



# **Summary of the work of the CEP on Marine Protected Areas**

(Updated September 2018)





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## Introduction

Article 2 of Annex V to the Protocol establishes that any area, including any marine area, may be designated as an Antarctic Specially Protected Area or an Antarctic Specially Managed Area. In particular, Article 3 expresses that: “Parties shall identify representative examples of major terrestrial, including glacial and aquatic, ecosystems and marine ecosystems to be designated as Antarctic Specially Protected Areas.”

Article 6.2 of Annex V establishes that “... no marine area shall be designated as an Antarctic Specially Protected Area or an Antarctic Specially Managed Area without the prior approval of the Commission for the Conservation of Antarctic Marine Living Resources.”

Since its establishment in 1998 the CEP has devoted a significant part of their discussions to consider area protection and management in Antarctica, and two workshops on Protected Areas in Antarctica were organized prior to the first two CEP meetings.

Although at the first CEP meetings there were some considerations and documents specifically addressing the need to designate Marine Protected Areas (MPAs) in Antarctica, the most important discussions, including active cooperation on this matter with CCAMLR, started at CEP IX in 2006.

During the last years, cooperation between the CEP and the Scientific Committee of CCAMLR (SC-CAMLR) has increased and in April 2009, prior to the CEP XII meeting, a joint workshop was organised aiming to identify areas of common interest and to develop a shared understanding of the conservation objectives and priorities. Spatial marine management and protected areas was one of the matters of discussion.

At the CEP XIII, following a suggestion by the United Kingdom, the Secretariat agreed to consider preparing a summary of the work that the Committee had done on MPAs as a contribution to SC-CAMLR’s efforts.

This paper therefore reviews and summarises the CEP meeting reports and workshops as well as documents submitted to those meetings, in order to reflect the Committee’s discussions on MPAs, which receive the highest priority in the CEP five-year work plan.

At CEP XIV the Committee requested the Secretariat to provide regular updates of this report online at the ATS website, so Parties can be kept up to date with this issue.

## Summary of Discussions at the CEP meetings

**In 1998, prior to the first CEP meeting,** a *Workshop on Protected Areas* was held in Tromsø, following a decision taken at the ATCM XXI in 1997. Although the issue of MPAs was not discussed in the workshop, it was agreed to go on with the consideration of Area Protection and Management, and a second workshop was agreed upon for 1999 in order to discuss, among other issues, how to undertake a gap analysis to identify values for site protection, in order to propose new protected areas on zones inviolate by human activities, as well as representative examples of major Antarctic ecosystems, including marine ecosystems.

**At the CEP I meeting** the IUCN presented IP 51, *Marine Protection in the Southern Ocean*, considering that it would be appropriate for Treaty Parties to look at developing a representative network of marine protected areas. The paper recommended an assessment of how marine areas might be protected to meet the objectives of Annex V to the Protocol, and the development of criteria that could be used to identify areas which might be appropriate to set aside as marine Antarctic Specially Protected Areas or Antarctic Specially Managed Areas.

The *Second Workshop on Protected Areas* was held in Lima in 1999 prior to the CEP II meeting. Some of the presentations referred, among several other matters, to the lack of protected areas in the marine ecosystem and to the need of a debate with CCAMLR on this issue. In particular, the IUCN expressed that it



would be desirable to assess how marine areas might be protected to meet the objectives of Annex V to the Protocol, to develop criteria that could be used to identify marine areas which might be appropriately set aside as marine ASPAs or ASMAs, and to develop mechanisms and procedures for even closer cooperation with CCAMLR on this matter.

The workshop agreed five recommendations but none of them were related to MPAs.

**At the CEP II meeting (Lima, 1999)**, New Zealand presented WP 31 *Proposed Balleny Island Specially Protected Area* proposing to enlarge the SPA 4 (Sabrina Island, currently ASPA 104) to include other Balleny Islands, together with a marine area surrounding the islands with the aim to protect the unique and special ecological, scientific and aesthetic values of the area, and to establish an archipelagic specially protected area in the Ross Sea region, but asking in advance advice from SCAR and CCAMLR.

**In 2000, at the CEP III meeting held in The Hague**, New Zealand presented WP 15 *Update on Proposal for a Balleny Island Specially Protected Area* reminding the Committee that provisions of Annex V to the Protocol allow for protection of both terrestrial and marine areas, and that areas with a significant marine component cannot be designated without prior approval from CCAMLR<sup>1</sup>. New Zealand informed that the CCAMLR Working Group on Ecosystem Monitoring and Management (WG-EMM) had supported the scientific validity of creating the specially protected area around the Balleny Islands and had noted that the area was an outstanding representation of both marine and terrestrial biodiversity.

After discussions about the possibility of designating marine protected areas under the provisions established in Annex V, the observer from CCAMLR indicated that they were working to develop methodologies for its consideration of marine protected areas and how these could be developed to meet CCAMLR needs. He also informed that the matter still needed to be considered by the CCAMLR Scientific Committee and the Commission.

The Committee recognised the value of a dialogue between the ATCM and CCAMLR with respect to the review of proposals for potential marine protected areas.

**In 2001, the Committee held its fourth meeting in Saint Petersburg.** There were no discussions or submitted documents on MPAs.

**The CEP V (Warsaw, 2002)** was the first meeting held after the entry into force of Annex V to the Protocol on May 24, 2002. It was noted that there were several areas of joint interest to the CEP and CCAMLR, including management plans for protected areas with a marine component. The Committee recalled that for those protected areas containing a significant marine component it would be appropriate for the proponent to send the relevant draft management plan(s) directly to CCAMLR for reviewing. CCAMLR informed the Committee that it had established a procedure for handling such management plans, through a first consideration by its WG-EMM and by the Working Group on Fish Stock Assessment (WG-FSA), then advice developed by the Scientific Committee, followed by consideration by the Commission.

The Committee noted its need to establish a method for rapid delivery of such management plans to CCAMLR, and agreed on the procedures for forwarding draft ASPA management plans to CCAMLR. At the same meeting ASOC presented IP 101 *Antarctica needs Marine Protected Areas*, noting that the increasing human activities combined with the climate change threatened to heavily impact the Antarctic ecosystem. It required Antarctic Treaty members to develop marine protected areas under the provisions of Annex V.

**During the CEP VI meeting, held in Madrid in 2003**, the United States presented the revised management plans for ASPA No. 152 Western Bransfield Strait and ASPA No. 153 Eastern Dallmann Bay, and the Committee noted that those ASPAs would be the first solely marine ASPAs designated since Annex V

<sup>1</sup> The procedures for approval by CCAMLR of management plans that contain marine areas were firstly established in Decision 4 (1998) and later replaced by Decision 9 (2005), which in its operative paragraph expresses:

1) That for the purpose of the implementation of Article 6.2 of the Environmental Protocol, draft management plans that contain marine areas which require a prior approval of CCAMLR are those:

a) in which there is actual harvesting or potential capability of harvesting of marine living resources which might be affected by site designation; or  
b) for which there are provisions specified in a draft management plan which might prevent or restrict CCAMLR related activities.

2) That proposals for designations of Antarctic Specially Protected Areas or Antarctic Specially Managed Areas which meet the criteria of Paragraph 1 above shall be submitted to CCAMLR for its consideration before any decision is taken on the proposal relating to marine areas.

3) Furthermore that any other proposed designations which might have implications for CCAMLR Ecosystem Monitoring Programme (CEMP) sites shall also be submitted to CCAMLR for its consideration.

4) That this decision shall replace Decision 4 (1998), which shall cease to be operative.



entered into force, and that this was a significant and welcomed development in the Antarctic protected area system.

In parallel the IUCN presented the IP 116 *High sea marine protected areas workshop* on the results of a meeting held in January 2003 which concluded that, in light of reported successes in the use of MPAs in coastal areas, taking MPAs beyond national jurisdiction would be a key mechanism for promoting sustainable resource management and conservation of biodiversity and productivity of the high seas.

**During the CEP VII meeting, Cape Town, 2004**, there was no discussion on marine protected areas, but it was announced that the SC-CAMLR had developed a mechanism for considering proposals from the CEP for protected areas with a marine component.

**In 2005, at the CEP VIII meeting held in Stockholm**, the Chair informed about an agreement by the SC-CAMLR to hold a workshop on marine protected areas, considered directly relevant to the work of the CEP. He also noted that the work of the SC-CAMLR was highly relevant to the work of the CEP and that the level of cooperation between the two bodies will increase in the future.

The United States informed Members about the CCAMLR Commission's discussions on MPAs as a means of furthering the objectives of the Convention, and that it had been decided that a Steering Committee be established to plan a CCAMLR workshop on marine protected areas, to be held in August 2005. The CEP was invited to participate in the Steering Committee.

Prior to the CEP IX meeting, in Edinburgh, the Committee organised the Workshop *Antarctica's Future Environmental Challenges*, whose results were reported in WP 42 *Antarctica's Future Environmental Challenges A summary report of the CEP Workshop, Edinburgh, United Kingdom, June 9-10, 2006* and in IP 113 *Antarctica's Future Environmental Challenges. Report of the CEP Workshop, Edinburgh, United Kingdom, June 9-10, 2006*.

Among the actions the Workshop identified as ways to address the major environmental issues facing the Antarctic, it considered undertaking a gap analysis of the protected areas system and collaborating with CCAMLR on marine protected areas. The Workshop also mentioned the need to establish a representative network of marine and terrestrial protected areas as one of its goals.

**At the CEP IX meeting in Edinburgh, 2006**, Marine Protected Areas was an important matter of discussion with several WPs and IPs addressing this issue:

In its WP 7 *The Work of CCAMLR on Marine Protected Areas* CCAMLR informed about the progress made by the Workshop on Marine Protected Areas, held in August 2005. It noted the importance of developing a strategic approach and harmonised regime to protect the Antarctic marine environment across the Antarctic Treaty System. CCAMLR also outlined proposed work to undertake a bioregionalisation of the Southern Ocean, with the aim of providing a scientific basis for identifying representative areas for protection. CCAMLR invited the Committee to participate in the work to undertake a bioregionalisation of the coastal provinces.

The United Kingdom presented WP 4 *Marine Protected Areas (MPAs): tools for protection and management*, and echoed CCAMLR in highlighting the importance of developing a harmonised approach to protecting the marine environment across the Southern Ocean. It noted that MPAs could encompass a broad range of protection and management tools, including ASPAs and ASMAs, as well as area-based management measures currently used by CCAMLR.

Other papers presented at this meeting were:

- IP 3 *Rationale for the development of MPAs in Antarctica* (United Kingdom) on a further background information on the objectives of MPAs, the types of areas that might be considered for protection, and the ways in which these objectives might be achieved using the tools available under the Environmental Protocol and CCAMLR.
- IP 6 *Approaches to marine bioregionalisation of the Southern Ocean* (United Kingdom) providing further information on the methodologies that might be used in such an analysis.



- IP 59 *Marine Protected Areas in the Southern Ocean: a focus on CCAMLR*. (IUCN) with comments on policy and process issues related to the development of MPAs in Antarctica, including discussion of the CCAMLR Workshop on MPAs held in 2005 and the subsequent decisions of the Scientific Committee and the Commission.
- IP 104 (rev 1) *Notes on Bioregionalisation in Antarctica and the Southern Ocean* (Chile), echoing the concepts provided by the UK in WP 4 and IP 6 and recalling that bioregionalisation should develop alongside the ecosystem approach, primarily as conceived in Article II of CCAMLR, but also in the context of the Protocol's approach to the Antarctic Environment and its dependent and associate ecosystems.

The need to base any further work on MPAs on a sustainable and scientific approach was also highlighted, along with the importance of risk as a primary consideration for selecting areas for protection. The importance of considering the three-dimensional nature of marine biogeographic patterns was also noted. The analysis should also link with the Committee's work on Environmental Domains of Antarctica in the terrestrial environment.

The Observer from CCAMLR welcomed the discussion of collaboration with SC-CAMLR on this issue, and the participation of the CEP towards a bioregionalisation in the Southern Ocean and the proposed 2007 workshop.

Following recommendations in WP 4, the Committee agreed to:

- continue its work towards the elaboration of a 'systematic environmental-geographic framework' and give further specific consideration to the inclusion of marine areas within such a framework;
- endorse cooperation with CCAMLR on the protection of the marine environment, and particularly on the development of scientifically-based principles and criteria for MPAs;
- welcome the proposal for a CCAMLR workshop on MPAs in 2007, and support the formation of a steering committee with participation of the CEP to work towards this workshop;
- consider how it might best contribute to the proposed work towards a bioregionalisation of the Antarctic marine environment, by initially focusing on work on the coastal areas.

The Committee agreed that it should engage constructively with CCAMLR on the issue of bioregionalisation and MPAs. It was further recognised that, in parallel with the work towards the 2007 Workshop, the CEP should continue to consider its requirements and priorities for developing a scientific approach to the protection of the marine environment. This could include consideration of a range of options and tools including, but not restricted to, MPAs.

**The CEP X meeting was held in Delhi in 2007.** The Russian Federation presented WP17 *On the concept of the Antarctic Marine Protected Areas*, highlighting the importance of cooperation with CCAMLR on the issue of marine protected areas and emphasizing the need to clarify the procedure for coordinating proposals for MPA designation with CCAMLR.

The CCAMLR Observer welcomed the Russian paper and noted the importance of CEP and CCAMLR working together on MPA initiatives, the procedures established in Decision 9 (2005) and offered to work with the CEP on the practical implementation of these procedures to ensure that the review of all such management plans can be expedited.

In its IP38 *Update on progress towards the CCAMLR Workshop on Bioregionalisation of the Southern Ocean (Brussels, Belgium, 13-17 August 2007)* CCAMLR informed that the planned workshop would be an important step towards the establishment of a system of marine protected areas as part of a harmonised regime across the Antarctic Treaty. CCAMLR encouraged CEP participation in this workshop, and noted the relevance of this work to the Committee, particularly with regard to the elaboration of the 'systematic



environmental geographic framework', environmental monitoring, and identification of sensitive or vulnerable areas.

The UK presented IP 53 *Criteria for the selection of Marine Protected Areas (MPAs)*, on how existing selection criteria for protected areas might be applied in the identification of candidate marine sites for special protection and management. The UK noted the similarities and differences with respect to existing criteria, inside and outside the Antarctic Treaty System. It considered that MPAs could be selected based on a combination of tools such as bioregionalization, risk assessment, feasibility analysis and decision-support software, as well as selection criteria.

The Committee recognised that further work on selection criteria would need to proceed in parallel to the bioregionalisation work being undertaken through the workshop.

ASOC presented IP 87, *Marine Protected Areas – Steps Forward for the ATCM*, identifying actions to protect the Antarctic marine environment and issues to be considered by the ATCM in developing the existing ASPA and ASMA system to achieve a better protection of the marine environment.

**At the CEP XI, Kyiv 2008**, after the presentation by New Zealand of the *Final report on Environmental Domains Analysis (EDA)* for the Antarctic continent, it was noted that the EDA was an example of an environmental classification which was also being referred to as bioregionalisation in the marine environment. The UK noted the similarities between the methodologies and objectives of the environmental domain analysis and the marine bioregionalization work, particularly the potential for developing common applications for these marine and terrestrial classifications.

The UK and the USA presented IP 2 *Workshop on Bioregionalisation of the Southern Ocean (Brussels, Belgium, August 2007)*, informing the meeting that the aim of the Workshop had been to provide a scientific basis for the identification of representative areas for protection in the Southern Ocean and that the results of the Workshop had been endorsed by CCAMLR. They also informed that CCAMLR had agreed that these results were sufficient to allow progress on developing practical approaches to the selection of marine areas for protection.

The Committee agreed that further work on this topic was of key importance and Members were encouraged to continue working with CCAMLR to utilise the outcomes of the CCAMLR-CEP bioregionalisation workshop.

The United Kingdom also presented IP 3 *Proposed approach for the identification of important marine areas for conservation*, based on "Systematic Conservation Planning" methodology, noting that they intended to undertake a pilot study to identify key decisions and data sets required. South Africa offered to provide its expertise in this matter.

**Prior to CEP XII, Baltimore 2009**, the first Joint SC-CAMLR / CEP Workshop was held, whose results were presented in WP 55 *Report of the Joint CEP/SC-CAMLR Workshop*.

One of the matters the Workshop focused on for consideration was "*Spatial Marine Management and Protected Areas*". Under this topic the Workshop agreed on the importance of a systematic approach to marine spatial protection and management and noted that CEP and SC-CAMLR had agreed to take a harmonized approach to the development of a representative system of marine protected areas.

The Workshop recommended the CEP and the SC-CAMLR agree to the following points:

**Areas of common interest:**

- i. Given the overlap of CCAMLR area management with ATCM area management and interests, both committees should consider representative areas, reference areas and resilience areas with respect to spatial protection and management in the marine environment.
- ii. It was also recognised that principles on which both CCAMLR and ATCM agree include the:
  - o Importance of a harmonised approach to protection of the marine environment across the Antarctic Treaty System;
  - o Commitment to increased cooperation at a practical level between ATCM and CCAMLR (ATCM Resolution 1, 2006);



- The criteria held under ATCM Decision 9 (2005) on ASPAs and ASMAs of interest to CCAMLR;
- Bioregionalisation of the Southern Ocean, as a basis for identifying a representative system of marine protected areas.

**Mechanisms for cooperation:**

- The sharing of information, expertise and/or further joint meetings, perhaps associated with CEP and EMM meetings, focused on specific themes;
- The development of mutual region-specific objectives, and further consideration of overlapping areas of interest for marine protection to facilitate increased cooperation;
- The development of proposals for candidate sites with coordinated input from both SC-CAMLR and CEP;
- The development by SC-CAMLR of a process reciprocal to ATCM Decision 9 (2005), to inform the CEP of spatial management measures that might be taken in the CCAMLR Area.

**Lead body:**

- iii. Issues relating to spatial protection and management of Antarctic marine biodiversity would generally be best led by SC-CAMLR. However, this does not preclude in any way the development by the CEP of ASPAs and ASMAs which have in whole or in part a marine component.
- iv. The Workshop recognized that only three years remain to achieve the internationally agreed commitment to the establishment of a representative network of marine protected areas. In considering cooperative efforts that would assist in reaching this goal, the Workshop agreed that there currently exists sufficient tools that can be used for developing this system, but using these tools will require cooperation at the decision-making level. The Workshop further noted the existence of a CCAMLR Special Fund to facilitate the process of the identification and establishment of MPAs.
- v. The Workshop noted that SC-CCAMLR had agreed on a list of 11 priority areas that should be targeted for future work towards a network of MPAs, and noted that these should be the priority. It was recommended that these priority areas be presented to the CEP, and that they consider using these as potential priority areas under the existing framework. It also suggested that both committees develop a strategy to achieve these aims in the next three years.

**At the CEP XII, Baltimore 2009**, the United Kingdom introduced WP 34 *Spatial protection and management of Antarctic marine biodiversity*, providing information on the types of marine spatial protection and management that can be implemented in Antarctic waters. As a result of the support this paper received, and particularly to some recommendations it proposed, the CEP agreed to:

- Develop a strategy and work towards the establishment of effective, representative and coherent spatial protection of marine biodiversity within the Antarctic Treaty Area within the next three years, through the designation of ASPAs and ASMAs.
- Cooperate as far as possible with CCAMLR and SCAR to ensure that such measures are implemented on a scientific basis, and with the aim of achieving harmonised protection for Antarctic marine biodiversity across the Antarctic Treaty System.

CCAMLR informed that, as result of the bioregionalisation of the Southern Ocean, the SC-CAMLR had identified eleven priority areas for attention within the bioregionalisation. These areas had been identified





based on a variety of indicators that highlighted areas of high heterogeneity within the Southern Ocean, predictive of high biodiversity.

The Committee agreed that the eleven areas were useful priority areas for ongoing attention, and further agreed to append the CCAMLR figure to its report as a means of lending CEP endorsement to the eleven priority areas and as a means of focussing future CEP work on the issue. The Committee agreed to:

- Focus further work on the development of marine spatial protection and management within, but not limited to, those priority areas agreed by CCAMLR (Appendix 4 to CEP XII Report) which fall within the Antarctic Treaty Area.

In order to propose a practical method to designate MPAs, the United Kingdom presented WP 29 *Towards a representative system of marine spatial protection for the South Orkney Islands* providing details of a pilot study carried out to investigate the utility of a systematic conservation methodology in identifying important areas for conserving marine biodiversity, endorsed by CCAMLR's Scientific Committee as one possible approach for the selection of marine areas for protection. The UK also presented IP 11 *Pilot study on identifying important marine areas for conservation around the South Orkney Islands* which provided further information on the methodology used and the results.

The Committee endorsed the methodology demonstrated by the UK as one practical method of selecting and designating marine protected areas and encouraged Members to work with scientific and CCAMLR colleagues to trial this and other methods, particularly in the eleven priority areas highlighted by CCAMLR.

Other papers presented were:

IP 41 *Marine Protected Areas in the Antarctic* (ASOC) outlining the case for establishing a network of protected areas across the Southern Ocean. ASOC commented that the matter required a sense of urgency due to the effects of climate change, and endorsed the use of the eleven priority areas identified by CCAMLR as a reference in establishing the protected area network.

IP 48 rev 1 *A Ross Sea MPA: Preservation for Science* (ASOC) noting that a recent study had ranked the Ross Sea as the least affected area within the entire world ocean. ASOC proposed that it should be preserved for scientific research values, as well as a global reference site to monitor the capabilities of living marine organisms to adapt to climate change.

At **CEP XIII, Punta del Este, 2010**, the SC-CAMLR Observer reminded the Committee that CCAMLR had in place a well developed programme for working towards a network of marine protected areas by the 2012 deadline and that through its own Southern Ocean bioregionalisation exercise CCAMLR had identified 11 priority areas for action, which had also been endorsed by the CEP. He noted that, in taking this forward, CCAMLR would be looking to draw on expertise elsewhere, in particular within SCAR and the CEP. In that regard the SC-CAMLR Observer invited a CEP Observer to attend WG-EMM in July 2010, as well as the planned CCAMLR workshop in 2011.

The Committee:

- welcomed the evolving cooperation with SC-CAMLR and, noting that the issue of spatial marine management will be discussed in detail, accepted SC-CAMLR's invitation to send an Observer to SC-CAMLR's WG-EMM meeting in July 2010;
- recognised SC-CAMLR's timetable for action towards developing a network of marine protected areas by the 2012 deadline, and mirrored the timetable in the CEP's five-year work programme, noting that it would nominate observers to CCAMLR meetings and workshops as appropriate;
- further welcomed CCAMLR's progress in affording protection to a marine area in the South Orkney Islands and encouraged further areas to be identified in the 11 priority areas endorsed by both SC-CAMLR and the CEP.

The Chair noted that the ASMA workshop proposed by the SGMP intended to address the issue of how the ASMA mechanism might be usefully applied to the concept of marine protected areas, and that this might also assist SC-CAMLR's further deliberation on this issue.



Other papers presented were:

- IP 107 *Bioregionalisation and Spatial Ecosystem Processes in the Ross Sea Region* (New Zealand) informing the Committee of the outcomes of a Workshop on Bioregionalisation and Spatial Ecosystem Processes in the Ross Sea Region, held in Wellington, New Zealand in June 2009.
- IP 45 *Terra Nova Bay – Wood Bay Marine Protected Area inside a wider proposal for a Ross Sea MPA* (Italy) informing the Committee that the aim of the proposed MPA was to conserve and protect the unique and outstanding environment of the Terra Nova Bay region by regulating the activities within the area, and that the Republic of Korea and Italy would be holding a workshop on Terra Nova Bay Marine Protected Area at the end of May 2010 in Rome.
- IP 77 *The Case for Inclusion of the Ross Sea Continental Shelf and Slope in a Southern Ocean Network of Marine Reserves* (ASOC) noting the significant biological diversity of the Ross Sea and the extent of baseline ecological data and urging that comprehensive protection be afforded to the Ross Sea.
- IP 83 *Rising to the Challenge: Key steps to deliver a Comprehensive and Representative Marine Protected Areas Network in the Southern Ocean by 2012* (ASOC) on the important milestones for the next several years necessary to achieve a comprehensive and representative network of marine protected areas and marine reserves across the Southern Ocean by 2012.

During CEP XIV, **Buenos Aires, 2011**, the Committee recalled its previous agreement to engage constructively with CCAMLR on these matters and noted that it looks forward to a report on the upcoming CCAMLR MPA Workshop in Brest, France.

CCAMLR informed that it had agreed on a work plan towards creation of the MPA network by the 2012 target date. The first milestone of the proposed work plan is for Members to collate relevant data for the 11 priority areas and others as appropriate and characterize each region in terms of biodiversity patterns and ecosystem processes, physical environmental features. The second milestone is the special MPA workshop this coming August in Brest, France.

Papers presented were:

- IP 56 (IUCN) *Marine Spatial Protection and Management under the Antarctic Treaty System: New Opportunities for Implementation and Coordination* encouraging Antarctic Treaty Parties to work closely with CCAMLR to identify relevant, broad-scale areas which are of interest to both bodies, including scientific reference areas for climate change and ocean acidification, and representative areas that contribute to improved resilience and adaption of marine ecosystems to climate change and other environmental impacts.
- IP 90 (ASOC) *The Southern Ocean MPA Agenda – Matching Words and Spirit with Action* asking ATCPs and CCAMLR Members to make effective use of the upcoming CCAMLR Marine Protected Areas workshop to be held in August 2011 in Brest, France, to make progress on the work necessary to ensure that a representative system of MPAs can be designated by 2012.
- IP 92 (ASOC) *The Ross Sea: A Valuable Reference Area to Assess the Effects of Climate Change* noting that the IPCC had predicted that the Ross Sea will be the last portion of the Southern Ocean with sea ice year round, ASOC proposed that the Ross Sea shelf and slope be included in the network of marine protected areas now being instituted in the Southern Ocean. ASOC also stressed that the Ross Sea foodweb and ecosystem processes should be protected from extractive activities that will compromise its value as a reference area.

At CEP XV, **Hobart, 2012**, the CEP Observer to CCAMLR reported on the Workshop on Marine Protected Areas, Brest, France, 29 August to 2 September 2011. The Workshop considered a regionalization analyses for the circumpolar pelagic environment and for the Crozet Basin and northern Kerguelen Plateau region (Indian Ocean), and reviewed progress on draft proposals for circumpolar pelagic habitats, newly exposed benthic habitats created by ice-shelf collapse, East Antarctica, and the Ross Sea Region. The Workshop recognized that SC-CCAMLR and CEP have common interests in marine protection which may result in having ASPAs and ASMAs designated by the ATCM within CCAMLR MPAs.



Following the presentation of IP 54 *Implications of Antarctic Krill Fishing in ASMA No. 1 – Admiralty Bay* by ASOC the Committee discussed the occurrence of krill fishing in ASMA No. 1 during the 2009/10 season. ASOC recommended an immediate review of the Management Plan and an interim prohibition of all commercial fishing in the Area, and expressed its view that CCAMLR should implement a precautionary closure of fisheries in ASMAs with marine components, as well as complementary conservation measures and incident reporting to the ATCM. A Member proposed that a restricted zone should be determined by penguin feeding activity, which could be up to 50 km from the rookery, and this could be a first step in MPA designation. Other Member considered that that prohibition on fishing should be introduced only when it is necessary to achieve the objectives of a management plan.

The SC-CAMLR Observer to CEP advised the Committee that, as there was no mention of harvesting in the management plan for ASMA No. 1, in contrast to the management plan for ASMA No. 7, it was unclear whether the fishing in ASMA No. 1 was compatible with the objectives of the ASMA and therefore it had brought this matter to the attention of the CEP in IP 28 *Report by the SC-CAMLR Observer to the Fifteenth Meeting of the Committee for Environmental Protection*.

As results of discussions, Brazil agreed to send a revised version of IP66 (*Working Plan Proposal for the Review of the Admiralty Bay Antarctic Specially Managed Area Management Plan (ASMA No. 1)*) to SC-CAMLR's Working Group on Ecosystem Monitoring and Management in order that the issue of krill fishing in ASMA No. 1 could be addressed during the intersessional period following the established procedure.

Other papers presented were:

- IP 68 (Ukraine) *Progress of Ukraine on Designation of Broad-scale Management System in the Vernadsky Station Area* proposing to prepare a broad-scale and comprehensive management system for the area and inviting all interested Parties to take part in further discussion on strategic views of environmental protection and possible management for this area.
- IP 80 (CCAMLR) *Report of The CEP Observer To The CCAMLR Workshop On Marine Protected Areas. Brest, France, 29 August to 2 September 2011* providing a synopsis of those aspects of the workshop of particular relevance to the ongoing collaboration between the CEP and SC-CAMLR.
- IP 34 (IUCN) *Using ASMAs and ASPAs when necessary to complement CCAMLR MPAs* considering that some CCAMLR MPAs may require additional management and protection efforts and that it is therefore important that the ATCM, taking into account the recommendations from C-CAMLR, consider whether there is a possible need or not to establish ASMAs or ASPAs, partly or fully, in the area of a CCAMLR MPA.
- IP 50 (ASOC) *Antarctic Ocean Legacy: A Marine Reserve for the Ross Sea*, summarizing a publication of Antarctic Ocean Alliance (AOA) and informing that Alliance is calling for the creation of a network of marine protected areas and no-take marine reserves in the Southern Ocean.
- IP 51 (ASOC) *Antarctic Ocean Legacy: A Vision for Circumpolar Protection* summarizing the report "Antarctic Ocean Legacy: A Vision for Circumpolar Protection" published by the Antarctic Ocean Alliance (AOA).

At CEP XVI, Brussels, 2013, Belgium presented IP 15, *CCAMLR MPA Technical Workshop*, summarizing the outcomes of a workshop held in 2012 which concluded that there was a need for further systematic conservation planning work towards the development of MPAs. The workshop also recommended that further work should be submitted for consideration by CCAMLR's Scientific Committee and its Working Groups.

Belgium also presented WP 49, *The Antarctic Treaty System role regarding the development of a comprehensive system of Marine Protected Areas*, jointly prepared with Germany and the Netherlands. It



highlighted the responsibility of Parties for environmental protection and the conservation of marine living resources, referring to relevant international commitments.

Belgium, Germany and Netherlands reminded the meeting of the responsibility of Parties to environmental protection and the conservation of marine living resources under the international agreements that comprise the Antarctic Treaty system and the connection between both. Working Paper 49 noted the work carried out so far towards the establishment of a representative system of marine protected areas (MPAs) in the CCAMLR Convention area, and acknowledged this work and encouraged its prompt and positive conclusion.

While several Members acknowledged CCAMLR's efforts to establish a representative system of MPAs in the CCAMLR area, noting that the ATCM and CCAMLR shared a commitment to the protection of the Antarctic environment and associated ecosystems, others Parties emphasized that CCAMLR was responsible for considering issues not addressed by the ATCM, such as the rational use of marine living resources and it was important for the CEP to remain within its mandate in any discussions of this.

South Africa reported that it had declared its first offshore Marine Protected Area around the Prince Edward Islands in the Southern Ocean.

The CEP welcomed CCAMLR's on-going work on MPAs but in the time available was unable to reach agreement on the text of a resolution.

BP 17 *Antarctic Ocean Legacy Update I: Securing Enduring Protection for the Ross Sea Region* by ASOC was also presented to the meeting.

**During CEP XVII, Brasilia, 2014**, Belgium and France introduced WP 39 *The concept of "outstanding values" in the marine environment under Annex V of the Protocol*. They proposed that Members develop a more coherent approach to the implementation of Article 3 of Annex V to account for the impact of land-based activities and associated logistic support on the marine environment. While acknowledging that the Guidelines for Implementation of the Framework for Protected Areas set forth in Article 3, Annex V to the Environment Protocol, Resolution 1 (2000) aimed to facilitate methodical assessment and designation of such areas, the proponents noted that it did not focus on the identification of specific areas that meet the Guidelines' criteria, and proposed the establishment of an ICG to discuss the implementation of Annex V, Article 3 in respect of how the concept of "outstanding values" applied to the marine environments in terms of potential threats to that environment from activities covered by Article 3 (4) to the Protocol.

Several Members made comments on this proposal and the Committee agreed to establish an ICG to discuss "outstanding values" in the Antarctic marine environment, aimed to:

1. Identifying key "outstanding values" within different contexts/scopes of the marine environment and analyse how they may be affected by activities under the competence of the CEP linking both terrestrial and marine environments;
2. Identifying criteria by which marine areas with "outstanding values" would require protection through the ASPA instrument and, in appropriate, identifying activities that may have impacts on marine environment and associated risks to be managed/mitigated through the range of tools available to the CEP, including the outstanding values;
3. Understanding the work of CCAMLR on systematic conservation planning, in order to avoid duplication of efforts, complement it and maintain separate roles, while using the appropriate tools available to the CEP's work to implement Article 3 (2) of Annex 5 to the Protocol;
4. Discussing options for the CEP within the existing framework and tools of the Treaty and the Protocol to include "outstanding values" of the marine environment, when establishing and/or reviewing ASPAs, in accordance with Article 3 of Annex V to the Protocol; and

Netherlands presented IP 49 *The role of the Antarctic Treaty Consultative Meeting in protecting the marine environment through marine spatial protection*, which discussed the ATCM's responsibility in relation to



marine spatial protection and relevant legal instruments available to it. It further identified the interactions between the ATCM, CEP and CCAMLR regarding the harmonisation of marine spatial protection efforts, noted the slow and limited process of establishing marine spatial protection in the Antarctic Treaty area, and highlighted the need for further efforts to harmonise the work of the ATCM, CEP and CCAMLR on this matter.

**At CEP XVIII, Sofia, 2015**, Belgium presented WP 20 *The concept of "outstanding values" in the marine environment under Annex V of the Protocol*, and referred to IP 10 *The concept of "outstanding values" in the Antarctic marine environment under Annex V of the Protocol* with the results of discussions of the ICG on outstanding values in the marine environment, noting that participants had reached general agreement that: presently no further work was required on definitions and criteria for protecting 'outstanding values' in the marine environment; and they wished to proceed case by case and step by step, the greatest need for spatial protection being given by the combination, in a given area, of a value (in this case, an outstanding marine value) and a situation or activity that threatens that value. This threat may be an actual threat or a potential one that could affect the value in the future. The ICG expressed that the CEP should consider outstanding values in the marine environment when proposing new ASPAs or revising existing ASPA management plans; and the CEP's efforts to advance the provisions of Annex V should complement rather than duplicate the ongoing work by CCAMLR to consider the designation of MPAs.

The Committee supported the outcomes of the intersessional discussion and agreed to continue the ICG discussions with the following terms of reference:

- 1) Discussing next steps in the implementation of Annex V, Art. 3 of the Protocol regarding the concept of "outstanding values" applied to the marine environment, including any actual or potential threats to that environment, with respect to activities covered by Art. 3 (4) of the Protocol;
- 2) Identifying further mechanisms for the CEP, within the existing framework and tools of the Treaty and the Protocol, to consider "outstanding values" of the marine environment, when establishing and/or reviewing ASPAs, and ASMAs as appropriate;
- 3) Understanding the work of CCAMLR on systematic conservation planning, in order to avoid duplication of efforts, complement it and maintain separate roles, while using the appropriate tools available to the CEP's work to implement Article 3 (2) of Annex 5 to the Protocol;
- 4) Providing a final report to CEP XIX.

**At the CEP XIX Meeting, Santiago 2016**, Belgium introduced WP 8 *The concept of "outstanding values in the Antarctic marine environment"*, which presented the report of the ICG on this topic established at CEP XVIII. The ICG encouraged Members to consider outstanding values of the marine environment under Annex V of the Environmental Protocol when proposing new ASPAs or ASMAs, and when revising existing ones. The ICG also encouraged Members to make more frequent use of the Guidelines annexed to Resolution 1 (2000). The ICG further recommended Members apply the concept of outstanding values to the Antarctic marine environment, including considerations of potential threats to the environment and any other issue deemed pertinent, and to provide the Committee with a short-list of existing ASPAs and ASMAs where the concept could be tested. The ICG also recommended that the Committee increase its cooperation with CCAMLR to better understand its approaches to marine protection and to avoid the duplication of effort.

The Committee thanked the ICG for its work. Some Members expressed their support for the recommendations of the ICG and indicated their intention to follow the practical advice contained in it. Some Members expressed the view that matters addressed in the paper needed further consideration by the Committee.

ASOC presented IP 83 *ASOC's update on Marine Protected Areas in Southern Ocean*, which reported on discussions of the establishment of Marine Protected Areas (MPA) in CCAMLR, whose area of responsibility overlaps with the Antarctic Treaty area.

Argentina presented IP 65 *The relevance of the MPA designation process in Domain 1 in the current Climate*



*Change context*, prepared jointly with Chile. Argentina reported on the process for the designation of a representative system of MPAs in Domain 1, highlighting that the process itself transcends the mere objective of MPA designation. Argentina highlighted that the process integrates, exposes and analyses all known information, not only contributing to the best science available but also providing an exceptional platform for data sharing further improving the decision making process. Argentina further noted the compilation of data can be of great use in monitoring climate change, and in identifying knowledge gaps, promoting cooperation amongst Parties, and adding transparency to MPA related processes. The Committee thanked the authors for the paper. It acknowledged that the process of collecting data for the MPA in Domain 1 would be beneficial for broader conservation management.

**During CEP XX in Beijing 2017**, Argentina and Chile presented IP 127 *Update on the process of designation of a Marine Protected Area (MPA) in the West Antarctic Peninsula and Southern Arc of Scotia (Domain 1)*, reporting on the activities to identify priority areas in the West Antarctic Peninsula and Southern Scotia Arc (Domain 1). The co-authors hoped to present the proposal to the Meeting of the CCAMLR Working Group on Ecosystem Monitoring and Management (WG-EMM), and encouraged the Committee to support CCAMLR's activity with regards to the process of designation of MPAs.

The Committee thanked Argentina and Chile for presenting the paper. It noted that substantive discussion on the designation of MPAs in the Convention Area appropriately occurred within CCAMLR, but welcomed the report on the progress of the planning work in Domain 1 led by Argentina and Chile. The Committee also noted comments raised during the discussion, including an encouragement to the co-sponsors of the work to consider flexibility in the further development of proposals. It encouraged interested Members to collaborate with Argentina and Chile on the ongoing work in the areas highlighted in the paper.

The Committee noted that it might be useful in the future to consider and discuss means and opportunities to look at the connectivity between ocean and land, and if and how complementary measures within the framework of the Environment Protocol, in particular Annex V, could support and strengthen marine protection initiatives.

Several Members also took the opportunity to note the progress on marine spatial protection by CCAMLR including the designation of the Ross Sea Region MPA.

**At the CEP XXI Meeting, Buenos Aires 2018**, New Zealand introduced WP 12 Harmonisation of Marine Protection Initiatives across the Antarctic Treaty System (ATS), prepared jointly with Belgium, Chile, France, Germany, the Netherlands and the United States (paras 154-161 of the CEP Report). The paper recommended that the CEP establish an ICG to support harmonisation of marine protection initiatives across the Antarctic Treaty System. The ICG would be tasked with identifying options, within its mandate, to contribute to the Ross Sea Region Marine Protected Area (RSRMPA) as well as capturing related broader issues raised.

While many Members strongly supported the proposal, some Members raised generic issues, including the procedure and role of the ATCM as independent from CCAMLR, the nature of MPAs as a tool to achieve CCAMLR objectives and principles, and the differences between conservation and protection. Some Members suggested that the proposed ICG should only be established after a Research and Monitoring Plan for the Ross Sea Region MPA is adopted by CCAMLR according to its Conservation Measures. The Representative from SC-CAMLR informed the Committee that the Research and Monitoring Plan for the RSRMPA had been adopted by SC-CAMLR, but it had yet to be adopted by CCAMLR.

The Committee recalled:

- Resolution 5 (2017), which invited the CEP “to consider any appropriate actions within the Antarctic Treaty Consultative Meeting’s competence to contribute to the achievement of the specific objectives set forth in CCAMLR Conservation Measure 91-05, particularly in the designation and implementation of Antarctic Specially Protected Areas and Antarctic Specially Managed Areas in the Ross Sea region and the management of relevant human activities”; and
- the action in the CEP Five-year Work Plan “to consider connectivity between land and ocean, and complementary measures that could be undertaken by Parties with respect to MPAs”.

New Zealand offered to lead informal intersessional work on these matters over the next intersessional period and report back at CEP XXII, and encouraged interested Members to participate.



In other developments, Argentina and Chile presented IP 64 Progress on the Development of a Preliminary Proposal for the Establishment of a Marine Protected Area (MPA) West of the Antarctic Peninsula and South of the Scotia Arc. The paper reported on the latest developments in the designation of a MPA in CCAMLR's Domain 1. The co-authors encouraged more Members to become part of the designation process and follow debates regarding the development of the Domain 1 MPA (paragraph 174 of the CEP Report).