

ECO



A Publication of Non-Governmental Environmental Organizations at the
40th Commission on the Conservation of Antarctic Meeting Living Resources Meeting

Mixed News on Krill at CCAMLR-40



"Oh no! When are they going to re-open the Krill Cafe?"

Illustration by Vrinda Manglik

As the 40th meeting of CCAMLR opens, ECO remains optimistic that CM 51-07 will be rolled over this year. This action would help the "krill café" stay open for predators in the Antarctic Peninsula. It would also allow for further work to create a new version of CM 51-07 that hopefully does an even better job of making sure the café has plenty to offer all customers.

Yet ECO is troubled by some emerging attitudes towards krill fishing. ECO was shocked to find out instances of whale mortality in the krill fishery, or at least the segment of the fishery that uses continued trawling. ECO knows that CCAMLR Members and delegates and even the fishers are shocked too.

However, what is almost even more shocking is that now that marine mammals are entering in the bycatch picture, some in CCAMLR consider that – since the krill fishery is expanding and might result in further marine mammal mortality, we better get used to it, baby (not their words). There's also been a similar discussion about seabird and seal mortality.

This would require CCAMLR deciding how many birds, whales and seals the krill fishery can kill by accident. Going strictly by the Convention, some

Members are saying, we can probably kill a few and not violate any Article II principles, so why not? Aren't there "plenty" of some of these species?

This is interesting since talking about whale protection in CCAMLR is generally a definite no-no, but it seems that it is suitable to work out an "acceptable" number of fatalities.

Anyway, luckily there is some help available in the scientific literature. For instance, there is potential biological removal (PBR) formula used to determine the level of human-caused mortality marine mammal populations could sustain while still allowing those populations to recover.¹

This formula and other similar formulas could help to define the magic number of whales (or pinnipeds or birds) that might need to die so that we can enjoy our daily dose of omega oils with our smoothies and feed our farmed salmon.

Although playing with numbers, modelling and simulations etc. can be fun, ECO can provide the right number without much calculation: **zero**.

There is no "acceptable" number of animals that should die for the krill fishery. These are, we are told, unusual events. They should not be normalized as the unavoidable consequence of unavoidable industry growth. Rather, it is imperative to investigate what is happening in the krill fishery and take action accordingly to prevent future occurrences of mammal and bird mortality. Historically this has been the practice in CCAMLR – for instance, issues of seabird mortality in the longline fishery were subject of much discussion and, as far as we know, addressed quite satisfactorily. This should be the same approach with respect to other fishing methods and/or other bycatch, such as whales. And if this means curtailing the fishery in some places, for some time and/or in some other way, so be it.

Humans have already tried out the concept of defining "acceptable" impacts elsewhere in the world. It usually has not had great results, in many cases only slowing the

¹ Wade P.R. 1998. Calculating limits to the allowable human-caused mortality of cetaceans and pinnipeds. *Marine Mammal Science* 14:1-37.

See also: Punt A.E. et al. 2020. Robustness of potential biological removal to monitoring, environmental, and management uncertainties, *ICES Journal of Marine Science*, 77 (7-8): 2491–2507.

pace of ecosystem degradation rather than stopping it. The slow recovery of Antarctic whales and seals from historical whaling and sealing has been a conservation bright spot over the past few decades. That's no reason to get complacent.

MPAs: PROCESS OR PROGRESS?

CCAMLR finally gets around to defining MPAs....

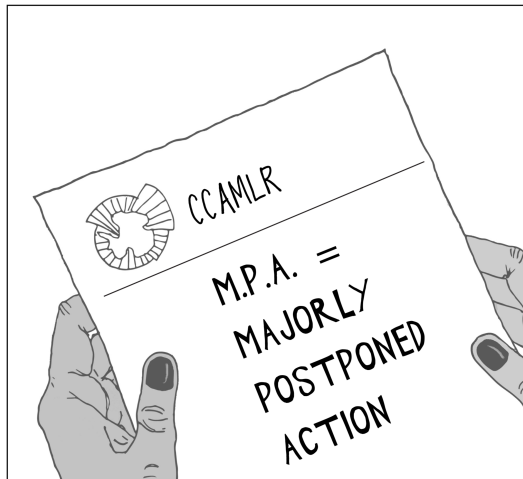


Illustration by Vrinda Manglik

ECO has heard a lot about the various deficiencies in proposed MPAs at this year's CCAMLR. There isn't a definition of MPAs, there needs to be a more strict process for developing proposals, et cetera. ECO is all for getting things right, but these are odd questions at this stage. IUCN submitted a paper on MPAs to CCAMLR in 1997. CCAMLR has therefore been discussing them for some time, yet many of these issues only seem to have happened once actual proposals were on the table. ECO believes that if any Members were confused about what MPAs were, they should have shared that before adopting CM 91-04.

To be fair, ECO notes that other aspects of CCAMLR's work are also being scrutinized, and there are suggestions about creating new definitions and processes as well. This gives ECO an idea: why not do the same for CCAMLR fisheries, and institute more rigorous checklists, definitions, and processes?

After all, CCAMLR has more fisheries than it does MPAs, and has agreed more conservation measures related to fisheries, so perhaps it would be easier to agree on these processes as well. The conservation principles for fisheries are clearly spelled out in Article II, and while there are differences of opinion on how to implement those principles in practice, there doesn't seem to be any confusion about what they mean. ECO notes that efforts to standardize research plans for fisheries have been quite successful and helpful in recent years, so this might be the next logical step in making sure that these fisheries are all fully compatible with the Convention.

Therefore, ECO fully supports making it clear what defines a new fishery, an exploratory fishery, and so on. A checklist might be a good idea here, one consistent

with Article II, in particular the part about maintaining ecological relationships. It's been pointed out many times that much of CCAMLR's information is only on harvested species, while other species in the food web of a fishery are relatively under-studied. Thus CCAMLR could make it a priority to have all of the baseline data on all of the species in a food web compiled and analyzed before allowing fishing. There should also be a standardized research plan all fisheries have to follow, even if they are out of the research or exploratory phase.

If CCAMLR needs to do this for MPAs to ensure everything is carried out in a manner consistent with the Convention, it is much more urgent for fisheries. MPAs are much less likely to run afoul of Article II than fisheries are. Otherwise, fishing in CCAMLR requires a lower level of scientific information than MPAs, and ECO is quite certain that this is completely contrary to the spirit of the Convention.

TRANSPARENCY

Transparency combines elements of good governance and accountability, and elements of promoting integrity and preventing corruption. Openness to civil society is part of this too. Yet, we increasingly see signs that some Members are uncomfortable with greater transparency.

In this context ECO very much welcomes the initiative by the CCAMLR Secretariat to promote greater transparency in the handling of meeting documents. Concerns about e.g. unpublished data availability, although relevant in some instances, should not deter an overall trend for greater transparency. Nor is transparency with respect to civil society something exceptional: A quick review of institutional and governance arrangements for other multilateral treaty bodies (IATTC, ICCAT, NAMMCO, NEAFC, SEAFO, SPRFMO, and WCPFC), indicates that CCAMLR performs rather poorly with respect in terms of openness. In ECO's experience, CCAMLR's transparency level is also lower than that of the ATCM.

Transparency is important for one reason: CCAMLR, as an integral part of the Antarctic Treaty System, is contributing to the governance of the Southern Ocean in the interest of humankind (and, of course, Antarctic marine life). The officials and civil servants representing various Members are accountable to their citizens, not exclusively to their governments or industries.

For too long the workings of international institutions have been mysterious to all but a few. The consequences are that citizens are disconnected from organizations with a huge impact on the health of the planet. Those same citizens are clamoring for change, but organizations are not responding. Shining a light on how international governance happens would benefit the planet and the people.



ECO Number 2

The Internets

26 October 2021

Production Team

Ah Lee Ming, Evan McCloud, Jade de Longhi, James Joyce, Mariano Benvenuto, Joyce Hagerman, Sven Janssen, Frank Bean, Visenya Targaryen.

Cartoonist: Vrinda Manglik

ECO is published by non-governmental organizations at international environmental meetings. ECO is financed solely from non-governmental sources, and thanks the Australian Conservation Foundation, Bear Gulch Fund, Centro de Conservación Cetacea (Chile), Cetacean Society International, ECO-New Zealand, Forest and Bird-NZ, Friends of the Earth (Australia, Korea, Japan and International), Greenpeace (International & Netherlands, Humane Society of the US, Humane Society International, IFAW, Korea Green Foundation, Marine Conservation Foundation (US), Marisla Foundation, Munson Foundation, Oceans Five, Peter Scott Trust, Pew Environment Group, Prince Albert II of Monaco Foundation, Sierra Club, Tinker Foundation, Whale and Dolphin Conservation Society, WWF-ASOI, and an Anonymous Donor for their support.