

ANNEX I

REPORT OF THE COMMITTEE FOR ENVIRONMENTAL PROTECTION (CEP VII)

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(CEP VII)

CAPE TOWN, 24 - 28 MAY 2004

Item 1: Opening of the Meeting

- (1) The CEP chair, Dr Tony Press (Australia) opened the meeting on Monday, 24 May 2004.
- (2) The Chair expressed his appreciation to the host country for the excellent facilities and arrangements. The CEP welcomed Canada to the table following their ratification of the Protocol on 13 November, 2003.

Item 2: Adoption of the Agenda

- (3) The provisional agenda, as agreed at CEP VI and circulated by the Chair in CEP Circular 2/2004, was adopted. The CEP considered 26 Working Papers and 62 Information Papers under the various agenda items (Annex 1).

Item 3: Operation of the CEP

- (4) The United States introduced the *Report of the Depositary Government of the Antarctic Treaty and its Protocol*, in ATCM XXVII/IP036, noting Canada's ratification of the Protocol.
- (5) The Czech Republic presented ATCMXXVII/IP89 reporting that the Czech Parliament had passed the Antarctic Act during 2003 implementing the Madrid Protocol, which came into effect through ratification on 7 April 2004. This has been signed by the President and will soon be published.
- (6) Sweden made the observation that the work of the CEP has evolved from its initial formative phase and the Committee now finds itself at a new stage with possibilities for further substantial developments. These possibilities include finding ways of:
 - using the CEP for strategic consideration to meet the environmental challenges in the Antarctic; and
 - synthesizing our knowledge from environmental research in Antarctica and similar areas for best possible Antarctic environmental management.
- (7) Sweden offered to take this work forward by producing an informal paper for distribution to Members prior to the next meeting. This initiative was supported by several Members.

(8) The Chair indicated that the password for the CEP website had not been changed since the establishment of the CEP 6 years ago. This password was now known to many outside the CEP, so a new password would be issued after the meeting.

(9) The list of CEP contact points was updated (Annex 2).

Item 4: Compliance with the Protocol on Environmental Protection

4a) General matters

(10) The UK introduced ATCM XXVII/WP32 *CEP Consideration of Draft Protected Area Management Plans*, suggesting that a more structured approach to the assessment of management plans would produce greater consistency and make it easier for a wider range of members to be involved in the intersessional process.

(11) The Committee noted that a centrally coordinated approach may provide the benefits suggested by the UK paper, provided that clear terms of reference were established, that participation was open-ended, and the system was easy to use and manage.

(12) The Terms of Reference for the ICG to consider protected area management plans is at Annex 4.

(13) The Chair drew the Committee's attention to ATCM XXVII/WP004 *Chairman's Report from Antarctic Meeting of experts on tourism and non-governmental activities in Antarctica*, noting that the report specifically referred some issues to the CEP, and contained other material of general interest to its work.

(14) A number of Parties provide annual reports electronically. Annex 3 provides a list of websites where annual reports may be found. The following information papers containing annual reports were also submitted to the Committee in accordance of with Article 17 of the Protocol:

- South Africa (ATCM XXVII/ IP002)
- France (ATCM XXVII/ IP017)
- New Zealand (ATCM XXVII/IP019)
- Spain (ATCM XXVII/IP020)
- Italy (ATCM XXVII/IP032)
- China (ATCM XXVII/IP055)
- Netherlands (ATCM XXVII/IP058)
- Belgium (ATCM XXVII/IP075)
- Chile (ATCM XXVII/IP081)
- United Kingdom (ATCMXXVII/IP084)
- Czech Republic (ATXMXXVII/IP90)
- Uruguay (ATCMXXVII/IP91)
- Republic of Korea (ATCMXXVII/IP95)
- Poland (ATCMXXVII/IP101)
- Ukraine (ATCMXXVII/IP102)

(15) The following information papers were submitted as general matters:

- ATCM XXVII/IP013 *Environmental Training in National Antarctic Programs: A Workshop between COMNAP networks AEON and TRAINET* (COMNAP). COMNAP noted that this work, commenced by AEON, has resulted in a checklist to ensure that environmental issues are included in the training of national operators' staff. Argentina stated that they were involved in organizing a workshop on environmental training and, thanks to COMNAP, this process was instrumental in improving the quality of their own training programs.
- ATCM XXVII/IP028 *Construction of a new permanent Antarctic station to replace Neumayer Station at Ekstrom Ice Shelf* (Germany). Germany advised the Committee that it intends to submit to CEP VIII a draft CEE for renewal of Neumayer Base and the removal of most of the existing base. In discussion the UK noted that they will also produce a draft CEE for the rebuilding of Halley Station
- ATCM XXVII/IP033 *India's Antarctic Science Program 2003-04* (India). This paper contains a summary of the annual activities undertaken by the Indian program in Antarctic.
- ATCM XXVII/IP048 *Inspection of Russian Antarctic Stations and Bases* (Russian Federation). Recommendations arising from the inspection in 2003/04 were made by the inspectors to ensure the priority of scientific research, improvement of infrastructure and research equipment, and the safety of Russian Antarctic Expedition personnel. The commission paid special attention to compliance with the Protocol on Environmental Protection. It was recommended that environmental protection activities in Antarctica be intensified, including the allocation of additional funds for such works.
- ATCM XXVII/IP053 on the *Activity of the Russian Permission System* (Russian Federation). The national permit issue system is based on regulations approved by the Government. Permits shall be issued by Roshydromet, as agreed by the Ministries of Natural Resources and Foreign Affairs, and shall be based on applications, EIAs, and the resolutions of a special committee. From 1999 Roshydromet issued 21 permits. Monitoring compliance with the Protocol on Environmental Protection in the activity areas of the Russian Antarctic Expedition is the responsibility of observers and authorized representatives designated by Roshydromet.
- ATCM XXVII/IP060 *Concordia: A new permanent, international research support facility, high on the Antarctic ice cap* (France and Italy). France updated the Committee on the joint French / Italian plans to establish permanent research support facilities at Concordia Station at Dome C on the Eastern Antarctic plateau.
- ATCM XXVII/IP067 *A report on the Great Wall Station in recent two years* (China). China provided the Committee with a brief report of its science and operational activities at Great Wall Station activities over the recent two years.
- ATCM XXVII/IP077 *Environmental management during the construction of a new base facility at sub-Antarctic Marion Island, phase one, 2003* (South Africa).

(16) The attention of Parties was drawn to the inspection report by Finland (ATCM XXVI/IP031 *Report of the 2004 Finnish Antarctic Inspection under Article VII of the Antarctic Treaty and Article 14 of the Protocol on Environmental Protection to the Antarctic Treaty*) regarding station operations and environmental protection. Among several useful recommendations were:

- increasing use of alternative energy systems as additional energy sources;
- increasing energy efficiency to lessen consumption of oil;

- collaboration to develop ways of improving the functioning of biological grey water filtering systems in cold climates;
- routine examination of fuel storage facilities and the condition of drums.

(17) The Report further exhorted scientists, decision makers and funding agencies to make use of the opportunities for scientific cooperation afforded by surplus accommodation at some stations.

(18) Sweden presented ATCM XXVII/IP021 *Renewable Power Generation for the Swedish Antarctic Station Wasa*.

4b) Consideration of Draft CEEs forwarded to the CEP in accordance with paragraph 4 of Article 3 of Annex I of the Protocol

(19) The Committee considered four draft CEEs and provided advice to the ATCM.

i) Upgrading of the Summer Station at Troll

(20) Norway introduced their draft CEE ATCM XXVII/WP025 *The concept of upgrading the Norwegian summer station Troll in Dronning Maud Land to a permanent station*. Norway circulated the draft CEE to Parties in January 2004.

(21) Norway delivered an audio-visual presentation on the project, recalling Norway's long history of Antarctic activity, and noting that the main focus of its current terrestrial research is on glaciology, geology and bird biology.

(22) Norway advised that the main reason for upgrading Troll is to enable support for year round science projects which will be based on a Scientific Strategic Plan 2005-2009 currently under development.

(23) The draft CEE concludes that the expanded operations at Troll will have some effect on the environment but that the impacts will be of no more than a minor or transitory nature.

(24) Comments received during the circulation period and at the meeting, and Norway's response to them included:

- The relationship between the Troll runway and the station.
 - Norway noted that the Troll runway is not a part of the station upgrading project, but an international project with eleven partners and had already been subject to an IEE prepared two years ago.
 - Planning for fuel storage at the Troll runway has not been completed, but the present planning aims at little aircraft re-fueling at Troll, and that therefore the need for significant aircraft fuel storage would be avoided.
 - The upgraded station would still be small and would have little impact on flights. Most of the passengers flown are expected to be summer personnel related to the activities of all the eleven nations sharing the Troll runway.
- The scientific rationale behind the plans;

- This will be given in the new 2005-2009 Science Plan.
- Energy consumption;
- Not all the information is yet available on energy consumption, but this will be dealt with in the final CEE.
- The limited baseline data on vegetation and biota;
- Further information about micro-organisms will be included to the greatest extent possible in the final CEE. The environmental impact on micro-organisms is likely to be very limited.
- Norway’s decision to start constructing the winter station before the CEE process had run its course;
- Norway explained that station construction had not yet begun, but would start in the 2004/05 season. Norway had taken a decision in principle to establish the winter station, and the CEE contributed to developing the “how and where” of the project.
- The question of fuel handling, particularly in winter, when there may be a greater risk of spilling;
- Norway advised that it is working on procedures for improved fuel storage and handling.
- The dispersal of waste, particularly liquid waste, onto ice-free areas;
- Referring also to the discussion at CEP IV, Norway noted that liquid waste disposal is a challenge at inland bases. So far there has been no ice build-up noted from the disposal of liquid wastes at Troll. All liquid wastes at Troll pass through purification facilities before release.

(25) The UK congratulated Norway on the draft CEE, noting that Norway has an exceptional capability in air monitoring within its Arctic program at Ny-Alesund, and that similar research at Troll would be likely to have significant scientific value. The UK suggested that the issue of waste water management be referred to COMNAP for recommendations of best practice.

(26) COMNAP recalled that it had been tasked to investigate a related issue on a previous occasion, and had reached the conclusion that the proper treatment of waste water depended on the specific situation and that therefore there was no single “best” practice. COMNAP suggested that the issue was perhaps best addressed in the environmental impact assessment process according to the specific circumstances of a project.

(27) The Committee noted that the issue of liquid waste from inland bases may usefully be discussed further in the context of any future review of Annex III.

(28) Argentina congratulated Norway on its draft CEE, noting that the document followed the EIA guidelines agreed to by CEP II. Furthermore Argentina noted that Norway’s compliance with the guidelines makes it easier to understand the text of the evaluation and aids comparison between different CEEs.

(29) Norway thanked the Committee for its comments and suggestions and undertook to address them in the final CEE.

(30) The Chair encouraged members to take note of the CEP Guidelines in preparing environmental impact assessments, and commended Norway’s draft CEE as an excellent example of methodology and structure that could serve as a model for other CEEs.

(31) Appendix 1 contains the advice of the CEP to the ATCM on the Troll station draft CEE.

ii) Project IceCube

(32) The United States opened discussion on its draft CEE entitled “Project IceCube”, concerning the installation of a neutrino telescope at the South Pole station.

(33) The US advised that Project IceCube will entail a large commitment of resources and that it had been determined through the EIA process to be likely to have more than a minor or transitory environmental impact. The US noted that the Antarctic ice sheet is the ideal location for this research, and believes that the environmental impacts are warranted given scientific benefits from the project.

(34) The US noted that the draft CEE was circulated for comment, and presented a summary of the comments received.

(35) Argentina congratulated the US on the CEE and enquired about the methodology used to weight the criteria used to assess the impact of the project, noting that the question did not only relate only to the Project IceCube document, but to any environmental impact assessment.

(36) The US advised that a combination of criteria was used, and that although it would be difficult to quantify the weightings, each criterion was carefully considered.

(37) New Zealand noted that the draft CEE states that the types and quantities of pollutants will be identified later, and suggested these be incorporated in the final CEE. They also encouraged the US to address in greater detail the removal of equipment at the end of the project.

(38) The US advised that the phrase ‘leaving project in place’ referred only to the detectors buried deep within the ice, and does not refer to the surface equipment which will be removed unless required for a subsequent project.

(39) Germany suggested that some energy budget costing be done to indicate the relative advantage of advanced waste water treatment. The US undertook to discuss this matter with their experts.

(40) The Chair noted the general agreement amongst members that the draft CEE is well structured, provides a balanced evaluation of the environmental impact of the project, and is consistent with the requirements of Annex I of the Madrid Protocol.

(41) Appendix 2 contains the advice of the CEP to the ATCM on the Project IceCube draft CEE.

iii) Surface Traverse

(42) The United States introduced a draft CEE entitled “Development and Implementation of Surface Traverse Capabilities in Antarctica”, circulated to Parties and the CEP in accordance with the requirements of Article 4 of Annex I to the Protocol.

(43) France noted that it was unfortunate that the draft CEE, circulated in English, had not been translated into the other official languages, but to make progress it was prepared to participate in the upcoming discussions.

(44) The US noted that surface traverses are a very common means of transportation to support Antarctic activities. It suggested that the proposed traverse route and associated activities will enhance the logistical support of South Pole station, bringing a significant reduction of the flights needed to deliver cargo, and an overall reduction in fuel emissions for the program.

(45) The US advised that it had received a number of comments to the circulated document, including issues of format, the lack of a commencement date, and the view that the project focused more on scientific needs than environmental concerns.

(46) The US further advised that the start date would be contingent upon the progress of the, currently under way, “proof of concept” activity for the traverse (for which an IEE had been prepared), and that it has given equal emphasis to scientific benefits and environmental concerns.

(47) The US informed the Committee that there would be no adverse environmental effects on protected areas, ice free areas or marine areas with wildlife, as the traverse route avoids such areas. Human liquid waste will not be disposed of along the route.

(48) Responding to a concern about the potential for the use of the route by NGOs or tourists, the US advised that it will not condone the use of the traverse route by NGOs. The US believed that any such proposal by NGOs would require an environmental impact assessment submitted to the appropriate Party.

(49) Australia and other Parties complimented the US for the draft CEE, noting the value of matrices to the CEP in analyzing the aspects of an activity, evaluating its likely impacts, and providing advice to the ATCM.

(50) Responding to ASOC’s suggestion that use of the traverse would make available additional aircraft capacity, leading to an overall expansion of the program, the US advised that the number of flights to the South Pole would decrease.

(51) New Zealand welcomed the fact that the US plans to further expand the consideration of *cumulative* and *indirect* impacts in the final CEE. New Zealand noted that the draft CEE considered both the specific South Pole traverse but also Antarctic traverses in general. They asked the US to explain the reasoning behind this approach to the draft CEE as and noted that Annex I of the Protocol required environmental impact assessment for specific activities.

(52) The US assured that it does not view this as a “one size fits all” CEE for traverses, and that an appropriate environmental review would be conducted for any potentially significant variation to the proposal.

(53) The US noted that the activity would have some impact upon wilderness and aesthetic values, however, the level of impact is acceptable given the value of the activity being undertaken. It advised that, relative to the size of Antarctica, the footprint of the South Pole traverse is miniscule.

(54) The United Kingdom welcomed the reduction in the number of flights expected to result from the traverse operation, and requested information on the reduction of overall fuel consumption. The UK also noted that the EIA procedures would not in all cases prevent the use of the traverse by NGOs.

(55) The US advised that it does not have figures on fuel consumption but that it expects to reduce the flights to the South Pole by 80 to 90 per year, and it is continuing to assess the fuel consumption of its planned traverse and other operations.

(56) The Committee agreed that the draft CEE meets the requirements of Annex I to the Protocol. Its advice to the ATCM is contained in Appendix 3.

iv) Czech scientific station

(57) The Czech Republic presented a draft CEE as ATCM XXVII/IP003 *Czech Scientific Station in Antarctica: Construction and Operation*, based on the draft CEE discussed at CEP VI, and updated to incorporate comments made during that meeting. The Czech Republic expressed its appreciation to Argentina for the support it provided during the preparation of the draft CEE.

(58) The Czech Republic acknowledged that there had been a concern with the previous CEE that it was based on a desk study without any field work. It advised that the field work had taken place in February and March 2004 to collect biological and ecological data, enabling a more detailed environmental evaluation, as noted in ATCM XXVII/IP087.

(59) The proposed site for the station is on the northern coast of James Ross Island on a deglaciated raised beach with little vegetation in the vicinity apart from some mosses and lichen approximately 800 metres distant. There were no colonies of mammals observed in the study area, and only two small nesting colonies of Antarctic terns found, 500m distant from the proposed site.

(60) The UK advised that its recent experience indicates that pack ice can significantly obstruct access to James Ross Island. The UK asked if it was really possible to use tourist ships to service the station as suggested in the draft CEE. The UK also noted that the CEE required that the construction of the station must take place on a coarse-grained gravel foundation without fine particles and little permafrost. However, the field work earlier this year indicated that the site of the proposed station consisted of well-sorted beach sands to fine-grained gravels. The UK asked whether, therefore the Czech Republic was confident that it could proceed as envisaged in the CEE, given the possible logistic difficulties.

(61) The Czech Republic advised the Committee that it had visited James Ross Island by helicopter this year, and that Argentina had informed them that the site is at times accessible by sea. The idea of using tourist ships to support the station is still an open question.

(62) New Zealand suggested that, with respect to wilderness values, there are alternatives to building a base on an island where there is no base. New Zealand and the Netherlands suggested that an alternative may be to seek to undertake research projects in collaboration with another Party active in the region, such as Argentina.

(63) New Zealand also noted that the draft CEE suggests that there may be financial risks that could lead to the abandonment of the project through lack of funds. It also requested clarification

of the issue of sedimentation in the near-shore environment that might result from the construction and operation of the station.

(64) In response to these comments, the Czech Republic advised as follows:

- That they are fully prepared to invite collaboration by other Parties in the research activities of their proposed station and that it is more economic for them to establish a research base for 20 to 30 years, than to rent space during this period.
- That they acknowledge the impacts that the base would likely have on wilderness values, but in following the Madrid Protocol they focused on the impact on measurable factors, and contend that on this basis the likely environmental effects of the project are acceptable. They noted that the concept of wilderness values is very philosophical and difficult to quantify objectively, and possibly of greater relevance to the consideration of tourism activities.
- The proposed station would be constructed from pre-assembled components and then constructed at the site, requiring a limited amount of sand and gravel which would be extracted from the river bed – this would involve a minor disturbance which would be limited in time because of natural replenishment.

(65) Germany thanked the Czech Republic for clarifying the impact assessment on fauna and flora. Germany requested information as to why this site was chosen and whether there was a direct link with the Czech Republic's scientific research plans.

(66) The Czech Republic responded that the site was chosen to minimize the impact on the environment and because it provides a base for their research activities.

(67) Argentina noted that some Parties had previously discouraged the Czech Republic from building elsewhere, when the proposed station was first suggested at CEP V, and that as a result the Czech Republic has chosen the currently proposed site.

(68) ASOC noted that as described in the draft CEE, the proposed station appears to be quite substantial, with a capacity to accommodate 15 people for five months of the year. ASOC also noted that an incinerator would be installed. It further noted that the impact of the use of vehicles at the site is not clear in the document, as the ground is soft and muddy during some of the year.

(69) The Czech Republic responded that waste incineration will employ certified environment-friendly Norwegian technology and that the use of vehicles will be controlled to minimize the impacts on the station environs.

(70) The Czech Republic thanked the meeting for the comments and questions raised, and undertook to address them fully in the preparation of the final CEE.

(71) Appendix 4 contains the advice of the CEP to the ATCM on the Czech Scientific Station CEE.

(72) New Zealand submitted ATCMXXVII/IP037 *Progress Report on the ANDRILL Draft CEE and an Outline of the Process and Timeline for the Completion of the Final CEE*.

4c) Other matters covered by Annex I (Environmental Impact Assessment)

(73) Argentina introduced ATCM XXVII/WP028 *The Application of Existing EIA Procedures to Tourist Activities in Antarctica*.

(74) Argentina noted that existing procedures for environmental impact assessment are not sufficient to predict cumulative environmental impacts arising from the activities of many operators at a site, or of one operator over many sites. Several Parties supported Argentina's concern.

(75) Argentina noted that Annex I and the existing EIA guidelines were developed more with the activities of National Programs in mind, and that the guidelines work well in that context.

(76) Both those proposing an activity and those authorising the activity have a need to be aware of other planned activities in order to take account of possible cumulative impacts. There is therefore a need to ensure that there is timely exchange of information. The imminent establishment of the Antarctic Treaty Secretariat should assist in this exchange. The CEP therefore wishes to bring this to the attention of the ATCM.

(77) The Committee agreed to establish an ICG convened by Mr Tom Maggs of Australia (tom.maggs@aad.gov.au), operating under Terms of Reference contained in Annex 5 to this report, and reporting back to CEP VIII.

(78) The Committee welcomed COMNAP's presentation of ATCM/IP015 *An analysis of Initial Environmental Evaluations (IEEs)*.

(79) Australia proposed that the comprehensive analysis of IEEs represented in IP-15 be extended to the consideration of tourism EIAs.

(80) COMNAP noted that AEON's work program for the coming year is currently under discussion, and Australia's proposal would need to be considered in the light of other priority activities. COMNAP also noted that its members might need guidance from ATCM before embarking on reviews of NGO activities.

(81) ASOC supported the work of COMNAP / AEON, noting that the analysis did not extend to the application of the provisions of the IEEs.

(82) IAATO thanked COMNAP and AEON for this paper and found the methodology was useful in analyzing the EIAs of its members. IAATO noted that when reviewing tourism EIAs one needs to do so in conjunction with domestic legislation.

(83) Norway presented ATCM XXVII/IP035 *Initial environmental evaluation of Troll runway*.

(84) The UK announced to the Committee that it would be preparing a draft CEE for the rebuild of the British Antarctic Survey Halley Station. The UK looked forward to presenting the draft CEE at CEP VIII.

(85) SCAR presented ATCM XXVII/IP078 *Marine acoustic technology and the Antarctic environment*. A recent workshop had examined the latest research on acoustic equipment and marine mammals. SCAR concluded that, with proper mitigation measures, existing scientific

acoustic equipment could be used safely in the Antarctic. The paper provided a risk evaluation of a range of equipment and outlined how this could be applied in estimating environmental impact before any cruise. SCAR undertook to provide a further update on this field in 2006, and invited Parties to comment on the present paper.

(86) Germany noted the report and indicated it would raise a number of technical questions about its contents. Spain welcomed the report but considered there was still considerable uncertainty about the mechanisms involved in these interactions and their possible impacts. The importance of this topic means further research is urgently required.

(87) The following Information Papers were also submitted under 4c:

- ATCMXXVII/IP006 *Continuation of the European Project for Ice Coring in Antarctica ((EPICA) (Germany)*
- ATCMXXVII/IP007 *Annual List of any Initial Environmental Evaluations prepared in accordance with Annex I, Article 2, of the Protocol (Annex I, Article 6, LIT. B, of the Protocol) and also ATCM Resolution 6 (1995) 2003/2004 Season (Germany)*
- ATCMXXVII/IP023 *Tourism and Non-Governmental Activities in Antarctica: Monitoring Compliance and Environmental Impact (New Zealand)*
- ATCMXXVII/IP064 *Annual List of Initial Environmental Evaluations (IEE) and Comprehensive Environmental Evaluations (CEE) Calender Year 2003 (Australia)*
- ATCMXXVII/086 *Talos Dome Ice Core Project (TDICE): Information Note for Environmental Evaluation (Italy)*

4d) Matters covered by Annex II (Conservation of Antarctic Fauna and Flora)

Review of Annex II

(88) The ICG convenor (Jose Maria Acero, Argentina) introduced ATCM XXVII/WP017 *Final Report of the Intersessional Contact Group on Annex II Review*, also expressing gratitude and congratulations to all Parties involved in the ICG work.

(89) The United Kingdom introduced a parallel Working Paper, ATCM XXVII/WP022 *Annex II to the Environmental Protocol to the Antarctic Treaty*, noting its concerns with regard to the ICG's suggested change of the title and scope of the Annex.

(90) The convenor stated that the ICG considered that the requirements set by Article 3 for the issuing of permits defines the scope of the Annex, and that the ICG had not suggested changing those requirements.

(91) The convenor added that the ICG had included a definition for marine species, but that this only applied to Article 3, and that the ICG had addressed the issue of Specially Protected Species, in order to address issues arising from the ICG report on Specially Protected Species, submitted to CEP V.

(92) The UK made it clear that the review of Annex II by the CEP should not address legal issues and that to change the title of the Annex would be to change its scope, which was beyond the remit of the CEP.

(93) The convenor noted that the UK had restricted its participation in the ICG to a watching brief, but had received all ICG correspondence. Several Parties supported the convenor's view that earlier participation by the UK may have assisted the ICG, and the Committee, to reach agreement on a revised text.

(94) The US noted that the ICG had been charged with the review of only the scientific and technical aspects of Annex II, and that some changes suggested by the ICG should perhaps be addressed in ATCM rather than the CEP.

(95) Australia reminded the meeting that Article 3 of the Protocol commits Parties to the comprehensive protection of the Antarctic environment as well as a continuing review of the Protocol's provisions.

(96) Some Parties noted that changes to Annex II may require changes to their implementing legislation which could take several years to process.

(97) Several Parties appealed to all Parties to work with the paper proposed by the ICG, noting that changes to national legislations were implied in the review process right from the start.

(98) Argentina suggested that the rolling review of Annexes could be undertaken so that a full package of amended annexes would be submitted to the ATCM in several years' time, resulting in a single comprehensive change, rather than year-by-year.

(99) The Committee comprehensively discussed the two revised texts before it, paragraph by paragraph, and prepared the suggested revised text at Appendix 9 for consideration by the ATCM, enclosing in square brackets those components of the revised text on which there was no agreement about the technical or legal nature of the text.

(100) The Committee discussed the possible implications of changing the title to "Conservation of Antarctic Living Organisms", including whether such a change would affect the scope of the Annex, or cause confusion with the scope of the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR).

(101) Argentina noted that the ICG had concluded that the scope of Annex II was not changed by its title, but by the Article 3 provisions relating to the issuing of permits, which would not change at all. Australia agreed with Argentina, basing its view on modern developments in biological taxonomy. Some overlap with the concerns of CCAMLR should be expected and welcomed if it enhanced environmental protection, and any jurisdictional issues that might arise could be worked through by agreement.

(102) The UK stated that in its view changing the title to Conservation of Living Organisms would extend the scope of the Annex to cover micro-organisms. The UK considered that general protection of such species through Annex II would be impossible to implement and monitor. Whilst the UK agrees with the protection of rare assemblages of micro-organisms and their habitats, the UK believed that it would be more sensible and workable for protection to be afforded through the Antarctic specially protected area provisions of Annex V.

(103) The Committee square-bracketed the words "Living Organisms" and "Fauna and Flora" throughout the text, and referred the issue to the ATCM for resolution.

(104) The Chair noted that the CEP's work included by nature issues with legal aspects and that it had to advise the ATCM on environmental and technical issues to the best of its competence, aware that its advice might have legal implications for consideration by the ATCM.

(105) ASOC noted that the Protocol gives a clear mandate to the Committee to protect the environment.

(106) Some Parties recalled that the mechanism established for interaction with CCAMLR to deal with marine aspects of protected area proposals provided a model for marine issues related to Specially Protected Species. Other Parties expressed the view that there was an alternative model.

(107) The Committee noted the need to reintroduce the results of its earlier work on designating Specially Protected Species in regard to procedures and criteria to be agreed for the listing and delisting of Specially Protected Species.

(108) The Committee agreed to delete Appendixes B and C and to incorporate their substance into the body of the Annex.

(109) The Committee agreed to amend the dates set out in Article 6 for the exchange of information to 1 April – 31 March to reflect Resolution 6 (2001).

(110) The Committee noted the hard work and commitment of the ICG to its task and thanked the convenor, Jose Maria Acero, and the other ICG members for their efforts.

Other Annex II Issues

(111) COMNAP presented ATCM XXVII/WP10 *Guidelines for the Operation of Aircraft near Concentrations of Birds in Antarctica*. The potential for harmful disturbances to concentration of birds makes it important to provide pilots with guidelines that would prevent or minimize the damaging impact. COMNAP noted a lack of definitive scientific data on which to base such guidelines.

(112) The Committee endorsed the Guidelines contained in ATCM XXVII/WP010 and agreed to submit draft Resolution AA contained in Appendix 5 to ATCM XXVII.

(113) ASOC presented ATCM XXVII/IP056 *An update on some issues surrounding noise pollution*.

(114) SCAR introduced ATCM XXVII/IP73 *Specially Protected Species* on the development of a scientific basis for assessing the conservation status of Antarctic species. The conclusion of the assessment by Birdlife international on behalf of IUCN was that concern was limited to five species, but that most of the Antarctic species are not under immediate threat. SCAR offered to bring to CEP VIII a prototype process for the designation of Specially Protected Species.

(115) UNEP introduced ATCM XXVII/IP88 *A review of the Conservation Status of Antarctic Mammals and Birds*, as complementary to ATCM XXVII/IP073. UNEP's report reviewed the conservation status of mammals and birds species occurring in the Antarctic Treaty area with a view to assisting Parties to develop a process for designating Specially Protected Species.

(116) Several members welcomed the SCAR and UNEP papers noting that they greatly assisted the Committee's work on Annex II issues.

(117) The Committee noted that the issue of designating Specially Protected Species has become very urgent and should be a major item for consideration at CEP VIII.

(118) Australia introduced ATCM XXVII/IP071 *Australia's Antarctic Quarantine practices*, particularly noting that the key to Australia's quarantine practices lies in preventative measures, including comprehensive pre-departure inspection and education of expeditioners. Australia offered to provide further information to interested Members outside the meeting.

(119) France noted the interesting work conducted by Australia, and drew the Committee's attention also to the risk of translocation of species between locations within sites in Antarctica.

4e) Matters covered by Annex III (Waste Disposal and Waste Management)

(120) Australia introduced ATCM XXVII/IP054 *Thala Valley Cleanup*, which highlighted the complexity of clean up operations, and noted that Australia had undertaken comprehensive monitoring prior to, during, and following the clean up activities.

(121) The United States introduced ATCM XXVII/IP041 *Practicing environmental stewardship in Antarctica* particularly noting the two case studies contained within that may be of interest to Members.

(122) The United Kingdom drew the Committee's attention to ATCM XXVII/IP085 *Waste disposal and waste management – the removal and clean-up of abandoned British bases and waste dumps in Antarctica* and informed the Committee that a further two abandoned bases and associated waste dumps had been removed. Helpfully, this work had been overseen by an independent observer from New Zealand.

(123) The Committee noted with satisfaction that the presentation of several papers over the last few years addressing remediation of the sites of previous activities in Antarctica indicates substantial progress in implementing the provisions of Annex III.

4f) Matters covered by Annex IV (Prevention of Marine Pollution)

(124) Uruguay submitted ATCMXXVII/IP092 *Activities oriented to the implementation of Resolutions related to operations in Antarctica*, indicating that in accordance with Resolution 1 (2003) it has issued the complete text of Annex IV of the Protocol, including this text in the Marine Notices (Pamphlet No. 3/2004, Part V Nautical Information) and making it available to vessel operators.

(125) Spain submitted ATCM XXVII/WP042 *Fishing Activities: Prevention of Marine Pollution* and a draft Resolution on the discharge of ash into the sea and international minimum ice-strengthening standards for fishing vessels. After some previous exchanges of view it was concluded that the issue will be raised in the ATCM.

(126) COMNAP introduced ATCM XXVII/WP009/Rev A *Applicability to the Antarctic of the IMO "Guidelines for ships Operating in Arctic Ice-Covered Waters"*, pointing out editorial changes that would make the Arctic Guidelines more suitable to the Antarctic. CONMAP strongly supported requiring double skins around tanks carrying pollutants.

(127) COMNAP drew attention to the requirement that ships operating in ice-covered waters, other than passenger ships, have fore-peak to after-peak double-bottoms. While not recommending a change, COMNAP suggested that experts review this requirement, noting that it did not have the expertise in naval architecture to do so.

(128) Norway suggested that Parties consider a prohibition on the use of heavy fuels in Antarctica, and that the environmental issues related to ballast water management may be of concern to the Committee, especially with respect to the potential to introduce non-native species of marine life. Germany noted that the comments on heavy fuel were convincing, as it is not just a problem of viscosity but also of emissions, similarly ballast water issues.

(129) Several members congratulated COMNAP on the paper. Some noted a concern with attempting to adapt and adopt the Arctic shipping guidelines without augmenting the environmental advice in relation to the Antarctic, along the lines of that suggested by the Meeting of Experts on Antarctic Shipping Guidelines, hosted by the UK in 2000.

(130) UK noted that a proposal at the ATME held in London in 2000 was to have produced a comprehensive handbook for Antarctic shipping, of which environmental protection guidelines would be a part. The UK suggested that an attempt to effect such a major change to the IMO Arctic guidelines may delay their adaptation and adoption by several years.

(131) It was noted that many of these items would be further discussed in the ATCM under Item 14 – Operational Issues.

4g) Matters covered by Annex V (Area Protection and Management)

i) Draft Management Plans and proposals contained which have been considered by intersessional contact groups, or to which minor amendments were proposed.

(132) New Zealand presented ATCM XXVII/WP01 *Review of draft McMurdo Dry Valleys Antarctic Specially Managed Area Management Plan: Report of the Intersessional Working Group* and noted that the development of the Plan was a joint initiative with the United States.

(133) New Zealand noted the considerable scientific and wilderness values of the Dry Valleys region and that the aim of the ASMA is to manage and coordinate human activities in the area to protect these values.

(134) New Zealand noted that the draft Plan includes restrictions on the collection of items other than flora and fauna, and contains both hortatory and mandatory language where appropriate.

(135) The Committee congratulated New Zealand and the United States on the draft Management Plan, and in particular noted the value of the environmental and scientific codes of conduct.

(136) The US presented ATCM XXVII/WP05 *Final Revised Management Plans for ASPA 113, Litchfield Island, Arthur Harbour, Anvers Island; ASPA No. 122, Arrival Heights, Hut Point Peninsula; and ASPA No. 139, Biscoe Point, Anvers Island*. It summarized the comments it had received in the intersessional consultation process.

(137) Australia introduced ATCM XXVII/WP014 (Rev1) *Antarctic Protected Areas System: proposed management plans for Cape Denison, Commonwealth Bay, George V Land, East Antarctica: HSM, ASMA and ASPA*.

(138) Australia reminded the Committee of the significance of the Cape Denison site as one of the principle relics of the “heroic age” of Antarctic exploration, and drew its attention to the inclusion in WP014 of proposals for historic sites and monuments listing, an Antarctic Specially Protected Area, and an Antarctic Specially Managed Area.

(139) Australia also made available a supporting interpretative booklet on the Cape Denison site and offered to distribute a CD-ROM version to Parties on request.

(140) The UK commended the approach taken in the draft Management Plan, in particular the nesting of ASPA, HSM, and ASMA for the site. A minor amendment to the plan is incorporated in ATCM XXVII/WP014/Rev 1.

(141) Norway introduced ATCM XXVII/WP024 (Rev1) *Review of ASPA 142, Svathamaren*, noting the area’s significance for its seabird colonies, especially Antarctic petrels, and summarizing the improvements made to the plan in the review process.

(142) The Committee agreed to refer these draft plans to the ATCM for approval, and drafted:

- Measure XX (ASMA) (Appendix 6);
- Measure YY (ASPAs) (Appendix 7); and
- Measure ZZ (Historic Sites and Monuments) (Appendix 8).

ii) draft Management Plans which had not yet been considered by ICG.

(143) Italy introduced ATCM XXII/WP 07 (Rev1) *Proposal for a new protected area at Edmonson Point, Wood Bay, Ross Sea*. Italy advised its intention to submit the draft plan to CCAMLR for its consideration and advice on the marine component. It noted that ATCM XXVII/IP042 is also relevant to this proposal.

(144) The Committee agreed to refer the plan to the ICG considering draft Management Plans, reporting back to CEP VIII.

(145) The UK introduced ATCM XXVII/WP013 *Deception Island Antarctic Specially Managed Area Management Package*. It noted that the management package was a culmination of five years’ collaborative work by the UK, Argentina, Chile, USA, Norway and Spain, ASOC and IAATO.

(146) Argentina stated that, regarding WP013, in view of the fact that there was no agreement on the revisions that were introduced at this meeting by the Argentine Delegation, which does not agree with certain historic and political contents of this document that are not related to Antarctica, Argentina would like to state that it does not wish to be included among the sponsors of this document. Nevertheless, Argentina agrees with all the technical aspects of this proposal, having

taken active part in its development. Additionally Argentina would like to make it clear that they will continue to participate as a co-sponsor of the proposed designation of the Deception Island ASMA.

(147) Spain expressed its hope that a consensus between the present co-sponsors of the draft Management Plan will be re-established before its final approval at CEP VIII.

(148) The UK noted the scientific, ecological, historical, aesthetic and educational values of Deception Island.

(149) The Committee took note of the major workshop hosted by Chile in March 2001, and the international research expedition hosted by Argentina in February 2002.

(150) The purpose of the management package is to preserve and protect the island's values, manage the competing demands of science and tourism, and address the issues of safety at this volcanically active site.

(151) The UK further noted that the Management Plan, if adopted, will allow for a Management Group to coordinate activities at Deception Island.

(152) Several members congratulated the UK and its partners on the detailed structure and content of the draft Management Package and its significant contribution to the management of sensitive multi-user sites such as Deception Island.

(153) The US noted that the marine ASPA #145 Port Foster, Deception Island, is already under consideration by CCAMLR.

(154) ASOC noted that Annex V of the Protocol can be used to prevent conflicts of interest between environmental protection and human activities, and also noted that the Deception Island ASMA had many innovative aspects. However, ASOC expressed concern about ongoing commercial tourism activities at the largest penguin rookery in the island.

(155) The Committee agreed to refer the draft Deception Island Management Plan to the ICG considering draft Management Plans, reporting back to CEP VIII.

(156) Argentina introduced ATCM XXVII/WP015 *Revision of ASPA 133* and ATCMXXVII/WP016 *Revision del Plan de Manejo de la ZEAP 132(Punta Armonia)*. The revision of the management plans was based on recent field work carried out by Argentina and Chile, incorporated changes to the values of the areas and included data on wildlife populations and trends.

(157) The revision also provided management criteria such as the location of shelters and procedures for waste management, maps to assist in interpreting the management measures, diagrams, and small editorial changes.

(158) Argentina proposed that a revised version incorporating new maps, should be referred to the ICG considering draft Management Plans, reporting back to CEP VIII.

(159) The US introduced ATCM XXVII /WP019 (Rev1) *Draft Revised Management Plans for ASPA 149 Cape Shirreff and San Telmo Island, Livingston Island, South Shetland Islands* (Chile and the US), noting the minor nature of the amendments that had been made to bring the plan up to the standard required by Annex V. The US advised that the marine component of the plan is under review by CCAMLR.

(160) The Committee agreed to refer the plan to the ICG considering draft Management Plans, reporting back to CEP VIII.

(161) Australia presented ATCM XXVII/WP027 (Rev1) *Protected Areas: Proposed Management Plan for Scullin and Murray Monoliths, Mac. Robertson Land, East Antarctica, Antarctic Specially Protected Area*, noting the size and variety of the assemblages of breeding sea-birds that occupy the sites.

(162) The Committee agreed to refer the draft Scullin Monolith Management Plan to the ICG considering draft Management Plans, reporting back to CEP VIII.

(163) India introduced ATCM XXVII/WP033 *Draft Revised Management Plan for ASPA XXX: Dakshin Gangtori Glacier Snout, Dronning Maud Land*, and ATCM XXVII/WP035 *Intersessional Contact Group to consider Antarctic Specially Protected Area at Dakshin Gangtori Glacier, Dronning Maud Land – Convener’s Report*.

(164) The UK stated that it had not been notified of the creation of an intersessional group, and noted its concern that the draft Management Plan appeared to suggest that permits to enter the site could only be obtained from India, and that Annex V of the Protocol specifically allows for such permits to be issued by the relevant national authority. It was also agreed that the quality of the maps should be improved. India incorporated the suggested changes and issued ATCM XXVII/WP033/Rev 1.

(165) The Committee agreed to refer the draft Dakshin Gangtori Management Plan to the ICG considering draft Management Plans, reporting back to CEP VIII.

(166) India presented ATCM XXVII/WP036 (Rev1) *Site recommended for inclusion in the list of Historical Sites and Monuments in Antarctica*, proposing a plaque and monument at India Point, Humboldt Mountains, Wohlthat Massif, central Dronning Maud Land.

(167) The Committee noted the management guidelines provided in the paper, and agreed that the plaque and monument should be designated as a Historic Site and Monument. This proposal is included in draft Measure ZZ (Appendix 8).

iii) Other matters related to Area Protection and Management.

(168) The UK introduced ATCM XXVII/WP045 *Salvage of the De Havilland Single Otter from Whalers Bay, Deception Island by British Antarctic Survey* (UK).

(169) The UK sought the view of the CEP and clarification from the ATCM that:

– The designation of Historic Sites and Monuments extends to all relevant structures, remains and artefacts within such sites;

– Whether, if that is the case, the requirements of Article 8 (4) of Annex V to the Protocol which states “Listed Historic Sites and Monuments shall not be damaged, removed or destroyed” should include all relevant structures, remains and artefacts within such sites;

– Notwithstanding the above, there should be a derogation to allow for the removal of such structures, remains and artefacts from a designated site for bona fide reasons such as preservation or safety.

(170) The UK noted that the ATCM had in fact already endorsed the principle of the removal of historic artefacts from some Historic Sites for conservation purposes.

(171) The Committee discussed the need to ensure protection of remains, artefacts and structures within designated Historic Sites from those who would seek to remove them without permission.

(172) The Committee noted that there are legal issues connected with the UK’s question, and agreed to refer ATCMXXVII/WP045 to ATCMXXVII’s Legal and Institutional Working Group. Some Parties considered that it would be beneficial to have more elaborate descriptions of proposals for Historic Sites and Monuments to be listed.

(173) The UK introduced ATCM XXVII/WP026, setting out a proposed amendment to Recommendation XVIII-1 (1994), for the Committee’s consideration and the approval of the ATCM. The draft Recommendation is attached at Annex 8.

(174) The CEP considered the four site guidelines included in ATCM XXVII/WP026. The CEP agreed that the principle of site guidelines was a useful tool to support the management of tourist visits to Antarctic sites.

(175) A number of Parties expressed concern about the proposed restrictions on the number of hours tourists may visit the sites during each 24 hours. It was noted that no scientific advice is currently available to inform these restrictions, but that the approach taken in the guidelines is necessarily of a precautionary nature.

(176) It was agreed to modify the restrictions at issue in the amended guidelines (Annex 8 to the CEP Final Report).

(177) The CEP also agreed that these site guidelines be reviewed when additional scientific information becomes available. The Committee noted that issue may be further discussed under ATCM 11.

(178) Uruguay submitted ATCM XXVII/ IP107 *Survey of the wreckage historic remains of Pte. Suffield, Maxwell Bay, King George Island (25 de Mayo Island) related to Resolution 5 (2001)*.

(179) New Zealand introduced ATCMXXVII/IP024 *Systematic Environmental Protection in Antarctica – First Progress Report* on a trial environmental classification for a possible systematic environmental-geographic framework. While a further report will be presented at CEP VIII, New Zealand noted that further funding will need to be obtained to extend the work to the whole of Antarctica. New Zealand gratefully acknowledged the support of United States scientists for providing scientific data being used in the classification.

(180) Germany introduced ATCM XXVII/IP005 *Research Project "Risk assessment for the Fildes Peninsula and Ardley Island and the development of management plans for designation as Antarctic Specially Protected or Managed Areas*, which summarised progress with a three year project to provide data to fully evaluate the role and structure of a possible broad-scale management system on Fildes Peninsula and Ardley Island.

(181) Several Members expressed their support for proposal, and indicated that they would willingly assist Germany in the project.

(182) Italy presented ATCM XXVII/ IP042 *Preliminary consideration of strategic environmental assessment: the case of Edmonson Point, Ross Sea, Antarctica*.

(183) Estonia introduced ATCM XXVII/IP105 *Estonia's response to Information Paper IP042 submitted by Italy*. Estonia expressed its concern about the option of extending the proposed new ASPA at Edmonson Point to the ice free area South of Edmonson Point as this site has been selected by Estonia for establishing a small summer only research station.

(184) Estonia recalled its Information Paper ATCM XXVI/IP081 which described the planned activity. Estonia will continue to work on this issue in the ICG established to consider draft Management Plans.

(185) In response, Italy noted that the problem of establishing a station in the Southern area of Edmonson Point is not just related to the size of the station, but that access to the proposed station site requires passage through the penguin routes identified in Figure 1 of ATCMXXVII/IP042. It was agreed that these issues would be discussed during intersessional consideration of the proposed ASPA management plan.

(186) Russia presented ATCM XXVII/ IP044 *On the need of environmental monitoring of Antarctic Specially Protected Areas*, noting that Parties submitting applications for Antarctic Specially Managed Areas and Antarctic Specially Protected Areas should monitor the environmental values that the areas were designated to protect, report on the monitoring to the CEP, and incorporate the results in subsequent revisions to management plans.

(187) Russia presented ATCM XXVII/ IP45 *Orthodox temple in the Antarctic*. Russia informed the Meeting that the orthodox Holy Trinity Church was opened at Bellingshausen Station, and that it is planning to propose that the Church be included on the List of Antarctic Historic Monuments.

(188) India submitted ATCM XXVI/IP040 *Review of the Historic Site and Monument HSM-44 (A Plaque Erected at "Dakshin Gangtori" Station*. India will present a Working Paper on this historic monument at CEP VIII.

Item 5: Environmental Monitoring

(189) The United States introduced ATCM XXVII/WP011 *Monitoring and Assessment of activities: approaches taken by the Antarctic Site Inventory*, which describes monitoring and assessment of visitor sites in the Antarctic Peninsula, and ATCM XXVII/IP010 *Antarctic Site Inventory: 1994-2004*, which updates the ATCM on key results from the Inventory's most recent field season. The Antarctic Site Inventory, operated and managed by Oceanites, Inc., has collected biological data and site-descriptive information in the Antarctic Peninsula since 1994. The recently

published, 2d edition of Oceanites' *Compendium Of Antarctic Peninsula Visitor Sites* was distributed to all Delegations, to accompany ATCM XXVII/IP011.

(190) XXVII ATCM/WP011 takes up from the final report of the Antarctic Treaty Meeting of Experts (ATME), which convened in March 2004 in Norway (WP4). The ATME agreed that CEP should address the issue of monitoring and provide the ATCM with recommendations for the coordinated monitoring of activities in Antarctica including the establishment of a consistent methodology and central data collection process. The ATME noted the monitoring requirements of Article 3 of the 1991 Protocol on Environmental Protection to the Antarctic Treaty and specifically referenced the data collection efforts of Oceanites and the Antarctic Site Inventory.

(191) XXVII ATCM/WP011 describes the methodology of the Antarctic Site Inventory, including selected indicator species, data sets collected in regard to these indicator species (particularly, population size and breeding success), and site selection criteria.

(192) Many Delegations thanked the United States for these papers, made valuable comments and suggestions, and supported the establishment of an ICG.

(193) The Committee agreed to establish an open-ended ICG to further address this issue, convened by Dr Yves Frenot of France (yfrenot@iftrp.ifremer.fr), and operating under the terms of reference at Annex 6.

(194) The following Information Papers were submitted under Item 5:

- ATXM XXVII/IP030 *Environmental Monitoring of the Indian Permanent Station –Maitri in Pursuant to the Protocol on Environmental Protection to the Antarctic Treaty* (India), and
- ATCM XXVII/IP038 *Information Paper on the Ross Sea Region Tourism Site Inventory Project Workshop* (New Zealand)

Item 6: State of the Antarctic environmental report

(195) Australia introduced ATCM XXVII/WP20 *Towards a CEP State of the Antarctic Environment Reporting System: Report of the Intersessional Contact Group* developed jointly with New Zealand, and reported on the intersessional work commissioned by CEP VI.

(196) Australia described the work undertaken to develop the interactive electronic reporting framework, including:

- the population of the reporting system with temperature data provided by SCAR;
- the restriction of change privileges to Custodians and Administrators;
- the adaptability and flexibility of the system to accommodate other developments in the Antarctic Treaty system, such as monitoring, cumulative impacts and some issues related to tourism management.
- the contribution by Parties and organizations including as Chile, China, Norway, Italy, Sweden, UK, UNEP, SCAR, CCAMLR, ASOC, IAATO and WMO.
- the essential continuing involvement by SCAR, CCAMLR in the future development of the system;
- the further development of criteria for selecting and categorizing indicators.

(197) The Committee thanked Australia and New Zealand for coordinating this valuable work. It endorsed the continuation of intersessional work, coordinated by Australia and New Zealand, according to the modified terms of reference and purpose statement contained in Annex 7, and reporting back to CEP VIII.

(198) Contact points for the work are tom.maggs@aad.gov.au and n.gilbert@antarcticanz.govt.nz. A link to the pilot SAER site is available from the CEP website Members' area.

Item 7: Biological Prospecting

(199) UNEP introduced ATCM XXVII/IP106 *Industry Involvement in Antarctic Bioprospecting*, noting the level of commercial use is limited, that no commercial product had been developed so far, but nevertheless that a significant amount of the research is of commercial interest. Germany noted that the issue was important and that the CEP needed to address the issue in a more detailed manner than it has so far.

Item 8: Emergency Response and Contingency Planning

(200) COMNAP introduced ATCM XXVII/IP012 *COMNAP's Framework and Guidelines for Emergency Response and Contingency Planning in Antarctica* noting that further work is required to address specific issues of emergency response and contingency planning.

Item 9: Data and Exchange of Information

(201) No papers were submitted or introduced under this Agenda item.

Item 10: Cooperation with other organization

(202) Spain introduced ATCM XXVII/IP098 *Conservation of Seabirds: Improvements and New Steps Forward* related to an action promoted by the non-Government organisation SEO-Birdlife in co-operation with fishers. Its purpose was to further new, more effective, solutions to promote seabird-friendly fishing.

(203) Australia introduced ATCM XXVII/IP103 *Entry into Force of the Agreement on the Conservation of Albatrosses and Petrels*.

(204) The following papers were also submitted under Item 10:

- ATCM XXVII/IP025 *Report of the World Conservation Union (IUCN)*
- ATCM XXVII/IP66 *Report of the Antarctic and Southern Ocean Coalition (ASOC)*

(205) The Chair introduced the *Report of the CEP Observer to the SC-CCAMLR XXII*", ATCM XXVII/IP049, highlighting the following:

- The Scientific Committee had noted the increase of applications to commercially fish for krill. The projected krill catch for 2003/04 is 30% greater than the catch in 2002/03.

- Conservation measures introduced by CCAMLR to protect seabirds (albatross and petrels) during long line fishing are working well, as the number of birds killed has been dramatically reduced. Nevertheless, illegal fishing activities still kill very large numbers of birds each year.
- The Scientific Committee estimated that there was a lower catch in the IUU toothfish fishery, but that IUU fishing was still at an unsustainable level.
- The Scientific Committee has developed a mechanism for considering proposals from the CEP for protected areas with a marine component.
- The CCAMLR eco-system monitoring program has international recognition and produces information relevant to the CEP. The CEP will work closely with CCAMLR to monitor the Antarctic marine environment.

Item 11: Election of Officers

(206) Dr Tony Press (Australia) was re-elected as the Chair of the CEP.

Item 12: Preparation for CEP VIII

(207) The Committee adopted the agenda from CEP VII as the draft agenda for CEP VIII.

(208) The Committee agreed that some consideration should be given to the work of the CEP, and that this subject could be discussed at CEP VIII (Appendix 10).

Item 13: Adoption of the Report

(209) The draft Report was adopted by the Members.

Item 14: Closing of the Meeting

(210) The Chair, Dr Tony Press, closed the Meeting, thanking the Members and Observers for their efforts during the year and at the meeting, and also thanking the interpreters, translators, secretariat and rapporteurs.

Annex 1**CEP VII****Agenda and Final List of Documents****Item 1: Opening of the Meeting****Item 2: Adoption of Agenda****Item 3: Operation of the CEP**

| Paper No | Title | Submitted by |
|----------|------------------------------------------------------------------------------------------------|----------------|
| IP 036 | Report of the Depository Government of the Antarctic Treaty and its Protocol | United States |
| IP 089 | Report on the Implementation of the Protocol on Environmental Protection in the Czech Republic | Czech Republic |

Item 4: Compliance with the Protocol on Environmental Protection**4a) General Matters**

| Paper No | Title | Submitted by |
|----------|-------------------------------------------------------------------------------------------------------------------------|----------------|
| WP 04 | Chairman's report from Antarctic Treaty Meeting of experts on tourism and non-governmental activities in Antarctica | Norway |
| WP 032 | CEP Consideration of Draft Protected Area Management Plans | United Kingdom |
| IP 002 | Annual report pursuant to the Protocol on Environmental Protection to the Antarctic Treaty | South Africa |
| IP 013 | Environmental Training in National Antarctic Programs: A Workshop between the COMNAP networks AEON and TRAINET | COMNAP |
| IP 017 | Annual report of France pursuant to Article 17 of the Protocol on Environmental Protection to the Antarctic Treaty | France |
| IP 019 | Annual report of New Zealand pursuant to Article 17 of the Protocol on Environmental Protection to the Antarctic Treaty | New Zealand |
| IP 020 | Annual report of Spain pursuant to Article 17 of the Protocol on Environmental Protection to the Antarctic Treaty | Spain |

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| IP 021 | Renewable Power Generation for the Swedish Antarctic Station Wasa | Sweden |
| IP 028 | Construction of a new permanent Antarctic station replacing Neumayer Station at Ekstrom Ice Shelf | Germany |
| IP 031 | Report of the 2004 Finnish Antarctic inspection under article VII of the Antarctic Treaty and article 14 of the Protocol on Environmental Protection to the Antarctic Treaty | Finland |
| IP 032 | Annual report pursuant to Article 17 of the Protocol on Environmental Protection to the Antarctic Treaty | Italy |
| IP 033 | India's Antarctic Science Program 2003-04 | India |
| IP 048 | Inspection of Russian Antarctic Stations and Bases | Russian Federation |
| IP 053 | On the Activity of the Russian Permission System | Russian Federation |
| IP 055 | Annual report of China pursuant to Article 17 of the Protocol on Environmental Protection to the Antarctic Treaty | China |
| IP 058 | Annual report under the Protocol on Environmental Protection to the Antarctic Treaty | Netherlands |
| IP 060 | Concordia: A new permanent, international research support facility, high on the Antarctic ice cap | France and Italy |
| IP 067 | A report on the environment of Great Wall Station in recent two years | China |
| IP 075 | Annual report pursuant to the Protocol on Environmental Protection to the Antarctic Treaty | Belgium |
| IP 077 | Environmental management during the construction of a new base facility at sub-Antarctic Marion Island, phase one, 2003 | South Africa |
| IP 081 | Annual report pursuant to Article 17 of the Protocol on Environmental Protection to the Antarctic Treaty | Chile |
| IP 084 | Report on the implementation of the Protocol on Environmental Protection as required by Article 17 of the Protocol | United Kingdom |
| IP 090 | Report on research activities of the Czech Republic in the Antarctic – Season 2003/04 | Czech Republic |
| IP 091 | Annual report pursuant to Article 17 of the Protocol on Environmental Protection to the Antarctic Treaty | Uruguay |

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|--------|---------------------------------------------------------------------------------------------------------------|-------------------|
| IP 095 | Annual report pursuant to the Protocol on Environmental Protection to the Antarctic Treaty | Republic of Korea |
| IP 101 | 27 th Polish Antarctic Expedition of Arctowski Station (King George Island, Antarctica), 2002/2003 | Poland |
| IP 102 | Annual report pursuant to Article 17 of the Protocol on Environmental Protection to the Antarctic Treaty | Ukraine |

4b) Consideration of Draft CEEs forwarded to the CEP in accordance with paragraph 4 of article 3 of Annex I of the Protocol

| Paper No | Title | Submitted by |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| WP 025 | Draft Comprehensive Environmental Evaluation (CEE) for the Concept of Upgrading the Norwegian Summer Station Troll in Dronning Maud Land, Antarctica, to Permanent Station | Norway |
| IP 003 | Draft CEE for the Czech Station in Antarctica | Czech Republic |
| IP 037 | Progress Report on the ANDRILL Draft CEE and an Outline of the Process and Timeline for the Completion of the Final CEE | New Zealand |
| IP 087 | Complementary Information to the Draft CEE for Czech Scientific Station in Antarctica (Response to comments of Australia and Germany to the Draft CEE for the Construction and Operation of Czech Scientific Station in Antarctica) | Czech Republic |

4c) Other Matters covered by Annex I (Environmental Impact Assessment)

| Paper No | Title | Submitted by |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| WP 028 | The Application of existing EIA procedures to Tourist Activities in Antarctica | Argentina |
| IP 006 | Continuation of the European Project for Ice Coring in Antarctica (EPICA) | Germany |
| IP 007 | Annual List of any Initial Environmental Evaluations prepared in accordance with Annex I, Article 2, of the Protocol (Annex I, Article 6, LIT. B, of the Protocol) and also ATCM Resolution 6 (1995) 2003/2004 Season | Germany |
| IP 015 | An Analysis of Initial Environmental Evaluations (IEEs) | COMNAP |
| IP 023 | Tourism and Non-Governmental Activities in Antarctica: Monitoring Compliance and Environmental Impact | New Zealand |
| IP 035 | Initial Environmental Evaluation for Troll Runway | Norway |

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| IP 064 | Annual List of Initial Environmental Evaluations (IEE) and Comprehensive Environmental Evaluations (CEE) Calendar Year 2003 | Chair (Australia) |
| IP 086 | Talos Dome Ice Core Project (TDICE): Information Note for Environmental Evaluation | Italy |

4d) Matters covered by Annex II (Conservation of Antarctic Fauna and Flora)

| Paper No | Title | Submitted by |
|----------|------------------------------------------------------------------------------------------------------|--------------|
| WP 010 | Working Paper on Guidelines for the Operation of Aircraft near Concentrations of Birds in Antarctica | COMNAP |
| WP 017 | Final Report of the Intersessional Contact Group on Annex II Review | Argentina |
| WP 022 | Annex II to the Protocol on Environmental Protection to the Antarctic Treaty | UK |
| IP 056 | An Update on some Issues Surrounding Noise Pollution | ASOC |
| IP 071 | Australia's Antarctic Quarantine Practices | Australia |
| IP 073 | Antarctic Specially Protected Species | SCAP |
| IP 088 | A Review of the Conservation Status of Antarctic Mammals and Birds | UNEP |

4e) Matters covered by Annex III (Waste Disposal and Waste Management)

| Paper No | Title | Submitted by |
|----------|-------------------------------------------------------------------------------------------------------------------------|----------------|
| IP 041 | Practicing Environmental Stewardship in Antarctica | United States |
| IP 054 | Thala Valley Clean-Up | Australia |
| IP 085 | Waste Disposal and Waste Management – The Removal and Clean-up of Abandoned British Bases and Waste Dumps in Antarctica | United Kingdom |

4f) Matters covered by Annex IV (Prevention of Marine Pollution)

| Paper No | Title | Submitted by |
|------------------|------------------------------------------------------------------------------------------------------------------------------|--------------|
| WP 009 (Rev1) | Working Paper on the Applicability of the Antarctic of the IMO "Guidelines for Ships Operating in Arctic Ice-Covered Waters" | COMNAP |

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|------------------|----------------------------------------------------------------------------------------------|---------|
| WP 042 (Rev1) | Fishing Activities: Prevention of Marine Pollution | Spain |
| IP 092 | Activities oriented to the implementation of Resolutions related to operations in Antarctica | Uruguay |

4g) Matters Covered by Annex V (Area Protection and Management)

| Paper No | Title | Submitted by |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| WP001 | Review of the Draft McMurdo Dry Valleys Antarctic Specially Managed Area Management Plan: Report of the Intersessional Contact Group | New Zealand |
| WP 005 | Final Revised Management Plans for ASPA 113, Litchfield Island, Arthur Harbour, Anvers Island ASPA No. 122, Arrival Heights, Hut Point Peninsula ASPA No. 139, Biscoe Point, Anvers Island | United States |
| WP 007 (Rev1) | Antarctic Protected Areas System: Proposal for a New Protected Area at Edmonson Point, Wood Bay, Ross Sea | Italy |
| WP 013 | Deception Island Antarctic Specially Managed Area (ASMA) Management Package | Argentina, Chile, Norway, Spain, United Kingdom and United States |
| WP 014 (Rev1) | Review of Draft Protected Area Management Plans for Cape Denison, Commonwealth Bay, George V Land, East Antarctica: Antarctic Treaty Historic Site and Monument XX; Antarctic Specially Managed Area No. XX; and Antarctic Specially Protected Area No. XX | Australia |
| WP 015 | Revision del Plan de Manejo de la ZEAP 133 (Punta Armonia) | Argentina and Chile |
| WP 016 | Revision del Plan de Manajo de la ZEAP 132 (Península Potter) | Argentina |
| WP 019 (Rev 1) | Draft Revised Management Plans for ASPA 149 Cape Shirreff, Livingston Island, South Shetland Islands | Chile and the United States |
| WP 024 (Rev1) | Review of Antarctic Specially Protected Area (ASPA) No. 142 – Svarthamaren | Norway |
| WP 026 | Proposed Amendment of Recommendation XVII-1 (1994): “Site Guidelines” for Sites visited by Tourists | United Kingdom |
| WP 027 (Rev1) | Protected Areas: Proposed Management Plan for Scullin and Murray Monoliths, Mac. Robertson Land, East Antarctica, Antarctic Specially Protected Area | Australia |

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|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| WP 033 | Antarctic Protected Areas System – Proposed Management Plan for Dakshin Gangtori Glacier, Dronning Maud Land, Antarctic Specially Protected Area (ASPA) No XX | India |
| WP 035 | Intersessional Contact Group to Consider Antarctic Specially Protected Area at Dakshin Gangtori Glacier, Dronning Maud Land – Convener’s Report | India |
| WP 036 (Rev1) | Site Recommended for Inclusion in the List of Historical Sites and Monuments in Antarctica | India |
| WP 045 | Historic Site No. 71 – Whalers Bay, Deception Island – Salvage of the de Havilland single otter from Whalers bay, Deception Island by the British Antarctic Survey. | United Kingdom |
| IP 005 | Research Project “Risk Assessment for the Fildes Peninsula and Ardley Island and the Development of Management Plans for Designation as Antarctic Specially Protected or Managed Areas | Germany |
| IP 024 | Systematic Environmental Protection in Antarctica: First Progress Report on the Creation of a Systematic Environmental Geographic Framework for the Ross Sea Region using Environmental Domains Analysis | New Zealand |
| IP 040 | Review of the Historic Site and Monument HSM-44 (A Plaque Erected at “Dakshin Gangtori” Station) | India |
| IP 042 | Preliminary Consideration on “Strategic Environmental Assessment”, the Case of Edmonson Point Area, Ross Sea, Antarctica | Italy |
| IP 044 | On the Need of Environmental Monitoring of Antarctic Specially Protected Area | Russian Federation |
| IP 045 | Orthodox Temple in the Antarctic | Russian Federation |
| IP 105 | Estonia’s Response to Information Paper 042 Submitted by Italy | Estonia |
| IP 107 | Survey of the wreckage historic remains of Pte. Suffield, Maxwell Bay, King George Island (25 de Mayo Island) related to Resolution 5 (2001) | Uruguay |

Item 5: Environmental Monitoring

| Paper No | Title | Submitted by |
|----------|-------------------------------------------------------------------------------------------|--------------|
| WP 011 | Monitoring and Assessment of activities: approaches taken by the Antarctic Site Inventory | Peru |

| | | |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| IP 010 | Antarctic Site Inventory: 1994-2004 | United States |
| IP 030 | Environmental Monitoring of the Indian Permanent Station-Maitri in Pursuant to the Protocol on Environmental Protection to the Antarctic Treaty | India |
| IP 038 | Information paper on the Ross Sea Region tourism site inventory project workshop | New Zealand |

Item 6: State of the Antarctic Environment Report

| Paper No | Title | Submitted by |
|----------|---------------------------------------------------------------------------------------------------------------|---------------------------|
| WP 020 | Towards a CEP State of the Antarctic Environment Reporting System: Report of the Intersessional Contact Group | New Zealand and Australia |

Item 7: Biological Prospecting

| Paper No | Title | Submitted by |
|----------|--------------------------------------------------|--------------|
| IP 106 | Industry Involvement in Antarctic Bioprospecting | UNEP |

Item 8: Emergency Response and Contingency Planning

| Paper No | Title | Submitted by |
|----------|-----------------------------------------------------------------------------------------------------|--------------|
| IP 012 | COMNAP's Framework and Guidelines for Emergency Response and Contingency Planning in the Antarctica | COMNAP |

Item 9: Data and Exchange of Information

| Paper No | Title | Submitted by |
|----------|---------------------------------------------------------------|--------------|
| | No papers were submitted or introduced under this agenda item | |

Item 10: Co-operation with other organisations

| Paper No | Title | Submitted by |
|----------|-----------------------------------------------------------------------------------|--------------|
| IP 025 | Report of the World Conservation Union (IUCN) | IUCN |
| IP 049 | Report of the CEP Observer to SC-CCAMLR XXI | Australia |
| IP 066 | Report of the Antarctic and Southern Ocean Coalition | ASOC |
| IP 098 | Consideration of seabirds: improvements and new steps forward | Spain |
| IP 103 | Entry into Force of the Agreement on the Conservation of Albatrosses and Petrels. | Australia |

Item 11: Election of Officers**Item 12: Preparation for CEP VII****Item 13: Adoption of the Report****Item 14: Closing of the Meeting****Annex 2****CEP National Contact Points**

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| UNEP | Christian Lambrechts | christian.lambrechts@unep.org |
| WMO | | |
| IHO | Hugo Gorziglia | hgorziglia@ihb.imc |

Annex 3

Internet addresses (URL) where Annual Report information is published in accordance with Article 17 of the Protocol

| COUNTRY | Web address for Article 17 information |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Argentina | www.infoantarctica.org.ar |
| Australia | www.infoantarctica.org.ar |
| Belgium | |
| Brazil | www.mma.gov.br |
| | www.secirm.mar.mil.br |
| Bulgaria | |
| Canada | |
| Chile | www.inach.cl |
| | www.minrec.cl/pages/politicos/ambiente/antarctica.html |
| Ecuador | |
| Finland | www2.fimr.fi/en/etelamanner/ympariston-suojelu.html |
| France | www.ifremer.fr/ifrtp |
| Germany | http://www.awi-bremerhaven.de/logistics/ |
| | antarktisvertrag/berichte/index-d.html |
| India | www.ncaor.org |
| Italy | www.pnra.it |

| | |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| Japan | www.en.go.jp/earth/nankyoku/kankyohogo/index.html (Japanese and English version) |
| Norway | http://npolar.no/AntarcticTreatySystem |
| Peru | www.rree.gob.pe/inanpe |
| Poland | www.dab.waw.pol |
| Republic of Korea | www.polar.re.kr |
| Romania | negoita_antarctic@yahoo.com |
| Russia | www.aari.nw.ru |
| South Africa | www.sanap.org |
| Spain | www.mcyt.es/cpe |
| Sweden | www.polar.se |
| Ukraine | www.uac.gov.ua |
| United Kingdom | www.infoantarctica.org.ar |
| United States | www.nsf.gov/od/opp/antarct/treaty/index.htm |
| Uruguay | www.antarctic.ian.gub.uy www.infoantarctica.org.ar |
| NOTE | <u>The CEP website (www.cep.aq) will maintain an updated version of this list in the members area</u> |

Annex 4

Terms of Reference for an Intersessional Contact Group to consider draft Management Plans

The Committee agreed to establish an intersessional open-ended contact group to consider those Management Plans which require intersessional review, taking into account the *Guidelines for CEP Consideration of New and Revised Draft ASPA and ASMA Management Plans* (revised and reproduced as Annex 4 to the CEP VI Final Report).

The group should operate in accordance with the guidelines for intersessional open-ended informal contact groups of the CEP, as set out in the Final Report of CEP I (paragraph 9), and utilize the internet to facilitate discussions.

The Committee endorsed the following terms of reference for the ICG:

1. To ensure that Management Plans adhere to the provisions set out in Annex V of the Environmental Protocol, particularly Articles 3 and 5, and are consistent with the *Guide for the Preparation of Management Plans for Antarctic Specially Protected Areas* (Resolution 2 (1998));
2. To examine the content, clarity, consistency and likely effectiveness of each draft Management Plan;
3. To ensure consistency of approach between Management Plans, including the maps attached to those plans.

The outcomes of the group's deliberations, including any recommendations and any comments provided by SCAR and CCAMLR shall be reported annually to the CEP.

Australia will establish and manage a discussion forum on the CEP website through which the ICG will be convened. Australia will also establish an email address to which management plan ICG correspondence should be sent (plans@cep.aq). The proponent of each Management Plan shall be responsible for monitoring the discussion forum, responding to comments received, and revising their draft plans as appropriate for subsequent presentation to the CEP.

Annex 5

Terms of Reference for supplementing the “Guidelines for Environmental Impact Assessment in Antarctica” (1999)

The Committee agreed to establishing an ICG for the updating of the “Guidelines for Environmental Impact Assessment in Antarctica” (produced at Appendix 2 to CEP II Final Report).

The Intersessional group will operate in accordance with the Guidelines for such open-ended informal contact groups set out in CEP I Final Report Paragraph 9.

The Committee endorsed the following terms of Reference for the contact group:

- 1) To consider whether the “Guidelines for Environmental Impact Assessment in Antarctica” should be supplemented to take into account the assessment of possible cumulative impacts arising from multiple activities at multiple locations undertaken by one or more national or private operators.
- 2) To bring forward any suggestions for updating the “Guidelines,” in accord with TOR 1, for consideration at CEP VIII.

Convener: Tom Maggs (tom.maggs@aad.gov.au)

Annex 6

Terms of Reference for ICG – “Environmental Monitoring”

The Committee agreed to establish an ICG to examine the issue of environmental monitoring in Antarctica, noting the final Report of ATME held in Norway, March 22nd to 25th, 2004. It will operate in accordance with the Guidelines for such open-ended informal contact groups as set out in CEPI Final Report paragraph 9.

The Committee endorsed the establishment of an ICG including experts from Parties, SCAR, CCAMLR, IAATO and ASOC with expertise in environmental monitoring. In carrying out its work, the ICG should take into account previous work by CEP/ATCM and COMNAP on environmental monitoring in Antarctica. It will address the following Terms of Reference:

1. consider which environmental variables are the best indicators of the assessment of the impacts of human activities in Antarctica, in particular on populations, habitats and other sensitive areas directly, indirectly or cumulatively impacted
2. identify appropriate methodologies for monitoring these indicators
3. identify existing data sets relevant to the indicators
4. develop guidelines on appropriate environmental monitoring that are simple and effective, and can be undertaken by national programs and/or NGOs
5. consider data management including availability through the pilot SAER system, or the Secretariat, and
6. provide a report to CEP VIII

Convener: Dr Yves Frenot (yfrenot@ifrtp.ifremer.fr)

Annex 7

Terms of Reference for the intersessional contact group on State of the Antarctic Environment Reporting

The ICG will:

1. Continue to develop the pilot SAER system ahead of CEP VIII, based on the recommendations contained in ATCM XXVII/WP20 and discussions at CEP VII;
2. Liaise with the Antarctic Treaty Secretariat where relevant and appropriate;
3. Liaise as appropriate with other intersessional contact groups;
4. Report on its work to CEP VIII, including a prototype report against the indicators developed at that stage.

Annex 8

Guidance for Visitors to the Antarctic

Activities in the Antarctic are governed by the Antarctic Treaty of 1959 and associated agreements, referred to collectively as the Antarctic Treaty system. The Treaty established Antarctica as a zone of peace and science.

In 1991, the Antarctic Treaty Consultative Parties adopted the Protocol on Environmental Protection to the Antarctic Treaty, which designates the Antarctic as a natural reserve. The Protocol, which entered into force in 1998, sets out environmental principles, procedures and obligations for the comprehensive protection of the Antarctic environment, and its dependent and associated ecosystems.

The Environmental Protocol applies to tourism and non-governmental activities as well as governmental activities in the Antarctic Treaty Area. It is intended to ensure that these activities do not have adverse impacts on the Antarctic environment, or on its scientific and aesthetic values.

This **Guidance for Visitors to the Antarctic** is intended to ensure that all visitors are aware of, and are therefore able to comply with, the Treaty and the Protocol. Visitors are, of course, bound by national laws and regulations applicable to activities in the Antarctic.

A) PROTECT ANTARCTIC WILDLIFE

Taking or harmful interference with Antarctic wildlife is prohibited except in accordance with a permit issued by a national authority.

- 1) Do not use aircraft, vessels, small boats, or other means of transport in ways that disturb wildlife, either at sea or on land.
- 2) Do not feed, touch, or handle birds or seals, or approach or photograph them in ways that cause them to alter their behaviour. Special care is needed when animals are breeding or moulting.
- 3) Do not damage plants, for example by walking, driving, or landing on extensive moss beds or lichen-covered scree slopes.
- 4) Do not use guns or explosives. Keep noise to the minimum to avoid frightening wildlife.
- 5) Do not bring non-native plants or animals into the Antarctic (e.g. live poultry, pet dogs and cats, house plants).

B) RESPECT PROTECTED AREAS

A variety of areas in the Antarctic have been afforded special protection because of their particular ecological, scientific, historic or other values. Entry into certain areas may be prohibited except in accordance with a permit issued by an appropriate national authority. Activities in and near designated Historic Sites and Monuments and certain other areas may be subject to special restrictions.

- 1) Know the locations of areas that have been afforded special protection and any restrictions regarding entry and activities that can be carried out in and near them.
- 2) Observe applicable restrictions.

- 3) Do not damage, remove or destroy Historic Sites or Monuments, or any artefacts associated with them.

C) RESPECT SCIENTIFIC RESEARCH

Do not interfere with scientific research, facilities or equipment.

- 1) Obtain permission before visiting Antarctic science and logistic support facilities; reconfirm arrangements 24-72 hours before arriving; and comply strictly with the rules regarding such visits.
- 2) Do not interfere with, or remove, scientific equipment or marker posts, and do not disturb experimental study sites, field camps, or supplies.

D) BE SAFE

Be prepared for severe and changeable weather. Ensure that your equipment and clothing meet Antarctic standards. Remember that the Antarctic environment is inhospitable, unpredictable and potentially dangerous.

- 1) Know your capabilities, the dangers posed by the Antarctic, environment, and act accordingly. Plan activities with safety in mind at all times.
- 2) Keep a safe distance from all wildlife, both on land and at sea.
- 3) Take note of, and act on, the advice and instructions from your leaders; do not stray from your group.
- 4) Do not walk onto glaciers, or large snow fields without proper equipment and experience; there is a real danger of falling into hidden crevasses;
- 5) Do not expect a rescue service; self-sufficiency is increased and risks reduced by sound planning, quality equipment, and trained personnel.
- 6) Do not enter emergency refuges (except in emergencies). If you use equipment or food from a refuge, inform the nearest research station or national authority once the emergency is over.
- 7) Respect any smoking restrictions, particularly around buildings, and take great care to safeguard against the danger of fire. This is a real hazard in the dry environment of Antarctica.

E) KEEP ANTARCTICA PRISTINE

Antarctica remains relatively pristine, and has not yet been subjected to large scale human perturbations. It is the largest wilderness area on earth. Please keep it that way.

- 1) Do not dispose of litter or garbage on land. Open burning is prohibited.
- 2) Do not disturb or pollute lakes or streams. Any materials discarded at sea must be disposed of properly.
- 3) Do not paint or engrave names or graffiti on rocks or buildings.
- 4) Do not collect or take away biological or geological specimens or man-made artefacts as a souvenir, including rocks, bones, eggs, fossils, and parts or contents of buildings.

- 5) Do not deface or vandalise buildings, whether abandoned, or unoccupied, or emergency refuges.

Guidance for those Organising and Conducting Tourism and Non-Governmental Activities in the Antarctic

Antarctica is the largest wilderness area on earth, unaffected by large scale human activities. Accordingly, this unique and pristine environment has been afforded special protection. Furthermore, it is physically remote, inhospitable, unpredictable and potentially dangerous. All activities in the Antarctic Treaty Area, therefore, should be planned and conducted with both environmental protection and safety in mind.

Activities in the Antarctic are subject to the Antarctic Treaty of 1959 and associated legal instruments, referred to collectively as the Antarctic Treaty system. These include the Convention for the Conservation of Antarctic Seals (CCAS' 1972), the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR' 1980) and the Recommendations and other measures adopted by the Antarctic Treaty Consultative Parties under the Antarctic Treaty.

In 1991, the Consultative Parties to the Antarctic Treaty adopted the Protocol on Environmental Protection to the Antarctic Treaty. The Protocol, which entered into force in 1998, sets out environmental principles, procedures and obligations for the comprehensive protection of the Antarctic environment, and its dependent and associated ecosystems.

The Environmental Protocol designates Antarctica as a natural reserve devoted to peace and science, and applies to both governmental and non-governmental activities in the Antarctic Treaty Area. The Protocol seeks to ensure that human activities, including tourism, do not have adverse impacts on the Antarctic environment, nor on its scientific and aesthetic values.

The Protocol states, as a matter of principle, that all activities are to be planned and conducted on the basis of information sufficient to evaluate their possible impact on the Antarctic environment and its associated ecosystems, and on the value of Antarctica for the conduct of scientific research. Organisers should be aware that the Environmental Protocol requires that "activities shall be modified, suspended or cancelled if they result in or threaten to result in impacts upon the Antarctic environment or dependent or associated ecosystems."

Those responsible for organising and conducting tourism and non-governmental activities must comply fully with national laws and regulations which implement the Antarctic Treaty system, as well as other national laws and regulations implementing international agreements on environmental protection, pollution and safety that relate to the Antarctic Treaty Area. They should also abide by the requirements imposed on organisers and operators under the Protocol on Environmental Protection and its Annexes, in so far as they have not yet been implemented in national law.

KEY OBLIGATIONS ON ORGANISERS AND OPERATORS

- 1) Provide prior notification of, and reports on, their activities to the competent authorities of the appropriate Party or Parties.
- 2) Conduct an assessment of the potential environmental impacts of their planned activities.
- 3) Provide for effective response to environmental emergencies, especially with regard to marine pollution.
- 4) Ensure self-sufficiency and safe operations.

- 5) Respect scientific research and the Antarctic environment, including restrictions regarding protected areas, and the protection of flora and fauna.
- 6) Prevent the disposal and discharge of prohibited waste.

PROCEDURES TO BE FOLLOWED BY ORGANISERS AND OPERATORS

A) When planning to go to the Antarctic

Organisers and operators should:

- 1) Notify the competent national authorities of the appropriate Party or Parties of details of their planned activities with sufficient time to enable the Party (ies) to comply with their information exchange obligations under Article VII(5) of the Antarctic Treaty. The information to be provided is listed in Attachment A.
- 2) Conduct an environmental assessment in accordance with such procedures as may have been established in national law to give effect to Annex I of the Protocol, including, if appropriate, how potential impacts will be monitored.
- 3) Obtain timely permission from the national authorities responsible for any stations they propose to visit.
- 4) Provide information to assist in the preparation of contingency response plans in accordance with Article 15 of the Protocol; waste management plans in accordance with Annex III of the Protocol; and marine pollution contingency plans in accordance with Annex IV of the Protocol.
- 5) Ensure that expedition leaders and passengers are aware of the location and special regimes which apply to Specially Protected Areas and Sites of Special Scientific Interest (and on entry into force of the Protocol, Antarctic Specially Protected Areas and Antarctic Specially Managed Areas) and of Historic Sites and Monuments and, in particular, relevant management plans.
- 6) Obtain a permit, where required by national law, from the competent national authority of the appropriate Party or Parties, should they have a reason to enter such areas, or a monitoring site (CEMP Site) designated under CCAMLR.
- 7) Ensure that activities are fully self-sufficient and do not require assistance from Parties unless arrangements for it have been agreed in advance.
- 8) Ensure that they employ experienced and trained personnel, including a sufficient number of guides.
- 9) Arrange to use equipment, vehicles, vessels, and aircraft appropriate to Antarctic operations.
- 10) Be fully conversant with applicable communications, navigation, air traffic control and emergency procedures.
- 11) Obtain the best available maps and hydrographic charts, recognising that many areas are not fully or accurately surveyed.
- 12) Consider the question of insurance (subject to requirements of national law).

- 13) Design and conduct information and education programmes to ensure that all personnel and visitors are aware of relevant provisions of the Antarctic Treaty system.
- 14) Provide visitors with a copy of the Guidance for Visitors to the Antarctic.

B) When in the Antarctic Treaty Area

Organisers and operators should:

- 1) Comply with all requirements of the Antarctic Treaty system and relevant national laws, and ensure that visitors are aware of requirements that are relevant to them.
- 2) Comply with the Site Guidelines at Attachment B.
- 3) Reconfirm arrangements to visit stations 24-72 hours before their arrival and ensure that visitors are aware of any conditions or restrictions established by the station.
- 4) Ensure that visitors are supervised by a sufficient number of guides who have adequate experience and training in Antarctic conditions and knowledge of the Antarctic Treaty system requirements.
- 5) Monitor environmental impacts of their activities, if appropriate, and advise the competent national authorities of the appropriate Party or Parties of any adverse or cumulative impacts resulting from an activity, but which were not foreseen by their environmental impact assessment.
- 6) Operate ships, yachts, small boats, aircraft, hovercraft, and all other means of transport safely and according to appropriate procedures, including those set out in the Antarctic Flight Information Manual (AFIM).
- 7) Dispose of waste materials in accordance with Annex III and IV of the Protocol. These annexes prohibit, among other things, the discharge of plastics, oil and noxious substances into the Antarctic Treaty Area; regulate the discharge of sewage and food waste; and, require the removal of most wastes from the area.
- 8) Co-operate fully with observers designated by Consultative Parties to conduct inspections of stations, ships, aircraft and equipment under Article VII of the Antarctic Treaty, and those to be designated under Article 14 of the Environmental Protocol.
- 9) Co-operate in monitoring programmes undertaken in accordance with Article 3(2)(d) of the Protocol.
- 10) Maintain a careful and complete record of their activities conducted.

C) On completion of the activities

Within three months of the end of the activity, organisers and operators should report on the conduct of it to the appropriate national authority in accordance with national laws and procedures. Reports should include the name, details and state of registration of each vessel or aircraft used and the name of their captain or commander; actual itinerary; the number of visitors engaged in the activity; places, dates and purposes of landings and the number of visitors landed on each occasion; any meteorological observations made, including those made as part of the World Meteorological Organization (WMO) Voluntary Observing Ships Scheme; any significant changes in activities and their impacts from those predicted before the visit was conducted; and action taken in case of emergency.

D) Antarctic Treaty System Documents and Information

Most Antarctic Treaty Parties can provide, through their national contact points, copies of relevant provisions of the Antarctic Treaty system and information about national laws and procedures, including:

The Antarctic Treaty (1959)

Convention for the Conservation of Antarctic Seals (1972)

Convention on the Conservation of Antarctic Marine Living Resources (1980)

Protocol on Environmental Protection to the Antarctic Treaty (1991)

Recommendations and other measures adopted under the Antarctic Treaty

Final Reports of Consultative Meetings

Handbook of the Antarctic Treaty System (2002) <http://www.state.gov/g/oes/rls/rpts/ant/>

Handbook of the Antarctic Treaty System (in Spanish, 1991 edition)

ATTACHMENT A

INFORMATION TO BE PROVIDED IN ADVANCE NOTICE

Organisers should provide the following information to the appropriate national authorities in the format requested.

1. name, nationality, and contact details of the organiser;
2. where relevant, registered name and national registration and type of any vessel or aircraft to be used (including name of the captain or commander, call-sign, radio frequency, INMARSAT number);
3. intended itinerary including the date of departure and places to be visited in the Antarctic Treaty Area;
4. activities to be undertaken and purpose;
5. number and qualifications of crew and accompanying guides and expedition staff;
6. estimated number of visitors to be carried;
7. carrying capacity of vessel;
8. intended use of vessel;
9. intended use and type of aircraft;
10. number and type of other vessels, including small boats, to be used in the Antarctic Treaty Area;
11. information about insurance coverage;

12. details of equipment to be used, including for safety purposes, and arrangements for self-sufficiency;
13. and other matters required by national laws.

ATTACHMENT B

Site Guidelines for Visitors and for Those Organising and Conducting Tourism and Non-governmental Activities in the Antarctic Peninsula

- | | |
|---------------------------------|-----------------|
| 1. Penguin Island | 62°06'S 57°54'W |
| 2. Aitcho Islands | 62°24'S 59°47'W |
| 3. Cuverville Island | 64°41'S 62°38'W |
| 4. Jougla Point, Wiencke Island | 64°49'S 63°30'W |

Penguin Island (South Shetland Islands)

62°06'S, 57°54'W

Located at the southeastern end of King George Island

Sensitivity. High.

Key features. The dormant, volcanic caldera of Deacon Peak. Large assemblage of breeding southern giant petrels.

Description. This species diverse, 1.6 kilometre-long island lies south of Turret Point on the southeastern coast of King George Island, on the eastern side of the entrance to King George Bay. The island was first sighted in 1820 by a British expedition under Bransfield, who named it after the many penguins he observed on shore. The site's prominent geological feature is the 170 metre-high caldera of Deacon Peak. A crater lake on the northeastern end of the island, in the vicinity of a large chinstrap penguin colony, is filled with ice or water and snow melt, depending on the season.

Wildlife. Chinstrap penguin (*Pygoscelis antarctica*), Adélie penguin (*Pygoscelis adeliae*), southern giant petrel (*Macronectes giganteus*), Antarctic tern (*Sterna vittata*), skuas (*Catharacta* spp.), and kelp gull (*Larus dominicanus*) are confirmed breeders. Snowy sheathbill (*Chionis alba*) and Wilson's storm petrel (*Oceanites oceanicus*) are likely breeders, and blue-eyed shags (*Phalacrocorax atriceps*) often roost on offshore rocks. Southern elephant seals (*Mirounga leonina*) and Weddell seals (*Leptonychotes weddellii*) regularly haul-out on the landing beach, as do Antarctic fur seals (*Arctocephalus gazella*), from late-December onward and often in large numbers. The plants *Deschampsia antarctica*, *Colobanthus quitensis*, *Xanthoria elegans*, *Caloplaca* and other crustose lichen species, and large swards of the fruticose lichen *Usnea antarctica* and moss species are present.

The colony of >7,500 breeding pairs of chinstrap penguins is typical of the South Shetland Islands, where many large colonies of this species are found. There are >1,900 breeding pairs of Adélie penguins, a species which nests more extensively in the western Weddell Sea. The >500 breeding pairs of southern giant petrels represent one of the largest and most easily accessed assemblages of this species in the Antarctic Peninsula.

Visitor pressure. Penguin Island is visited relatively infrequently. Over thirteen years, 1989-02, this site experienced the 15th highest number of zodiac landings from ship-visits in the Antarctic Peninsula and the 17th highest number of visitors in such landings, averaging 12 zodiac landings and 971 visitors per season. Peak visits occurred in the 1994-95 season, with 24 zodiac landings and 1,692 visitors.

Visitor sensitivity varies during the season according to different stages of wildlife reproductive cycles. Known visitor impacts include trampling of moss and lichen swards in the interior part of the island and the creation of footpaths en route to Deacon Peak. Preferred walking routes, noted below, should help minimize, if not avoid, these particular impacts.

This site is highly sensitive to potential environmental disruptions because its diverse wildlife is easily accessed, particularly the southern giant petrels, which nest on the elevated terrain above and close to the landing beach. To minimize potential disruptions, there should be seasonal limitations on visit time, ship capacities, and numbers of visitors ashore. Restricted zones, distance and other limitations for approaching wildlife and flora, and the use of guided groups should assist visitors in avoiding disruptions.

Because this is one of the most easily accessible areas to see breeding southern giant petrels in the Antarctic Peninsula, it is especially important not to enter restricted zones and to observe a precautionary distance from this species.

The southern giant petrels are easily approached and disturbed; in November and early December adults will be incubating eggs; thereafter, adults will be guarding and feeding chicks at the nest. Adults are wary and extraordinarily restless. They may leave the nest when approached — even from a considerable distance, which risks eggs (perhaps, small chicks) being predated by skuas, kelp gulls, and snowy sheathbills. The petrels nest along the northern and northwestern shorelines of the island, along the rim of the small crater lake on the northeastern end of the island, and on knolls to the south. Many unoccupied nests are evident, suggesting a population decline prior to 1994, when the giant petrels were censused for the first time.

Chinstrap and Adélie penguins are easily approached and disturbed, especially in November and early December when adults will be incubating eggs; thereafter, adults will be guarding and feeding chicks at the nest, then in crèche. The monitoring sites for chinstrap and Adélie penguin colonies at the southern end of the island should be avoided.

Between the northern shoreline and the summit of Deacon Peak to the south, there are wide and extensive swards of lichens (particularly *Usnea antarctica*) and mosses, which may be easily trampled.

Skuas nesting on widely scattered territories are easily approached and disturbed, particularly, later in the season (from mid-January) when adults are fiercely protecting young.

Antarctic terns nesting opportunistically to the west and inland on available, open ground are defensive and very easily disturbed, even from a distance.

Antarctic fur seals may be found on the cobble beach, among the penguins and giant petrels, and inland, often in large numbers. They may be aggressive and should be avoided.

The higher slopes en route to Deacon Peak are eroding and any storm petrel nests in this high scree may be easily trampled.

Visitor code of conduct. *Preferred landing area.* The broad cobble beach along the northern coast. This may be packed with ice depending on wind and swell. This site is difficult to negotiate when snow-covered or wet, and especially if Antarctic fur seals are present. Because southern giant petrels nest on elevated terrain above and to the west of the landing beach, visitors should proceed east along the beach to avoid any disruptions.

Restricted zones.

- A** Biodiverse and fragile area including elevated terrain above and along the northern coast shoreline and the northwestern end of the island, where southern giant petrels and Antarctic terns nest (the zone does not include the landing beach).
- B** Vicinity of “balancing rock” at the northeastern end of the island, where southern giant petrels nest.
- C** Rim of “crater lake” and knolls to the south, where southern giant petrels nest.
- D** Monitoring control sites for penguins at the southern end of the island.

Ship limitations. Confined to vessels with a capacity of 200 or fewer visitors.

Preferred numbers of visitors ashore. No more than 100 visitors at any time, exclusive of expedition guides and leaders.

Preferred walking routes. Visitors should proceed east along the cobble shoreline toward the northeastern end of the island, walking inland and uphill without disrupting the concentrations of nesting southern giant petrels. At all times, visitors should maintain a precautionary distance of at least 20 metres from nesting southern giant petrels, and 5 metres from nesting penguins.

Visits to Deacon Peak should be strictly controlled by using organised, guided groups, with everyone following the same path. Guides should ensure that trampling of interior moss and lichen swards is avoided. In the early austral spring, this area may be covered by snow; however, after the snow melts and swards of mosses and lichens are exposed, visitors should only use rock/soil pathways.

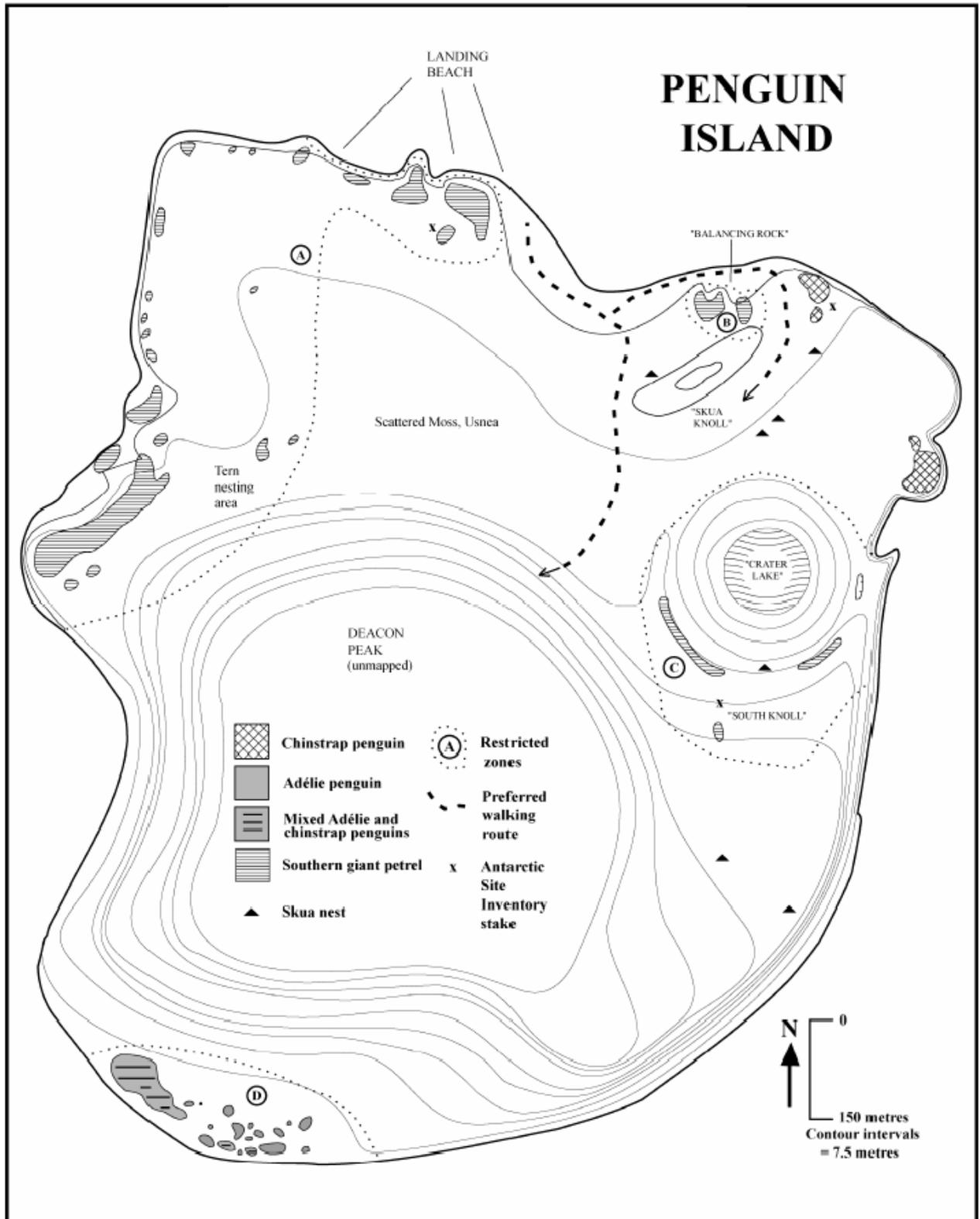
Distance and other limitations for approaching wildlife and flora, and avoiding potential hazards. Walk slowly and carefully, and maintain a precautionary distance of at least 20 metres from nesting southern giant petrels, increasing this distance if necessary and as appropriate, to avoid changing the birds' behaviour.

Maintain a precautionary distance of 5 metres from nesting penguins, increasing this distance if necessary and as appropriate, to avoid changing the birds' behaviour. At all times, walk slowly and carefully when near nesting, crèching, or molting penguins, and give penguins the right-of-way. Monitoring control sites for chinstrap and Adélie penguin colonies at the southern end of the island should be avoided.

Avoid and stay clear of south polar skua territories. If subjected to any aerial attacks by skuas, retreat by retracing steps that have been taken.

Avoid and stay clear of any nesting terns.

Avoid and stay clear of Antarctic fur seals; these may be aggressive, and should be given a wide berth and not approached.



Aitcho Islands (South Shetland Islands)

62°24'S, 59°47'W

Located at the northern entrance to English Strait, South Shetland Islands

Sensitivity. High.**Key features.** Breeding gentoo and chinstrap penguins. Nesting southern giant petrels. Wallowing southern elephant seals.**Description.** These small islands, often windswept and shrouded in fog and mist, lie at the northern entrance to English Strait between Robert Island and Greenwich Island. They were charted and named in 1936 by the British Discovery Investigations (1925-39) after the U.K. Admiralty Hydrographic Office (the "H.O."). Visitor activity concentrates on the unnamed island northwest of Cecilia Island, which has a protected cobble and sand landing beach on its northeastern side, but does not afford a convenient leeward anchorage.

Annual snowfall covers moss swards west and northwest of the landing beach, and may linger through January. South of the landing beach is a favored haul-out area for seals. Southern elephant seals may be found wallowing at the far western end of the island. Southern giant petrels nest along the northern ridge and inland, and may be observed on visits to the western end of the island. Chinstrap penguin monitoring sites are located above and southeast of the landing beach.

Wildlife. Gentoo penguins (*Pygoscelis papua*), chinstrap penguins (*Pygoscelis antarctica*), southern giant petrel (*Macronectes giganteus*), kelp gull (*Larus dominicanus*), and skuas (*Catharacta* spp.) are confirmed breeders. Blue-eyed shags (*Phalacrocorax atriceps*) and Wilson's storm-petrel (*Oceanites oceanicus*) have been observed, and breeding is strongly suspected. Weddell seals (*Leptonychotes weddellii*) and southern elephant seals (*Mirounga leonina*) regularly haul-out, as do Antarctic fur seals (*Arctocephalus gazella*) from late-December onward. Snow algae may be found in the early season snow cover. The lichens *Xanthoria* spp., *Caloplaca* spp. other crustose lichen species, and large swards of moss species are present. The green alga *Prasiola crispa* is widespread.

There is a medium-sized colony of >4,600 breeding pairs of chinstrap penguins, a species typically found in the South Shetland Islands. The medium-sized colony of >1,200 gentoo penguins is one of the largest for this species in the South Shetland Islands. The ≤100 breeding pairs of southern giant petrels represent one of the most easily accessed assemblages of this species in the Antarctic Peninsula.

Visitor pressure. The Aitcho Islands site is frequently visited. Over thirteen years, 1989-02, this site experienced the 11th highest number of zodiac landings from ship-visits in the Antarctic Peninsula and the 12th highest number of visitors in such landings, averaging 20 zodiac landings and 1,567 visitors per season. Peak visits occurred in the 1999-2000 season, with 42 zodiac landings and 3,454 visitors.

Visitor sensitivity varies during the season according to different stages of wildlife reproductive cycles. Visitor impacts to date include some trampling of moss and lichen swards in the interior part of the island and the creation of multiple footpaths en route to the western end of the island. Preferred walking routes, noted below, should help visitors avoid these particular impacts.

This site is highly sensitive to potential environmental disruptions because its diverse wildlife is easily accessed. To minimize potential disruptions, there should be seasonal limitations on visit time per 24 hours, ship capacities, and numbers of visitors ashore.

On the eastern end of the island, there is adequate visitor space and distance limitations for approaching wildlife should assist visitors in avoiding disruptions; the restricted zone on this end of the island rises steeply in elevation and can be easily avoided. Visits to the western end of the island may cross areas with wide and extensive swards of lichens and mosses, and using organised, guided groups should assist visitors in avoiding disruptions.

Because southern giant petrels nest on ridges along the northern coast and inland and on elevated rocks at the far western tip of the island, it is especially important not to enter restricted zones and to observe a precautionary distance from this species. The southern giant petrels are easily approached and disturbed; in November and early December adults will be incubating eggs; thereafter, adults will be guarding and feeding chicks at the nest. Adults are wary and extraordinarily restless. They may leave the nest when approached — even from a considerable distance, which risks eggs (perhaps, small chicks) being predated by skuas. Many unoccupied nests are evident, suggesting a population decline prior to 1999, when the giant petrels were censused for the first time.

Gentoo and chinstrap penguins nesting in widely spaced colonies are easily approached and disturbed, especially in November and early December when adults will be incubating eggs; thereafter, adults will be guarding and feeding chicks at the nest, then in crèche. The monitoring sites for chinstrap penguins above and southeast of the landing beach should not be visited.

Hauled-out seals south of the landing beach and wallowing southern elephant seals at the western end of the island are easily approached and disturbed.

Skuas nesting on widely scattered territories are easily approached and disturbed, particularly, later in the season (from mid-January) when adults are fiercely protecting young.

Kelp gulls nesting at widely scattered, elevated locations along the northern coast are easily approached and disturbed; in November and early December adults will be incubating eggs and, thereafter, guarding and feeding chicks.

Between the landing beach and the western end of the island, there are wide and extensive swards of lichens and mosses, which may be easily trampled.

Visitor code of conduct. *Preferred landing area.* The cobble and sand beach on the northeastern end of the island. However, this may be difficult to negotiate on a low tide and, especially, if Antarctic fur seals, which may be aggressive, are present.

Restricted zones.

- A** Monitoring sites for chinstrap penguins above and southeast of the landing beach.
- B** Ridges along the northern coast, where southern giant petrels are nesting.
- C** Southern giant petrel nesting area at the far southwestern tip of the island.

Ship limitations. Confined to vessels with visitor capacities of 200 or fewer.

Preferred numbers of visitors ashore. No more than 100 at any time, exclusive of expedition guides and leaders.

Preferred walking routes. Visitors should proceed south and east from the landing beach past the nesting penguins toward the seal haul-out beach.

Visits to the southern elephant seal wallow at the western end of the island should be strictly controlled by using organised, guided groups, with everyone following the same path. Wandering unsupervised should not be allowed. Guides should ensure that trampling of interior moss and lichen swards, and disturbing nesting giant petrels is avoided. At all times, visitors should maintain a precautionary distance of at least 20 metres from nesting southern giant petrels. In the early austral spring, snow may still be present; however, after the snow melts and swards of mosses and lichens are exposed, visitors should only use rock/soil pathways. Visitors should avoid and stay clear of the southern giant petrel nesting area at the far western tip of the island, which is easily disturbed.

Distance and other limitations for approaching wildlife and flora, and avoiding potential hazards. Walk slowly and carefully, and maintain a precautionary distance of at least 20 metres from nesting southern giant petrels, increasing this distance if necessary and as appropriate, to avoid changing the birds' behaviour.

Maintain a precautionary distance of 5 metres from nesting penguins, increasing this distance if necessary and as appropriate, to avoid changing the birds' behaviour. At all times, walk slowly and carefully when near nesting, crèching, or molting penguins, and give penguins the right-of-way. Monitoring sites for chinstrap penguins, above and southeast of the landing beach, should not be visited. Do not impede penguins' access to and from the water.

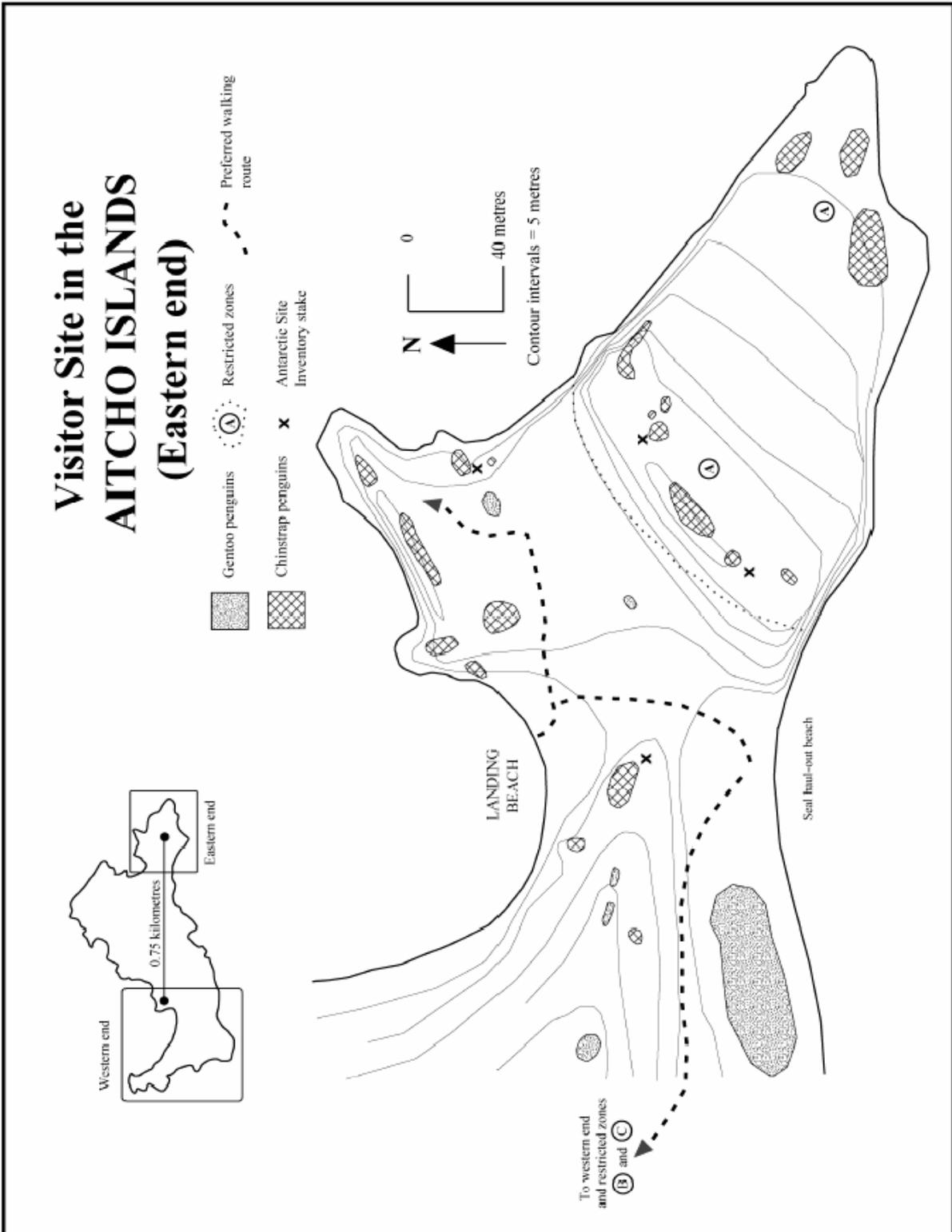
Avoid and stay clear of skua territories. If subjected to any aerial attacks by skuas, retreat by retracing steps that have been taken.

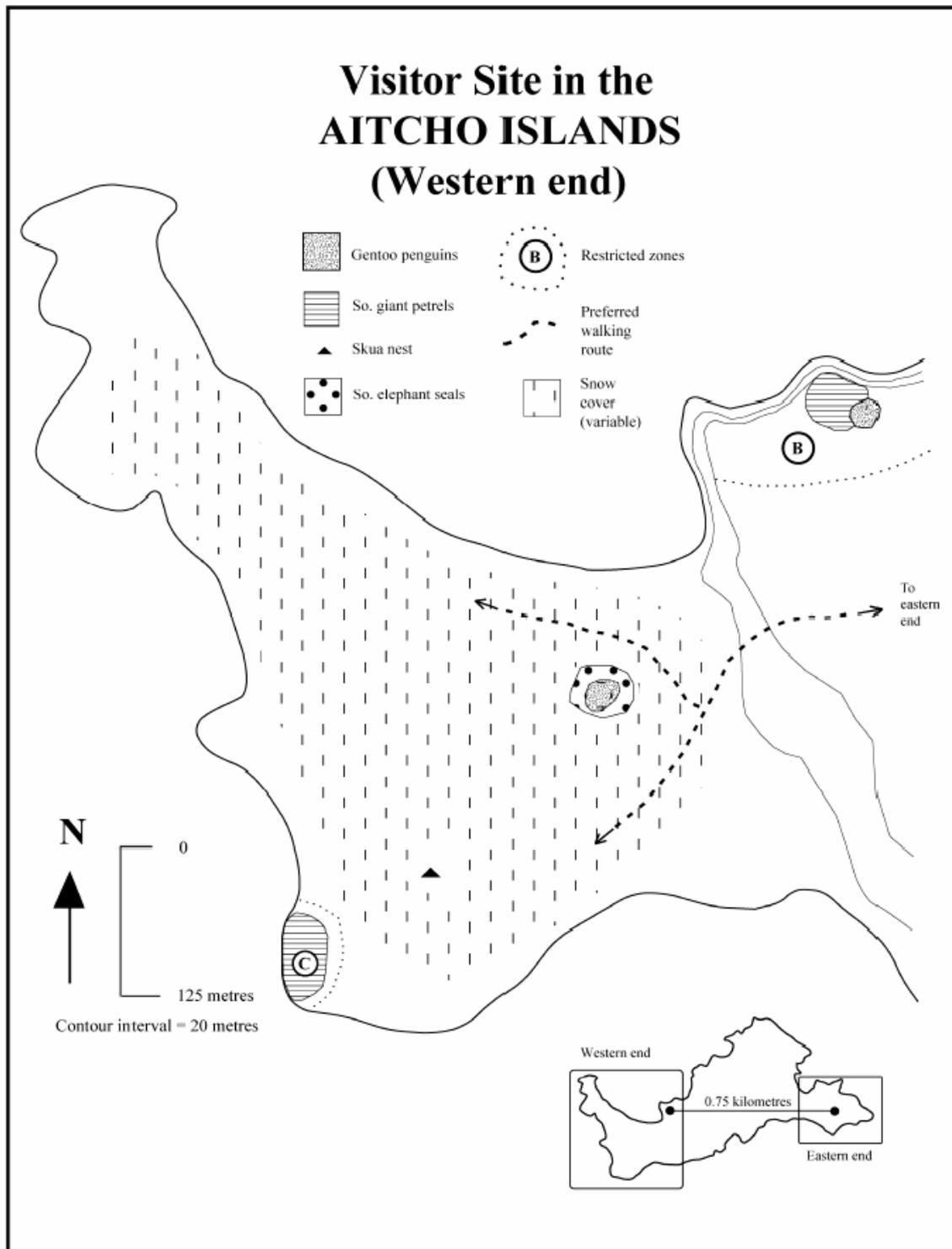
Avoid and stay clear of kelp gull territories.

Stay clear of hauled-out seals and wallowing southern elephant seals, and retreat immediately, if necessary, to avoid changing the seals' behaviour.

Avoid and stay clear of Antarctic fur seals; these may be aggressive, and should be given a wide berth and not approached.

Visits to the western end of the island should be strictly controlled by organizing guided and well-spaced groups, with everyone following the same path. Wandering unsupervised should not be allowed.





Cuverville Island

64°41'S, 62°38'W

Located in the northern Errera Channel

Sensitivity. Low to moderate, depending on conditions.

Key features. The largest gentoo penguin colony in the Antarctic Peninsula.

Description. This rocky island lies in the northern Errera Channel between Rongé Island and Arctowski Peninsula. It was discovered by Gerlache's Belgian Antarctic Expedition (1897-99) and named by Charcot after a Vice-Admiral in the French Navy. Nearly vertical cliffs surround the island except on its northern coast, which has a narrow cobble beach. South and southwest of the beach is a gently sloping apron of bedrock extending to the base of the island's cliffs. Barren, rocky areas on the apron and at higher elevations provide nesting sites for gentoo penguins. The apron's snow cover may be extensive (perhaps extending into January).

Wildlife. Gentoo penguin (*Pygoscelis papua*), southern giant petrel (*Macronectes giganteus*), kelp gull (*Larus dominicanus*), Antarctic tern (*Sterna vittata*), snowy sheathbill (*Chionis alba*), blue-eyed shag (*Phalacrocorax atriceps*), Wilson's storm-petrel (*Oceanites oceanicus*), skuas (*Catharacta* spp.), snow petrel (*Pagodroma nivea*), and pintado petrel (*Daption capense*) are confirmed breeders. Weddell seals (*Leptonychotes weddellii*) and Antarctic fur seals (*Arctocephalus gazella*) may haul out on the beach, and leopard seals (*Hydrurga leptonyx*) often hunt inshore. The plants *Deschampsia antarctica*, *Xanthoria* spp., *Buellia* spp., *Caloplaca* spp., other crustose lichen species, *Usnea* spp., and swards of moss species are present.

The gentoo penguin colony of >4,400 breeding pairs is the largest for this species in the Antarctic Peninsula.

Visitor pressure. Cuverville Island is frequently visited. Over thirteen years, 1989-02, this site experienced the 3rd highest number of zodiac landings from ship-visits in the Antarctic Peninsula and the 3rd highest number of visitors in such landings, averaging 41 zodiac landings and 3,265 visitors per season. Peak visits occurred in the 1999-2000 season, with 63 zodiac landings and 4,908 visitors.

Visitor sensitivity varies during the season according to different stages of wildlife reproductive cycles. On a low or falling tide, this site has low sensitivity to potential environmental disruptions. Adequate visitor space, restricted zones, seasonal limitations on visit time and numbers of visitors ashore, and distance and other limitations for approaching wildlife and flora should assist visitors in avoiding disruptions. However, with a high tide, heavy snow cover, or when the shoreline is packed with ice, which crowd penguins, visitor space is more restricted and guided, well-spaced groups should be used to avoid disruptions.

Gentoo penguins nesting on the bedrock apron adjacent to the landing beach and at higher elevations are easily approached and disturbed, especially in November and early December when adults will be incubating eggs; thereafter, adults will be guarding and feeding chicks at the nest, then in crèche.

Patches of the grass *Deschampsia antarctica* are readily accessed and may be easily trampled.

If snow has melted, the extensive swards of moss on ridges and slopes above the main beach, especially on top of the island, are readily accessed and may be easily trampled.

Skuas nesting on ridges and slopes above and west of the main beach are easily accessed and disturbed, particularly, later in the season (from mid-January) when adults are fiercely protecting young.

Steep, uphill slopes and ridges may be snow or ice covered, crevassed, wet, and slippery.

Snow cornices on the shoreline and at higher elevations are unstable and treacherous, and should not be approached.

Visitor code of conduct. *Preferred landing area.* The cobble beach on the northern end of the island. There is another, very small beach to the east that provides a major access route to the sea for penguins. However, this is too small to accommodate both penguins and visitors, and should be avoided.

Restricted zones.

- A** Small beach where gentoo penguins access the sea.
- B** Cliff edges and high ridges.

Ship limitations. Confined to vessels with visitor capacities of 500 or fewer.

Preferred numbers of visitors ashore. No more than 100 at any time, exclusive of expedition guides and leaders.

Preferred walking routes. Visitors should proceed along the coastline, south, southwest, and northeast from the landing beach. When high tide, ice, snow cover, or concentrations of penguins restrict visitor space, visits should be strictly controlled by organizing guided and well-spaced groups, with everyone following the same path.

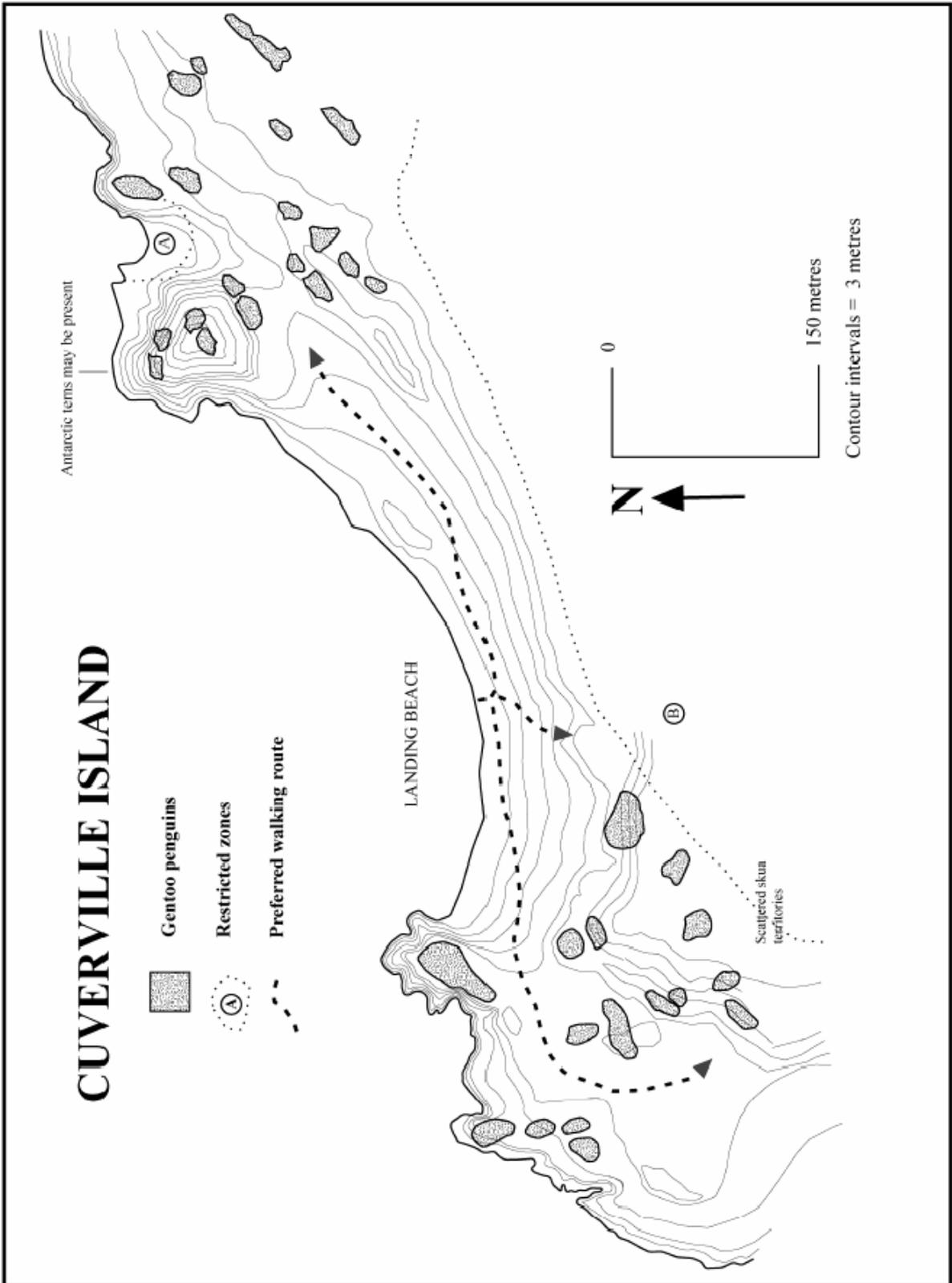
Distance and other limitations for approaching wildlife and flora, and avoiding potential hazards. Maintain a precautionary distance of 5 metres from nesting gentoo penguins, increasing this distance if necessary and as appropriate, to avoid changing the birds' behaviour. At all times, walk slowly and carefully when near nesting, crèching, or molting penguins, and give penguins the right-of-way. Do not impede penguins' access to and from the water. If there is extensive snow cover, avoid — and do not walk in or block — trails that penguins have made through the snow.

Avoid and stay clear of skua territories. If subjected to any aerial attacks by skuas, retreat by retracing steps that have been taken.

Avoid and stay clear of any nesting terns.

Avoid and stay clear of Antarctic fur seals; these may be aggressive, and should be given a wide berth and not approached.

Visits to higher ground inland should be controlled by using organised, guided groups, with everyone following the same path. Guides should ensure that trampling of moss and lichen swards is avoided. Stay clear of — and do not walk on — high cliff edges, inland ridges, and snow cornices. Wandering unsupervised should not be allowed.



Jougla Point, Wiencke Island

64°49'S, 63°30'W

Located in Port Lockroy at the southwestern end of Wiencke Island

Sensitivity. Low.

Key features. Nesting gentoo penguins and blue-eyed shags. Glacier scenery.

Description. Jougla Point lies at the southwestern end of Wiencke Island and juts into the small harbour of Port Lockroy, a protected anchorage entered between Flag Point and Lécuyer Point. It was discovered and named by the French Antarctic expedition of 1903-05 under Charcot. Goudier Island, with a restored British base, is located in the harbour immediately north of Jougla Point, and has been designated as Antarctic Historic Site and Monument No. 61. Several large glaciers flow into the harbour, which in November and December may be covered with fast ice. Visitor landings occur on boulders and rocks at the northwestern end of Jougla Point, or slightly east-southeast toward a part of the inner harbour called Alice Creek. Gentoo penguins nest on the flat area just above these landing rocks, on adjacent, exposed rocks and boulders, and on ridges at higher elevations, 100 metres above sea level. Extensive snow cover may last into January. When the snow melts and mixes with the penguins' guano, the site becomes exceedingly wet, muddy, and slippery. Snow cornices rimming the harbour are unstable and treacherous, as are the glaciers and the extensive, steep, and potentially crevassed snowfields above the harbour.

Wildlife. Gentoo penguin (*Pygoscelis antarctica*), blue-eyed shag (*Phalacrocorax atriceps*), kelp gull (*Larus dominicanus*), and skuas (*Catharacta* spp.) are confirmed breeders. Antarctic terns (*Sterna vittata*) are observed regularly and breeding is strongly suspected. Weddell seals (*Leptonychotes weddellii*) regularly haul-out along the Alice Creek shoreline. *Xanthoria* spp., *Caloplaca* spp., *Buellia* spp., other crustose lichen species, and the green alga *Prasiola crispa* are present.

The medium-sized colony of >1,500 gentoo penguins is one of the largest colonies of this species in the Antarctic Peninsula. The small colony of blue eyed shags declined to as few as 20 breeding pairs in 1997, but has now increased slightly and stabilized at ≤29 nests.

Visitor pressure. Jougla Point is frequently visited. Over thirteen years, 1989-02, this site experienced the 2nd highest number of zodiac landings from ship-visits in the Antarctic Peninsula and the 2nd highest number of visitors in such landings, averaging 45 zodiac landings and 4,340 visitors per season. Peak visits occurred in the 2000-01 season, with 94 zodiac landings and 8,675 visitors.

Visitor sensitivity varies during the season according to different stages of wildlife reproductive cycles. This site has low sensitivity to potential environmental disruptions, except for the northwestern tip of Jougla Point (see Restricted Zone A on the map); however, this zone is easily avoided by proceeding south from the landing rocks and boulders. Otherwise, adequate visitor space, restricted zones, seasonal limitations on visit time and numbers of visitors ashore, and distance and other limitations for approaching wildlife and flora should assist visitors in avoiding disruptions.

The gentoo penguins nesting at the northwestern tip of Jougla Point are easily approached and disturbed, especially in November and early December when adults will be incubating eggs; subsequently, adults will be guarding and feeding chicks at the nest, then in crèche.

Gentoo penguins also nest on adjacent, exposed rocks and boulders, and on ridges at higher elevations; in these areas, there is greater space for visitors, but still, the penguins are easily approached and disturbed.

Blue-eyed shags nesting on the northwestern tip of Jougla Point cannot be approached easily; they are wary, restless, and easily disturbed; in November and early December adults will be incubating eggs and, thereafter, guarding and feeding chicks.

Kelp gulls nesting on cliffs at higher elevations are not easily approached, but may be disturbed by visits to nearby, gentoo penguin nesting areas; in November and early December adult gulls will be incubating eggs and, thereafter, guarding and feeding chicks.

Skuas nesting on widely scattered territories are easily approached and disturbed, particularly, later in the season (from mid-January) when adults are fiercely protecting young.

Snow cornices rimming the harbour are unstable and treacherous, as are the glaciers and the extensive, steep, and potentially crevassed snowfields above the harbour. These areas should not be ventured on.

Visitor code of conduct. *Preferred landing area.* On boulders and rocks at the northwestern end of Jougla Point, or slightly east-southeast, toward a part of the inner harbour called Alice Creek.

Restricted zones.

- A** Gentoo penguin and blue-eyed shag nesting area at the northwestern tip of Jougla Point.
- B** Glaciers and snowfields at higher elevations.

Ship limitations. Confined to vessels with visitor capacities of 500 or fewer.

Preferred numbers of visitors ashore. No more than 100 at any time, exclusive of expedition guides and leaders.

Preferred walking routes. Visitors should proceed to the flat area above the landing rocks and boulders, and proceed south.

Distance and other limitations for approaching wildlife and flora, and avoiding potential hazards. Maintain a precautionary distance of 5 metres from nesting penguins, increasing this distance if necessary and as appropriate, to avoid changing the birds' behaviour. At all times, walk slowly and carefully when near nesting, crèching, or molting penguins, and give penguins the right-of-way. Do not impede penguins' access to and from the water. If there is extensive snow cover, avoid — and do not walk in or block — trails penguins have made through the snow.

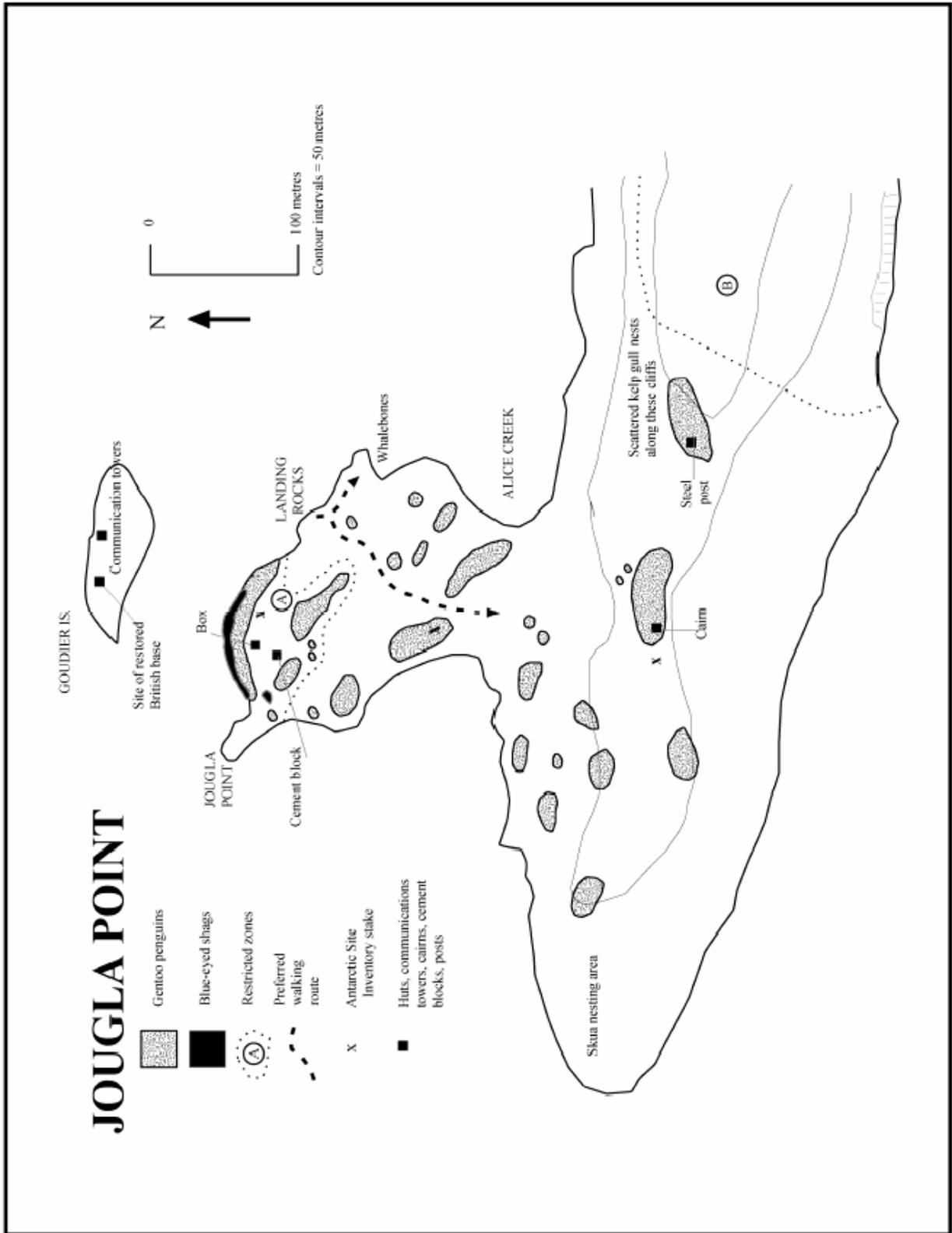
Avoid blue-eyed shags nesting at the northwestern tip of Jougla Point (see Restricted Zone A on the map).

Avoid and stay clear of skua territories. If subjected to any aerial attacks by skuas, retreat by retracing steps that have been taken.

Avoid and stay clear of kelp gull territories.

Visits uphill and to higher ground inland should be strictly controlled by using organised, guided groups, with everyone following the same path. Wandering unsupervised should not be allowed.

Stay clear of — and do not venture on — snowfields, glaciers, or snow cornices.



Appendix 1

CEP ADVICE TO ATCM XXVII ON THE DRAFT CEE CONTAINED IN ATCM XXVII/WP25 (NORWAY)

The Committee for Environmental Protection,

With regard to the draft Comprehensive Environmental Evaluation for “The concept of upgrading the Norwegian summer station Troll in Dronning Maud land, to a permanent station”,

Having fully considered the draft CEE circulated by Norway on 25 January 2004, as reported in paragraphs 20 to 31 of the CEP VII Final Report, and

Having noted the comments provided by the Parties to Norway, and Norway’s response to those comments,

Provides the following advice to the ATCM:

In general, the draft CEE was well structured, comprehensive, and provided an appropriate assessment of the impacts of the proposed project.

The draft CEE follows the approach suggested by the CEP Environmental Impact Assessment guidelines, and appropriately assesses the impacts of the proposed project.

Ice-free areas such as the area on which the station is located are relatively rare and therefore merit special attention, but notes that although the area of buildings would increase significantly the upgrading would be kept within the general area of the existing station.

Where possible, fuller information and clarification be provided in the final CEE on the following:

1. A fuller description of waste water disposal procedures would be useful to demonstrate that there is a low risk of the escape of bioactive substances into the environment;
2. Further details on biodiversity of the area be provided;
3. The final CEE include further consideration of possible cumulative impacts, in particular in relation to the Troll runway;

Noting the conclusion reached by Norway in the draft CEE that the proposed activity will have no more than a minor or transitory impact on the environment,

Considered that the draft CEE was consistent with the requirements of Annex I of the Protocol and therefore recommends that the ATCM endorse these views.

Appendix 2

CEP ADVICE TO ATCM XXVII ON THE DRAFT CEE PROJECT ICECUBE (UNITED STATES OF AMERICA)

With regard to the draft Comprehensive Environmental Evaluation for Project IceCube, the Committee for Environmental Protection,

Having fully considered the draft CEE circulated by the United States, as reported in paragraphs 32 – 41 of the report of CEP VII, and

Having noted the comments provided by the Parties to the USA and the USA's response to those comments,

Provides the following advice to the ATCM:

In general, the draft CEE was well structured, comprehensive, and provided an appropriate assessment of the impacts of the proposed project;

Where possible, fuller information and clarification be provided in the final CEE on the following:

1. The possibility of using advanced waste-water treatment technology on waste-water to be left in the ice;
2. The efforts to be made to remove as much material as possible from the site after completion of the project;
3. The quantity and type of pollutants that would be generated by the project.

Considered that the draft CEE was consistent with the requirements of Annex I of the Protocol, and therefore recommends that the ATCM endorse these views.

Appendix 3

CEP ADVICE TO ATCM XXVII ON THE DRAFT CEE: DEVELOPMENT AND IMPLEMENTATION OF SURFACE TRAVERSE CAPABILITIES IN ANTARCTICA (UNITED STATES OF AMERICA)

With regard to the draft Comprehensive Environmental Evaluation for Development and Implementation of Surface Traverse Capabilities in Antarctica, the Committee for Environmental Protection,

Having fully considered the draft CEE circulated by the United States, as reported in paragraphs 42 – 56 of the report of CEP VII, and

Having noted the comments provided by the Parties to the USA and the USA's response to these comments,

Provides the following advice to the ATCM:

In general, the draft CEE was well structured, comprehensive, and provided an appropriate assessment of the impacts of the proposed project.

Where possible, fuller information and clarification be provided in the final CEE on the following:

1. An indication of the overall reduction of fuel use expected to result from the move to support South Pole station by surface traverse;
2. Fuller information on the potential indirect impacts of the proposed activity, including:
 - impacts associated with consequential availability of aircraft;
 - the potential impacts of traverse operations on other national programs;
3. Text clarifying the scope of document, by elaborating on the application of the final CEE to surface traverse activities generally.

Finally the CEP noted the US statement that US policy prohibits US assistance for tourism and NGO activities and suggested that this statement be included in the final CEE.

Considered that the draft CEE was consistent with the requirements of Annex I of the Protocol and therefore recommends that the ATCM endorse these views.

Appendix 4

CEP ADVICE TO ATCM XXVII ON THE DRAFT CEE CZECH SCIENTIFIC STATION IN ANTARCTICA: CONSTRUCTION AND OPERATION (CZECH REPUBLIC)

With regard to the draft Comprehensive Environmental Evaluation for Czech Scientific Station in Antarctica: Construction and Operation, the Committee for Environmental Protection,

Having fully considered the draft CEE circulated by Czech Republic and complementary information provided in ATCM XXVII IP087, as reported in paragraphs 57 – 71 of the report of CEP VII. In particular, recalling paragraph 42 of the report of CEP VI and further commending the Czech Republic on its preparation and revision of the CEE therefore acting ‘as if’ it had ratified the Protocol, and

Having provided comments at the meeting to the Czech Republic on specific elements of the draft CEE,

Provides the following advice to the ATCM:

In general, the draft CEE was well structured, comprehensive, and provided an appropriate assessment of the impacts of the proposed project;

Where possible, fuller information and clarification be provided in the final CEE on the following:

1. A description of plans for transportation of personnel and supplies to the station in the light of potential difficulties with access arising from sea ice conditions;
2. Consideration of impacts due to possible increased discharge of sediment-laden water into the marine environment when extracting sand and gravels from the riverbed for construction purposes;
3. Documentation of why the proposed site satisfies the scientific needs of the Czech research program;
4. Further elaboration of the alternative of collaborating with other Parties with stations in the area instead of building a new station;
5. Further description and evaluation of impacts associated with the proposed station operation, including for example the consequences of incinerating the waste produced at the station.

Considered that the draft CEE was consistent with the requirements of Annex I of the Protocol, and therefore recommends that the ATCM endorse these views.

Appendix 5

(DRAFT) RESOLUTION AA (2004)

Guidelines for the Operation of Aircraft Near Concentrations of Birds in Antarctica

The Representatives,

Recalling Article 3 of the Environmental Protocol which requires that activities in the Antarctic Treaty area shall be planned and conducted so as to limit adverse impacts on the Antarctic environment,

Recalling also the requirements of Annex II of the Environmental Protocol on the Conservation of Antarctic Fauna and Flora,

Aware of the potential for harmful disturbance to concentrations of birds in Antarctica by the operation of aircraft,

Noting that specific standards for aircraft operations may be contained in Antarctic Specially Protected Area (ASPA) and Antarctic Specially Managed Area (ASMA) management plans,

Recognising that some Parties may already have in place more stringent guidelines for the operation of aircraft near wildlife,

Aware that the scientific data on the impact of aircraft operations on wildlife will continue to improve and that guidance on minimum standards should remain under review,

Conscious of the need for minimum guidance on the operation of aircraft near concentrations of birds in order to minimise the impacts of such activities,

Recommend that:

The Guidelines for the Operation of Aircraft Near Concentrations of Birds in Antarctica appended to this Resolution be used by those engaged in the operation of aircraft in the Antarctic.

Parties should be encouraged to adopt higher standards for the operation of aircraft near concentrations of birds to suit their particular needs and circumstances.

GUIDELINES FOR THE OPERATION OF AIRCRAFT NEAR CONCENTRATIONS OF BIRDS IN ANTARCTICA

Fixed and rotary wing aircraft operations have the potential to cause disturbance leading to changes in the behaviour, physiology and the breeding success of wildlife. The level of impact will vary according to the intensity, duration and frequency of disturbance, the species involved and the phase in their breeding season. Most species are particularly sensitive to disturbance between late September and early May—the period when Antarctic helicopter and fixed wing operations usually occur.

There are many variables affecting noise levels received on the ground during aircraft operations, including: flight height; the type of aircraft and engine; the flight profile; the weather; and the geography of the location. Pilots have to make the final judgement regarding aircraft operations based on the aircraft type, task and safety considerations. Such judgments should also pay due consideration to potential wildlife impacts, noting that Annex II of the Protocol on Environmental Protection to the Antarctic Treaty defines that “harmful interference” means flying or landing helicopters or other aircraft in a manner that disturbs concentrations of birds and seals”.

Minimum recommended separation distances for aircraft operations close to concentrations of birds are set out below. These recommended distances should be maintained to the greatest extent possible, unless greater separation distances are specified for the area of operation, for example by an ASPA or ASMA management plan or guidelines already developed by national operators to suit their own particular needs and circumstances. These distances are only a guide and if wildlife disturbance is observed at any separation distance, a greater distance should be maintained wherever practical:

- Penguin, albatross and other bird colonies are not to be over flown below 2000ft (~ 610 m) Above Ground Level, except when operationally necessary for scientific purposes.
- Landings within ½ nautical mile (~ 930 m) of penguin, albatross or other bird colonies should be avoided wherever possible.
- Never hover or make repeated passes over wildlife concentrations or fly lower than necessary.
- Maintain a vertical separation distance of 2000 ft (~ 610 m) AGL and a horizontal separation of 1/4 nautical mile (~ 460 m) from the coastline where possible.
- Cross the coastline at right angles and above 2000ft (~610 m) AGL where possible.

Location of aircraft operations (other considerations)

- Where practical, avoid overflying concentrations of birds.
- Be aware that concentrations of birds are most often found in coastal areas. Snow petrel and Antarctic petrel colonies are also frequently found inland on nunataks. Minimum vertical separation distances should be maintained in these areas.

- Where practical, landings near to concentrations of birds should be downwind and/or behind a prominent physical barrier (e.g. hill) to minimise disturbance.
- Avoid Antarctic Specially Protected Areas, unless authorised to over-fly and/or land by a permit issued by an appropriate national authority. For many ASPAs there are specific controls on aircraft operations, which are set out in the relevant Management Plans.
- Follow aircraft flight heights, preferred flight paths and approach paths contained in the Antarctic Flight Information Manual (AFIM), in station aircraft operation manuals and on relevant charts, maps and any Wild Life and Low Flying Avoidance Maps for the major airstrips in the Antarctic (e.g. Marsh, Marambio, Rothera, McMurdo).
- Particularly avoid flying toward concentrations of birds immediately after take-off and avoid steep banking turns in flight as these significantly increase the amount of noise generated.

Timing of aircraft operations

- Most native bird species breed at coastal locations in Antarctica between September and May each season. During the planning of aircraft operations near to concentrations of birds, consideration should be given to undertaking flying activities outside of the main breeding and/or moulting periods.
- Where aircraft operations are necessary close to concentrations of birds, then the duration of flights should be the minimum necessary.
- To minimise bird strikes, especially in coastal areas, avoid flying after dark between September and May. At this time of year, prions and petrels are active. These birds are nocturnal when breeding and are attracted by lights.
- Aircraft operations should be delayed or cancelled if weather conditions (e.g. cloud base, winds) are such that the suggested minimum vertical and horizontal separation distances given in these guidelines cannot be maintained.

Appendix 6

(DRAFT) MEASURE XX (2004)

Antarctic Protected Area System: Management Plans for Antarctic Specially Managed Areas

The Representatives,

Recalling Article 4 of Annex V of the Protocol on Environmental Protection to the Antarctic Treaty, providing for the designation of Antarctic Specially Managed Areas;

Noting that the draft Management Plans appended to this Measure have been endorsed by the Committee for Environmental Protection;

Recognising that these Areas support significant scientific, wilderness, ecological, heritage and aesthetic values and would benefit from improved coordination between Parties active there;

Recommend to their Governments the following Measure for approval in accordance with paragraph 1 of Article 6 of Annex V to the Protocol on Environmental Protection to the Antarctic Treaty:

That the Management Plans for:

- Antarctic Specially Managed Area No. 2, McMurdo Dry Valleys, Southern Victoria Land; and
- Antarctic Specially Managed Area No. 3, Cape Denison, Commonwealth Bay, George V Land,

which are annexed to this Measure, be adopted.

Appendix 7

(Draft) Measure YY (2004)

Antarctic Protected Area System: Management Plans for Antarctic Specially Protected Areas

The Representatives,

Recalling Articles 3 and 5 of Annex V to the Protocol on Environmental Protection to the Antarctic Treaty, providing for the designation of Antarctic Specially Protected Areas;

Noting that the draft Management Plans for the following Antarctic Specially Protected Areas have been endorsed by the Committee for Environmental Protection;

Recognising that these areas support significant scientific, wilderness, ecological, heritage and aesthetic values, and would benefit from special protection;

Recommend that their Governments, in accordance with paragraph 1 of Article 6 of Annex V to the Protocol, approve the following Measure:

That the Management Plans for the following sites, and which are annexed to this Measure, be adopted:

- Antarctic Specially Protected Area No. 113 Litchfield Island, Arthur Harbour, Anvers Island, Palmer Archipelago, Antarctic Peninsula
- Antarctic Specially Protected Area No. 122 Arrival heights, Hut Point Peninsula, Ross island
- Antarctic Specially Protected Area No. 139 Biscoe Point, Anvers Island, Palmer Archipelago, Antarctic Peninsula
- Antarctic Specially Protected Area No. 142: Svarthamaren, Muhlig-Hofmannfjella, Dronning Maud Land
- Antarctic Specially Protected Area No. 160: Mawson's Huts, Commonwealth Bay, George V Land, East Antarctica.

Appendix 8

(DRAFT) MEASURE ZZ (2004)

Antarctic Protected Area System Historic Sites and Monuments: Cape Denison, Commonwealth Bay, George V Land and plaque and monument at India Point and, Humboldt Mountains, central Dronning Maud Land.

The Representatives,

Recalling Recommendations I – IX, VI-14 and Measure 3 (2003);

Noting the requirements of Article 8 of Annex V to the Protocol on Environmental Protection to the Antarctic Treaty to maintain a list of current Historic Sites and Monuments and that such sites shall not be damaged, removed or destroyed;

Recommend to their Governments the following Measure for approval in accordance with paragraph 2 of Article 8 of Annex V and paragraph 4 of Article IX of the Antarctic Treaty:

1. That Historic Site and Monument numbers 12 and 13 be removed from the Antarctic Treaty list of Historic Sites and Monuments and be subsumed into the following new Historic Site and Monument to be added to the “List of Historic Sites and Monuments approved by the Antarctic Treaty Consultative Meeting” annexed to Measure 3 (2003):

No. 77: Cape Denison, Commonwealth Bay, George V Land, including Boat Harbour and the historic artefacts contained within its waters.

Site incorporated within ASMA No. **XXX**. Part of this site is also designated as ASPA No. 160.

Location: 67°00'30"S, 142°39'40"

Original proposing Party: Australia

Party undertaking management: Australia

2. That the following site be added to the List of Historic Sites and Monuments approved by the Antarctic Treaty Consultative Meeting” annexed to Measure 3 (2003):

No. 78: Memorial plaque at India Point, Humboldt Mountains, Wohlthat Massif, central Dronning Maud Land erected in memory of three scientists of the Geological Survey of India (GSI) and a communication technician from the Indian Navy – all members of the ninth Indian Expedition to Antarctica, who sacrificed their lives in this mountain camp in an accident on 8th January 1990.

Location: 71°45'08"S, 11°12'30"E

Original proposing Party: India

Party undertaking management: India

Appendix 9

Annex II to the Protocol on Environmental Protection to the Antarctic Treaty

Conservation of Antarctic [Fauna and Flora][Living Organisms]

[Article 1

Definitions

For the purposes of this Annex:

(a) "Antarctic living organism" means any species of living organism indigenous to the Antarctic Treaty area or occurring there naturally through migrations;

(b alt1) "Antarctic mammal" means any Antarctic living organism belonging to the Class *Mammalia*;

(b alt2) "native mammal" means any member of any species belonging to the Class *Mammalia*, indigenous to the Antarctic Treaty area or occurring there naturally through migrations;

(c alt1) "Antarctic bird" means any Antarctic living organism belonging to the Class *Aves*, at any stage of its life cycle (including eggs);

(c alt2) "native bird" means any member of any species belonging to the Class *Aves*, at any stage of its life cycle (including eggs), indigenous to the Antarctic Treaty area or occurring there naturally through migrations;

(d alt1) "Antarctic plant" means any terrestrial or freshwater vegetation, including bryophytes, lichens, fungi and algae, at any stage of its life cycle (including seeds, and other propagules), indigenous to the Antarctic Treaty area;

(d alt 2) "native plant" means any terrestrial or freshwater vegetation, including bryophytes, lichens, fungi and algae, at any stage of its life cycle (including seeds, and other propagules), indigenous to the Antarctic Treaty area;

(e alt1) "Antarctic invertebrate" means any terrestrial or freshwater invertebrate, at any stage of its life cycle, indigenous to the Antarctic Treaty area;

(e alt2) "native invertebrate" means any terrestrial or freshwater invertebrate, at any stage of its life cycle, indigenous to the Antarctic Treaty area;

(f alt1) "marine species" means any invertebrate, plant or any species of vertebrate, other than Antarctic mammals or birds, at any stage of its life cycle, occurring naturally in the Antarctic marine waters;

(f alt2) "marine species" means any invertebrate, plant or any species of vertebrate, other than native mammals or native birds, at any stage of its life cycle, occurring naturally in the marine waters of the Antarctic Treaty Area;

(g) "appropriate authority" means any person or agency authorised by a Party to issue permits under this Annex;

(h) "permit" means a formal permission in writing issued by an appropriate authority;

(i) "take" or "taking" means to kill, injure, capture, handle or molest, a native mammal or bird, or to remove or damage such quantities of native plants that their local distribution or abundance would be significantly affected;

(j alt1) "take" or "taking" means to kill, injure, capture, handle or molest, an Antarctic mammal or bird, or an Antarctic Specially Protected Species, or to remove or damage such quantities of Antarctic plants or such number of Antarctic invertebrates that their local distribution or abundance would be significantly affected;

(j alt2) "take" or "taking" means to kill, injure, capture, handle or molest, a native mammal or bird, or to remove or damage such quantities of native plants or such numbers of native invertebrates that their local distribution or abundance would be significantly affected;

(k) "harmful interference" means:

(i alt1) flying or landing helicopters or other aircraft in a manner that disturbs concentrations of Antarctic birds and/or mammals;

(i alt2) flying or landing helicopters or other aircraft in a manner that disturbs concentrations of native birds or mammals;

(ii alt1) using vehicles or vessels, including hovercraft and small boats, in a manner that disturbs concentrations of Antarctic birds and/or mammals;

(ii alt2) using vehicles or vessels, including hovercraft and small boats, in a manner that disturbs concentrations of native birds or mammals;

(iii alt1) using explosives or firearms in a manner that disturbs concentrations of Antarctic birds and/or mammals;

(iii alt2) using explosives or firearms in a manner that disturbs concentrations of native birds or mammals;

(iv alt1) wilfully disturbing breeding or moulting birds or concentrations of Antarctic birds and/or mammals by persons on foot;

(iv alt2) wilfully disturbing breeding or moulting birds or concentrations of native birds or seals by persons on foot;

(v alt1) significantly damaging concentrations of Antarctic plants by landing aircraft, driving vehicles, or walking on them, or by other means; and

(v alt2) significantly damaging concentrations of native terrestrial plants by landing aircraft, driving vehicles, or walking on them, or by other means; and

(vi alt1) any activity that results in the significant adverse modification of habitats of any species or population of Antarctic living organisms.

(vi alt2) any activity that results in the significant adverse modification of habitats of any species or population of native mammal, bird, plant or invertebrate.

(l) "International Convention for the Regulation of Whaling" means the Convention done at Washington on 2 December 1946.

(m) "Convention on Biological Diversity" means the Convention done at Rio de Janeiro on 5th June 1992.

(n) "Agreement on the Conservation of Albatross and Petrels" means the Agreement done at Canberra on 19th June 2001.]

Article 2

Cases of Emergency

1. This Annex shall not apply in cases of emergency relating to the safety of human life or of ships, aircraft, or equipment and facilities of high value, or the protection of the environment.

2. Notice of activities undertaken in cases of emergency that result in the taking or harmful interference of any [Antarctic] [native] mammal, bird, plant or invertebrate, or marine species afforded special protection under Article 3 of this Annex, shall be circulated immediately to all Parties and to the Committee.

Article 3

Protection of [Native Fauna and Flora][Antarctic Living Organisms]

1 Taking or harmful interference shall be prohibited, except in accordance with a permit.

2 Such permits shall specify the authorised activity, including when, where and by whom it is to be conducted and shall be issued only in the following circumstances:

(a) to provide specimens for scientific study or scientific information;

(b) to provide specimens for museums, herbaria and botanical gardens, or other educational institutions or uses;

(c) to provide specimens for zoological gardens, but in respect of native mammals or birds, only if such specimens cannot be obtained from existing captive collections elsewhere, or, if there is a compelling recognised conservation requirement, such as a captive breeding programme endorsed by the Committee; and

(d) to provide for unavoidable consequences of scientific activities not otherwise authorized under sub-paragraphs (a), (b) or (c) above, or for the construction and operation of scientific support facilities.

3 The issue of such permits shall be limited so as to ensure that:

(a) no more [native] [Antarctic] mammals, birds, plants or invertebrates are taken than are strictly necessary to meet the purposes set forth in paragraph 2 above;

(b) only small numbers of [native] [Antarctic] mammals, birds or invertebrates are killed and in no case more are killed from local populations than can, in combination with other permitted takings, normally be replaced by natural reproduction in the following season; and

(c) the diversity of species, as well as the habitats essential to their existence, and the balance of the ecological systems existing within the Antarctic Treaty are maintained.

4. Species designated as “Specially Protected Species”, as listed in Appendix A, shall be accorded special protection by the Parties.

5. Designation of a species as a “Specially Protected Species” will be undertaken according to agreed procedures and criteria.

[6. The Committee shall provide advice on the [procedures and] criteria for proposing [Antarctic living organisms] [native mammals, birds, plants or invertebrates] for designation as a Specially Protected Species and shall review these criteria as necessary.]

7. Any Party, the Committee, the Scientific Committee on Antarctic Research, or the Commission for the Conservation of Antarctic Marine Living Resources may propose a species for designation as a Specially Protected Species by submitting a proposal, with justification, to the ATCM.

8. A permit shall not be issued to take a Specially Protected Species unless the taking:

(a) is for a compelling scientific purpose; and

(b) will not jeopardise the survival or recovery of that species or local population.

9. The use of lethal techniques on Specially Protected Species shall only be permitted for compelling scientific reasons.

[10 alt1. Having regard to the provisions of Articles 4 and 5 of the Protocol, and Article 7 of this Annex, no Antarctic marine species shall be designated as a Specially Protected Species without consultation and cooperation, in order to reach agreement, with the Commission for the Conservation of Antarctic Marine Living Resources, or the Convention for the Conservation of Antarctic Seals in the case of seals, or other organisations where appropriate.]

[10 alt2. Having regard to the provisions of Articles 4 and 5 of the Protocol, no native marine species shall be designated as a Specially Protected Species without the prior approval of the Commission for the Conservation of Antarctic Marine Living Resources.]

[11. The Committee shall provide advice on appropriate protection and management measures for any species designated as a Specially Protected Species.]

12. All taking of [native] [Antarctic] mammals and birds shall be done in the manner that involves the least degree of pain and suffering practicable. Any use of native mammals or birds for scientific purposes shall be undertaken in accordance with high protective standards, which shall, as a minimum, comply with the Scientific Committee on Antarctic Research's *Code of Conduct for the Use of Animals for Scientific Purposes in Antarctica*.

Article 4

Introduction of [Living Organisms] [Non- native Species, Including Micro-organisms]

1. No species of animal or plant not native to the Antarctic Treaty area shall be intentionally introduced onto land or ice shelves, or into water in the Antarctic Treaty area except in accordance with a permit.

2. Permits under paragraph 1 above shall be issued to allow the importation only of:

- cultivated plants and their reproductive propagules intended for subsistence food production or ornamental purposes; and
- species for experimental use in laboratories.

3. Permits under paragraph 1 and 2 above shall specify the species, numbers and, if appropriate, age and sex of the species to be introduced, along with a rationale, justifying the introduction and precautions to be taken to prevent escape or contact with [native fauna and flora] [Antarctic living organisms].

4. Any [plant or animal] [living organism] for which a permit has been issued in accordance with paragraphs 1 and 2 above, shall, prior to expiration of the permit, be removed from the Antarctic Treaty area or be disposed of by incineration or equally effective means that eliminates risk to [Antarctic living organisms] [native fauna or flora]. The permit shall specify this obligation.

5. Any other plant or animal introduced into the Antarctic Treaty area not native to that area, including any progeny, shall be removed or disposed of, whenever feasible, unless the removal or disposal would result in a greater adverse environmental impact. Such removal or disposal may include by incineration or by equally effective means, so as to be rendered sterile. Where unintended introductions occur, all reasonable steps will be taken to control the consequences of the introduction to avoid harm to [Antarctic living organisms] [native fauna or flora].

6. Nothing in this Article shall apply to the importation of food into the Antarctic Treaty area provided that no live animals are imported for this purpose and all plants and animal parts and products are kept under carefully controlled conditions and disposed of in accordance with Annex III to the Protocol.

7. Each Party shall require that precautions are taken to prevent the accidental introduction of micro-organisms (e.g., viruses, bacteria, yeasts, fungi) not present naturally in the Antarctic Treaty area.

8. No live poultry or other living birds shall be brought into the Antarctic Treaty area. All appropriate efforts shall be made to ensure that poultry or avian products imported into Antarctica are free from contamination by diseases which might be harmful to [native flora and fauna] [Antarctic living organisms]. Any poultry or avian products not consumed shall be removed from the Antarctic Treaty

area or disposed of by incineration or equivalent means that eliminates the risks of introduction of micro-organisms (e.g. viruses, bacteria, yeasts, fungi) to [native flora and fauna] [Antarctic living organisms].

9. The deliberate importation of non-sterile soil into the Antarctic Treaty area is prohibited. Parties should, to the maximum extent practicable, ensure that non-sterile soil is not unintentionally imported into the Antarctic Treaty area.

Article 5

Information

Each Party shall make publicly available information on prohibited activities and Specially Protected Species to all those persons present in or intending to enter the Antarctic Treaty area with a view to ensuring that such persons understand and observe the provisions of this Annex.

Article 6

Exchange of Information

1. The Parties shall:

(a) collect and exchange records and statistics concerning the number or quantity of each species of [Antarctic] [native] mammal, bird, plant, invertebrate [or Antarctic Specially Protected Species] [or marine species afforded special protection under Article 3 of this Annex] taken in the Antarctic Treaty area;

(b) obtain and exchange information on to the status of [native] [Antarctic] mammals, birds, plants, invertebrates and [marine species] [Antarctic Specially Protected Species] in the Antarctic Treaty area, and the extent to which any species or population needs protection;

2. As early as possible, after the end of each austral summer season, but in all cases before October 1st of each year, the Parties shall inform the [other Parties as well as the Committee and the Antarctic Treaty Secretariat] of any step taken pursuant to [paragraph 1] [(a) and (b)] above, and of the number and nature of permits issued under this Annex in the preceding period of 01 April – 31 March.

Article 7

Relationship with other Agreements outside the Antarctic Treaty System

Nothing in this Annex shall derogate from the rights and obligations of Parties under the International Convention for the Regulation of Whaling[, the Convention on Biological Diversity and the Agreement on the Conservation of Albatross and Petrels].

Article 8

Review

The Parties shall keep under continuing review measures for the conservation of Antarctic [fauna and flora] [living organisms], taking into account any recommendations from the Committee.

Article 9

Amendment or Modification

1 This Annex may be amended or modified by a measure adopted in accordance with Article IX (I) of the Antarctic Treaty.

Unless the measure specifies otherwise, the amendment or modification shall be deemed to have been approved, and shall become effective, one year after the close of the Antarctic Treaty Consultative Meeting at which it was adopted, unless one or more of the Antarctic Treaty Consultative Parties notifies the Depositary, within that time period, that it wishes an extension of that period or that it is unable to approve the measure.

2. Any amendment or modification of this Annex which becomes effective in accordance with paragraph 1 above shall thereafter become effective as to any other Party when notice of approval by it has been received by the Depositary.

Appendices to the Annex

Appendix A

Specially Protected Species

All species of the genus *Arctocephalus*, Fur Seals. *Ommatophoca rossii*, Ross Seal.

Appendix 10

CEP VIII PROVISIONAL AGENDA

Item 1: Opening of the Meeting

Item 2: Adoption of Agenda

Item 3: Operation of the CEP

Item 4: Compliance with the Protocol on Environmental Protection

4a) General Matters

4b) Consideration of Draft CEEs

4c) Other Matters covered by Annex I (Environmental Impact Assessment)

4d) Matters covered by Annex II (Conservation of Antarctic Flora and Fauna)

4e) Matters covered by Annex III (Waste Disposal and Waste Management)

4f) Matters covered by Annex IV (Prevention of Marine Pollution)

4g) Matters covered by Annex V (Area Protection and Management)

Item 5: Environmental Monitoring

Item 6: State of the Antarctic Environment Report

Item 7: Biological Prospecting

Item 8: Emergency Response and Contingency Planning

Item 9: Data and Exchange of Information

Item 10: Co-operation with other organizations

Item 11: Election of Officers

Item 12: Preparation for CEP IX

Item 13: Adoption of the Report

Item 14: Close of the Meeting