

RES 3.036 Antarctica and the Southern Ocean

RECALLING Resolutions 1.110 *Antarctica and the Southern Ocean* adopted by the 1st IUCN World Conservation Congress (Montreal, 1996) and 2.54 *Antarctica and the Southern Ocean* adopted by the 2nd IUCN World Conservation Congress (Amman, 2000) as well as earlier decisions¹;

ALSO RECALLING Recommendation V.23 *Protecting Marine Biodiversity and Ecosystem Processes through Marine Protected Areas beyond National Jurisdiction* noted by the Vth IUCN World Parks Congress (WPC, Durban, 2003) originating from the marine theme participants, calling for the establishment and effective management by 2008 of at least five scientifically and globally representative High Seas marine protected areas, and recalling the WPC *Message to the Convention on Biological Diversity*, calling for relevant organizations to “by 2012, devote urgent attention to creating and expanding marine protected area networks, including the marine biodiversity and ecosystem processes in the world oceans that lie beyond national jurisdiction, including Antarctica”, with the Ross Sea highlighted as a priority for protection as the largest largely intact marine ecosystem remaining on earth;

WELCOMING the entry into force in May 2002 of Annex V to the Protocol on Environmental Protection to the Antarctic Treaty (Madrid, 1991) on Area Protection and Management, allowing for Antarctic Specially Protected Areas (ASPAs) and Antarctic Specially Managed Areas (ASMAs) in both terrestrial and marine environments;

ALSO WELCOMING the establishment of a permanent Secretariat for the Antarctic Treaty in Buenos Aires in 2004;

TROUBLED by the cumulative environmental impacts of the more than five-fold increase since 1990 in the numbers of tourists landing in Antarctica, and the opening of over 100 new tourist landing sites since 1990, without sufficient effective regulation of the tourism industry being in place;

AWARE of increasing interest in biological prospecting and applications for patents for commercial exploitation of genetic material from unique organisms in the Antarctic Treaty area and the Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR) area of the Southern Ocean that is likely to cause conflict within the Antarctic Treaty System;

GREATLY CONCERNED about the continued harmful levels of over-fishing of certain fish species in the oceans around Antarctica, in particular illegal, unreported and unregulated (IUU) fishing, especially within the area covered by CCAMLR;

AWARE of increasing interest in Antarctic krill (*Euphausia superba*) fishing which could become the largest global fishery, with the potential to significantly affect the trophic structure of the Antarctic marine ecosystem;

ALARMED by the continuing deaths of seabirds in large numbers, especially from IUU long-line fishing operations in the oceans around Antarctica, which constitutes the main threat to albatrosses and petrels, with 19 of the world’s 21 albatross species and five species of petrel now listed as Critically Endangered, Endangered or Vulnerable;

¹ 15/20 *Antarctica environment and the Southern Ocean* adopted by the 15th IUCN General Assembly (Christchurch, 1981), 16/8 *Antarctica I* adopted by the 16th General Assembly (Madrid, 1984), Recommendations 17.52 *Antarctica*, 17.53 *The Antarctic: minerals activity* adopted by the 17th General Assembly (San Jose, 1988), 18.75 *Antarctica* adopted by the 18th General Assembly (Perth, 1990); Recommendations 16/9 *Antarctica II* adopted by the 16th General Assembly (Madrid, 1984), 18.74 *The Antarctic Conservation Strategy* adopted by the 18th General Assembly (Perth, 1990), and 19.96 *Antarctica and the Southern Ocean* and 19.95 *Improved Protection for Wildlife in Subantarctic Island Ecosystems* adopted by the 19th General Assembly (Buenos Aires, 1994);

WELCOMING the entry into force of the Convention on Migratory Species' Agreement on the Conservation of Albatrosses and Petrels (ACAP) on 1 February 2004 and its ratification by Australia, Ecuador, New Zealand, South Africa, Spain, and UK;

ALSO WELCOMING the International Whaling Commission's thorough scientific review and renewed endorsement of the Southern Ocean whale sanctuary at its 56th annual meeting in Sorrento, Italy, July 2004; and

RECOGNIZING the important role of IUCN in providing a forum for the discussion of issues affecting Antarctica's environment by governmental and non-governmental bodies and in contributing to the work of the components of the Antarctic Treaty system;

The World Conservation Congress at its 3rd Session in Bangkok, Thailand, 17–25 November 2004:

1. URGES all Parties to the Protocol on Environmental Protection to the Antarctic Treaty and CCAMLR to take the steps necessary to:

(a) develop a comprehensive network of protected areas pursuant to Annex V of the Protocol, with special urgency being given to protecting marine habitats and biological diversity;

(b) provide comprehensive protection of the whole of the Ross Sea using a combination of Antarctic Specially Managed Areas and Antarctic Specially Protected Areas under Annex V of the Protocol; and

(c) complete as a matter of priority the elaboration of rules and procedures relating to liability for environmental damage arising from activities taking place in the Antarctic Treaty area covered by this Protocol;

2. ENCOURAGES all Parties to the Antarctic Treaty to develop and establish a comprehensive Antarctic tourism management regime;

3. ALSO ENCOURAGES the Parties to the Antarctic Treaty and to CCAMLR to examine and resolve the legal and environmental issues surrounding bioprospecting and to regulate this activity if it is to be permitted in Antarctica and the Southern Ocean;

4. CALLS ON all range states to accede to the Agreement on the Conservation of Albatrosses and Petrels (ACAP), especially those few breeding-range states that have not yet ratified, and encourages existing parties to start working on effective implementation of the Agreement;

5. CALLS ON governments, including but not restricted to Parties to both the Antarctic Treaty and CCAMLR, to take urgent steps to stop the illegal, unreported and unregulated fishing for toothfish (*Dissostichus* spp.) in the oceans around Antarctica, to ensure that all fishing allowed follows prudent rules that will support conservation of these ecosystems, to introduce a Centralized Vessel Monitoring System, and to strengthen and implement more effectively the Catch Documentation Scheme for toothfish adopted at the 1999 meeting of CCAMLR parties;

6. URGES those nations whose vessels undertake long-line fishing in the Southern Ocean to assess their fisheries in terms of seabird mortality, if they have not already done so, and if warranted, to produce, adopt and implement National Plans of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries (NPOA-Seabirds) in terms of the International Plan of Action (IPOA-Seabirds) adopted by the Committee on Fisheries of the Food and Agriculture Organization of the United Nations in 1999;

7. STRONGLY ENCOURAGES CCAMLR members to further develop and strengthen the existing precautionary management regime of the Antarctic krill fishery, to ensure that the impact of fishing

on krill-dependent species is minimized, particularly in local areas and at critical times of the year for krill predators;

8. REQUESTS the IUCN Director General:

(a) in consultation with Parties to the Antarctic Treaty and IUCN members, Commissions and Council, to seek to ensure, subject to availability of resources, a balanced and effective set of IUCN Antarctic-related activities, and in particular to support actively:

(i) establishment and management of new Antarctic protected areas, with special emphasis given to marine sites;

(ii) conclusion of negotiations to elaborate rules and procedures relating to liability for environmental damage arising from activities taking place in the Antarctic Treaty area covered by the Protocol; and

(iii) further steps to ensure that cumulative environmental impacts are understood and taken into account in decision-making within the Antarctic Treaty System;

(b) in consultation with IUCN's World Commission on Protected Areas, to ensure that the entire area to which the Protocol on Environmental Protection applies is considered for inclusion in future versions of the list of protected areas produced by the UNEP World Conservation Monitoring Centre;

(c) in consultation with IUCN's members, Commissions and Council, as well as Parties to CCAMLR, to promote new measures and enforcement of existing measures in order to ensure the viability of ecosystem management of Antarctic marine ecosystems, and in particular to stop illegal harvesting and other forms of overfishing in the region;

(d) to participate in meetings of Antarctic Treaty System components where such participation will contribute to achieving the objectives referenced above;

(e) to continue and strengthen the capacity of the Antarctic Advisory Committee to advise the IUCN Council, IUCN Director General and IUCN Commissions, including with additional funds and Secretariat support; and

(f) to designate the Antarctic Advisory Committee as an inter-Commission Task Group, which will allow formal links to be established with all relevant IUCN Commissions, thereby enhancing effective communication and collaboration with IUCN members who have expertise concerning the Antarctic region;

9. RECOMMENDS that the IUCN Director General should:

(a) continue to develop and put forward policy advice, especially on:

(i) effective implementation of the Protocol on Environmental Protection, including the designation of marine and terrestrial protected areas under Annex V of the Environmental Protocol;

(ii) negotiation of rules and procedures relating to liability for environmental damage arising from activities taking place in the Antarctic Treaty area and covered by this Protocol;

(iii) stopping illegal, unreported and unregulated fishing in the oceans around Antarctica and improving CCAMLR's management and enforcement systems; and

(iv) preventing seabird mortality from by-catch in long-line fisheries;

(b) develop more effective collaboration with IUCN members and other bodies and organizations which have relevant experience concerning the Antarctic; and

(c) contribute to raising public awareness about Antarctic and sub-Antarctic conservation issues, through seminars, technical sessions and publications; and

10. CALLS ON IUCN members to mobilize the resources needed to enable this Resolution to be implemented.

The Ministry of Foreign Affairs of Japan provided the following statement for the record:

Although this Resolution includes some items which Japan can and does support, such as steps to stop the illegal, unreported and unregulated (IUU) fishing, other items are problematic. For example, no scientific and logical reason is presented to justify the proposed declaration of the whole Ross Sea as an Antarctic Specially Protected Area (ASPA). Therefore, Japan cannot support this Resolution.

The Department of State, United States, provided the following statement for the record:

State and agency members United States abstained during the vote on this motion.

Wolfgang Burhenne provided the following statement for the record:

The organizations I represent have voted in favour of [this Resolution] in spite of the fact that a protocol on liability (legally required in the Protocol Protection of the Antarctic) has not yet been finalized – mainly due to opposition from the US government.*

*Schutzgemeinschaft Deutsches Wild (Organisation zur Erhaltung der freilebenden Tierwelt), Germany; German Water Protection Association; Commission Internationale pour la Protection des Alpes, Liechtenstein; Schutzgemeinschaft Deutscher Wald Bundesverband, Germany; Bund Heimat und Umwelt in Deutschland, Germany; Verband Deutscher Sportfischer, Germany