TOWARDS TANGIBLE AND SUBSTANTIVE PROGRESS ON SOUTHERN OCEAN MPAS: THE NEED FOR ALL CCAMLR MEMBERS TO ENGAGE IN THE PROCESS

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1. Introduction

As the XXIX CCAMLR meeting convenes, just two short years remain for CCAMLR to contribute towards the achievement of the World Summit on Sustainable Development goal of establishing a global representative system of marine protected areas (MPAs) by 2012. CCAMLR has made many positive steps towards meeting this goal for the Southern Ocean since the 2005 CCAMLR MPA workshop. ASOC is heartened that in recent years these efforts have increased, and is especially pleased with the series of milestones agreed at last year’s CCAMLR meeting, since they provide a good framework for agreeing on the representative system of MPAs and marine reserves. ASOC welcomes intersessional joint workshops among Members, scientists and experts in cooperation with the other instruments of the Antarctic Treaty System and other relevant bodies. In order to ensure the likelihood of success, ASOC suggests a further intensification of efforts at national and international levels, towards the goal of implementing a Southern Ocean representative MPA network by 2012. This will require the engagement and meaningful contribution of representatives of more CCAMLR Members, to progress this priority area of the Commission's work.

As the process of establishing a representative network of MPAs and marine reserves in the Southern Ocean progresses, it is important that CCAMLR Members continue to build upon previous efforts, applying recognized principles and methodologies. These include: 1) hierarchy of MPA conservation objectives; 2) principles such as the precautionary approach and the CAR principles of comprehensiveness, adequateness and representativeness; and 3) methodologies such as bioregionalisation and systematic conservation planning. This will help ensure that stated objectives of the Convention are met.

This paper provides comment on what steps ASOC submits need to be taken to achieve the goal of a network of Southern Ocean MPAs by 2012 and recalls the recognition and application of the aforementioned principles and methodologies. In that context, ASOC recommends that CCAMLR Members contribute to the intersessional work needed to support identification of areas for protection to be discussed at the planned 2011 MPA workshop.

2. Building Upon Previous Work

A. Hierarchy of MPA Conservation Objective

Article II of the Convention states the objective of CCAMLR is conservation including rational use of marine living resources in accordance with 3 overarching principles: a) the prevention of decrease in the size of any harvested population to levels below those which ensure its stable recruitment; b) the maintenance of the ecological relationships between harvested, dependent and related populations of Antarctic marine living resources; and c) the prevention of changes or minimization of the risk of changes in the marine ecosystem which are not potentially reversible over two or three decades. The aim is to insure that fisheries and related activities do not have significant adverse effects on any marine living resource or the ecosystems of which they are components. In this context, it is apparent/clear that the term “rational use”, when viewed in relationship to the functions of the Commission set forth in Article IX of the Convention, includes establishing and managing activities in protected areas for purposes of conservation and scientific research.

As CCAMLR undertook the development of a comprehensive and representative system of MPAs to meet the goal of Article II, this goal was supplemented with additional objectives at the 2005 CCAMLR MPA workshop. These objectives include the conservation of biodiversity and maintenance of ecosystem structure and function, with an understanding that the types of areas in need of designation should include representative areas (where representative areas are defined by the principles of comprehensiveness, adequateness and representativeness -- CAR), vulnerable areas, scientific areas and areas to protect

1 Report of the Joint CEP/SC-CAMLR Workshop, CEP XII, WP 55 – para 7.2 and Marine Protected Areas: discussions and decisions in the CCAMLR context. Eighth meeting of the Conference of the Parties to the Convention on Biological Diversity (COP8), Curitiba, Brazil, 20-31 March 2006 IUCN information paper.
ecosystem processes (CCAMLR MPAs Workshop Report 2005, paragraph 61). From this, a useful hierarchy of objectives to guide MPA designation can be followed, as shown in Fig. 1.

Fig. 1: Hierarchy of conservation objectives, from the overarching goal specified in CCAMLR Article II, to the more specific objectives set out by the CCAMLR Workshop on MPAs (2005) and the Protocol on Environmental Protection (source: SC-CAMLR-XXVIII/14, Fig. 1).

The 2007 CCAMLR MPA workshop, through the methodology of bioregionalisation, identified priority areas believed to meet the objectives described above and in which initial effort should be concentrated towards achieving a representative system of MPAs.

B. Principles

At the 2005 CCAMLR MPA workshop, the application of the principles of comprehensiveness, adequateness and representativeness² were recognized as a valuable approach to the development and implementation of a system of MPAs in the Convention Area. The workshop agreed that there was a need for the protected areas to satisfy the CAR principle. Further, as CCAMLR is committed to the application of the precautionary approach in its conservation and management activities, it has been agreed that the absence of scientific certainty is not sufficient reason to avoid designating MPAs.

As marine spatial protection and management in the Southern Ocean is developed and implemented, a key consideration is that the areas protected should be of ecologically significant size. Therefore, the areas set aside for special protection must be large enough to meet their objectives—e.g., to enable the study and appropriate protection of the species, populations, habitats, ecological processes and ecosystems of concern. The impacts of climate change must also be considered.

Covering just less than 94,000 km², the South Orkneys Marine Protected Area established in 2009 constitutes a significant achievement by CCAMLR. However, taken together with the existing ASPAs and ASMAs, as well as marine reserves located within national EEZs, current marine spatial protection in the Southern Ocean is largely a patchwork of small areas that does not satisfy overall conservation objectives. The World Parks Congress in Durban 2003 recommended that MPA & marine reserve systems should be extensive and include strictly protected areas covering each identified habitat. The World Parks Congress also clearly recognized that some habitats will need a greater proportion protected than others. For isolated and regionally rare habitats it will be necessary to ensure that a greater proportion of those habitats are given protection. Analyses of existing marine spatial protection elsewhere in the world indicate that larger MPAs

² Comprehensiveness – the need to include the full range of ecosystems across each bioregion; Adequacy – appropriately sized MPAs to ensure protection of ecological viability and integrity of populations, species and communities; Representativeness – sufficient MPAs to reflect the biotic diversity of marine ecosystems. From SC-CAMLR XXIV Final Report, Annex 7, para 12
accrue greater benefits of such protection than smaller areas. This is especially true in adequately addressing the problems brought by climate change. Support for MPAs of ecologically significant size in the Southern Ocean is further justified by the large scale of oceanic processes and species’ movements (e.g. seabirds, cetaceans etc), and evidence that larval dispersal distances increase in correlation to latitude. Therefore the higher the latitude, the larger the areas need to be set aside for protection.

Keeping in mind, both the CCAMLR principles of conservation including the precautionary and ecosystem approaches and those of comprehensiveness, adequateness and representativeness, Members should be looking to develop for consideration at the 2011 workshop bold proposals covering each of the 11 priority areas identified thus far.

C. Processes and Methodology

At the 2005 MPA workshop, bioregionalization was recognized as a key task required to underpin CCAMLR’s establishment of a representative system of MPAs in the Southern Ocean. Furthermore, CCAMLR agreed on a broad scale bioregionalisation of the Southern Ocean at the 2007 Brussels Workshop.

In many cases, especially for areas with low levels of biophysical heterogeneity, broad-scale bioregionalization, supplemented by other data sets, will be sufficient to develop a framework of marine spatial protection that is comprehensive, adequate and representative of the range of biodiversity in a chosen region. In other cases, relevant data do exist at appropriate scales allowing a fine scale bioregionalisation to be conducted that can be used to validate the physical heterogeneity identified in the broad-scale bioregionalization. This can further inform the spatial planning process to ensure that the full range of biodiversity in addition to key ecological features and biological processes are fully represented. Bioregionalisation at both broad and finer scales should continue to underpin CCAMLR work on MPAs.

Systematic Conservation Planning has been recognized by CCAMLR as a useful methodology for developing a representative system of MPAs (SC-CAMLR-XXVII, paragraph 3.55 & CEP XII Report, paragraph 193) and can be applied to information and datasets such as those developed by bioregionalization to determine areas that warrant MPA designation.

Besides the work conducted by the CCAMLR Scientific Committee and its working groups, other opportunities exist to progress towards establishing a representative system of MPAs and marine reserves across the Southern Ocean. They include the work of the Committee for Environmental Protection (CEP) and a workshop on Antarctic Specially Managed Areas (ASMAS) to be conducted by the CEPs Subsidiary Group on Management Plans (SGMPs). CCAMLR and the CEP have agreed to collaborate on the development and implementation of MPAs in the Southern Ocean. Working in a complementary way, the CEP would be an appropriate body to facilitate general acceptance of specific MPA proposals. The terms of reference of the ASMA workshop to be conducted by the CEPs SGMP include the consideration of areas of the Antarctic Treaty Area that are suitable for ASMA designation and can contribute to a representative network of MPAs in the Southern Ocean.

3. Recommendations

- CCAMLR Members should commit to undertaking necessary intersessional work

In order to develop and implement a representative system of MPAs and marine reserves by 2012, CCAMLR Members should support the necessary intersessional work required, including the time consuming tasks of gathering of relevant existing data, processing that data into usable formats, and setting up frameworks under which methods such as systematic conservation planning can be applied. A number of


governments are directly involved in contributing a significant amount of work towards MPA development in a number of the 11 priority areas that were identified by CCAMLR. However, all CCAMLR Members need to engage now. The participation of Members’ ocean spatial planning experts and ocean ecologists in intersessional work is vital to timely identification, gathering, and assessment of relevant data sets, and identification and, development of proposals for areas meriting special protection. ASOC is committed to collaborating with CCAMLR Members in this effort, including supporting and actively carrying out intersessional work.

- **Ensure that the 2011 CCAMLR MPA Workshop identifies candidate areas for protection.**

The 2011 CCAMLR MPA workshop will provide a valuable opportunity to evaluate approaches and proposals for the development of MPAs and marine reserves in the Southern Ocean. However the full value of the workshop will not be realised without the engagement of all CCAMLR Members in the intersessional work. This work must encompass the first objective of the CCAMLR MPA work plan adopted at last year’s meeting - i.e. the collation of relevant data for as many of the 11 priority areas as possible (and other areas as appropriate) and the characterization of each area in terms of biodiversity patterns and ecosystem processes, physical environmental features and human activities. However this intersessional work should be taken further with the development of proposals that identify candidate areas for protection which can then be evaluated by the workshop.

The workshop can and should go beyond sharing of experience on different approaches to the selection of candidate MPA sites and determining work programs to identify candidate MPAs both within and outside priority regions. CCAMLR Members have ample time between this CCAMLR meeting and the proposed MPA workshop to gather and analyze the available data and make concrete MPA proposals for the workshop to consider. The 2011 CCAMLR MPA workshop should meet the stated milestone to identify candidate areas for protection in as many of the priority regions as possible (and other regions as appropriate), based on the collated data and regional characterizations, and using appropriate selection methods.

4. **Conclusions**

ASOC is encouraged by CCAMLR’s recognition of the significance of the 2012 target and the agreement of a work plan that sets out a number of clear steps towards meeting that deadline. ASOC is heartened by its perception that CCAMLR is basing this effort on the best available science. The task in the coming intersessional period is to achieve the agreed milestones by identifying candidate areas and developing proposals in time for consideration at the 2011 workshop. These proposals need to be bold in scope, ideally covering all 11 of the priority areas, and other areas as appropriate. This cannot be done by a few countries on their own, but requires the full engagement of all CCAMLR Members working with adequate resourcing.

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5 Third point of the CCAMLR MPA work plan.