant petrels is currently being tested, and might have some interesting implications for the monitoring of other species in the context of CEMP (CCAMLR Ecosystem Monitoring Program).

9.5 Environmental Monitoring and Reporting

As noted above, Norway introduced WP 63 (Report from Antarctic Treaty Meeting of Experts on Implications of Climate Change for Antarctic Management and Governance). In the discussion of this report, ASOC drew attention to ATME recommendations 19, 26, 27 and 28, encouraging the CEP to consider a formal mechanism to ensure that the ATME report could be conveyed to SC-CAMLR, to ensure consideration of the recommendations in that body. David Agnew (SC-CAMLR Observer) noted that CCAMLR has climate change on its agenda, which is an issue that had been recognised as one of common interest to both Committees at the joint CEP SC-CAMLR workshop in 2009. He noted that CCAMLR is particularly focusing on understanding the impacts of climate change so as to distinguish those effects from the effects of fishing in its managing consideration.

9.6 Cooperation with other organisations

David Agnew provided some final words regarding the positive collaboration with the CEP. He drew special attention to the review of CEMP, which provides a very good opportunity for both SC-CAMLR and CEP to work together and consider their respective monitoring needs. He also proposed to organize a second joint CEP – SC-CAMLR workshop and suggested to schedule it in 2012 around the theme of monitoring. Interestingly, the US requested that CCAMLR make available on their website a list of the areas where CEMP is currently undertaking research. Finally, the CEP welcomed the suggestion of the joint CEP/SC-CAMLR meeting on monitoring.

George Watters, as convener of WG-EMM, volunteered to report back to the CEP following the 2010 WG-EMM meeting, and Polly Penhale (US) agreed to take on the role of CEP Observer to SC-CAMLR.

10 Miscellaneous Issues

10.1 IHO Data

The IHO noted that it had organized a seminar at the COMNAP meeting in August 2009, with two concrete outcomes: COMNAP agreed to use IHO’s collection and rendering of data format and IAATO agreed to provide more data to IHO and to make better use of SCAR resources for hydrographic surveys. At the 9th IHO meeting in South Africa, it was learned that only 7 ATCMs reported hydrographic surveys going on - very far from what is needed. 67 charts of the 102 needed are available so there is a big challenge. The next IHO meeting is September 22-27. IHO would like the ATCM’s help on priorities for hydrographic charting, and to instruct all parties to use the tool on rendering data properly, following up Resolution 5 of 2008. There was a good discussion and definitely some useful follow up, but there remains a yawning gulf to fill in terms of up to date charts in the Southern Ocean.

10.2 Strategic Planning

Strategic Planning was discussed as a follow up to the Chairman's personal report from the last ATCM. Belgium kicked off the initial discussion, noting the rich and striking debate last year on strategic priorities. Reading last year's report (paragraph 320 and forward), it was generally agreed that development of a strategic multi-year strategic plan would help structure meetings and set priorities; it would be reviewed and updated each year.

The UK noted that entry into force of Measure 1 provides new tools and ideas about the best structure for the ATCM, suggesting each WG should consider its priorities as a potential guide to changing the setup - and reflecting on whether they have the right people to discuss them or need some different approach.

Sweden noted the need to be more strategic overall about how to focus effectively on key issues such as climate change, to review if existing WGs are they the ones we need now, and how to be more efficient by reducing the length of meetings.
ASOC Report on XXXIII ATCM

Norway made the clearest proposal, to shorten by starting on Wednesday first week, and ending on Thursday the second day – e.g., 6.5 days, but noted it could consider using the weekend as well. This would mean delegates need only one weekend instead of 3. Times of presentations could be shortened by considering IPs as 'read' with no need for introduction or consideration. Norway also suggested more expert meetings and intersessional contact groups, with some agenda items handled only every other year.

In the end, although there were some useful discussions, the only step taken was a decision to shorten ATCMs by two working days beginning in 2012. No real progress on strategic planning by the ATCM was achieved.

10.3 Inspection Reports

Under Agenda Item 10 Norway presented WP 57 and IP 30 regarding its inspection in February 2009, of Princess Elisabeth, Halley (UK) and Novo Air base (Russia) and runway (ALCI) in the East Dronning Maud Land area. As a result of the inspections Norway is worried about a shift occurring in ownership, funding and management of some science operations, with more private interests are involved. Norway noted that although in itself this does not lessen the quality of activities, it does raise questions on science objectives, liability and responsibility, which should be considered further by Parties to ensure proper governance. Norway noted that the new, complex ownership structures pose new challenges for knowing which entities are responsible for communications and EIA.

Norway suggested it may be appropriate to require a long-term plan for scientific research and priorities in light of the private interests coming to the fore, and it called for tightening up ownership and regulation of the activities there, which seem to provide an open door for commercial tourism. Norway stated that it would be a clear advantage to have policies on the level of infrastructure available for tourism activities, concluding "The operations at Novo Runway offer unlimited access to tourism - we note the significant opportunity for catering to tourists there, which can have impacts on science. Norway also stressed safety, suggesting that DROMLAN report to the ATCM on safety, and the need for strict communication protocols, including backup plans for alternative runway.

South Africa replied that it has started a dialogue with the companies involved to get them to apply for IAATO membership, which has been done, and IAATO has been invited to review the sites involved. Regarding the 'new complex ownership structure', it was noted that 11 Parties share use of the facility, and there will be a meeting later this year among the members - they may draft a WP for next year.

Russia noted the International DROMLAN Aviation Project was put together in 2004, involving 11 national programs, using one operator based in Capetown, which charters a plane. More than 80% of the flights land at Novo, which means Russia becomes responsible for the environmental implications. Each flight carries 76 people, who often have to spend some nights at the camp. Russia is not responsible for the waste disposal problem.

Australia presented WP 21 on an inspection this January at Soyuz and Druzhnaya IV, Syowa, and ASPA 168 (Mt. Harding). It found nothing wrong and make no recommendations.

ASOC thanked Norway for its inspection report, noting that in our opinion it is one of the best and most important ever presented to the ATCM, noting that their suggestions are meritorious and should be seriously considered by the Parties. ASOC supported the suggestion of establishing long-term strategic scientific priorities at stations. We expressed support for Norway's concern about the increasing trend away from government-led activities and control to private entities, which are more loosely responsible to the ATS, and in particular Norway's concerns that the operations at Novo Runway/ALCI Airbase provide a platform for unregulated tourism to Dronning Maud Land.

Many countries thanked Norway, noting its report could serve as a model for future inspections.

COMNAP noted that the DROMLAN group is meeting in August, COMNAP will bring this information to their attention, and may submit a report to ATCM XXXIV.
The UK noted that following the inspection they discussed the situation with the White Desert company, whose role has increased, and the UK will be formally permitting activities by them.

11 Conclusions

This ATCM was characterized by an unwillingness to take action on most major issues but there was some modest progress. The lack of enthusiasm for real action was disappointing given that many Parties had presented excellent papers and put substantial effort into intersessional ICGs and ATMEs.

- Parties were supportive of MPAs and there was momentum towards an initial network being agreed by 2012. However, efforts to advance harmonisation of MPA designations across the Antarctic Treaty system by extending the vessel related provisions of CCAMLR’s South Orkneys MPA to all Parties’ vessels met with resistance and substantive progress in this area did not occur.

- Parties agreed to make climate change a major agenda item.

- Despite support for a binding Polar Code, they were unable to provide any concrete guidance to the IMO on its content.

- The debate on tourism issues was substantive but no consensus could be reached on any measures.

- Parties were willing to discuss the lack of compliance with the EIES requirements but did not make many promises to improve.

- Discussions on bioprospecting and Annex VI were even less productive. Few Parties seemed motivated by the sobering conclusions of the SCAR report, and showed little urgency with regards to Annex VI ratification.

- One bright spot was Norway’s high-quality inspection report, which prompted a Resolution on the use of a revised inspection checklist.
Appendix 1 – Acronyms

AKCP  Antarctic Krill Conservation Project
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
ATCM  Antarctic Treaty Consultative Meeting
ATCP  Antarctic Treaty Consultative Party
ATS  Antarctic Treaty System
COMMISSION  Commission for CCAMLR
CEE  Comprehensive Environmental Evaluation
CEP  Committee for Environmental Protection (of the ATCM) [http://www.cep.aq/]
COMNAP  Council of Managers of National Antarctic Programs [http://www.comnap.aq/]
EIA  Environmental Impact Assessment
IAATO  International Association of Antarctica Tour Operators [http://www.iaato.org]
ICG  Intersessional Contact Group
IEE  Initial Environmental Evaluation
IMO  International Maritime Organization
IP  Information Paper presented to either the ATCM or CCAMLR
IPO  IPY Program Office
IPY  International Polar Year
IUCN  World Conservation Union (formerly International Union for Conservation of Nature) [http://www.iucn.org]
IWC  International Whaling Commission
MARPOL  International Convention for the Prevention of Pollution from Ships
MEPC  Marine Environment Protection Committee (of IMO)
MSC  Maritime Safety Committee
SCAR  Scientific Committee on Antarctic Research [http://www.scar.org/]
UNEP  United Nations Environment Program [http://www.unep.org/]
WG  Working Group
WG-EMM  CCAMLR’s Working Group on Ecosystem Monitoring and Management
WP  Working Paper
Appendix 2 – Posters presented by ASOC to XXXIII ATCM

Human Footprint in Antarctica

Measuring the physical footprint

Defining the footprint

Cumulative environmental impacts

WILDERNESS

Satellite infrastructure

ASOC Report on XXXIII ATCM
ASOC Report on XXXIII ATCM

Introduction

Deception Island is the South Shetland Islands complex is a unique location about 10km in diameter, with a marine station at the Port Foster, as a permanent research base as a location in Antarctica. The station operates under the Antarctic Treaty and was founded in 1951. The base is managed by the Argentine Antarctic Institute (CONICET) and is operated by the Argentine Antarctic Research Station (INQUIMAE). The station is located in the South Shetland Islands, Weddell Sea, Antarctica. The station is used for scientific research, as well as for logistic and transport purposes.

Methodology

Sulfur concentrations were determined by the pyrolysis of the samples. The samples were heated to 1000°C, and the evolved sulfur was quantified by gas chromatography. The results were expressed as micromole of sulfur per gram of sediment.

Results

Sulfur concentrations were determined in the sediments of Deception Island. The highest sulfide concentrations were found in the sediments of the Port Foster area, with values ranging from 50 to 200 mg/kg. Lower concentrations were found in the sediments of the Bellingshausen Sea, with values ranging from 10 to 50 mg/kg.

Discussion

The results of this study indicate that the sediments of Deception Island are rich in sulfur, which could have implications for the local environment. The high sulfur concentrations in the sediments of the Port Foster area could be due to the high activity of the marine station at the Port Foster. The low sulfur concentrations in the sediments of the Bellingshausen Sea could be due to the lower activity of the marine station in this area.

Conclusions

The high sulfur concentrations in the sediments of Deception Island could have implications for the local environment. Further studies are needed to determine the sources of the sulfur and its impact on the environment.
Appendix 3 – Texts of Decisions and Resolutions of Interest to ASOC

Decision 4 (2010): Liability arising from Environmental Emergencies

The Representatives,

Considering the adoption of Measure 1 (2005);

Recalling the undertaking in Article 16 of the Protocol on Environmental Protection to the Antarctic Treaty;

Recalling Decision 3 (2001) regarding the elaboration of an Annex on the liability aspects of environmental emergencies, as a step in the establishment of a liability regime in accordance with Article 16 of the Protocol;

Decide:

1) to continue to evaluate annually the progress made towards Annex VI to the Protocol on Environmental Protection to the Antarctic Treaty becoming effective in accordance with Article IX of the Antarctic Treaty, and what action may be necessary and appropriate to encourage Parties to approve Annex VI in a timely fashion;

2) that ten years from the adoption of Annex VI, in light of the evaluation pursuant to paragraph 1 above, to take a decision on the establishment of a time-frame for the resumption of negotiations, in accordance with Article 16 of the Protocol, to elaborate further rules and procedures as may be necessary relating to liability for damage arising from activities taking place in the Antarctic Treaty area and covered by the Protocol;

3) to request the Committee for Environmental Protection to consider environmental issues related to the practicality of repair or remediation of environmental damage in the circumstances of Antarctica, in order to assist the ATCM in adopting an informed decision in 2015 related to the resumption of the negotiations; and

4) that Decision 1 (2005) is no longer current.

Decision 5 (2010): Letters to UNFCCC, IPCC, WMO and IMO on the SCAR ACCE Report

The Representatives,

Recognising the role of the Antarctic region in global climate processes;

Considering the relevance of SCAR’s Antarctic Climate Change and the Environment (ACCE) Report (2009) for the work of other international bodies involved in global climate change science;

Decide:

to ask the Chair of the ATCM to send the attached letter forwarding the SCAR Antarctic Climate Change and the Environment Report to:

- the Executive Secretary of the United Nations Framework Convention on Climate Change (UNFCCC) for conveyance to the President of the Conference of the Parties to the UNFCCC;

- the Executive Secretary of the Intergovernmental Panel on Climate Change Secretariat (IPCC);
Letters to UNFCCC, IPCC, WMO and IMO

Dear Mr. Yvo de Boer (Executive Secretary UNFCCC) / Dr Renate Christ (IPCC) / Mr Michel Jarraud (WMO) / Mr Efthimios E. Mitropoulos (IMO)

As part of their work at the 33rd Antarctic Treaty Consultative Meeting (ATCM XXXIII) in Punta del Este, Uruguay from 3 to 14 May 2010, the Antarctic Treaty Consultative Parties considered the implications of climate change for the Antarctic region.

To assist that work, ATCM XXXIII had before it the full version of the Antarctic Climate Change and the Environment (ACCE) report prepared by the Scientific Committee on Antarctic Research (SCAR).

In light of the relevance of the SCAR ACCE report also to the work of the United Nations Framework Convention on Climate Change (UNFCCC) / IPCC / WMO / IMO, I have the honor to convey to you a copy of the report, and respectfully request that you provide it to [the President of the Conference of the Parties to the UNFCCC], [relevant IPCC working groups] etc as appropriate.

Yours sincerely,

Mr Roberto Puceiro
Chairman of ATCM XXXIII
Resolution 1 (2010)

Site Guidelines for visitors

The Representatives,


Believing that Site Guidelines enhance the provisions set out in Recommendation XVIII-1 (Guidance for those organising and conducting tourism and non-Governmental activities in the Antarctic);

Desiring to increase the number of Site Guidelines developed for visited sites;

Confirming that the term “visitors” does not include scientists conducting research within such sites, or individuals engaged in official governmental activities;

Noting that the Site Guidelines have been developed based on the current levels and types of visits at each specific site, and aware that the Site Guidelines would require review if there were any significant changes to the levels or types of visits to a site;

Believing that the Site Guidelines for each site must be reviewed and revised promptly in response to changes in the levels and types of visits, or in any demonstrable or likely environmental impacts;

Recommend:

1) that the list of sites subject to Site Guidelines that have been adopted by the Antarctic Treaty Consultative Meeting ("ATCM") be extended to include a further four new sites. The full list of sites subject to Site Guidelines is annexed to this Resolution;

2) that the Antarctic Treaty Secretariat place the texts of such "Site Guidelines", as adopted by the ATCM, on the website of the Secretariat;

3) that any proposed amendment to existing Site Guidelines be discussed by the Committee for Environmental Protection ("CEP") which should advise the ATCM accordingly. If such advice is endorsed by the ATCM then the Secretariat should make the necessary changes to the texts of Site Guidelines on the website;

4) that the Governments urge all those intending to visit such sites to ensure that they are fully conversant with, and adhere to, the advice in the relevant Site Guidelines as published by the Secretariat; and

5) that the Secretariat post the texts of Resolution 5 (2005) and Resolution 4 (2009) on its website in a way that makes clear that they are no longer current.

Resolution 2 (2010)

The contribution of the IPY to hydrographic knowledge of waters of the Antarctic Treaty area

The Representatives,

Considering the appeal made by the Hydrographic Commission on Antarctica (HCA) of the International Hydrographic Organization (IHO) with respect to improving collection of hydrographic data and charting in the Antarctic region;
Noting the increase in scientific expeditions in the Southern Ocean in the Antarctic Treaty area, as part of the International Polar Year (IPY) 2007 – 2008;

Noting also other relevant charting surveys of the Southern Ocean in the Antarctic Treaty area;

Considering that vessels of the National Antarctic Programmes and others linked to the IPY are being urged to compile, whenever possible, hydrographic and bathymetric data on all Antarctic voyages;

Acknowledging that access to and management of observations and data collected during the IPY is fundamental to ensuring the legacy of the IPY;

Taking into account the fact that new forms of data forwarding have been developed since the publication of Resolution 5 (2008);

Taking into account also Recommendation No. 4 of the Antarctic Treaty Meeting of Experts on Management of Ship-borne Tourism in the Antarctic Treaty Area, which was held in Wellington, New Zealand on 9-11 December 2009, to continue contributing to the information about hydrographic survey and cartography;

Recommend that their Governments:

1) Support and promote contacts and liaison between National Antarctic Programmes and national hydrographic offices;

2) Endeavour to ensure that hydrographic and bathymetric data collected by the National Antarctic Programmes’ ships and others linked with their activity in the Antarctic, be forwarded by the National Antarctic Programmes, or by other means, to the national hydrographic services using the IHO Collection and Rendering of Hydrographic Data Form;

3) Encourage National Antarctic Programmes to work with their national hydrographic offices to assist the HCA in producing a full inventory of hydrographic data so that they can be considered for use in the production of international nautical charts under the international charting scheme coordinated by the HCA;

4) Promote liaison and cooperation between national hydrographic offices and the HCA to ensure the legacy of the IPY in the field of hydrography, thereby contributing to the improvement of nautical charts and the safety of navigation in waters of the Antarctic Treaty area, which in turn will help safeguard life at sea, protect the Antarctic environment, and further support scientific activities; and

5) Continue contributing to the report of hydrographic and bathymetric data, using appropriate instruments of their hydrographic services or offices and the IHO Collection and Rendering of Hydrographic Data Form to ensure a timely production of Antarctic nautical charts.

Resolution 3 (2010)

Revised Antarctic inspection Checklist “A”

The Representatives,

Taking into account Resolution 5 (1995) “Antarctic inspection checklists” which proposes a number of checklists to guide the planning and conduct of inspections under Article VII of the Antarctic Treaty, including, among others, Checklist “A” Antarctic Stations and Subsidiary Installations;

Considering the extensive use made of the checklists since the adoption of Resolution 5 (1995), which has made it possible to evaluate their practical implementation;

Noting the evolution of the Antarctic Treaty system since the adoption of Resolution 5 (1995), including, inter alia, the entry into force of the Protocol on Environmental Protection to the Antarctic
Treaty and the establishment of the Antarctic Treaty Secretariat and its Electronic Information Exchange System;

Reaffirming that inspection checklists are useful as guidelines for those planning and conducting inspections under Article VII of the Antarctic Treaty and in assessing implementation of the provisions of the Protocol on Environmental Protection to the Antarctic Treaty;

Noting that inspection checklists are not mandatory and are not to be used as a questionnaire;

Desiring to update Checklist “A” to simplify the inspection process and make it more effective;

Recommend:

That the Consultative Parties adopt the revised Checklist “A” attached, replacing the original Checklist “A”, contained in Resolution 5 (1995).

Resolution 4 (2010)

SCAR Antarctic Climate Change and the Environment Report

The Representatives,

Recognising that the Antarctic region offers a unique environment for the study of climate change;

Recalling the Washington Ministerial Declaration on the fiftieth anniversary of the signing of the Antarctic Treaty, in which Ministers from all Antarctic Treaty Consultative Parties noted their concern over the implications of global environmental change, in particular climate change, for the Antarctic environment and dependent and associated ecosystems and confirmed their intention to work together to better understand changes to the Earth’s climate and to actively seek ways to address the effects of climate and environmental change on the Antarctic environment and dependent and associated ecosystems;

Welcoming the report on Antarctic Climate Change and the Environment (ACCE) by the Scientific Committee on Antarctic Research (SCAR) as a first step in compiling a comprehensive assessment of scientific information on the climate system in the Antarctic region;

Concerned by the findings of the ACCE report that effects of climate change are already occurring in the Antarctic region;

Recommend that their Governments:

1) forward copies of the SCAR ACCE report to their respective departments and agencies engaged in climate change negotiations;

2) encourage dissemination of the findings of the SCAR ACCE report and of ongoing Antarctic climate change research to the general public and the media;

3) forward copies of the SCAR ACCE report to their national Antarctic science and research bodies, and encourage them to consider fully the findings and recommendations from the report; and

4) welcome regular updates by SCAR on Antarctic climate change and its implications.

Resolution 5 (2010)

Co-ordination among Antarctic Treaty Parties on Antarctic proposals under consideration in the IMO

The Representatives:
Noting the steps taken by the Antarctic Treaty Parties to promote the safety of life at sea and environmental protection in the Antarctic Treaty area;

Acknowledging the role of the International Maritime Organization (“IMO”) in aspects of maritime safety and security and the prevention of pollution from ships in the Antarctic Treaty area;

Recalling previous cooperation between the IMO and the Antarctic Treaty Consultative Meeting (“ATCM”), including requests by the ATCM for the IMO to take steps relating to Antarctic maritime matters;

Emphasising the desirability of IMO attendance at the ATCM and recalling the ATCM’s regular invitations to the IMO to attend as an expert;

Welcoming the adoption by the IMO of *Guidelines for Ships Operating in Polar Waters* and the work initiated in the IMO to develop a mandatory code for polar shipping and emphasising the valuable contribution the Parties can make to its development and expeditious conclusion;

Welcoming the adoption by the IMO of a ban on the use and carriage by vessels of heavy grades of oil in the Antarctic Treaty area, following requests by the ATCM;

Noting the desire of the Parties to ensure that regulatory actions relating to shipping in the Antarctic Treaty area are consistent with the objectives of the Antarctic Treaty and its Protocol on Environmental Protection and take into account the conduct of Antarctic activities including, *inter alia*, operations of national Antarctic programmes, in light of the specific circumstances of the Antarctic environment;

Emphasising the importance of representatives to the ATCM working closely with their national IMO representatives on matters relating to the Antarctic Treaty area;

Noting the desirability of timely consideration within the IMO of proposals relating to the Antarctic Treaty area;

Recommend:

That when a Party or group of Parties initiates a proposal to the ATCM that results in a referral by the ATCM to the IMO concerning matters relevant to the Antarctic Treaty area, the initiating Party or group of Parties:

1) report to the ATCM on the anticipated timeline for consideration of the matter referred by the ATCM, including the schedule of IMO meetings and processes;

2) report to the ATCM on the progress of the matter referred by the ATCM within the IMO, including key issues or changes that may arise in IMO deliberations;

3) report intersessionally to the Parties through the Secretariat or other suitable mechanism (e.g. web-based discussion forum), where appropriate, after IMO meetings where the matter referred by the ATCM is considered; and

4) inform the ATCM when further action may need to be considered in order to further the objectives of the ATCM.

Resolution 7 (2010)

Enhancement of port State control for passenger vessels bound for the Antarctic Treaty area

The Representatives,

Recalling Resolution 8 (2009) regarding a Mandatory shipping code for vessels operating in Antarctic waters;

Welcoming the start of work by the International Maritime Organization in February 2010 on a mandatory International Code of safety for ships operating in polar waters (Polar Code);
Acknowledging the duties of the flag State as set out in article 94 of the United Nations Convention on the Law of the Sea which include inter alia the taking of such measures for vessels flying its flag as are necessary to ensure safety at sea;

Noting articles 218 and 219 of the United Nations Convention on the Law of the Sea regarding Enforcement by port States and Measures relating to seaworthiness of vessels to avoid pollution;

Recalling the requirements of the International Convention on the Safety of Life at Sea (SOLAS) 1974; the International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 relating thereto (MARPOL); the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978; and the Protocol on Environmental Protection to the Antarctic Treaty;

Conscious that many passenger vessels operating in the Antarctic Treaty area are not flagged to States which are Parties to the Antarctic Treaty or to its Protocol on Environmental Protection;

Concerned about recent incidents involving passenger vessels in the Antarctic Treaty area;

Recommend:

That the Parties proactively apply, through their national maritime authorities, the existing regime of port State control to passenger vessels bound for the Antarctic Treaty area.