ACHIEVING A NETWORK OF MARINE PROTECTED AREAS IN THE CCAMLR AREA

THE ANTARCTIC AND SOUTHERN OCEAN COALITION (ASOC)
ACHIEVING A NETWORK OF MARINE PROTECTED AREAS
IN THE CCAMLR AREA

1. The Case for Marine Protected Areas

For the past six years, ASOC has drawn attention to the need for Marine Protected Areas (MPAs) in order to safeguard large parts of the Antarctic marine environment from the escalating impact of human activity, including but not limited to fishing operations.¹

ASOC’s concern has been not only the development of criteria for a network of MPAs, but also to see the creation of actual MPAs. CCAMLR has now embarked on a process for the former. ASOC welcomes this process and looks forward to contributing to it. Nevertheless, to fulfil CCAMLR conservation objectives, it is important that these efforts are promptly translated into the protection of relevant areas in the Southern Ocean.

MPAs within the CCAMLR Area in which all fishing is prohibited have been designated in EEZs under national jurisdiction. A notable example is the Heard and McDonald Islands Marine Reserve.² MPAs under development include the Prince Edward Islands³. In addition, there has been a substantial development based on subantarctic islands on the margins of the CCAMLR area, such as the creation of the Macquarie Island Marine Park⁴, and the Auckland Islands Marine Reserve.⁵ Despite these developments, no such reserves have yet been proposed for high seas areas within CCAMLR.⁶ MPAs under national jurisdiction in the Southern Ocean provide a substantial reservoir of practical management that can be drawn on for high seas MPA development in the CCAMLR Area.

Under the Antarctic Treaty, terrestrial protected areas (of various categories) have been designated from the 1960s onwards. The creation of protected areas was further incorporated into a formal obligation to develop a systematic environmental-geographical framework – which only appeared with the Protocol on Environmental Protection to the Antarctic Treaty (Protocol) in 1991.⁷

CCAMLR is the gatekeeper for any protected areas with a marine component that may be developed under the Protocol, which identifies “marine ecosystems” as legitimate areas for consideration as both Antarctic Specially Protected Areas (ASPAs)⁸ and Antarctic Specially Managed Areas (ASMAs).⁹ CCAMLR approval is required for the designation of ASPAs or ASMAs with a marine component. No substantial marine areas have yet been designated

¹ CCAMLR-XIX/BG/26 (Paragraphs 30-32); Clark & Hemmings (2001) 4 International Wildlife Law and Policy 47-62; CCAMLR-XXI/BG/23 Rev. 1 (Paragraph 28); CCAMLR-XXI/BG/27 (Recommendation 8); CCAMLR-XXII/BG/27 (Recommendation 7); CCAMLR-XXIII/BG/31 (Recommendation 6); CCAMLR-XXIV/BG/32 (Priority 7).
³ Nel et al 2005. Progress towards the Declaration of a large Marine Protected Area around South Africa’s sub-Antarctic Prince Edward Islands. CCAMLR Workshop on Marine Protected Areas Workshop WS-MPA-05/15.
⁷ Paragraph 2, Article 3, Annex V (Area Protection and Management).
⁸ Article 3, Annex V (Area Protection and Management)
⁹ Article 4, Ibid
under the Protocol, but only a small number of essentially terrestrial coastal areas with limited area marine components. ¹⁰

Taking into account CCAMLR’s commitment to an ecosystem approach to conservation and management, ASOC encourages CCAMLR Members to play a particular leadership role in establishing MPAs in the Southern Ocean. In coordination with other bodies in the ATS, CCAMLR has the scientific expertise and the institutional framework necessary to develop a representative network of Antarctic MPAs. It is essential that the full range of Antarctic Protected Areas experience is drawn upon, and that the WG-EMM, Scientific Committee and Commission closely coordinate with the Committee for Environmental Protection (CEP) established by the Protocol, and with the ATCM.

It is critical that comprehensive, adequate and representative MPA networks are embedded within CCAMLR’s broader ecosystem management regime. To implement the ecosystem approach effectively, it is necessary to apply a range of conservation measures and use the full spectrum of available tools, including spatial, temporal and depth closures, and also to look into issues like gear modification and bycatch mitigation technology. Special attention should be paid to Small-Scale Research Units (SSRUs) developed on the basis of physical and geographical features in some subareas such as 88.1 (Balleny Islands/Ross Sea), ¹¹ and the 15 Small-Scale Management Units (SSMUs) defined within Area 48 to facilitate management of the krill fishery. SSRUs and SSMUs are good examples of CCAMLR’s experience with area-based conservation approaches, and provide an opportunity for further development of MPA tools to achieve the conservation objectives of the Convention.

2. The Wider International Context

ASOC strongly supports the call from the 2002 World Summit on Sustainable Development (WSSD), and reiterated at the Fifth IUCN World Parks Congress in 2003, for the international community to devote urgent attention to creating and expanding MPAs networks in areas beyond national jurisdiction, including Antarctica. The timelines proposed are for the application of the ecosystem approach by 2010 and the establishment of MPAs (including time/area closures for the protection of nursery grounds) and representative networks by 2012.

The Convention on Biological Diversity (CBD) has also called for urgent action to address the under-representation of marine and coastal biodiversity in the global protected area system, particularly in areas beyond national jurisdiction. In the context of the CBD, it is considered that an effectively managed, representative system of marine and coastal protected areas will give a strong backbone to efforts to halt the loss of marine and coastal biological diversity nationally, regionally and globally. In addition, fully-protected MPAs or marine reserves will provide the scientific reference areas necessary to gauge the effects of management outside such areas in line with the ecosystem approach.

¹⁰ The only areas that have been given the title “protected” under CCAMLR are CCAMLR Ecosystem Monitoring Programme (CEMP) sites. CEMP sites may be given protected status under conservation measures and as such, require a permit for entry. See Conservation Measure (CM) 91-01 (2000), Procedures for According Protection to CEMP sites: CM 91-02 (2000), Protection of the Cape Shirreff CEMP site.

¹¹ CM 41-09 (2005) establishes catch limits for exploratory fisheries in the Ross Sea (toothfish, skates and rays). In four of the 12 established SSMUS, the catch limit is set at zero.
3. The CCAMLR Process towards MPAs - Setting a course of action

Following the Report of the CCAMLR Workshop on Marine Protected Areas, CCAMLR XXIV saw increased attention in both the Scientific Committee and Commission to the issue of MPAs in the CCAMLR Area, in particular on the process of building a comprehensive and ecologically representative system of MPAs. A series of key tasks were outlined towards this goal, such as a broad-scale bioregionalisation of the Southern Ocean, which was identified as an important first step in this process.

Despite the high priority that the Antarctic Treaty System (ATS) accords to environmental protection, the development of an MPA system for the Antarctic marine environment is only in its infancy. At the opening of CCAMLR XXV, a quarter-century after the adoption of the Convention, CCAMLR has the opportunity to take a leading role in the development of MPAs in cooperation with the other instruments of the ATS.

First clear steps towards implementing such an MPA network should be:

- Support broad-scale bioregionalisation efforts for the Southern Ocean in the CCAMLR Area;
- Allocate resources to a finer-scale analysis of sub-regional biodiversity;
- Establish joint CCAMLR/CEP mechanisms for prompt consideration of ASPAs and ASMAs with a marine component proposed by the ATCM;
- Collaborate with the ATCM/CEP in the development of a network of MPAs;
- Begin the development of governance models for the establishment and implementation of High Seas MPAs, including fully-protected MPAs or marine reserves;
- Agree to a timeline, targets, and a clearly defined process for establishing a network of MPAs within the CCAMLR area at CCAMLR XXVI in 2007; and
- Commit to the establishment of a comprehensive and fully-representative network of MPAs by 2012.

4. ASOC Members initiatives relevant to MPAs in the Southern Ocean

**WWF Antarctic & Southern Ocean Initiative**

ASOC-member, WWF, was pleased to support an Experts Workshop on Bioregionalisation of the Southern Ocean in Hobart in early September, 2006. This workshop has established a ‘proof of concept’ for bioregionalisation of the Southern Ocean, making an important initial contribution to a range of scientific, management and conservation goals, including the development of a representative system of MPAs. It is hoped that the methods developed during the workshop for undertaking a broad-scale bioregionalisation, and issues identified for further work on this topic, will be of significant value in work towards the 2007 CCAMLR workshop on bioregionalisation.

---

12 Annex 7 - Report of the Twenty-Second Meeting of the Scientific Committee
13 Paragraphs 3.53-3.73 - Report of the Twenty-Second Meeting of the Scientific Committee
14 Paragraphs 4.12-4.18 - Report of the Twenty-Fourth Meeting of the Commission
Greenpeace

In order to achieve its goal of clean and healthy oceans Greenpeace is campaigning for the establishment of a global network of fully-protected marine reserves covering 40% of the oceans (http://oceans.greenpeace.org/en/documents-reports/roadmap-to-recovery).

Greenpeace believes that it is essential to put large areas off limits to all extractive and destructive uses if we are to adequately protect entire ecosystems and the full range of biodiversity that they harbour. Marine reserves are the most powerful tool available for conservation and may also benefit fisheries by promoting recovery and reproduction of exploited species. Establishing a network of marine reserves in the Southern Ocean is crucial to the implementation of the ecosystem approach as such a network will provide reference areas for measuring the effects of management measures implemented outside and also provide a buffer against uncertainty in line with the precautionary approach.