

**COMMISSION FOR THE CONSERVATION OF
ANTARCTIC MARINE LIVING RESOURCES**

**REPORT OF THE SECOND SPECIAL MEETING
OF THE COMMISSION**

BREMERHAVEN, GERMANY
15 AND 16 JULY 2013

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Chair of the Second Special Meeting
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Abstract

This document presents the adopted report of the Second Special Meeting of the Commission for the Conservation of Antarctic Marine Living Resources held in Bremerhaven, Germany, on 15 and 16 July 2013. The purpose of the meeting was to consider marine protected area (MPA) issues and to make decisions, if possible, on the joint New Zealand and United States of America MPA proposal for the Ross Sea Region and the joint Australia, France and European Union MPA proposal for the East Antarctic. The Commission considered the advice provided by the First Intersessional Meeting of the Scientific Committee, which convened immediately prior to the Commission.

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REPORT OF THE SECOND SPECIAL MEETING OF THE COMMISSION

(Bremerhaven, Germany, 15 and 16 July 2013)

OPENING OF THE MEETING

1.1 The Second Special Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR-SM-II) was held in Bremerhaven, Germany, on 15 and 16 July 2013. It was chaired by Mr T. Løbach (Norway).

1.2 The following Members of the Commission were represented: Argentina, Australia, Belgium, Brazil, Chile, People's Republic of China, European Union, France, Germany, Italy, Japan, Republic of Korea, Namibia, New Zealand, Norway, Poland, Russian Federation, South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay.

1.3 Other Contracting Parties, Bulgaria, Canada, Cook Islands, Finland, Greece, Mauritius, Netherlands, Islamic Republic of Pakistan, Republic of Panama, Peru and Vanuatu were invited to the meeting as observers, but did not attend.

1.4 The Agreement on the Conservation of Albatrosses and Petrels (ACAP), the Antarctic and Southern Ocean Coalition (ASOC), the Association of Responsible Krill Operators (ARK), the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the Committee for Environmental Protection (CEP), the Convention on International Trade in Endangered Species (CITES), the Coalition of Legal Toothfish Operators (COLTO), the Permanent Commission on the South Pacific (CPPS), the Food and Agriculture Organization of the United Nations (FAO), the Forum Fisheries Agency (FFA), the Inter-American Tropical Tuna Commission (IATTC), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Intergovernmental Oceanographic Commission (IOC), the World Conservation Union (IUCN), the International Whaling Commission (IWC), Regional Plan of Action to Promote Responsible Fishing Practices Including Combating IUU Fishing in South East Asia (RPOA), the Scientific Committee on Antarctic Research (SCAR), the Scientific Committee on Oceanic Research (SCOR), the South East Atlantic Fisheries Organisation (SEAFO), the Secretariat of the Pacific Community (SPC), the United Nations Environment Programme (UNEP) and the Commission for the Conservation and Management of the Highly Migratory Fish Stocks of the Western and Central Pacific Ocean (WCPFC) were also invited to attend the meeting as Observers. ASOC and IUCN attended.

1.5 In accordance with the Commission's decision last year (CCAMLR-XXXI, paragraph 13.3) and COMM CIRC 13/16, the following non-Contracting Parties were invited to attend CCAMLR-SM-II as observers: Antigua and Barbuda, Bahamas, Belize, Bolivia, Cambodia, Colombia, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Ghana, Equatorial Guinea, Honduras, Indonesia, Islamic Republic of Iran, Kenya, Malaysia, Mali, Mexico, Mongolia, Morocco, Mozambique, Nigeria, Philippines, Singapore, Seychelles, St Kitts and Nevis, Saint Vincent and Grenadines, Sierra Leone, Tanzania, Thailand, Togo, Trinidad and Tobago, United Arab Emirates and Viet Nam. No non-Contracting Party was represented.

1.6 The List of Participants is given in Annex 1. The List of Documents presented to the meeting is given in Annex 2.

1.7 The Chair welcomed all participants to the meeting. He reminded participants of the terms of reference for the Special Meeting adopted at CCAMLR-XXXI. The terms of reference established the purpose of the Special Meeting which was to consider marine protected area (MPA) issues and making decisions, if possible, on the joint New Zealand and USA MPA proposal on the Ross Sea Region and the joint Australia, France and EU MPA proposal for an East Antarctic Representative System of MPAs (CCAMLR-XXXI, paragraphs 7.105 to 7.109).

1.8 The Chair introduced Mr P. Bleser, the State Secretary of the Federal Ministry of Food, Agriculture and Consumer Protection of Germany who delivered an opening address. Mr Bleser's address is at Annex 3.

1.9 The Chair then introduced Mr M. Grantz, the Mayor of Bremerhaven, who welcomed participants to the city. Mr Grantz's address is at Annex 4.

1.10 On behalf of the meeting, Ms J. Rumble (UK) thanked Mr Bleser and Mr Grantz for their welcome remarks, and Germany and the city of Bremerhaven for the excellent meeting arrangements and hospitality that delegates had experienced since their arrival. They were each presented with a small gift as an expression of the meeting's appreciation.

ORGANISATION OF THE MEETING

Adoption of the Agenda

2.1 The Agenda (CCAMLR-SM-II/02) for the meeting was adopted (Annex 5).

Schedule of work

2.2 The meeting adopted a schedule of work as a guide for discussions.

MARINE PROTECTED AREAS

Advice from the Intersessional Meeting of the Scientific Committee

3.1 The Scientific Committee Chair, Dr C. Jones (USA), presented the report of the First Intersessional Meeting of the Scientific Committee (SC-CAMLR-IM-I). The Commission thanked the Scientific Committee Chair for his thorough presentation and the many scientists that had contributed to the positive outcomes of the meeting, noting that the Committee had worked through the night to complete its deliberations.

3.2 The Commission noted that the adoption of part of the report of the Scientific Committee had been conducted without interpretation into the four CCAMLR official languages and that, as there had been substantive discussion that had taken place during this part of the meeting, there may be a need to provide additional clarification on some items.

Ross Sea Region MPA

3.3 The USA and New Zealand presented their joint proposal to establish an MPA in the Ross Sea Region. The proposal (contained in CCAMLR-SM-II/04) was the same as that submitted to Members for consideration during CCAMLR-XXXI, but that is because there had not been a chance to negotiate it more fully, and both Members indicated that they were open to revisions, especially on the basis of Scientific Committee advice. The proposal was supplemented by papers submitted to the Scientific Committee (SC-CAMLR-IM-I/08, IM-I/09, IM-I/BG/02 and IM-I/BG/03 Rev. 1) that provided additional information in order to address issues that had been raised by Members last year.

3.4 The USA and New Zealand indicated that the proposal is underpinned by extensive scientific analyses reviewed by the Scientific Committee and seeks to maximise the achievement of objectives related to scientific research, ecosystem protection and conservation of marine living resources, where conservation includes rational use.

3.5 The Ross Sea Region MPA would protect key areas that support essential ecosystem processes and safeguard critical areas for penguins, fish species, marine mammals, and the species they feed upon. The proposal is designed to protect a full range of marine habitats; from the ice edge to deep oceanic basins. The MPA would protect the ecologically important features and habitats; it would safeguard more than 95% of the range of the Antarctic silverfish (*Pleuragramma antarcticum*) which underpins the food web of the shelf ecosystem; and it would fully protect the preferred foraging grounds of top predators, including penguins, seals and whales. The habitats of particular importance, including juvenile habitats and spawning areas for Antarctic toothfish (*Dissostichus mawsoni*), would also be protected.

3.6 The MPA would also establish a valuable scientific reference area for research and monitoring designed to understand the ecosystem effects of fishing distinct from climate change. This would be done through comparisons of the lightly fished area to fishing grounds outside the MPA.

3.7 New Zealand and the USA noted that the proposal also took into consideration Members' interests in the Ross Sea fishery, and the need to balance marine protection and rational use. In achieving this, the proposal recognises the importance of ensuring the integrity and viability of the Ross Sea toothfish tagging program, and the importance of fishing vessels as platforms for scientific research. Under the proposal, catch displaced by the MPA would be redistributed to areas outside the MPA, including areas with current zero catch limits. The redesign of the system of small-scale research units (SSRUs) for the Ross Sea region would also be undertaken.

3.8 The proposed Ross Sea Region MPA would encompass roughly 2.27 million square kilometres (876 000 square miles). Of this, in 1.6 million square kilometres, research fishing would be the only fishing permitted.

3.9 The proposed MPA includes three zones: the General Protection Zone, a Special Research Zone and a Spawning Protection Zone. Research fishing in accordance with Conservation Measure (CM) 24-01 would be permitted throughout all zones of the MPA. The proposal takes a multiple-use approach:

- In the General Protection Zone, research fishing is the only type of fishing permitted. This zone is intended to achieve all 10 of the MPA's specific conservation and science objectives.
- The Special Research Zone provides for directed fishing for toothfish, which would maintain the continuity and integrity of the existing toothfish tagging program, and ensure the development of ecosystem-scale contrasts between the Special Research Zone and the main fishing grounds around Mawson and Iselin Banks.
- In the Spawning Protection Zone, directed fishing for toothfish would only be allowed from 1 December to 31 March in order to prevent disruption of toothfish spawning activities thought to occur in the winter, and accommodate some of the displaced fishing effort from the MPA during the period when fishing is allowed.

3.10 In accordance with CM 91-04, the proposal includes a management plan and priority elements of a research and monitoring plan. New Zealand and the USA noted that MPAs have a unique and important role in facilitating research and monitoring, the results of which would also be important in informing evaluations of the ongoing relevance of the objectives of the MPA and how they are being achieved. New Zealand and the USA encouraged other Members to participate in the further development of the plan and hoped that it would provide many opportunities for further scientific engagement and collaboration in the region in the future.

3.11 Under the proposal, the MPA would be reviewed every 10 years in accordance with CCAMLR's general framework for MPAs, to evaluate whether the objectives of the MPA are still relevant or being achieved. The proposal also includes a duration provision whereby the Commission shall take a decision to reaffirm or modify the MPA, or adopt a new MPA, 50 years after the MPA comes into force.

3.12 New Zealand and the USA noted that the views expressed by other Members had been listened to. They noted the constructive discussions they have had with other Members since last year's Commission meeting, which had included consultations in some capitals. New Zealand and the USA indicated their readiness to continue in this collaborative spirit to work towards a successful conclusion here in Bremerhaven on a CCAMLR MPA for the Ross Sea Region.

3.13 New Zealand and the USA noted their appreciation for the many comments received from other Members on proposals for a Ross Sea Region MPA, including at CCAMLR-XXX, CCAMLR-XXXI and intersessionally, and looked forward to continuing to work together with Members to achieve consensus to establish a CCAMLR MPA for the Ross Sea Region.

3.14 The Commission thanked New Zealand and the USA for their presentation of the proposal. In discussion of the proposal, many Members supported the establishment of an MPA in the Ross Sea Region as set out in CCAMLR-SM-II/04, noting the clear advice from the Scientific Committee. In addition to advice from the Scientific Committee, a number of

issues, in particular, associated with date of entry into force, review period and duration, the implementation of a research and monitoring plan, and the overall boundaries and size of the proposed MPA, were also raised.

3.15 Australia made the following statement:

‘Ross Sea Region proposal

- We would like to give our support to the Ross Sea Region proposal.
- We note that the Scientific Committee agreed that the science related to the objectives of the Ross Sea proposal represents the best scientific evidence available and that the science provides a good basis for considering the establishment of the MPA.
- This proposal has important features that accommodate the interests of all Members in the Ross Sea region.
- We note that it includes many features important to the conservation of Antarctic marine living resources as a whole:
 - important biodiversity and ecosystem components
 - the shelf and slope system and Balleny Islands
 - seamounts
 - areas of importance to food-web structure and function
 - areas of importance to the life histories of species in the region, including toothfish, silverfish, krill, penguins and seals
 - representative parts of the biologically active sea-ice zone.
- We also note that it has special provisions to maintain the research and tagging program important to assessing the status of the toothfish population in the region.
- We note the very supportive deliberations of the Scientific Committee.
- Lastly, we thank the proponents for their long-standing commitment to undertake work to help CCAMLR develop marine protected areas according to CM 91-04.’

3.16 France expressed its support to the Ross Sea Region MPA proposal, which is based on the best available science. This system is designed in order to reflect the coherence of the biogeography of the Ross Sea and allows rational use of marine living resources. Hence the Ross Sea Region MPA proposal is fully consistent with CM 91-04.

3.17 Russia made the following statement regarding the procedure for adopting the Scientific Committee Report:

‘The Russian delegation brings to the Commission’s attention the fact that the adoption of the Scientific Committee report (SC-CAMLR-IM-I) was conducted in

breach of the CCAMLR Rules of Procedure, i.e. discussion of a number of items was closed before the adoption of the report in its entirety, and discussion and adoption of the report were conducted without simultaneous interpretation into the official CCAMLR languages.’

3.18 Russia made the following statement on the proposals to establish MPAs in the Ross Sea Region and East Antarctic:

‘Russia noted that in accordance with Article IX of the Convention on the Conservation of Antarctic Marine Living resources of 1980, provision is made for the designation of “the ... closing of areas, regions or sub-regions for purposes of scientific study or conservation, including special areas for protection and scientific study”. The Russian Delegation pointed out the current lack of a definition for the concept of a CCAMLR marine protected area, upon which, in its opinion, the full legal foundation of the Commission’s activities in relation to the establishment of such areas should be based. Neither the Convention on the Conservation of Antarctic Marine Living resources of 1980, nor general CCAMLR Conservation Measure 91-04 “General framework of the establishment of CCAMLR Marine Protected Areas” contains such a definition. As a result, there is clearly confusion regarding the concepts of “marine protected area”, “areas, regions or sub-regions closed for purposes of scientific study or conservation, including special areas for protection and scientific study”, which the Commission is entitled to establish in accordance with Article IX of the Convention of 1980, and ASPAs and ASMAs, which CCAMLR is entitled to propose for designation by submitting a proposed management plan to the Antarctic Treaty Consultative Meeting.

Moreover, in Russia’s opinion, general Conservation Measure 91-04 does not contain enough measures of a procedural and implementational nature for the Commission to establish MPAs. In particular, this relates to the need to include in an overall basic document on the establishment of CCAMLR MPAs the maximum sizes of MPAs and timescales for which they are established, a clear and common definition regarding the research that can be carried out within the framework of MPAs, a procedure for interaction with other elements of the Antarctic Treaty System and other organisations, liability for breaching MPA rules, a mechanism for achieving the aims set for MPAs, a definition of the responsible State carrying out management of MPAs and scientific research within the framework of MPAs, a procedure for carrying out MPA inspections, a requirement regarding the need to declare MPA boundaries, and a definition of the implementation of other CCAMLR conservation measures for MPAs.

In this regard, the matter of the establishment of CCAMLR MPAs demands serious additional work leading to the possibility of designating separate CCAMLR MPAs in specific zones of the CAMLR Convention Area.

Moreover, considering the importance of the issue of establishing MPAs and also taking into account the views of various countries, the Russian Federation proposed to simultaneously address the matter of defining additional general legal rules for the establishment of CCAMLR MPAs and the creation of specific CCAMLR MPAs, and having also indicated the need, primarily, to include a provision that CCAMLR

conservation measures relating to said MPAs shall not come into force prior to the entry into force of new general rules concerning the establishment of CCAMLR MPAs and will not be in contradiction to them.’

3.19 In response, the USA said it had no doubt that the establishment of the two MPAs would be in full accord with international law, and that the Commission has already decided this point. CM 91-04 reflects a determination by the Commission that it has legal authority to establish a representative system of Antarctic MPAs in the Convention Area, including the high seas, with the aim of conserving marine biodiversity. Moreover, CM 91-03, adopted in 2009, established an MPA for the South Orkney Islands southern shelf. The USA added that the two proposals, and their application to the high seas and to the protection of biodiversity, find ample support in CCAMLR. Articles IX.1(f), 2(f), 2(g) and 2(i) make it clear that the Commission may adopt conservation measures, including the designation of open and closed seasons, open and closed areas, and special areas for protection and scientific study. It may also take such other conservation measures as it considers necessary for the fulfilment of the objectives of the Convention.

3.20 The USA also noted that CCAMLR applies to Antarctic marine living resources within the Convention Area which form part of the Antarctic marine ecosystem. The Convention Area includes the high seas. The objective of CCAMLR is the conservation of Antarctic marine living resources, which includes rational use. The definition of ‘Antarctic marine living resources’ includes all species of living organisms. Thus, the scope of CCAMLR is clearly broad enough to encompass the protection of biodiversity. These points find support in Articles I.1, II.1 and II.2 and I.2 respectively.

3.21 The USA noted further that the Ross Sea Region and East Antarctic MPA proposals invite States, by agreement within the framework of CCAMLR, to cooperate in establishing conservation measures for the management of marine living resources; that they do not reflect an attempt by coastal States to exercise sovereignty, sovereign rights, or jurisdiction on the high seas; that it is a long-settled rule of international law, which is reflected in Article 92 of the LOS Convention, that States have exclusive jurisdiction over their vessels while on the high seas; and that it is fully within the authority of States to limit the activities of their flagged vessels in specified areas of the high seas. Finally, the USA said that the argument that Annex I of the Protocol on Environmental Protection – by providing for ASPAs and ASMAs – somehow restricts the ability of CCAMLR, a separate legal instrument, to create MPAs is unfounded. As a general matter, Parties to the Antarctic Treaty and CCAMLR have consistently looked to CCAMLR to handle matters related to marine conservation, which is what these MPAs are all about. The USA said it rejects the notion that we must establish MPAs via the ATCM, or that negotiation of a new international agreement is required.

3.22 Argentina made the following statement that is relevant to both MPA proposals:

‘Argentina would like to reiterate, as it did at the last CCAMLR meeting, its firm commitment in support of establishing MPAs within the CCAMLR framework because of the organisation’s conservation goals and status as an integral part of the Antarctic Treaty System.

We believe that such decisions go to the heart and substance of CCAMLR’s objectives, as the Argentinean representative to the Scientific Committee made explicit in paragraph 2.34 of that Committee’s final report (SC-CAMLR-IM-I).

We further believe that Conservation Measure 91-04 (2011) provides the necessary framework for the establishment of such MPAs.

We take note of the concerns expressed by certain delegations as regards the size, duration and review of the MPAs and understand that these topics require debate.'

3.23 Norway made the following statement:

'The concept of an MPA in the Ross Sea had substantial support in the Scientific Committee, particularly for the shelf region based on conservation objectives regarding predator foraging distributions and the distribution of their primary prey, as well as young toothfish.

However, there was concern expressed by many nations regarding:

- (i) The lack of scientific data supporting the inclusion of the purported spawning areas in the northern seamount areas (G and H) at this time. Winter surveys should be conducted to determine where toothfish actually spawn before reconsideration of possible inclusion of parts of these areas within an MPA.
- (ii) The size of the area around the Scott Seamount (F), which was thought to be excessively large compared to the benthic conservation objectives to which it was attributed.
- (iii) The catch limit being set at a fixed tonnage, without consideration of the total allowable catch, within the Special Research Zone (area C). This was deemed unacceptable scientifically. Counterproposals were set forth to do research fishing based on catches that have a well-designed scientific basis to support the tagging program and other research needs.
- (iv) Zero catch on the slope region south and east of the Special Research Zone (areas D and E). The conservation objectives set for this area were predominantly based on preservation of moulting areas and ice-edge foraging preferences (post-moult) of emperor penguins. But, meeting these objectives does not preclude toothfish fishing on the slope in this area (D). Spatially dispersed and variable catch rates across the slope, based on specific scientific objectives, was deemed by many nations as a more appropriate approach to consider. Catches in this area that would be sufficient to progress our understanding of toothfish life history traits were viewed positively by many nations. Extra tagging effort and other research data collections were seen to be particularly valuable given the available toothfish movement patterns that have been observed based on available data.

This being said, Norway is in full support of establishing MPAs in the CCAMLR area, which are supported by appropriate scientific data.'

3.24 The Republic of Korea endorsed the statement by Norway.

3.25 In response to Norway, New Zealand stated that the advice of the Scientific Committee was well articulated in paragraphs 2.31 to 2.33 of its report (SC-CAMLR-IM-I).

New Zealand noted that the proponents stood ready to engage with the Commission to affirm or modify portions of their initial proposal consistent with this advice and invited further views responding to the advice of the Scientific Committee (see Figure 1).

3.26 Ukraine made the following statement:

‘Considering the importance and responsibility of adopting documents such as the reports of the Scientific Committee and Commission, discussion of these documents must be conducted with simultaneous translation into all of the Commission’s languages. Lack of interpretation does not facilitate the taking of consistent, responsible, informed and transparent decisions. This is basically what happened in the adoption of the Scientific Committee report.

The UN Convention on the Law of the Sea (ratified by Ukraine) provides the opportunity for establishing MPAs only within the coastal waters in the areas of jurisdiction of those countries. Therefore, at this stage we cannot see any legal possibility for establishing MPAs in the high seas of the World Ocean containing areas for which CCAMLR is responsible. This matter requires further consideration.

More questions were raised than answers given during discussion of the proposals in the Scientific Committee. Did the Scientific Committee provide a specific recommendation to the Commission regarding the adoption of specific conservation measure? Not as far as I understood. Some Members stated that it was not important to know what an MPA is. We believe that this is very important. We cannot discuss something if we don’t know what it is and how it is supposed to work. And today a number of delegations have stated that the aims of CCAMLR on the whole fulfil the tasks of MPAs and the Commission has at its disposal sufficient mechanisms to achieve these aims.

CM 91-04 states that conservation measures for specific MPAs are developed on the basis of advice from the Scientific Committee. Some countries are convinced that such advice exists. But it does not. The report of the Scientific Committee notes my statement and the statements of Members of other delegations regarding the lack of scientific data. I assure you that there is not enough scientific data. And even representatives of those countries that submitted MPA proposals to the Scientific Committee agree with this.’

3.27 Some Members commented on the need to correct the boundaries of the MPA in the Ross Sea Region, the period of its validity and plans for scientific research. In addition, they noted the necessity of opening closed SSRUs simultaneously with the establishment of MPAs.

3.28 Brazil made the following statement:

‘First of all, I would like to thank Germany for hosting our meeting in this beautiful and charming city of Bremerhaven and for the excellent facilities, support and hospitality provided to delegates to the meeting.

I am pretty sure that this can be the perfect place for all of us to try better understand our positions in order to move forward the process of establishing the MPAs as expeditiously and as scientifically sound as possible.

As I have already stated, Brazil favours and promotes the multilaterally agreed establishment of MPAs in the CCAMLR area supported by strong scientific foundations.

Brazil sees important merits in both MPA proposals. With regard to the Ross Sea proposal, my Delegation agrees that the proposal is consistent with the Conservation Measure 91-04 and is supported by an important number of science and background documents. It also presents clear protection and science objectives and a good balance between protection and fishing activities. The proposal, in our view, is supported by the best scientific evidence available. My Delegation acknowledges the relevance of this proposal to the conservation of biodiversity at both the population and community levels, as well as to the maintenance of ecosystem functioning. It takes note of the Report of the First Intersessional Meeting of the Scientific Committee which underlines the necessity to consider the Ross Sea ecosystem in its entirety. My Delegation has the same kind of concerns expressed at paragraph 2.29 of that report in relation to the size of the MPA. There is also concern with regard to the duration of the MPA and the periodic review process. I would like to hear comments from the proponents about that.

My Delegation also takes note of the fact that the proposal was developed as an integrated whole and understands that individual regional components may not by themselves meet the overall objectives or reflect the balance of interests that the proponents attempt to achieve in the whole proposal.'

3.29 In response to questions from South Africa and Brazil, regarding the size of the MPA, New Zealand directed the Commission to paragraph 2.8(i) of the Scientific Committee's report (SC-CAMLR-IM-I). This paragraph states that the boundaries of the proposed MPA were determined by protection objectives, and the mapped features or areas of priority associated with each objective. These objectives determined the size.

3.30 Concerning the duration of the MPA, New Zealand recalled Article II, paragraph 3, of the Convention, which requires us to consider responses of marine living resources to human activities at the scale of two to three decades, for example. New Zealand noted that natural ecosystem responses to environmental variability and climate change operate on even longer timescales. The science objectives of the proposal include scientific monitoring activities that would seek to understand ecosystem process at these timescales. Consistent with CM 91-04, periodic reviews would be conducted every 10 years, at which time the MPA could be modified taking account of the results of those monitoring activities.

3.31 Chile made the following statement:

'The Chilean Delegation would like to thank the organisation of this meeting and the superb facilities provided by the hosting country and the Commission in this beautiful city of Bremerhaven.

We believe CCAMLR has the competence and it has the legal authority, having approved CM 91-04, to establish marine protected areas in the CCAMLR area. Besides, as we all know, there are already Antarctic Specially Protected Areas in the marine realm in the CCAMLR area. In fact, Chile is responsible for at least one of them.

In relation to the reference made by our New Zealand colleagues regarding the text in paragraph 2.8(i) of the Scientific Committee report, we would also like to quote the same report, paragraph 2.31(vi) and (vii) where specific concerns are raised regarding the dimension of component F and that additional scientific research is required to better understand movements and spatial patterns of toothfish population in components G and H.'

3.32 The UK joined other Members in offering warm congratulations to the proponents of the Ross Sea Region MPA, on achieving a scientifically robust proposal for effective marine protection. The UK was in full support of the establishment of an MPA in the Ross Sea region. The UK believed MPAs must be underpinned by science, and therefore welcomed the Scientific Committee's thorough assessment and clear advice. The UK noted in particular the advice that component A warrants protection and welcomed discussions about how component C should be managed to allow scientific evaluation of the effects of fishing, using contrasting local exploitation rates. The UK also, however, noted the Scientific Committee advice that it will be necessary to consider the whole Ross Sea region, in order to meet the objectives of the proposal. The UK saw no legal concerns about the establishment of MPAs under the CCAMLR Convention and considered that general issues, raised by other Members, could be addressed satisfactorily in drafting the necessary conservation measures.

3.33 Germany made the following statement:

'Germany thanks New Zealand and the United States for their intensive work on the proposal. The supplementary documentation provided is very convincing, and the proposal is now a good balance between protection and sustainable use. In response to the Russian request, Germany states that Article IX of the Convention and CCAMLR Conservation Measure 91-04 provide a sound legal basis for the establishment of Marine Protected Areas.'

3.34 China made the following statement:

'Since the entry into force of the CAMLR Convention almost 30 years ago, the Convention Area has been under effective protection, which could be regarded as equivalent to the IUCN category IV protected areas. This organisation has established and implemented various conservation measures which proved to be effective and successful in achieving the objective of the Convention, and is recognised as the most successful organisation in conserving marine environment and ecosystem. In the meantime, since the term "conservation" has a special meaning in Article II of the Convention which includes "rational use", all States parties have legitimate right to conduct fishery in the Convention Area in accordance with the objective and principles of the Convention. It follows that when introducing new conservation measures such as MPAs into the Convention Area, special caution is needed to ensure that we shall not deviate from the existing conservation practice of this organisation

which proved to be effective and successful throughout the past decades, and to ensure that the legitimate rights of states parties under the Convention will not be affected.

Based on the above, the establishment of MPAs should be based on sound scientific and legal basis, with a size which is proportionate to the objectives of the MPAs, and must take full account of the concerns of all states parties. With a view to facilitating consensus on the two MPA proposals which still exist uncertainties both on scientific and legal aspects, a period of designation shall be included.'

3.35 Japan made the following statement:

'We appreciate the proponents' effort in revising the Ross Sea MPA proposal and the East Antarctic Representative System MPA proposal. We are pleased that some of our comments and suggestions have been duly taken into consideration to accommodate our concern. However, there are still a few issues of crucial nature remain unsolved. Followings are Japan's view on the proposals.

Date of entry into force of the proposed MPA

To redistribute fisheries to areas outside the MPA as suggested by the proponents, a new comprehensive framework of fishery in the regions must be established by the time when the MPA measure comes to effect. Since at this point it is unclear what kind of new framework to be established in the regions, and if it is agreeable within the next year, we would like to propose that the date of entry into force of the MPA conservation measures should be the same as that of the amendment of the relevant conservation measures. In this way, the new comprehensive framework of fishery in the region will be smoothly established.

Monitoring

Establishing the MPAs is not the sole objective of the MPAs. As written in the proposals, MPAs have objectives to protect or conserve a lot of values. CCAMLR has accountability to show the MPAs are functioning as planned for stakeholders who are conducting fishery in the region and also for people who are seeking effective protection in the region. Therefore implementation of monitoring plans is essential to determine if the MPAs are functioning in terms of designated objectives. In this regard, the role of fishing vessels operating in the areas should be positively considered. Therefore we should work out a scheme to fully utilise fishing vessels of Member States for monitoring.

Sunset-clause

Japan insists that an MPA measure must have a procedure to lapse it after certain period of designation, unless it is proven that the MPA is sufficiently well functioning. We are insisting the procedure not in order to terminate the MPA; rather, the aim of this procedure is to ensure function and effectiveness of the MPAs. Japan has no objection for MPAs are maintained if the MPA is adequately functioning as planned.

Japan will continue to productively contribute to discussions in establishing the CCAMLR MPAs.'

3.36 In general as well as specific terms, Norway expressed agreement with the position of Japan on the usefulness of such duration limitation clauses, i.e. so-called ‘sunset clauses’.

3.37 Chile made the following statement:

‘Chile fully supports the idea of marine protected areas, particularly the Ross Sea and East Antarctica MPAs presented at this meeting in Bremerhaven, with some reservations regarding the extension of those areas.

With respect to the Ross Sea Area presented by the United States and New Zealand, following the Scientific Committee report advice, paragraphs 2.31, 2.32 and 2.33, we would like to summarise our concerns by saying that we have no objection to most areas presented, with the exception of the northern areas G and H and the Scott Seamount area F. In particular, we would like to refer to Figure A2 of SC-CAMLR-IM-I/08, presented to the Scientific Committee meeting last week, where it can be seen that the seamount areas are smaller than the areas proposed in F, G and H.’

3.38 Responding to China on the issue of the current status of the whole CCAMLR area with respect to IUCN categories, New Zealand noted previous advice from the Scientific Committee that levels of protection in MPAs should be set consistent with the protection objectives in each location. Indeed, in some locations no special protection is required. For other objectives, higher levels of protection are required in particular locations. The scientific process by which the Ross Sea Region MPA was developed explicitly considered the level of protection required to achieve each objective in each particular region. The Scientific Committee had given clear advice that the proposed objectives in some of these locations, as labelled in Figure 1, are most appropriately addressed by declaring an MPA in those locations.

3.39 New Zealand thanked Norway and Chile for engaging in the detailed points in the Scientific Committee report (SC-CAMLR-IM-I), paragraph 2.31, and in particular the specific advice supporting MPA designation in component A. New Zealand noted that there is also scientific agreement regarding the scientific objectives of the Special Research Zone in component C, and the spatial design of the MPA in the southeastern Ross Sea shelf, components D and E. Regarding the northern Ross Sea region, components G and H, New Zealand noted the Scientific Committee advice as expressed in SC-CAMLR-IM-I, paragraphs 2.31(vii) and also 2.32 and 2.33, that the spawning protection objective in this area is not supported, but that other objectives may be appropriate to designate an MPA in this area of much smaller size. The proponents stood ready to continue engaging scientifically and on a policy level with other Members to achieve this.

East Antarctic

3.40 Australia, France and the EU introduced CCAMLR-SM-II/03 that presented a proposal for a conservation measure establishing the East Antarctic Representative System of Marine Protected Area (EARSMPA). This proposal was considered at CCAMLR-XXXI in 2012 (CCAMLR-XXXI/36; CCAMLR-XXXI, paragraphs 7.78 to 7.81), and had been revised based on the comments and suggestions provided by many Members.

3.41 The proponents outlined how this conservation measure provides a mechanism to achieve management of the Antarctic marine ecosystem as a whole within this region, as envisaged in Article I of the Convention; is consistent with the objective of the Convention, as outlined in Article II; follows the agreed framework for the designation of MPAs, as outlined in CM 91-04; and is a significant development in CCAMLR's progress toward its goal to establish a representative system of MPAs in the Convention Area.

3.42 The proponents noted that at present, no conservation measures specifically relate to all Antarctic marine living resources. Rather, individual conservation measures have been adopted over the years in relation to the effects of harvesting on specific target and by-catch species, as well as vulnerable marine ecosystem (VME) taxa, and that designation of CCAMLR MPAs represents a logical approach to achieving the Convention's objectives that focus on whole ecosystems in the context of long-term viability of regional biodiversity.

3.43 The proponents noted that the proposal is based on the best available science as confirmed by the Scientific Committee in 2011 and reaffirmed in recent days (SC-CAMLR-IM-I, paragraph 2.55).

3.44 The four critical elements of the proposal explained further in CCAMLR-SM-II/03 (multiple use, duration, research and monitoring, and design of the EARSMPA) were outlined in the presentation.

3.45 The proponents encouraged all Members to actively participate in the Commission's deliberations at the Special Meeting and to focus on the important issues that require the Commission's attention at this Special Meeting.

3.46 The Commission thanked Australia, France and the EU for their presentation of the proposal. In discussion of the proposal, many Members supported the establishment of the EARSMPA as set out in CCAMLR-SM-II/03, noting the clear advice from the Scientific Committee. In addition to advice from the Scientific Committee, a number of issues, in particular associated with date of entry into force, review period and duration, the implementation of a research and monitoring plan and the overall boundaries and size of the proposed MPA, were raised.

3.47 Germany made the following statement:

'Germany thanks France and Australia for their additional efforts during the last months. The proposed MPA is a very elaborate system that takes account of the different protection objectives. It is based on outstanding research which will be continued. Germany supports the proposal as a whole. France and Australia have taken a proactive role as regards the designation of MPAs in order to fulfil international requirements to which we all have subscribed to. The adoption of the proposal would send an important signal to international discussions on MPAs.'

3.48 The UK joined other Members in offering warm congratulations to the proponents of the EARSMPA on achieving a scientifically robust proposal for effective marine protection. The UK believed MPAs must be underpinned by science, and therefore welcomed the Scientific Committee's thorough assessment and clear advice. The UK noted that the Scientific Committee indicated that the breadth and volume of the science differs between the component parts of the MPA proposal, but also recognised that one of the objectives of the

design of the EARSMPA proposal was to include species communities and habitats representative of the biogeography of the region. The UK was fully supportive of the proposal.

3.49 New Zealand expressed support for the EARSMPA proposal, which is based on the best available science as agreed by the Scientific Committee. New Zealand believed that the proposal was a good example of how the representative approach can be used to develop a system of MPAs. It would increase knowledge of status and trends in Southern Ocean ecosystems and facilitate the contribution of valuable scientific data to CCAMLR's management of Antarctic marine living resources. As to whether there was an absence of biology in the East Antarctic proposal, a large number of biological layers have been developed over the last few years with involvement from New Zealand, and further work is already under way. The geographic regions proposed were checked against these biological layers to confirm the level of protection for different species. This was a good example of the type of collaborative research that could be promoted through an MPA.

3.50 The USA noted its support for the proposal by Australia, France and the EU for a system of MPAs in the East Antarctic. The USA appreciated the advice of the Scientific Committee that the EARSMPA is based on the best available science and recognised that the Scientific Committee, in SC-CAMLR-IM-I, paragraphs 2.56 to 2.59, advised that the EARSMPA can facilitate international scientific collaboration. The USA stated its view that pursuing collaborative research associated with a Research and Monitoring Plan will demonstrate that the proposed system of MPAs is truly a CCAMLR system. The Scientific Committee, in SC-CAMLR-IM-I, paragraph 2.66, recognised that the system of MPAs proposed for the East Antarctic is designed to be representative of the biogeography of the East Antarctic, which highlights the need for a system that is composed of several MPAs, as proposed. The objective of providing representative coverage of biogeographic provinces within the Indian Ocean sector of the Southern Ocean requires several MPAs. In this regard, the USA noted that the Scientific Committee did not directly comment on two of the MPAs proposed for the 'West Indian Province', but that these MPAs are crucial to the system as a whole.

3.51 In addition to the general points raised in paragraph 3.35, especially for the East Antarctic, Japan proposed that the exploratory and research fishing aiming to complete robust stock assessment in the region should be explicitly incorporated in the objectives of this multiple-use MPA.

3.52 Brazil made the following statement:

'With regard to the proposal concerning the East Antarctic Representative System of Marine Protected Areas, my Delegation also recognises that it is consistent with the Conservation Measure 91-04 and is based on the best scientific evidence available. It takes note of the Scientific Committee report and recognises that the proposal is very substantive and identifies areas of high conservation values and provides reference areas to evaluate the effects of fishing and climate change. In our view, an MPA system is particularly important for systematic, long-term research on climate change. My Delegation appreciates the multiple-use aspect of the proposal. It accepts having research and fishing activities in areas in which conservation and scientific objectives are to be achieved. My Delegation has the same kind of concerns expressed in paragraph 2.65 of the Scientific Committee report in relation to the boundaries of the

pelagic/benthic MPAs and the number of MPAs necessary in order to achieve the conservation objectives for this region. My Delegation also has concerns with regard to the duration of the MPA and the periodic review process. It would be important to hear comments from the proponents about those issues.'

3.53 Norway made the following statement:

'The Scientific Committee had very different opinions regarding the size of suggested MPAs in the East Antarctic proposal, as well as the number of areas that would be required to meet CCAMLR conservation objectives within this region. The limited amount of data available for some of the proposed areas made it impossible to reach consensus regarding their conservation value. This is clearly documented in the Scientific Committee report, paragraph 2.65. The lack of recent data regarding krill and toothfish stocks, which prohibits stock assessments at this time, was also seen to be an issue for some Members. Additionally, some nations were concerned about the ability of even an extensive network of nations to achieve the monitoring and research that would be required to document whether or not conservation objectives of the seven-part MPA system were being met.

This being said, Norway is in full support of establishing MPAs in the CCAMLR area, which are supported by appropriate scientific data.'

3.54 The Commission noted the advice of the Scientific Committee that:

- (i) the proposal was based on the best available science
- (ii) the amount of data available was not the same in all of the proposed MPAs (SC-CAMLR-IM-I, paragraphs 2.62 to 2.65)
- (iii) in some parts of the EARSMPA there are extensive international research programs that undertake research on the whole of ecosystem, as well as information from fisheries.

3.55 The proponents highlighted that the EARSMPA is a system which allows the protection of unique or fragile marine ecosystems and provides reference areas to assess changes affecting marine ecosystems. Fishing and research activities can be undertaken to contribute to scientific knowledge. They further highlighted that this system will reinforce the existing dynamic of international cooperation and invited all CCAMLR Members to participate in this effort.

3.56 Australia made the following statement:

'We note the comments of Members arising from the Scientific Committee report and general issues on the proposal for East Antarctica. We invite all Members to engage with us directly in the coming months in anticipation of a constructive meeting in Hobart in October.

As a Member who fishes in CCAMLR waters, as do our co-proponents, we also note the following:

- (i) the Scientific Committee Chair confirmed that the issues referred to in paragraph 2.65 on number and size are contained within the previous paragraphs of the report
- (ii) there is no disagreement in the Scientific Committee report on the scientific basis for the system or any individual MPA: the proposal is based on the best science available
- (iii) the EARSMPA and the conservation measure is designed, according to Articles I and II of the CCAMLR Convention, as a system to harmonise conservation, science and rational use in East Antarctica. In that regard, we need to review the issues raised as a whole so that the objectives of the system are retained. This value has been recognised by the Scientific Committee
- (iv) we would welcome the opportunity to discuss the individual issues with Members and to discuss how those issues may be reconciled to achieve the objectives of the EARSMPA.’

General discussion on MPAs

3.57 There was recognition of the effectiveness and success of CCAMLR in achieving the objectives of the Convention using existing conservation measures, and some Members questioned whether there is a need to implement a new approach through MPAs rather than using the approach that has been successful for the last 30 years.

3.58 Australia recognised that CM 91-04 reflects an evolution from conservation measures that apply to single species and catch limits to a conservation measure that operates at the ecosystem level.

3.59 The Commission encouraged the proponents to continue consultations on their proposals before the annual meeting in Hobart in October this year. The Commission agreed on the importance of continuing work towards establishing a representative system of MPAs in the Convention Area.

3.60 In light of the legal concerns raised by some Members, Norway reported on discussions held with other legal experts present on three questions:

‘Firstly, the relationship to ATCM and CCAMLR’s role in establishing MPAs within the ATS system.

Secondly, the importance of CCAMLR to act within its mandate and the possibility of including wording on the relationship with other competent organisations in accordance with UNCLOS to this effect. It was suggested that the lessons learned from the establishment of MPAs within the remit of OSPAR in the northeast Atlantic could be considered in this regard.

Thirdly, the question of the nature and definition of MPAs established by CCAMLR was discussed. It was reported that several Members expressed the view that although the general framework established in CM 91-04 does not contain a legal definition of

an MPA, the current MPA proposals will set important precedents with regard to the nature of MPAs in the CCAMLR area. Hence, these Members were of the view that a strict legal definition was not needed. Those Members who expressed legal concerns were encouraged to consider whether further wording could be included in the draft CMs establishing the MPAs which could resolve these outstanding questions.’

3.61 The Commission recognised that the issues of date of entry into force, the review process and the overall duration of existence of an MPA (sunset clause) were fundamental issues in achieving consensus on MPAs for many delegations.

3.62 Belgium reiterated that it fully supports the proposals submitted on the Ross Sea and East Antarctic and, with respect to duration, it supports long-term conservation and would only support the termination of the designation of an MPA if there was collective agreement that this decision is scientifically justified.

3.63 The USA recognised that many Members have expressed an interest in the Ross Sea Region MPA’s period of designation. It is important to note that the MPA can be amended by the Commission at any time during its existence, including following each 10-year review, for adaptive management purposes. When considering a provision to set a period of designation, there is a need to ensure that a reasonable number of 10-year review periods can occur in order to evaluate the long-term nature of the MPA’s objectives and allow for implementation of any subsequent adaptive management actions.

3.64 The USA further noted that it is important that any period of designation must be linked to the time necessary to achieve the specific protection and scientific objectives of the MPA, pursuant to CM 91-04. As related to protection objectives of the MPA, the USA noted that generation times of species occurring within the proposed MPA provide a sensible basis for establishing a minimum period of designation. Such generation times vary by species, and publicly available estimates of generation time for Antarctic predators in the Ross Sea region average about 21 years, with a maximum generation time of about 50 years. In general, longer periods of designation will increase the number of species that might be protected for multiple (at least three) generations. Publically available estimates of generation times for Antarctic predators suggest a minimum period of designation of about 60–150 years.

3.65 As related to science objectives of the MPA, the USA noted that in order to resolve ecosystem and species changes on climate timescales, the period of designation must be sufficiently long to observe effects that are expected to accumulate over time and be relatively large when observed relative to usual seasonal and annual variation in the ecosystem.

3.66 The USA further recognised that any period of designation should also reflect CCAMLR’s long-term precautionary approach to management and establishment of conservation measures, and that the period of designation should further reflect internationally recognised characterisations of MPAs, which suggest that MPAs should be established with an indefinite or permanent period of designation.

3.67 The Republic of Korea made the following statement:

‘The Korean Delegation noted with satisfaction the general views expressed by the CCAMLR Members in support of establishing the marine protected areas (MPAs) in the Ross Sea region and East Antarctica. Korea also welcomed the active discussion

and contributions by Members to accommodate various views of both legal and technical nature in the spirit of building consensus which is the foundation of decision-making process in the CCAMLR.

Against such backdrop and based on Korea's consistent support for establishing the said MPAs, Korea made a suggestion, along with some other Members, to proceed in parallel the discussions on the legal competence of the CCAMLR to establish MPAs and providing legal definition of such areas initiated by the Russian Federation and the general discussions on the contents of the proposals on establishing MPAs in the Ross Sea region and East Antarctica.

Korea noted the Russian Federation's agreement in moving forward the aforementioned discussions in parallel and flexibility shown by the proponents of the establishment of the MPAs by the United States of America and New Zealand for the Ross Sea Region and by Australia, France and the European Union for East Antarctica to make modifications to the original proposal text reflecting inputs by the Scientific Committee and other Members.

Korea expressed its view that CCAMLR has the full competence to establish MPAs in the CCAMLR areas upon agreement by the CCAMLR Members. Korea also made known its views namely on the spatial limits, fishing season start date, and review and period duration of the MPAs in the Ross Sea and East Antarctica for the need for further discussions on the rationale and science behind the existing text in line with the objective and provisions of the CCAMLR. Korea expressed its intention to provide its view in more detail intersessionally or in later dates possibly in cooperation with other interested Members. Members with the aim of conserving marine biodiversity in the CCAMLR area through the establishment of the MPAs therein.'

3.68 Uruguay made the following statement:

- (i) After the World Summit on Sustainable Development held in Johannesburg in 2002, the establishment of marine protected areas has begun to be utilised as an instrument for environmental policy.
- (ii) Nevertheless, it is obvious that a cost-benefit analysis must be taken into account, in the light of the multiple interactions between socio-economic, biological, environmental and institutional factors.
- (iii) Uruguay believes that the tabled MPA proposals are positive, in that they have been developed with the intent of pursuing general and specific conservation objectives in relation to the marine living resources in the Convention Area.
- (iv) We acknowledge, however, the difficulties involved in bringing together scientific criteria to justify certain measures.
- (v) We adhere to the views expressed by other distinguished Members with respect to the size and the duration proposed for these MPAs. This poses great logistical (and other types) of challenges. We understand the concerns expressed by some Members in this respect.

- (vi) Uruguay holds a favourable stance towards the establishment of marine protected areas with the aim of achieving an adequate level of conservation and rational use of resources bearing in mind, as well, that it is in international waters.
- (vii) For Uruguay, designation of marine protected areas must state explicitly how important it is that the management of the aforementioned areas be multilateral and administered by CCAMLR, by establishing a legal framework that is clear and acceptable to all Members.
- (viii) In addition, Uruguay welcomes the fact that the proposals examined provide for research and exploratory fishing activities that allow for the collection of data about the area to be protected, which otherwise would be difficult to obtain.
- (ix) In this context, if the MPAs proposed are approved, Uruguay supports a thorough revision of the SSRUs currently closed, all the more in considering the displacement of fisheries caused by the establishment of MPAs.
- (x) On the other hand, Uruguay has very high regard for the approaches of multiple use and of open participation in all research, surveillance and monitoring activities.’

3.69 Ukraine made the following statement with regard to the size of MPAs in the ability to collect research data:

‘We are certain that the establishment of MPAs with vast areas will not achieve the primary aims of the proposal to establish an MPA in East Antarctica (as well as in the Ross Sea) and may eventually compromise the Convention’s aims. We are sure that most scientists (I am not talking about politicians) agree with me. It would make more sense to designate small special research areas, which would allow us to obtain more targeted scientific data on Antarctic living resources. I would like to remind the Members of the Commission that Ukrainian scientists first announced the start of targeted research in an area adjacent to the Argentinian Islands near the western coast of the Antarctic Peninsula at CCAMLR meetings in 2004. Even back in 2004, we anticipated that the development of this scientific research would in the future be linked with the establishment of a marine protected area or an area of special marine research. We are currently continuing research, primarily related to studying certain sections of the seafloor and bottom-dwelling species. In general, we have decided on the location of the study area. It is proposed to carry out research at two seafloor sites with a total area of approximately one square kilometre. We determined the area of these study sites based on the principle of having the opportunity to conduct regular scientific research. Several years ago, however, based on geography, we had planned to cover an area of several hundred square kilometres.’

3.70 ASOC made the following statement:

‘ASOC prepared a number of papers for this meeting, which I won’t ask to introduce but would like to take as read and included in the report. One of those papers is on the duration of MPAs for this meeting – CCAMLR-SM-II/BG/05, which many Members have mentioned this week.

The long-term protection provided by MPAs enables scientists to establish long-term research programs and produce long-term datasets. These are important to monitoring ecological systems and processes, including the impacts of climate change which may follow patterns that occur over very long time frames.

The investments made in establishing an MPA and the resultant benefits increase over time. These benefits would be lost very quickly once protection is removed.

Long-term protection is further supported by observations that some exploited Southern Ocean fish populations from before CCAMLR was in existence have not recovered after four decades, which does not meet CCAMLR's aim of ensuring that impacts are reversible within two to three decades.

ASOC notes that it is common practice for MPAs to contain review clauses that allow for detailed periodic reviews and adjustments to be made to management measures, so long as those changes maintain the values for which the protected area was designated. It is ASOC's firm understanding, elaborated in our paper on the duration of MPAs, that all widely accepted definitions of MPAs and marine reserves do not provide for their expiration. ASOC submits that a clause that automatically ends the designation of a protected area at a certain date is not in line with the central concept of MPAs, as it would not meet long-term conservation objectives and thus could not be considered to be an MPA.

ASOC calls on CCAMLR to reject clauses with an end date, and to agree on standard review clauses that address management and research plans for designated Antarctic MPAs, as provided for in the draft conservation measures for the Ross Sea and East Antarctica proposals.

Regarding the Ross Sea and East Antarctica MPA proposals before us, ASOC strongly supports both. Our scientists have carefully reviewed them and conclude that they are based on the best available science, which is also reflected in the Scientific Committee reports. We look forward to them being designated at the annual meeting in Hobart.'

3.71 IUCN made the following statement:

'IUCN welcomes the opportunity to address the Commission on this important occasion.

Firstly, IUCN congratulates CCAMLR again for having risen to the challenge of working towards a network of MPAs in the Southern Ocean and all the efforts that have gone into this.

IUCN is, however, highly concerned that the notion of arbitrary time limits on MPAs has been introduced into the CCAMLR MPA discussion. Such thinking is contrary to global standards, experience and scientific evidence, and does not advance our purpose. CCAMLR-SM-II/BG/03 provides more detail.

IUCN would like to emphasise that it is essential to put in place a system of MPAs that persist over time in order to achieve conservation goals in the long term. This is the basis for an ecosystem approach, and would accord with IUCN's definition of a protected area as:

“a clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values”.

Permanence and persistence is particularly important in areas with fragile, slow growing, vulnerable species, such as in the Southern Ocean, or where ecosystem health and marine resources will be highly impacted by climate change and ocean acidification.

Global best-practice for MPA management requires putting in place appropriate review mechanisms to allow for adaptive management responses and enhancements of the MPA system over time to take into account emerging issues.

Over the years, the Commission has shown global leadership in marine conservation and the implementation of the ecosystem-based management approach through its management of the Southern Ocean around Antarctica. Now this leadership, underpinned by contemporary science and principles of good governance, is required urgently.

We submit that, should CCAMLR consider placing a time limit on MPA designation, that this would be a regressive step. It would send an unwelcome message to the world that CCAMLR would not uphold global standards for protected areas. IUCN asks CCAMLR to defend these well-established principles for protected areas and to designate the Southern Ocean MPAs permanently, and work to ensure the completeness and effectiveness of the overall system in relation to international goals with appropriate review mechanisms.’

3.72 The EU made the following statement:

‘The EU regrets the lack of progress on the adoption of marine protected areas at this Special Meeting. The EU is concerned that despite all means generously provided at our disposal by the organisers, the effort of CCAMLR Members and Observers to come to Bremerhaven from all corners of the world, the resources of all kinds spent by the proponents since Hobart last year to engage all CCAMLR parties, and the clear mandate provided for this meeting the Commission has failed to engage and progress on substantive matters with respect to the content of the MPA proposals.

Progress before Bremerhaven has been significant. With the consensus of all Parties we have adopted the first MPA in 2009. Also in 2009 we committed to establish a representative network of MPAs by 2012. We have adopted Conservation Measure 91-04 in 2011 which provided the framework necessary for the designation of MPAs. We have had extensive discussions in Hobart in 2012. To further progress the matter of MPAs in the Southern Ocean, CCAMLR called, without any objection from any Member, for a Special Meeting to be held in Bremerhaven from 11 to 16 July 2013 to further discuss the proposed East Antarctica and the Ross Sea MPAs.

The EU is convinced that we can and must achieve more. We believe that the credibility of CCAMLR as a leading and proactive organisation is at stake. Once again our meeting did not meet the expectations raised by our citizens, civil society and media nor to our commitment to establish a representative network of MPAs.

We look forward to the continuation of the discussions in a cooperative and constructive spirit. We want to engage constructively with the Members in a process that will lead to the adoption of a representative network of MPAs in CCAMLR in Hobart in 2013, even if it is one year after our initially agreed 2012 deadline. We would like to progress and implement MPAs that will be under the full ownership of the Commission and for the benefit of CCAMLR Members and the international community at large and that in no case should be considered as MPAs of individual Members.'

3.73 New Zealand made the following statement:

'New Zealand thanked Germany for all they had done to support this meeting as a platform to advance CCAMLR MPAs. New Zealand welcomed the clear advice from the Scientific Committee outlined in paragraphs 2.31 to 2.33 of its report and the comments received from Members. This collective advice had helped the proponents of the proposal to make considerable progress in understanding the views of all Members. New Zealand was disappointed that the Commission had not been able to make as much progress as New Zealand had believed would be possible at the Special Meeting. New Zealand recalled the considerable effort that had been put into the development of the Ross Sea region proposal over a number of years in cooperation with the United States. The proponents had undertaken technical consultations with as many Members as possible in the intersessional period, and the New Zealand scientific community had put considerable effort into producing the additional scientific material requested by Members. Recognising the need to assist all Members to better understand the science behind the proposal, we had gone the extra mile by translating the background papers into CCAMLR's official languages. New Zealand would come prepared to continue discussions in October and hoped it was the will of all Members to come ready to reach consensus on a revised CCAMLR proposal for the Ross Sea region. New Zealand formally invited the delegation with the most difficulties with the proposal to travel to New Zealand for trilateral consultations. New Zealand expected to work collaboratively with those Members which had initiated scientific discussions to develop a revised proposal based closely on the advice of the Scientific Committee.'

3.74 The USA made the following statement:

'The United States thanked Germany for hosting CCAMLR-SM-II and further noted its appreciation of Members' commitment to CCAMLR's establishment of a system of MPAs, as demonstrated by their contributions to and strong participation in SC-CAMLR-IM-I and CCAMLR-SM-II. The United States also thanked the Chair for his efforts, as well as New Zealand for the continued strong partnership with the United States.

The United States noted that at CCAMLR-XXXI all Members agreed to convene this Intersessional Meeting of the Scientific Committee and Special Meeting of the Commission with the express purpose of reviewing the science pertaining to and make decisions on the Ross Sea Region and East Antarctica MPA proposals.

The United States expressed its appreciation for the dedicated efforts of the Scientific Committee to consider and review the science supporting the Ross Sea Region and East Antarctica MPA proposals. The Scientific Committee's report provides helpful,

constructive consensus advice on both proposals that should be used by the Commission to inform progress in finding consensus to establish MPAs in the Ross Sea and East Antarctica regions.

The United States also noted its appreciation for Members' constructive comments on the Ross Sea Region MPA proposal, and recognised the importance of such inputs to the Commission's efforts to find consensus to establish a CCAMLR MPA in the Ross Sea.

The United States expressed its disappointment that despite the positive outcomes and advice of the Scientific Committee it was not possible to achieve the progress expected at this meeting. The United States has no doubt about the legal capacity of the Commission to establish MPAs and does not understand the arguments presented to the contrary.

The United States expressed its commitment to CCAMLR's MPA initiative and interest in the establishment of a system of Antarctic MPAs, and in particular an MPA in the Ross Sea Region to meaningfully protect its ecosystem and biodiversity, and to foster a unique program of ecosystem science.'

3.75 Australia made the following statement:

'Australia would like to extend its thanks to Germany for hosting this Special Meeting and to the Secretariat for the support they have provided to Commission. It also extends its appreciation to the Chairs of the Commission and the Scientific Committee for their efforts during what have, at times, been difficult discussions.

Australia is disappointed on its own behalf and on everybody's behalf who have worked hard to deliver a CCAMLR System of Marine Protected Areas by 2012. It is now 2013. We are at a meeting specially convened to finalise two scientifically well-founded proposals for marine protected areas. This was to be a meeting to conclude discussions to demonstrate that CCAMLR is able to operate effectively as a regional organisation to achieve the common norms now expected by the global community.

We have worked hard to collaborate, consult and develop the proposal with our co-proponents, France and European Union, and with all CCAMLR Members. Australia has committed nine years of work to progress in CCAMLR a commitment by the global community to establish a network of MPAs by 2012. Since 2010, this work has involved many scientists from across the CCAMLR community in developing the proposal for East Antarctica, including at special international workshops and CCAMLR workshops and working group meetings.

Australia has seen parallels in the debate at this meeting with vigorous debates surrounding the negotiation of other conservation measures in previous years, particularly with regards to compliance issues. In 2003, Australia made an extensive statement on the stalemate in negotiations on the centralised VMS (CCAMLR-XXII, paragraph 10.19). The uncertainties being expressed by a number of Members now are similar to the uncertainties that were expressed then.

The lesson from 2003 is that while the uncertainties at the time were real and respected, the implementation of Conservation Measure 10-04 has shown that we can work together as a Commission, with trust and respect for each other's views. Australia believes we need to achieve consensus; and to achieve consensus we need to respect each other's positions. As we have said previously we came to this meeting committed to work with all Members to achieve consensus and we will continue to proceed in that manner leading into the October meeting.

We remain willing to work with all Members to progress the CCAMLR System of MPAs according to the legally binding Conservation Measure 91-04 and the process that CCAMLR has already agreed. We will collaborate and coordinate with Members to work to adopt the draft conservation measure at the October meeting later this year. We would welcome support from other Members to progress this measure.'

3.76 France made the following statement:

'The French Delegation would like to thank Germany for having organised this Special Meeting of the CAMLR Commission here in Bremerhaven. The terms of reference of this meeting, in which we placed so much hope, were to review and decide on two propositions for marine protected areas in the East Antarctic and in the Ross Sea.

We would also like to thank the Scientific Committee for having successfully fulfilled its terms of reference, through in-depth discussions on the scientific basis for these proposals. The representatives of the Member States present at the meeting welcomed the quality of the proposals for marine protected areas and would like to make some comments on the content of the proposals. France wishes to take this opportunity to repeat its support for the draft MPA in the Ross Sea, proposed by the USA and New Zealand.

Despite all our efforts, and our desire to undertake constructive discussions enabling a decision to be reached, it has unfortunately not been possible to reach this decision. France, together with Australia and the European Union, having proposed the establishment of a Representative System of Marine Protected Areas in the East Antarctic, regrets this.

The French Delegation wishes to pay tribute to the considerable efforts made by the teams of scientists who have strived over a period of almost 10 years to develop these proposals for marine protected areas in the spirit of international cooperation. France, for its part, hosted a special workshop on AMPs in Brest in 2011.

The principle underlying the development of MPAs in the CCAMLR area is no longer disputed. We are ready to continue the dialogue during the intersessional period before the next CCAMLR meeting in Hobart in October, in order to come to a positive conclusion.'

3.77 The UK made the following statement:

'The United Kingdom joined others in thanking Germany as hosts for the meeting, as well as those Members and ASOC, who had provided voluntary funding contributions.

The UK congratulates the proponents of the Ross Sea and East Antarctica MPA proposals, and in particular all the scientists who had worked on them for many years. The UK shares the disappointment of others that it was not possible to reach agreement on conservation measures at this meeting, however, it also recognised that the meeting had facilitated some fruitful exchanges. The UK remains optimistic that with the commitment of all Members to engage constructively and openly in the coming months, a pathway to consensus will be found.'

3.78 Brazil made the following statement:

'Once again, I would like to congratulate Germany for hosting this very important meeting. I would also like to congratulate the proponents of both proposals for their efforts to try to accommodate the concerns expressed by delegations and the Chairs of the Commission and of the Scientific Committee for excellent work done. Despite the fact that we have not been able to have a positive outcome at this meeting, I think that we had very useful and fruitful discussions. We do have in front of us a very substantive document from the Scientific Committee with regard to both MPA proposals.

I am pretty sure that all delegations are very willing to find a compromise. Those are the very first MPA proposals that have been under consideration by the Commission as result of the Conservation Measure 91-04. Since we are engaged in an exercise that is pretty new to all of us, it is natural, that we can have doubts in the right way to move forward. Some concerns have been reiterated and new ones have been raised. But, I am pretty sure that all of us are committed to make progress. The continuation of our discussions will be very important to all of us and will help the Commission to find a way to have a consistent and, I hope, positive decision on the two MPA proposals that we do have in front of us.'

3.79 Russia made the following statement:

'Russian Delegation expressed gratitude to Germany for a very high level of organisation of this meeting as well as New Zealand, USA, Australia, France and European Union for the proposals of establishment MPAs, for the work which they have done in the last years. It also thanked the Chairman of the Commission for his professional experience in conducting such a difficult meeting. We have always been supporting the concept of the system of MPAs in CCAMLR zone. The Russian Federation is ready for further constructive dialogue with all states interested in discussion of issue relating to MPA. The Russian Federation also supported the position expressed by Argentina regarding the necessity of official translation of documents and discussions during CCAMLR meetings in all official languages of CCAMLR.'

3.80 ASOC made the following statement:

'ASOC thanks the proponents who worked so hard to develop the proposals, and thanks the CCAMLR Members who worked seriously to try to reach an agreement on these proposals at this meeting. We also thank Germany for its great work as host.

Last year in Hobart, CCAMLR took the extraordinary step of planning this intersessional meeting to address the MPA proposals for the Ross Sea and East

Antarctica. These proposals are the result of years of discussion and planning starting in 2004, both on the part of the proponent countries and of many CCAMLR Members. We all thought, based on the terms of reference for the meeting, that we were coming here to discuss the substance of these proposals and to find the common ground needed to designate them. The opportunity for CCAMLR to once again begin to meet its commitment to designate a representative system of MPAs has sadly been squandered.

Rather than discussing the merits and substance of the proposals on the table, CCAMLR's legal basis to designate MPAs has been called into question. As many Members have noted, the provisions of the Convention are clear. CCAMLR has already created an MPA in the South Orkneys. Conservation Measure 91-04 provides a process to designate and manage MPAs according to agreed objectives of MPAs. There is no doubt about CCAMLR's competence and mandate in regard to MPAs. Questioning CCAMLR's mandate and legal basis to designate MPAs undermines CCAMLR's spirit of cooperation.

ASOC is extremely disappointed that the meeting is ending without any result and without a clear path towards a successful outcome on the two proposals in Hobart. After all this time and after so much effort, that is completely unacceptable. CCAMLR cannot function if its Members do not come to the table in good faith.

Because of the importance of protecting Antarctic marine ecosystems, there is unprecedented public interest in CCAMLR's work on MPAs and in this meeting. CCAMLR Members have the enormous responsibility of protecting the Southern Ocean – more than 10% of the world's oceans – on behalf of their citizens and the whole planet. CCAMLR took a very progressive step towards honouring this responsibility when it agreed to create a system of MPAs, which would additionally contribute towards the fulfilment of numerous international commitments to create high-seas MPAs worldwide.

CCAMLR has a reputation for taking bold action in its management of the Southern Ocean, for leading the way for other organisations. Now is not the time for CCAMLR to become a follower. There is a growing global consensus that MPAs are vital to the long-term health of the oceans – 70% of our planet – and in recognition of this, CCAMLR pledged to do its part to implement MPAs in Antarctica. CCAMLR Members must now decide whether that promise will ultimately go down in history as an empty one. We hope that CCAMLR can designate the two proposals at the next meeting.'

3.81 At the invitation of the Chair, Mr W. Dübner (Germany) made the following statement:

'First of all I would like to thank my colleagues for their kind words. It has been a great pleasure to organise the Special Meeting here in Bremerhaven. I hope that all delegates enjoyed their stay at the German North Sea. As the host country Germany would like to thank all CCAMLR Member States for participating in this Special Meeting. The large number of delegates and NGOs present here underlines the great importance that our organisation attaches to the establishment of marine protected areas. From the very beginning Germany has been involved in the various measures

that CCAMLR has developed and adopted for the protection and conservation of marine living resources in Antarctica and has always provided its full support for this. The establishment of marine protected areas is another important step towards a responsible and sustainable management of the marine resources in the Antarctic sea. In this context Germany would like to thank in particular the US, New Zealand, Australia and France. Germany is confident that the deliberations here in Bremerhaven form a good basis for further progress in Hobart in October 2013, especially with the view to reaching a swift agreement on the Ross Sea and East Antarctica proposals.

I would like to seize the opportunity to thank the Chair of the Commission, the Chair of the Scientific Committee and the Executive Secretary for their commitment. I also would like to thank all those who worked with great commitment and until the early morning hours behind the scenes to ensure smooth conference proceedings: the CCAMLR Secretariat, the interpreters and my own conference management team. You were faced with the great challenge to ensure the good cooperation across continents, between Hobart and Bremerhaven. Thank you all for your relentless efforts which made an essential contribution to facilitate our work.'

CONSERVATION MEASURES

4.1 The Commission did not draft or adopt any conservation measures at this meeting.

OTHER BUSINESS

5.1 The Commission noted the concerns raised by representatives from Argentina, France and Russia about the unavailability of interpretation services during late-night sessions of the Intersessional Meeting of the Scientific Committee (SC-CAMLR-IM-I, paragraph 4.1). These delegations had agreed to be flexible and conduct the final part of report adoption in English only, but noted that this should be considered as an exception and not a change in normal practice.

5.2 The Commission agreed that interpretation was important and necessary during all sessions of the meetings of the Scientific Committee and Commission in order to discuss matters of a complex nature and avoid any misunderstanding.

5.3 Ukraine made the following statement:

'The lack of scientific information within CCAMLR, especially in recent years, does not allow us to adequately assess biomass and stocks of harvested and fishery-related species of marine animals. We urge all Members of the Commission and non-government organisations to establish special funds related to scientific research in the Southern Ocean and to conduct such research, if they have the capability to do so. We urge countries that are not Members of CCAMLR to take part in the scientific research of Antarctic marine living resources.'

REPORT OF SECOND SPECIAL MEETING OF THE COMMISSION

6.1 The report of the Second Special Meeting of the Commission was adopted.

CLOSE OF MEETING

7.1 The Chair expressed his appreciation to Members, Observers and the Secretariat for the collaborative spirit in which the meeting had been conducted. On behalf of the Commission, he expressed particular gratitude to Germany for its efficient meeting arrangements. He advised this would be his last CCAMLR meeting and hoped that CCAMLR Members would be able to continue constructive discussions on MPAs in the Convention Area in future meetings.

7.2 The Executive Secretary thanked the Chair for his expert guidance during his period as Chair of the Commission and wished him well with his future endeavours. He also expressed appreciation to Germany, particularly the staff that had worked with the Secretariat during this series of CCAMLR meetings in Bremerhaven. He expressed appreciation to Dr S. Hain from the Alfred Wegener Institute (AWI), Helmholtz Centre for Polar and Marine Research, with support from the German Federal Ministry of Food, Agriculture and Consumer Protection, for the logistical and planning support that had been provided to these meetings. He also thanked the Secretariat staff, here and in Hobart, for their professional support and dedication. He thanked the interpreters for the professional service and flexibility they had provided to the meeting. Lastly, thanks were also expressed to those who contributed to the Voluntary Fund established to support the Special Meeting (Australia, Germany, New Zealand, UK, USA and ASOC).

7.3 The Chair then closed the Second Special Meeting of the Commission.

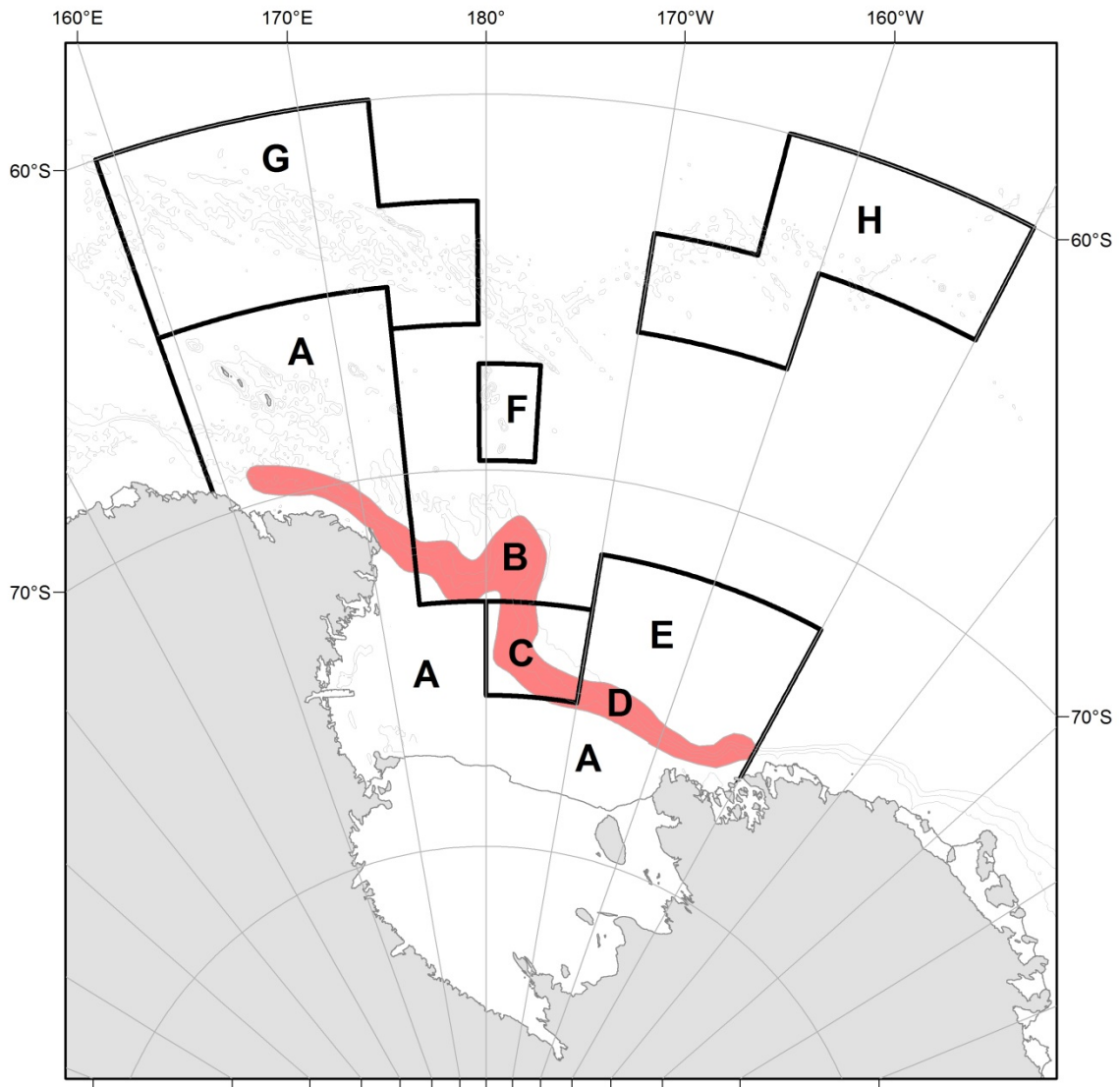


Figure 1: Regional components associated with the proposed MPA in the Ross Sea region: A – Ross Sea shelf and Balleny Islands; B – continental slope outside the MPA; C – Special Research Zone; D – southeastern continental slope; E – eastern Ross Sea persistent pack-ice area; F – Scott Seamount; G – northwest seamounts; H – northeast seamounts. The red area illustrates the approximate location of the continental slope.

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List of Documents

LIST OF DOCUMENTS

- CCAMLR-SM-II/01 Provisional Agenda for the Second Special Meeting of the Commission for the Conservation of Antarctic Marine Living Resources
(Bremerhaven, Germany, 15 and 16 July 2013)
- CCAMLR-SM-II/02 Provisional Annotated Agenda for the Second Special Meeting of the Commission for the Conservation of Antarctic Marine Living Resources
(Bremerhaven, Germany, 15 and 16 July 2013)
- CCAMLR-SM-II/03 Proposal for a conservation measure establishing the East Antarctic Representative System of Marine Protected Areas
Delegations of Australia, France and the European Union
- CCAMLR-SM-II/04 A proposal for the establishment of a Ross Sea Region Marine Protected Area
Delegations of New Zealand and the USA
(This paper introduces a revised version of the proposal contained in CCAMLR-XXXI/16 Rev. 1 of 29 October 2012)
- *****
- CCAMLR-SM-II/BG/01 List of documents
- CCAMLR-SM-II/BG/02 List of participants
- CCAMLR-SM-II/BG/03 Marine Protected Areas: A fundamental tool for long-term ocean biodiversity protection and sustainable management
A statement by IUCN-WCPA
Submitted by IUCN
- CCAMLR-SM-II/BG/04 Antarctic Ocean Legacy: Securing Enduring Protection for the Ross Sea Region
Updated AOA Report
Submitted by ASOC
- CCAMLR-SM-II/BG/05 AOA Briefing 1: Duration of MPAs
Submitted by ASOC
- CCAMLR-SM-II/BG/06 AOA Briefing 2: Applying the Precautionary Principle to Marine Reserves and Marine Protected Areas
Submitted by ASOC

- CCAMLR-SM-II/BG/07 AOA Briefing 3: Climate Change and Ocean Acidification: Benefits of Marine Reserves and Marine Protected Areas Submitted by ASOC
- CCAMLR-SM-II/BG/08 AOA Briefing 4: The Opportunity to Create an Antarctic Ocean Legacy Submitted by ASOC
- CCAMLR-SM-II/BG/09 Information on the proposal for an East Antarctic Representative System of Marine Protected Areas Delegations of Australia, France and the European Union
- CCAMLR-SM-II/BG/10 On absence of legal ability to organise marine protected areas in the high seas of the World Ocean, including the Antarctic waters
Delegation of Ukraine
(Submitted in English and Russian)

- SC-CAMLR-IM-I/01 Provisional Agenda for the First Intersessional Meeting of the Scientific Committee for the Conservation of Antarctic Marine Living Resources
(Bremerhaven, Germany, 11 to 13 July 2013)
- SC-CAMLR-IM-I/02 Provisional Annotated Agenda for the First Intersessional Meeting of the Scientific Committee for the Conservation of Antarctic Marine Living Resources
(Bremerhaven, Germany, 11 to 13 July 2013)
- SC-CAMLR-IM-I/03 The influence of ice conditions on the longline toothfish fishery in the Ross Sea and the likely impact that the introduction of marine protected areas (MPAs) will have on catches
Delegation of Russia
- SC-CAMLR-IM-I/04 Rev. 1 The designation of Marine Protected Areas (MPAs) in Antarctic waters
Delegation of Russia
- SC-CAMLR-IM-I/05 Rev. 1 Proposal by the Russian Federation to open areas of special scientific interest in the CCAMLR Convention Area (Part 1, Ross Sea and East Antarctica)
Delegation of Russia
- SC-CAMLR-IM-I/06 Rev. 2 MPAs in the area regulated by the Convention on the Conservation of Antarctic Marine Living Resources (background, plans and reality)
Delegation of Russia

SC-CAMLR-IM-I/07	Is it necessary to establish MPAs in Divisions 58.4.1 and 58.4.2 to protect krill resources from the impact of fishing? Delegation of Russia
SC-CAMLR-IM-I/08	Science supporting the joint New Zealand–United States proposal for the establishment of a marine protected area in the Ross Sea Region Delegations of the USA and New Zealand
SC-CAMLR-IM-I/09	Analysis of potential threats from fishing to the objectives of a proposed Ross Sea region MPA Delegations of New Zealand and the USA
SC-CAMLR-IM-I/10 Rev. 1	Scientific background to the proposed East Antarctica Representative System of Marine Protected Areas Delegations of Australia, France and the European Union

SC-CAMLR-IM-I/BG/01	Existing initiatives that provide an extensive framework for research and monitoring in East Antarctica Delegations of Australia, France and the European Union
SC-CAMLR-IM-I/BG/02	Review of the toothfish fishery in SSRU 881K from 1997–98 to 2011–12 and opportunities for fisheries research Delegation of New Zealand
SC-CAMLR-IM-I/BG/03 Rev. 1	A draft plan for research and monitoring in the Ross Sea region, in association with spatial marine protection Delegations of New Zealand and the USA

**Opening Address by Mr Peter Bleser,
State Secretary of the German Federal Ministry
of Food, Agriculture and Consumer Protection**

**OPENING ADDRESS BY MR PETER BLESER,
STATE SECRETARY OF THE GERMAN FEDERAL MINISTRY
OF FOOD, AGRICULTURE AND CONSUMER PROTECTION**

‘Dear Chairman Løbach, Excellencies, Delegates, Lord Mayor Grantz, Ladies and Gentlemen,

1. Introduction

I am pleased to welcome you today to the Second Special Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) in Bremerhaven.

Bremerhaven’s location and its large port make it an open and cosmopolitan city. Nonetheless, a meeting of policymakers and scientists from around the world is still something special for the people in this region. I would therefore like to thank you – also on behalf of the Federal Government – for having chosen Bremerhaven to hold this important meeting.

I hope that you have all had a pleasant journey and that you managed to overcome the strain of your long flights.

I would particularly like to extend sincere greetings from Federal Minister Aigner. Unfortunately, due to other important commitments, she is unable to be here today. She has asked me to inform you that she follows the many activities of CCAMLR with keen interest and that she wishes you every success in the difficult negotiations on the proposals for marine protected areas.

Ladies and Gentlemen,

From the very beginning, Germany has been involved in the development and adoption of the numerous CCAMLR measures aimed at protecting living marine resources. This particularly applies to krill and fisheries research, where the Thünen Institute of Sea Fisheries has made a significant contribution.

What impresses me most is that since its foundation in 1982, CCAMLR has time and again played a leading role in the conservation and sustainable use of marine resources on the high seas.

Let me mention just a few of the many measures:

- the application of an ecosystem-based approach to fisheries management
- the fight against illegal fishing
- the prevention of seabird by-catches in longline fishing.

This time, you have taken on the challenge of making history in international marine and nature conservation. The objective here is nothing less than to create the world’s largest marine protected areas.

But the proposals are not only unique in terms of the size of the areas. Unlike other international reserves, they also include a detailed set of measures on how to shape the protection zones.

In this context, I would particularly like to thank the countries and scientists that have done such excellent work on this in recent years. The proposals on eastern Antarctica and the Ross Sea would not have been possible without your tremendous commitment.

All in all, it is safe to say that the proposals you will debate today and tomorrow are truly unparalleled. CCAMLR now has the opportunity to play a leading international role in the establishment of marine protected areas and in shaping the future of Antarctica. I therefore appeal to all of you: do not let this opportunity pass!

2. International context

Ladies and Gentlemen,

As you know, at the 2002 Johannesburg Summit on Sustainable Development, the international community agreed to establish representative networks of marine protected areas around the world.

This was followed in 2010 by the “Strategic Plan for Biodiversity” which was adopted in Nagoya/Japan. This states in unequivocal terms that at least 10% of coastal and marine areas should be designated as ecologically representative and well-connected systems of marine protected areas by the year 2020.

However, the record is anything but impressive. To date, we have only reached around 2% worldwide. In addition, the existing protected areas are unevenly distributed and are mostly found in coastal waters. The amount of protected areas on the open sea, including in the Antarctic, remains negligible.

Ladies and gentlemen, you now have the chance to fundamentally change this situation.

3. Nature conservation and climate change

The Antarctic is one of the planet’s last remaining nature reserves. It boasts vast biological resources and unmatched biodiversity. This biodiversity has immense ecological value. Ensuring that the ecosystem remains intact is thus of paramount importance.

There is also another reason why protecting the Antarctic is essential: it helps to maintain the earth’s climate.

For instance, huge amounts of Antarctic bottom water are produced in the Weddell Sea. It acts like a pump, driving the large currents in all the world’s oceans and thus having a decisive impact on the global climate.

Scientific studies show that between 1958 and 2010, the temperature in the western Antarctic increased by 2.4°C. This is three times more than average. The melting of the ice caps could accelerate the rise in sea levels which in turn would impact on climate change and its repercussions.

We cannot allow this largely unspoiled region – which is of such importance to balancing the world’s climate – to be damaged or degraded.

Because with a region the size of the Antarctic, the consequences of over-exploitation are impossible to predict. The Antarctic covers 52 million square kilometres, making it six times larger than Europe or Australia. The Antarctic Ocean, for which CCAMLR is responsible, accounts for around 15% of the world's oceans. This is why we all have a special responsibility to protect this region.

4. BMELV and fisheries policy

Ladies and Gentlemen,

Apart from being responsible for food, agriculture and consumer protection, our Ministry is also responsible for fisheries. You can therefore rest assured that we are highly familiar with the problems and concerns of fishermen.

The German fisheries sector is a traditional part of the economy and the culture, particularly here along the coast.

The Johannesburg Sustainability Summit made us all extremely aware that the fisheries sector needs to become even more sustainable than before. By reforming the Common Fisheries Policy in Europe, we have taken action to this effect. This means that our fishermen will have to face new challenges, especially given that we must give higher priority to the concerns of marine environmental conservation.

In Germany, we have designated around 30% of our Exclusive Economic Zone (EEZ) as protected fish areas. In addition, another 30% are reserved for offshore installations in order to generate wind energy.

It does not require much imagination to realise that our fishermen are not overjoyed about this. We are faced with the Herculean task of reconciling the concerns of the fisheries sector, the energy industry, nature conservation and environmental protection.

Experience has taught us that you can only tackle this complex process through dialogue with all the key stakeholders. This is a precondition for finding viable solutions. We must always bear in mind that if we permanently disrupt the balance of nature and lose sight of environmental sustainability, we destroy the foundations of economic and social sustainability.

Precisely because the Antarctic provides space for unique ecosystems, we need to pay special attention to the environmental sustainability of our activities in this region. This is why the creation of marine protected areas is of such vital importance.

5. Weddell Sea Marine Protected Area

Ladies and Gentlemen,

Germany wishes to support the international effort to protect marine areas in the Antarctic – not just with political statements but in a proactive manner with concrete, practical measures.

As you know, at the CCAMLR Commission's annual meeting in Hobart (Tasmania) in 2012, Germany offered to prepare the creation of a further marine protected area in the Weddell Sea.

The preparatory work is now under way. The preliminary scientific work that is needed as a basis for establishing the protected area is being coordinated by the Alfred Wegener Institute for Polar and Marine Research (AWI) here in Bremerhaven.

Since its foundation in 1980, the Alfred Wegener Institute has carried out intensive research in the Weddell Sea. The research icebreaker *Polarstern* is in the region every year, among other things to provide the German research station Neumayer III in Antarctica with supplies. In fact, the *Polarstern* is on a research expedition in the Weddell Sea right now.

The Alfred Wegener Institute and the German Antarctic research community are in the process of analysing the findings of all the scientific studies conducted in the last 30 years, consolidating them as a basis for effective protection of the Weddell Sea.

The resulting insights are to be discussed and further refined with experts from all the CCAMLR members in April next year. It is our goal to submit a proposal for a “Weddell Sea” marine protected area to the CCAMLR Commission at the 2014 annual meeting.

Our research work shows that the communities of marine life are extremely diverse, especially in the eastern and southern Weddell Sea. Krill – the Antarctic organism par excellence – occurs in large swarms both under the sea-ice and in open waters. On the seabed, you can find fascinating swarm communities which compare with tropical coral reefs in terms of their ecological significance, complexity, beauty and biological diversity.

In the eastern and southern Weddell Sea, 10 colonies of emperor penguins are currently known, each with between 3 000 and 15 000 breeding pairs. On the sea-ice and pack-ice, you can encounter different seal populations. Elephant seals exhibit a distinct seasonal preference for the southern Weddell Sea.

The region is an important reference area for fundamental scientific research for the specific reason that it has not been subjected to large-scale commercial exploitation.

This is why we all have a major interest in ensuring that future research in this unique and largely pristine area is not jeopardised by other human activities.

I would be delighted if, during the further course of this process, as many of you as possible take part in working on the proposal for the Weddell Sea so that it stands on the broadest and most stable footing imaginable.

For those of you interested in seeing what a modern research vessel looks like, the Alfred Wegener Institute has kindly moored the *Heincke* here at the Seebäderkaje, directly in front of the hotel. You will recognise the ship by the flags of the CCAMLR Members and you are welcome to pay her a visit during the breaks today.

6. Closing remarks

Ladies and Gentlemen,

Some of you have been here in Bremerhaven for a few days already, others have even been here several weeks. I hope that you enjoy your stay in Germany and that – despite all the work – you find time to savour the unique atmosphere of the German North Sea coast and the coastal towns.

Taken together, the ports of Bremerhaven and Bremen form the second-largest port in Germany and the fourth-largest all-purpose port in Europe (following Rotterdam, Antwerp and Hamburg). So the CCAMLR meeting is being held in a location characterised by international exchange and important trade flows.

But at the same time, you can also find unspoiled nature here in the vicinity, namely in the Wadden Sea area of the North Sea. The Wadden Sea was added to the UNESCO World Heritage list in June 2009, almost exactly four years ago.

The Wadden Sea is largely preserved in its original condition. It boasts more birds than any other region in Europe and is also Germany's most important natural geographic region. The German federal states of Schleswig-Holstein, Hamburg and Lower Saxony designated the parts of the Wadden Sea on their territory as national parks and biosphere reserves. Other parts of the Wadden Sea are located in the Netherlands.

The region is also rich in cultural heritage. Here in Bremerhaven, the main attractions include the Schiffahrtsmuseum (Maritime Museum), the Klimahaus (Climate House) and the German Emigration Centre. You may have already discovered some of these places. Much of this is directly related to the topics you will be discussing today and tomorrow.

Ladies and Gentlemen,

In the difficult negotiations ahead, let this maritime environment be an inspiration to you. And bear in mind what the French scientist and philosopher Pascal once said:

“When a pebble is thrown in, the whole ocean changes”.

Good luck with your deliberations – and many thanks for your attention!’

**Opening Address by Mr Melf Grantz,
Mayor of Bremerhaven**

**OPENING ADDRESS BY MR MELF GRANTZ,
MAYOR OF BREMERHAVEN**

‘Ladies and Gentlemen,

Honourable Members of the International Commission for the Conservation of Antarctic Marine Living Resources,

It is an honour to welcome you today on the occasion of this important meeting. The City of Bremerhaven is proud that you chose our city as venue for your conference. And there are several reasons making Bremerhaven the perfect location for this meeting.

On the one hand Bremerhaven is the home of the internationally renowned German Alfred-Wegener-Institute of polar and marine research which is one of the most competent institutes worldwide thanks to its 30 years of experience in polar research.

On the other hand one of the most beautiful and unique landscapes in the world is located literally in our front garden: only recently the Wadden Sea has been declared a UNESCO World Heritage Site. It is a particular area with a unique flora and fauna and is now under extensive protection.

One might think that this protection could be to the detriment of tourism and industry – but on the contrary. The protected Wadden Sea areas have developed into nursery grounds for fish and other marine animals so that the fisheries are benefiting from this area of conservation. And we have more tourists than before who come to admire the beauty of this UNESCO-recognised landscape.

Ladies and Gentlemen, your objective to declare important parts of the Antarctic as marine protection areas is therefore a crucial and right step forward and I support you wholeheartedly in your efforts.

Based on our traditional link to the sea, Bremerhaven has developed into an advocate of marine protection. We have, for example, one of the biggest European food industries in our fishing port using nearly exclusively products from sustainable fishing. And it was a company in Bremerhaven which introduced the CO₂ footprint as one of the first German companies to inform consumers about the amount of CO₂ emissions when purchasing the products.

In the energy sector, Bremerhaven has developed into one of the largest centres of this industry in Europe through the extension of the offshore wind power sector. Approximately 4 000 new jobs were created in this sector in the last decade. The first German offshore wind farms in the North Sea are built from Bremerhaven, among others.

Bremerhaven and the federal state of Bremen are also pioneers when it comes to environmental protection in our ports: only a few days ago the Bremen port authority Bremenports was awarded with the international Global Reporting Initiative (GRI) certificate for sustainable port management for its “Greenports” project. UNEP is also part of this initiative. Bremerhaven port is the very first German port which was awarded this certificate.

Nature conservation is and remains one of the most important, yes, even vital issues of our time. This is one of the reasons why Bremerhaven created the scientific exhibition and

attraction of the neighbouring Klimahaus which mainly deals with climate change, its impacts and environmental protection. The Polar Regions, including the research activities of the Alfred-Wegener-Institute, are also an essential element of this exhibition that is visited by more than 600 000 people every year.

It seems that there is huge interest in the conservation of natural resources. The conservation of the Polar Regions, which, so far and for the most part, were able to evade the effects of our industrial society and civilisation, are also a part of this. This means that you, as members of this international commission, bear an important task that is closely watched by the public worldwide.

For your meeting here in Bremerhaven, I wish you all the best and success in your decisions and two pleasant, interesting and stimulating days in our beautiful city.

Thank you for your attention.'

**Agenda for the Second Special Meeting of the
Commission for the Conservation of
Antarctic Marine Living Resources**

**AGENDA FOR THE SECOND SPECIAL MEETING
OF THE COMMISSION FOR THE CONSERVATION OF
ANTARCTIC MARINE LIVING RESOURCES**
(Bremerhaven, Germany, 15 and 16 July 2013)

1. Opening of meeting
2. Organisation of meeting
 - 2.1 Adoption of agenda
 - 2.2 Schedule of work
3. Marine Protected Areas
 - 3.1 Advice from the Intersessional Meeting of the Scientific Committee
 - 3.2 Joint New Zealand and USA MPA proposal on the Ross Sea region
 - 3.3 Joint Australia, France and EU MPA proposal on East Antarctica
4. Conservation measures
5. Other business
6. Report of Second Special Meeting of the Commission
7. Close of meeting.