



CCAMLR

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Commission pour la conservation de la faune et la flore marines de l'Antarctique
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**Marine protected areas: A global and regional imperative for
CCAMLR**

Submitted by ASOC



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Marine Protected Areas: A Global and Regional Imperative for CCAMLR **Submitted by ASOC**

Abstract

CCAMLR is now ten years past the agreed 2012 deadline to establish a representative system of MPAs in the Southern Ocean agreed in 2009. CCAMLR's greatest achievement in marine protection, the designation of the world's largest MPA in the Ross Sea, is an example of global leadership. However, the fact that the three MPA proposals under discussion have not been designated despite years of negotiations means that CCAMLR is failing its mandate to deliver a network of MPAs in the Southern Ocean. This paper considers CCAMLR MPAs in the context of marine spatial protection negotiations at a global scale and suggests that now is the time for CCAMLR to once again show global leadership and deliver on ocean protection in the Convention Area. ASOC's recommendation is that CCAMLR acts immediately to:

- Adopt the three currently proposed MPAs.
- Approve the Ross Sea MPA Research and Monitoring Program.
- Make progress on MPA proposals for MPAs in the remaining planning domains.

Introduction

In October 2021, CCAMLR 40 reaffirmed its Members' "strong and unwavering cooperation and commitment to the objective of the CAMLR Convention". Among other pledges, Members also reaffirmed their "determination to establish a representative system of MPAs (marine protected areas) within the Convention Area"¹. This should form the basis for discussions on area-based conservation measures during CCAMLR 41.

For almost half of its 40-year existence as a decision-making body, CCAMLR has been considering spatial protection and MPAs. Although it has achieved some important results, such as designating the world's largest marine protected area in the Ross Sea in 2016, overall negotiations on new protections have been beset by unnecessary delays. There are several reasons for CCAMLR's overall inability to deliver a network of MPAs, but increasingly, there is a concern about a divergence from the use of best available science, unwillingness to use a precautionary approach, and an apparent lack of good faith in negotiations. Consequently, 2022 brings a significant milestone into focus: CCAMLR is now ten years past the agreed 2012 deadline to establish a representative network of MPAs in the Southern Ocean (CCAMLR-XXVIII, paragraph 7.19).

While CCAMLR's 2009 commitment to MPA designation put it at the forefront of international organizations in terms of marine conservation ambition, the fact that the three proposals under discussion, namely the East Antarctic (2012), the Weddell Sea (2016) and the Western Antarctic Peninsula and South Scotia arc (Domain 1; 2017) MPAs, have not been designated despite years of negotiations means that CCAMLR is failing its mandate to deliver a network of MPAs in the Southern Ocean. Such a failure could carry significant consequences for marine biodiversity, at a time when climate change impacts and concentrated fisheries are having profound consequences on the regional marine ecosystem.

This paper considers CCAMLR MPAs in the context of marine spatial protection negotiations at a global scale and suggests that now is the time for CCAMLR to show global leadership and deliver on ocean protection in the Convention Area.

¹ Declaration on the Occasion of the Fortieth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources. Report of the Fortieth Meeting of the Commission, Virtual Meeting 18 – 29 October 2021, Annex 7.

The global push for MPAs

In parallel, 2022 is the year in which the fifth session of the intergovernmental conference on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ) (5th IGC) negotiations failed to deliver an ocean treaty². This is meaningful for area-based conservation, as the high seas represent almost two-thirds of the ocean's surface – yet rules for designating and implementing effective MPAs within these waters are currently lacking.

Notwithstanding failures in CCAMLR and BBNJ negotiations, support for a new global target to protect at least 30% of the world's ocean by 2030 is gaining significant momentum. The High Ambition Coalition for Nature and People (HAC), which has the objective of “protecting at least 30 percent of the world's land and ocean by 2030”, claims over 100 governments as members³. This signals that at least on paper, a majority of the world's governments accept that area-based protection is a key element in protecting the environment.

Although the HAC missed an important opportunity to implement their commitment at the 5th IGC, progress was made and it is highly likely that the treaty can be finalized at the next session. This would pave the way for the establishment of high seas MPAs and greater coordination on high seas protection between regional and sectoral bodies. If a sufficiently strong treaty is agreed, it could provide additional momentum for additional large-scale ocean protection initiatives.

Shortly after CCAMLR 41 concludes, the 27th Conference of the Parties to the UN Framework Convention on Climate Change will convene in Sharm el-Sheikh from 6-18 November 2022. At COP 26, there was an increased focus on the ocean, and the Glasgow Climate Pact agreed during the meeting to include a number of ocean-related actions, such as “protecting, conserving and restoring ecosystems” (paragraph 50) and incorporating “ocean-based action” into UNFCCC work programs (paragraph 60)⁴.

Finally, the Convention on Biological Diversity (CBD), which will hold its 15th Conference of the Parties from 5-17 December in 2022, has been working on a new “Post-2020 Global Biodiversity Framework” that will be discussed at that COP. This new framework attempts to address the global biodiversity crisis more effectively, and as a result will propose to increase the target for area-based protection in the ocean to at least 30 percent (text to be negotiated). This would represent an increase of at least 20% on the current ocean goal within Aichi Target 11⁵.

These multiple international actions represent a growing global consensus on the importance of ocean protection and are therefore relevant to CCAMLR. However, with each passing year of inaction, CCAMLR falls further and further behind– and further away from its core mandate to conserve the Southern Ocean.

Status of CCAMLR MPAs

² Intergovernmental Conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (General Assembly resolution 72/249).

³ <https://www.hacfornatureandpeople.org/home>

⁴ https://unfccc.int/sites/default/files/resource/cma2021_10_add1_adv.pdf.

⁵ Aichi Target 11: By 2020, at least 17 per cent of terrestrial and inland water, and 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes. From: <https://www.cbd.int/sp/targets/>.

Almost all CCAMLR Members - 24 of 26 - have stated their support for the adoption of at least one of the MPAs currently under consideration. Furthermore, a majority of CCAMLR Members (20 out of 26, or nearly 77%) are now formal co-sponsors of one or more of the three MPA proposals under discussion (Fig. 2).

Agreement of MPAs is a critical step towards implementing CCAMLR's mandate to conserve the Southern Ocean ecosystem. However, ecosystem-based fisheries management should complement the objective of MPAs. MPAs provide vital refuges for biodiversity and ecosystems, while well-designed ecosystem-based fisheries management measures aim to ensure long-term health of fish (and krill) stocks without harming other species and habitats, including those that are threatened or sensitive. Both MPAs and ecosystem based fisheries management should be developed using the best available science and the precautionary approach.

Conclusion and recommendations

CCAMLR, while once at the forefront of efforts to designate MPAs, has fallen behind regional and global objectives. The supporting case for MPAs has only gotten stronger since CCAMLR's initial commitment in 2009. There is no longer any reason for delay; CCAMLR must now fulfill its own earlier commitments as well as act on international marine protection goals. ASOC's recommendation is that CCAMLR acts immediately to:

- Adopt the three currently proposed MPAs.
- Approve the Ross Sea MPA Research and Monitoring Program.
- Make progress on proposals for MPAs in the remaining planning domains.

Figures

Fig. 1 – CCAMLR MPA proposals, and number of co-sponsors for all proposals. Members are counted only once whether they co-sponsor one or more proposals. Proposals that have been adopted are not counted in subsequent years. Aside co-sponsoring proposals, 24 of 26 Members have stated their support for the adoption of at least one of the MPAs currently under consideration

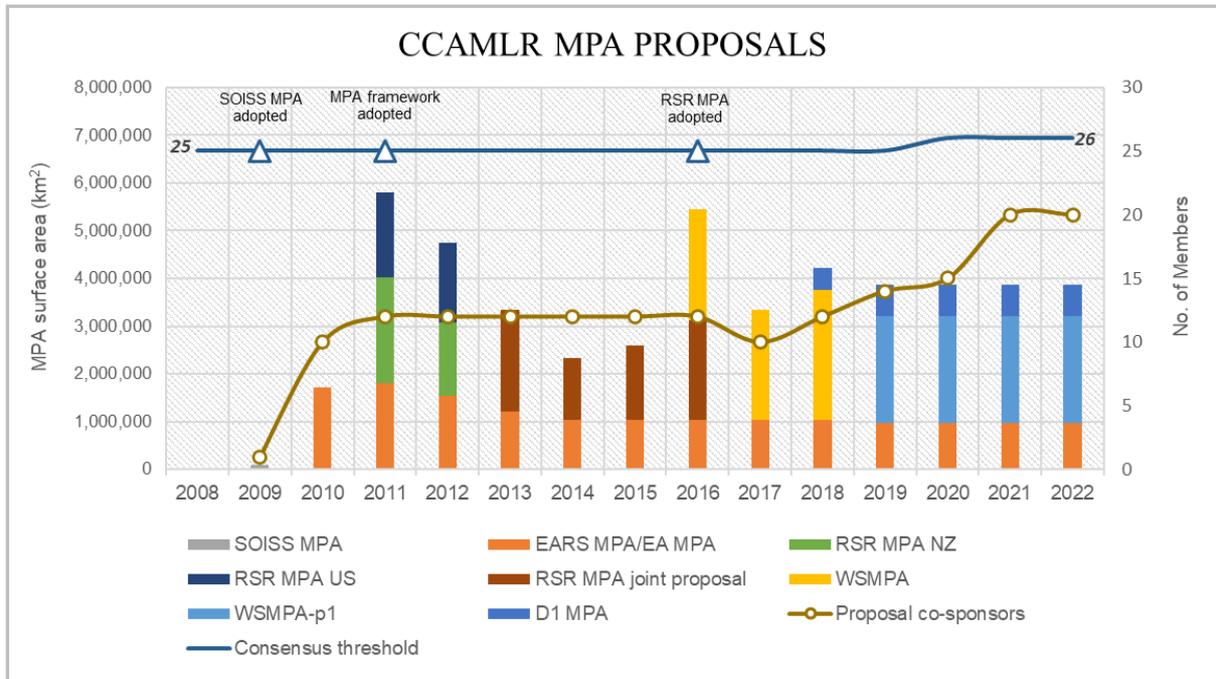


Fig. 2 –Co-sponsors of MPA proposals.

