A representative system of CCAMLR MPAs: Current proposals and beyond

Submitted by ASOC
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Abstract
This document examines the progress made to date in the establishment of a representative system of Marine Protected Areas (MPAs) in the CCAMLR Convention Area, looking at the wider context and what still needs to be accomplished. ASOC suggests that although CCAMLR should consider different concerns, it should focus on its conservation mandate, and realise the objective of establishing a representative system of MPAs in the CAMLR Convention Area.

Overview
For over a decade CCAMLR Members have been discussing the adoption of a representative system of MPAs in the CAMLR Convention Area - a type of area management that is in accordance with the Convention’s Art. IX 2 (g). This document examines the progress made to date in these discussions, looking at the broader context as well as what still needs to be accomplished.  

Article IX, paragraph 1 (f) of the Antarctic Treaty (1959) states that the Antarctic Treaty Consultative Parties (ATCPs) bear responsibility in respect of the "preservation and conservation" of living resources in Antarctica. Following entry into force of the Treaty in 1961, this responsibility has been implemented through the Agreed Measures for the Conservation of Antarctic Fauna and Flora (1964, the Agreed Measures), the Convention for the Conservation of Antarctic Seals (1972, CCAS) the Convention for the Conservation of Antarctic Marine Living Resources (1980, CAMLR Convention) and more recently the Protocol on Environmental Protection to the Antarctic Treaty (1991, the Protocol), which designates Antarctica, “as a natural reserve, devoted to peace and science.” (Protocol's Art. 2). Due to its scope and ambition, the adoption of a representative system of MPAs in the Convention Area continues an historic trend of ever-greater protection in the Antarctic region. 

In 2009 CCAMLR set itself the target of 2012 to achieve a representative system of MPAs within the Convention Area. Concurrently, CCAMLR adopted the South Orkney Islands Southern Shelf MPA (CM 91-03, 2009), the first high seas MPA worldwide, and subsequently in 2011 a General Framework for the Establishment of CCAMLR MPAs (CM 91-04, 2011). CM 91-04 establishes six objectives concerning the protection of areas or features representative, critical or vulnerable features, marine ecosystems, habitats or processes (i-ii and iv-v); the creation of scientific reference areas for monitoring natural variability or the effects of harvesting (iii), and the protection of areas for maintaining resilience or the ability to adapt to the effects of for climate change (vi).

As part of a systematic conservation planning strategy, in 2011 the Convention Area was divided into nine planning domains. This work was based on an earlier bioregionalization analysis that had identified eleven priority areas in the Convention Area.

Proposals for MPAs in Domain 7 (East Antarctic Representative System of MPAs, submitted by Australia, the European Union and France) and Domain 8 (Ross Sea MPA submitted by New Zealand and USA, initially as two separate proposals and then as a single proposal) have been examined by various CCAMLR bodies since 2010 and 2011, respectively.

Discussions have included regular annual meetings, a special intersessional meeting in Bremerhaven, Germany, in 2013, and numerous bilateral and informal consultations between CCAMLR Members.

1 This document refers to the Convention for the Conservation of Antarctic Marine Living Resources as "CAMLR Convention" or "Convention" and to the Commission for the Conservation of Antarctic Marine Living Resources as "CCAMLR" or "Commission".
2 CCAMLR has considered primarily MPAs within the Convention Area. Marine spatial protection has been proposed or established in various jurisdictional areas adjacent to and/or within the CAMLR Convention Area. These have not been considered by CCAMLR and are not discussed here. For an overview of these areas see Wenzel L, Gilbert N, Goldworthy L, Tesard C McConnell M and Oktar M (2016): Polar opposites? Marine conservation tools and experiences in the changing Arctic and Antarctic. Aquatic Conserv: Mar. Freshw. Ecosyst. 26 (Suppl. 2): 61–84 (2016) DOI: 10.1002/aqc.2649.for instance Wenzel et al (2015) p. 71
3 The CCAMLR MPA process parallels global targets for greater protection of biodiversity, notably the 2002 World Summit on Sustainable Development Target to establish representative networks of marine protected areas worldwide by 2012, noted by CCAMLR at the time.
The proposals are conceptually different (for instance in terms of their design methods and proposed approaches to research and management), underscoring that not "one size fits all" when it comes to the design of MPAs.

SC-CAMLR has agreed that both of the proposals have been developed using the best available science (a criteria of CM 91-04 and also of Art. IX 1 (f) for the formulation, designation and review of Conservation Measures).\(^5\)

So far, CCAMLR has not achieved consensus on either proposal. In the process, the original proposals have been substantially modified through an iterative process of discussion and review.

In the meantime, work has continued in some of the other domains, particularly Domain 3 and parts of Domain 4 (resulting in a Weddell Sea MPA proposal submitted to CCAMLR XXXV in 2016 by the European Union as CCAMLR-XXV/18) and Domain 1 (Antarctic Peninsula). Work in some of the other domains has included collation of relevant data.

**Discussion**

There was some progress on the adoption of a representative system of MPAs up until 2011, and despite CCAMLR's inability to reach consensus on the adoption of any MPA proposal under discussion since that time, work has continued in other domains. This is a welcome development.

However, the proposed MPAs for East Antarctica and the Ross Sea have been reduced in a number of ways, reflecting a decrease in conservation ambition. This is most evident in a decrease of the size of the original proposals (approximately 50% and 30%, respectively). Best practice in systematic conservation planning has also been affected, for example by arbitrarily changing boundaries or temporarily setting aside components that were originally designed as part of a broader MPA system. Other important conservation factors have potentially been compromised, such as MPA duration, review process, and continuation criteria.

In the discussion, the concept of what an MPA is or does and how it relates to fisheries research and fishing generally has also been compromised. MPAs are intended to be a conservation and biodiversity protection tool, not a fisheries management tool. Unfortunately, MPA discussions at CCAMLR have often focused more on fisheries-related issues rather than on conservation and biodiversity values. This could have implications beyond the current proposals, including the ability of MPAs (individually and collectively) to meet effectively the protection, scientific research and climate change objectives of CM 91-04 particularly in the context of Southern Ocean ecosystem change.\(^6\)

Overall, adopting a representative system of MPAs is not a capricious wish of some Members, but a commitment of CCAMLR and a way to appropriately implement the objectives and principles of the CMTL Convention. Also the creation of MPAs is in line with the broader body of instruments that make up the Antarctic Treaty System, which seeks to govern the entire region on the basis of peace, science, and environmental protection. ASOC suggests that although CCAMLR must consider different concerns, it should adhere to the Convention's conservation objectives and principles, and focus on realising its objective of establishing a representative system of MPAs across the breadth of the CMTL Convention Area.

**Recommendations**

- CCAMLR should adopt in 2016 the MPA proposals put for adoption.
- CCAMLR should continue to design and adopt future MPA proposals in the years to come.
- CCAMLR should fully implement a representative system of MPAs across the nine planning domains, and in doing so ensure that the protection, scientific research and climate change objectives of CM 91-04 are met.

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5 SC-CAMLR XXX, paragraph 5.63 and SC-CAMLR-IM-I, paragraph 2.55 (East Antarctica); SC-CAMLR-IM-I, paragraphs 2.30 to 2.33 (Ross Sea).