

CCAMLR-SM-III

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

**REPORT OF THE THIRD SPECIAL MEETING
OF THE COMMISSION**

SANTIAGO, CHILE
19 – 23 JUNE 2023

CCAMLR
181 Macquarie Street
Hobart 7000
Tasmania Australia

Telephone: 61 3 6210 1111
Facsimile: 61 3 6224 8766
Email: ccamlr@ccamlr.org
Website: www.ccamlr.org



Chair of the Third Special Meeting
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Abstract

This document is the adopted report of the Third Special Meeting of the Commission for the Conservation of Antarctic Marine Living Resources held in Santiago, Chile, from 19 to 23 June 2023. The objective of the meeting was to agree on how to progress marine protected area (MPA) design, designation, implementation and the establishment of research and monitoring plans (RMP) in the CAMLR Convention Area.

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Report of the Third Special Meeting of the Commission (Santiago, Chile, 19 to 23 June 2023)

Welcome, adoption of the agenda, introductory remarks and organisation of the meeting

1.1 The Third Special Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR-SM-III) was held in Santiago, Chile, from 19 to 23 June 2023. It was chaired by Mr Tsymbaliuk (Ukraine).

1.2 The following Members of the Commission were represented: Argentina, Australia, Belgium, Brazil, Chile, People's Republic of China (China), Ecuador, European Union (EU), France, Germany, Italy, Japan, Republic of Korea (Korea), the Kingdom of the Netherlands (Netherlands), New Zealand, Norway, Russian Federation (Russia), Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland (UK), United States of America (USA) and Uruguay. India, Namibia, Poland and South Africa did not attend the meeting.

1.3 The following Contracting Parties were represented as Observers in person or online: Canada and Peru.

1.4 The following non-Contracting Party (NCP) was represented as an Observer: Türkiye.

1.5 The following Observers were represented in person or online: the Association of Responsible Krill harvesting companies (ARK), the Antarctic and Southern Ocean Coalition (ASOC), the Coalition of Legal Toothfish Operators (COLTO), the International Union for Conservation of Nature and Natural Resources – the World Conservation Union (IUCN), Oceanites Inc., the Scientific Committee on Antarctic Research (SCAR), the Scientific Committee on Oceanic Research (SCOR), the South East Atlantic Fisheries Organisation (SEAFO), the Southern Indian Ocean Fisheries Agreement (SIOFA) and the South Pacific Regional Fisheries Management Organisation (SPRFMO).

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 and introduced the Acting Minister of Foreign Affairs of Chile, Ms Gloria de la Fuente, who delivered the opening address (Annex 3).

1.8 On behalf of the meeting, Mr F. Lopez Crozet (Vice-Chair, Argentina) thanked the Acting Minister of Foreign Affairs of Chile for her welcome. Mr Lopez Crozet made the following statement:

‘Thank you so much for your kind and encouraging words, Minister. In my capacity as Vice-Chair of the Commission, I would like to express my gratitude towards Chile for the generous hospitality shown by hosting the present Third Special Meeting of the Commission for the Conservation of Antarctic Marine Living Resources.

I would also like to thank all the Representatives here today, who are meeting this week in order to make progress in one of the most important issues towards the achievement of the objectives of the Commission.

According to the terms of reference agreed at CCAMLR-41, our objective is to agree, through dialogue, on an inclusive approach that helps the Commission reach consensus on how to move forward in the design, the establishment and the implementation of marine protected areas (MPAs), based on the best scientific knowledge available, and taking into consideration the already adopted conservation measures.

We are meeting here because the Commission maintains its strong commitment towards the conservation of the resources – which includes their rational use – of the Antarctic ecosystems.

We are all aware of the importance of using every tool at our reach to preserve these resources.

Since the adoption of the Ross Sea region MPA in 2016, we have not been able to achieve consensus for the adoption of new MPAs.

Celebrating this Special Meeting and the presence of each one of us represents a critical, important step and a display of political will to move forward with this agenda, thus assuming the responsibility to take action quickly and decisively and to achieve specific results.

I should also highlight that we must always be aware of our responsibility in maintaining the position of leadership of the Commission in matters of conservation and rational use of marine spaces and their living resources.

I trust that both the spirit of Antarctic cooperation and consensus that has been present for six decades, as well as a mature and responsible dialogue, will allow us to include the points of view of all Members in order to find a common ground to overcome the challenges that lie ahead, so that we can accomplish the important task of protecting the Antarctic ecosystems and the living resources that are part of them, for the benefit of us all.'

1.9 The Chair joined the Vice-Chair in expressing gratitude to Chile for hosting the meeting and put the agenda forward for adoption.

1.10 The agenda was adopted (Annex 4).

1.11 Ukraine made the following opening statement:

'We welcome all CCAMLR Members and Observers who are taking part in this special CCAMLR meeting.

Hopefully, this CCAMLR meeting will bring significant progress on the main issue at hand, establishing large MPAs in the Antarctic marine waters. It would be a good demonstration of our responsibility on implementing Conservation Measure (CM) 91-04 as adopted by CCAMLR in 2011.

At the same time, we cannot ignore the fact that Ukrainian capacity and activities in the Antarctic continue to be much limited due to the unprovoked aggression of the Russian Federation against Ukraine.

Russia brought war to the Ukrainian land in 2014, and open military aggression by Russia has been continuing for more than a year, bringing pain and other sufferings to the Ukrainian people, destroying Ukrainian nature, cities and economics.

Ukrainian civilians are killed every day as a result of Russian missile and drone attacks on peaceful Ukrainian cities. As the whole World is aware now, on 6 June 2023, when the occupying forces of the Russian Federation committed a new large-scale act of terrorism – the destruction of the Kakhovka Dam, which resulted in the biggest ecological and humanitarian disaster of the last decade in Europe. We consider it as one more war crime committed by Russia. About a hundred Ukrainian settlements on the banks of the Dnipro River have been flooded. Hundreds of Ukrainian people are dead or missing, including children.

As you understand, this war of aggression, conducted by one CCAMLR Party against another, doesn't provide a favorable background for fruitful cooperation within CCAMLR, especially on such important and complex issues as the establishment of CCAMLR MPAs. However, we will do our best to create a constructive discussion atmosphere here in Chile.

Taking this opportunity, we express our sincere gratitude to all CCAMLR and other friendly nations, to all people in the World, who stand today with Ukraine against the Russian terrorist state, and who are acting together with us to stop Russian aggression and build sustainable peace, as the most important condition for the progress of humanity.

Our thanks to Chile as the host party for its hospitality and such perfect organisation of the CCAMLR special meeting, which, we hope, will serve for better results of our work and achievement of the goals of the Convention.'

1.12 Many Members voiced their support for Ukraine.

1.13 The USA made the following opening statement:

'The USA remains convinced of the enduring value of the Antarctic Treaty System, and in particular CCAMLR as the best way to manage this unique and fragile area. However, as we meet today, the US Delegation cannot ignore the threat to the rules-based international order that Russia's brutal war of aggression against Ukraine continues to present. Russia's actions constitute a clear violation of the United Nations Charter. We call upon the Russian government to immediately cease its use of force against Ukraine and to immediately withdraw all its military forces from the territory of Ukraine.'

1.14 Russia thanked Chile for its excellent organisation of the meeting and noted that, unfortunately, this forum was once again hijacked to discuss issues that were not relevant to CCAMLR, and were out of scope. Russia noted it looked forward to contributing to constructive discussions under the scope of the Convention.

1.15 The EU and its Member States made the following opening statement:

‘The EU and its Member States welcome this opportunity to gather in Santiago, Chile. We extend our sincere thanks to our host, Chile, for its hospitality.

In 2009, CCAMLR committed to establishing a representative system of MPAs in the Convention Area by 2012 and renewed this commitment on the occasion of its 40th annual meeting. Science tells us that large-scale MPAs can conserve marine biodiversity, maintain ocean resilience against climate change impacts and benefit fisheries.

The designation of the Ross Sea region MPA in 2016 was a milestone in this regard. It confirmed that CCAMLR can deliver on its commitments if there is willingness. It is therefore disappointing that CCAMLR has been unable to make any tangible progress towards achieving a representative system of MPAs in recent years, due to diverging views among Members. Members’ positions have become increasingly entrenched.

At the same time, the climate and biodiversity crises are outpacing us, going faster than ever before. We cannot afford further delays. It is our collective responsibility to act, and to act now.

We are convinced that with open minds and good will from all sides, it will be possible to build bridges and overcome these differences.

We are determined to ensure that this special meeting will be a success. It is an opportunity not to be missed.

Recent important steps in multilateral processes like the Kunming-Montreal Global Biodiversity Framework and the Biodiversity Beyond National Jurisdiction (BBNJ) negotiations have proved that such progress can be reached, if there is willingness from all parties.

The EU and its Member States stand ready to do their part. We urge all delegations to join us and work together in a spirit of openness and compromise.

Furthermore, we would like to align ourselves with the interventions from Ukraine and the USA condemning Russia’s unjustified act of aggression against Ukraine.’

1.16 Australia and the UK supported the interventions made by Ukraine, the USA and the EU and its Member States.

1.17 At the time of report adoption, Members of the Commission expressed different views regarding how to include paragraphs 1.11 to 1.16 in the report.

1.18 Japan made the following opening statement:

‘For CCAMLR, the establishment of a representative system of marine protected areas (MPA) in the Convention Area is one of the most important issues to consider. While the establishment of the South Orkney Islands southern shelf MPA (SOISSMPA) was

agreed in 2009, and the Ross Sea MPA (RSRMPA) was agreed upon in 2016, there has been no consensus agreement on the establishment of new MPAs and the RSRMPA's Research and Monitoring Plan (RMP) since then.

This can be attributed to differences in views among Members regarding the level of scientific information required to establish an MPA, the specifics of RMP components, the procedures for setting the conservation objectives of an MPA and their contents, and the implementation and management of an MPA once it is established. In addition, although efforts have been made to bridge those views, partly because of a lack of progress, the CCAMLR MPA discussions have become split in recent years, either supporting the proposal to establish an MPA, or not. We have a strong concern that continuation of this situation could jeopardise the function of CCAMLR as a whole.

The existence of differences of opinion is natural and even desirable for an international organisation such as CCAMLR, which is composed of Members with diverse social, economic, cultural, historical and political backgrounds. However, for consensus to be reached and implemented, it is important to ensure that differing views are reconciled through constructive discussion based on the best scientific evidence available at the time, to allow for the objective and mission of CCAMLR, as reflected in the CAMLR Convention and conservation measures, to be realised in a spirit of cooperation and compromise.

Unfortunately, discussions on other CCAMLR issues have also become increasingly rigid in recent years, and we are concerned that CCAMLR's important role in conserving and managing the Antarctic marine living resources and its marine ecosystem, CCAMLR's very *raison d'être*, is now being tested.

Therefore, Japan strongly hopes that this meeting, the Third Special Meeting of the Commission on spatial planning and MPAs, will bring constructive results in the discussion on MPAs by demonstrating a spirit of cooperation, mutual understanding and compromise among Members. Now is the time for CCAMLR to demonstrate that it is capable of fulfilling its mandate and functions, again, as stipulated in the CAMLR Convention.

We recall that the Commission endorsed the work program of the Scientific Committee to develop a representative system of Antarctic MPAs with the aim of both conserving marine biodiversity and contributing to the sustainable use of marine living resources in the Convention Area and adopted CM 91-04 "General framework for the establishment of CCAMLR Marine Protected Areas". They form the basis for our discussion at this meeting.

We also recall that last December, at the Fifteenth meeting of the Conference of the Parties (COP 15) of the Convention on Biological Diversity (CBD), the Global Biodiversity Framework (GBF) was adopted. This framework includes Target 3, which aims to effectively conserve and manage at least 30% of coastal and marine areas through area-based conservation measures by 2030. In addition, in March of this year, the United Nations concluded negotiations on an international legally binding instrument on the conservation and sustainable use of marine biological diversity of

areas beyond national jurisdiction (BBNJ Agreement). The BBNJ Agreement contains detailed provisions for the establishment of area-based management tools (ABMTs), including MPAs, on the high seas.

CCAMLR is an organisation independent from the CBD and the United Nations. However, these international developments will have implications for the function of CCAMLR. For example, the BBNJ Agreement calls for cooperation and coordination with other international organisations and the BBNJ COP can adopt ABMTs if they think other organisations are not effective in conserving marine biodiversity.

CCAMLR has been achieving numerous accomplishments and they are based on consensus. We firmly believe that CCAMLR should, and can, maintain and strengthen our independent functioning as an organisation with competence in establishing and managing MPAs in the Antarctic Ocean.

In order for CCAMLR to move forward at this meeting, it is essential to establish a common understanding on the issues that Members have different views, through dialogue in a spirit of compromise, and to find and agree on mutually acceptable solutions. In this process, we strongly encourage discussions that avoid repetition of well-known positions of Members on the matters of disagreement. Only constructive and forward-looking discussions will enable us to compile a roadmap for future progress.

The roadmap should also include steps for considering the RMP for the RSRMPA, the three MPA proposals currently under discussion, and the MPA proposals to be proposed in the future.

We would like to reiterate that this Special Meeting should not be a repetition of the past discussions surrounding MPAs at CCAMLR. We need to change the mode of discussions at this very meeting to explore and discuss possible ways forward. Japan is willing to join any necessary discussions actively and constructively.

We are looking forward to active dialogues in the coming days through the spirit of international cooperation and consensus building that characterises CCAMLR and the Antarctic Treaty System.’

1.19 Korea made the following opening statement:

‘On behalf of the Korean Delegation, I would first like to thank the government of Chile for hosting this very important meeting here in Santiago and for their excellent organisation and hospitality.

Being mindful of the time, Korea will be brief in highlighting its expectations for this five-day meeting. Over the last couple of years, MPA discussions within CCAMLR have not been able to have the Commission’s full attention they deserve due to the limitations stemming from the COVID-19 pandemic. In this regard, this meeting will serve as an excellent opportunity for the Commission to have dedicated discussions on the MPA issues.

The agenda covers the reviews of the existing MPAs and ways forward for future MPAs. Korea strongly believes that taking stocks on where we are is important but deciding on

future way forward and charting the roadmap is even more important. In this context, Korea assigns great importance to providing special attention to Agenda Items 4 and 5.

The improvement of the current MPA framework should not be considered as a prerequisite for progressing MPA proposals, as these two processes can go hand in hand.

Therefore, Korea hopes that the Special Meeting will focus more on progressing discussions on such issues as the RSR MPA RMP for the adoption at CCAMLR-42 and moving forward with the current MPA proposals with work plans and time frames.

To this end, Korea is fully committed to working with the Members so that the Commission can leave Santiago calling the meeting a success.’

1.20 The Commission supported the inclusive and cooperative approach as well as the need to adopt a forward-looking approach, while avoiding repetitions of past discussions.

1.21 The USA made the following statement:

‘The USA continues to be committed to CCAMLR and its efforts to establish a representative system of MPAs in the Southern Ocean. We are genuinely hopeful that the Commission will be able to make real progress at this meeting. We of course are disappointed that we have not been able to make any significant progress on our effort to establish a representative network of MPAs since 2016, but we do not wish to dwell on that disappointment. We want to find common ground and move forward. We are at a unique time in history, in that significant milestones have recently been achieved that contribute to our work. Notably, conclusion of negotiations on an agreement to conserve Biodiversity Beyond National Jurisdiction (BBNJ) and endorsement of the Global Biodiversity Framework. Our work in CCAMLR should be just as ambitious. We have all committed to working together to conserve Antarctic Marine Living Resources and have made significant achievements in that area over the past 40 years. CCAMLR must continue to set the standards high and deliver on these high standards. We share the sentiments expressed by others that CCAMLR is being tested. We are hopeful that delegations will approach this meeting with creativity and the cooperative spirit that defines Antarctic science. We do not want to re-hash old debates. Simply stating long-held positions without engaging in a substantive discussion is not healthy for the organisation or the Antarctic Treaty System.’

1.22 IUCN made the following opening statement:

‘It is a great honour for IUCN, the International Union for Conservation of Nature, to take part in this special meeting. IUCN is ready to engage and fully committed to support progress on Southern Ocean marine protection, as a key contribution to the 30 by 30 global target. I would like to thank CCAMLR on behalf of our delegation for this special meeting, and to express my thanks to the Government of Chile for hosting it. I would like to extend my warmest greetings to you, Mr Chair.’

1.23 The Commission set up four informal discussion groups assigned with a specific set of questions to facilitate further discussions by the Commission plenary. Conveners were appointed for the informal groups who would provide their summary of the informal discussions. All working and background papers were presented sequentially on the first day of

the meeting to facilitate further discussions in the informal discussion groups. These working and background papers and the conveners' summaries were presented without prejudice to the views of Members in informal groups or subsequent plenaries.

1.24 The Commission noted that Ecuador was more than two years in arrears in respect of its budgetary contributions to the organisation. While Ecuador was welcome to participate in discussions at CCAMLR-SM-III, pursuant to Article XIX of the Convention, the Commission acknowledged it would not be entitled to block a consensus decision of other Members.

Best practices and evaluation of the lessons learned and effectiveness of the overall conservation measures related to MPAs already adopted by CCAMLR

2.1 The Commission noted CCAMLR-SM-III/05, submitted by China, which presented a three-step proposal on the way forward for CCAMLR's MPA process. Recalling that CCAMLR reaffirmed its determination to establish a representative system of MPAs within the Convention Area (CCAMLR-40, Annex 7), the proponents recommended that CCAMLR: (i) reviewed the 'conventional' CCAMLR conservation and management system to evaluate and identify any loopholes that could be covered by the designation of MPAs or other conservation measure; (ii) reviewed and drew lessons from past CCAMLR MPA efforts, and developed a harmonised approach for the consideration and implementation of CCAMLR MPAs, including to improve the 'General framework for the establishment of CCAMLR Marine Protected Areas' (CM 91-04) and (iii) brought the existing CCAMLR MPAs and those in planning to the new standard for consideration.

2.2 The Commission noted CCAMLR-SM-III/08, submitted by Russia, which provided comments on the status of the SOISSMPA. The paper considered that several scientific and regulatory aspects of this MPA remain unclear, such as the lack of scientific research conducted in the MPA between 2009 and 2022, the absence of an RMP for the MPA adopted by the Commission, and the regulation of the MPA under CM 91-03 rather than CM 91-04. The paper considered that clarity on the status of this MPA would be essential when considering any roadmap for the designation and regulation of a system of MPAs in CCAMLR. The paper also considered that the further development of the RMP, including types of monitoring indicators, performance indicators and achievement of the MPA objectives, should follow CM 91-04, Annex 91-04/D, as proposed in CCAMLR-SM-III/07. The paper noted that in the absence of progress on the transition of the SOISSMPA to be regulated by CM 91-04, it would be appropriate to suspend the operation of CM 91-03.

2.3 The Commission noted CCAMLR-SM-III/BG/02, submitted by the Secretariat, which presented a collation of existing CCAMLR documents and discussions on MPAs. To provide sufficient background for Members to understand the history and status of the issues as discussed in CCAMLR since the early 2000s, the paper presented a brief history of spatial management or area-based management approaches adopted by the Commission, and subsequently provided a brief summary of the major developments considered by the Commission each year.

2.4 The Commission noted CCAMLR-SM-III/BG/08, submitted by SCAR, which highlighted scientific research supporting the importance of MPAs as a tool for enhancing

resilience to environmental change, including the impacts of climate change. The benefits of well-designed and well-managed MPAs include increases in marine biomass, density, diversity and size of individuals, thus enhancing resilience to environmental impacts, promoting carbon sequestration and providing a safeguard against environmental fluctuations and extreme weather events, while also benefiting fisheries, including from spillover effects. SCAR noted that, recognising the potential ability of MPAs to enhance ecosystem resilience to climate change, protected areas are increasingly called for by the international climate and biodiversity science community, including the Intergovernmental Panel on Climate Change (IPCC) and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES). The paper noted that the SCAR Antarctic Climate Change and the Environment report, presented to CCAMLR last year, emphasised that the CAMLR Convention Area and the biodiversity of the region are changing rapidly as a consequence of global climate change. Further, while MPAs alone cannot address or mitigate all climate change impacts in the Southern Ocean, they can be a powerful tool in supporting and maintaining ecosystem resilience, alongside global efforts towards the rapid reduction of global greenhouse gas emissions. SCAR confirmed that it will continue to provide scientific advice to CCAMLR on climate change and its effects on Southern Ocean ecosystems in support of the Commission's work to integrate climate science across its activities.

2.5 The Commission tasked an informal discussion group (see paragraph 1.23) convened by Prof. J. Morishita (Japan) with considering the following questions:

- (i) What does a representative system of MPAs look like?
- (ii) What is the relationship between MPAs and our current management system?

2.6 Prof. Morishita noted that the group considered the draft document he provided as a well-structured and useful starting point for discussions. He further noted that rich and deep discussions were held on the topic of representativeness, including the operational meaning of representativeness for the conservation of Antarctic marine living resources (including the consideration of the size of areas to be protected), the consideration of spatial scale in considering representativeness (from localised fisheries to the Convention Area), the linkages between representativeness and conservation principles in the Convention, the past work on bioregionalisation and the creation of planning domains, the representativeness of existing MPAs, the linkage between representativeness and the precautionary approach, and the relationship between a representative network of MPAs and existing conservation measures.

2.7 Prof. Morishita further reported that additional discussions were undertaken to seek a common understanding of representativeness, considering the following issues:

- (i) conservation needs for MPAs (i.e. relationship between MPAs and existing conservation measures)
- (ii) application of the representativeness concept to specific (virtual) cases (e.g. using the tools introduced in CCAMLR-SM-III/13, see paragraph 4.7)
- (iii) application of the precautionary approach in a stepwise and adaptive approach to the formulation of an MPA proposal.

2.8 Prof. Morishita reported that subjects 2.7(i) and 2.7(iii) were discussed while subject 2.7(ii) could be addressed by presenting those web-based tools to the Commission in a

live session. Discussions were held regarding the ecosystem-based approach to fishery management adopted by CCAMLR as exemplified by the krill fishery management approach which includes consideration of long-term krill population trends, predator demand in space and time and mitigation measures for seabirds and marine mammals among other conservation measures. In this context, the informal group recalled the contribution by SCAR in CCAMLR-SM-III/BG/08, indicating that MPAs can achieve conservation objectives in a manner that existing conservation measures cannot (e.g. providing refuge from the impacts of climate change while benefiting fisheries from spillover effects), while adhering to the precautionary principle by taking a long-term view. Prof. Morishita noted that there was agreement on the common goal being the conservation of marine living resources in the Convention Area. Discussions were also held regarding the generation of scientific data (from the fishery or scientific surveys, from inside or outside of MPAs) and whether this was the primary role of MPAs.

2.9 Prof. Morishita noted that while some divergent views persisted on the above, these discussions helped improve the common understanding of the issues at hand.

2.10 The Commission noted the summary report provided by Prof. Morishita and thanked him for leading the informal group discussions.

2.11 The USA noted that MPAs achieve broader objectives than other conservation measures by protecting all species in a given area, while many of the existing conservation measures generally address conservation for a limited number of species.

2.12 Russia noted that all CCAMLR activities are related to conservation as indicated in Article II of the Convention, and that MPAs are only a tool to achieve particular conservation objectives. Russia further noted that some issues still needed to be discussed, including the concept of sufficient data and potential improvements of CM 91-04.

2.13 Australia noted that it provided a definition of representative areas during the informal discussions: ‘those marine areas that are selected for inclusion in MPAs that reasonably reflect the biotic diversity of the marine ecosystem from which they derive’. Australia noted that the Commission relied on the core principles of: (i) the precautionary approach, (ii) the ecosystem-based approach to fishery management, and (iii) the use of best available science, and that the concept of sufficient data went beyond these principles.

2.14 Most Members highlighted the importance of the use of best available science in CCAMLR practices and reiterated that the Commission is a conservation organisation.

2.15 The EU and its Member States noted their agreement with other Members that MPAs are a tool to achieve the Commission’s objective to conserve Antarctic marine living resources. They noted that the creation of a representative system of MPAs is the tool the Commission has decided to use to deliver on its mandate to conserve Antarctic marine living resources. They voiced their disagreement with those Members who consider that conventional conservation measures are sufficient to conserve Antarctic marine living resources.

2.16 Many Members noted that conventional conservation measures address mainly target and non-target species and although they incorporate the ecosystem approach, they do not address the broader aspects of protecting representative ecosystem processes, species and habitats, including vulnerable ones, and do not enhance resilience against the impacts of climate

change. Recalling SCAR's contribution (see paragraph 2.4), these Members noted that while MPAs will not stop climate change, they will contribute to climate change adaptation and mitigation by removing stressors and pressures, thus creating areas of refuge for Antarctic marine living resources. They further noted that the spill-over effect of MPAs and the corresponding benefits for fisheries are well documented, and that MPAs can also protect areas that are intrinsically worth protecting because of their particular ecosystem and biodiversity value, including areas with unique, rare or highly biodiverse habitats and features such as the icefish nests discovered in the Weddell Sea and discussed during CCAMLR-41. They noted that MPAs can also contribute to scientific research, even if they were not established for that purpose, and that they can incorporate scientific reference areas which enable monitoring annual variability and long-term changes in the marine environment or to monitor the effects of harvesting and other human activities.

2.17 Most Members noted that uncertainties and imperfect information cannot be a reason for not acting, and that CCAMLR's application of the precautionary approach requires it to act despite uncertainties and knowledge gaps. They noted that the standard applied at CCAMLR, for both MPAs and fisheries, should be that of best available science, in line with Article IX 1 (f) of the Convention and CCAMLR Resolution 31/XXVIII. They further noted that the view of some Members that there is no need for MPAs was difficult to reconcile with their support at CCAMLR-40 for a Declaration reconfirming CCAMLR's commitment to achieve a representative system of MPAs and for the decision at last year's annual meeting to hold this special meeting to develop a roadmap to deliver on that objective. They noted that these Members argue that CCAMLR's MPA framework (CM 91-04) needs to be revised before any new MPAs can be designated, and considered that the only purpose of undertaking such a revision would be to enable the Commission to proceed with the designation of MPAs.

2.18 China noted that it agreed that MPAs are a conservation tool, and that the relationship between MPAs and other conservation measures needed to be evaluated. It noted that CCAMLR used an ecosystem-based approach to fishery management which went beyond the conservation of target and non-target species. China noted that existing CCAMLR MPAs were not demonstrably contributing to the mitigation and adaptation to climate change impacts since their establishment many years ago. This highlighted the need for modifications to CM 91-04 to include mechanisms enabling the evaluation of such contribution. China noted that CCAMLR needed to move forward and that MPA establishment was not the ultimate goal, instead, conserving the marine living resources was the ultimate destination.

2.19 The Commission agreed that a common understanding of the concept of representativeness in the context of CCAMLR would be helpful, and noted that documents provided by IUCN during the meeting could constitute a useful starting point.

2.20 IUCN called for continued leadership by CCAMLR and noted the newly adopted (by consensus) High Seas Biodiversity Treaty which provides a mechanism for establishing area-based management tools, including MPAs in the high seas. It noted that such protected areas can indeed serve as reference areas for scientific research and monitoring, provide a refuge for marine species, and contribute to resilience to climate change. It considered that the bioregionalisation approach, which led to the designation of CCAMLR's nine MPA planning domains, provided a good basis to establish a representative system of MPAs and voiced its strong support for the three new MPA proposals, with an adaptive approach for management

and monitoring. IUCN indicated that it stood ready to support the work of the Commission and the Scientific Committee in coming years, and to provide any further technical information that may be required.

How the adopted general framework for the establishment of CCAMLR MPAs (Conservation Measure (CM) 91-04) could be improved

3.1 The Commission noted CCAMLR-SM-III/04, submitted by the EU and its Member States, which sets out the main objectives, key elements and linkages of MPA management procedures (MPs) and RMPs in the context of CM 91-04. The paper highlighted that RMPs are tools for organising joint research and monitoring activities. The results of those activities feed into the 10-year review cycle to assess whether the specific objectives of the MPA are being achieved, and to identify research activities to further improve our knowledge of the ecological condition of the marine ecosystem. The paper concluded that RMPs need to be fit for purpose, site specific and objective oriented. They also need to include some key elements to ensure they are comprehensive.

3.2 The Commission noted CCAMLR-SM-III/07 submitted by Russia, which presented draft amendments to CM 91-04 'General framework for the establishment of CCAMLR MPAs'. These included the need to agree on a definition of 'marine protected areas', which can be established in the CAMLR Convention Area, to regulate their operation and to revise and amend CM 91-04, by introducing sufficient procedural and implementation measures to regulate a unified process for the science-based designation of MPAs and regulation of their operation by the CAMLR Commission. The proposed amendments also included four additional annexes: (i) legal management aspects of MPAs in the Convention Area; (ii) benchmark checklist to regulate the unified process for the establishment and operation of MPAs in the CCAMLR area (iii) MPA MP and (iv) MPA RMP.

3.3 The Commission tasked an informal discussion group (see paragraph 1.23) co-convened by Dr X. Zhao (China) and Ms M. Jolly (France) with considering the following questions:

- (i) What additional specification (e.g. of management plans) is required to propose and designate MPAs? Possible follow-up question: What elements are missing from our current requirements?
- (ii) What procedures and processes are necessary to designate MPAs? Possible follow-up question: What plans, reports, information and data are needed at each stage of a proposal?

3.4 The Co-conveners provided their summary of the informal group discussions:

- (i) The view of many Members in the discussion group was that the current specifications required by the conservation measures were sufficient for the designation of MPAs, although these Members expressed an openness to considering a change to the current specifications provided that the issues with the current regulatory framework were clearly identified, and that any such changes would result in a clear pathway to the adoption of MPA proposals.

- (ii) Some Members considered that additional elements would be necessary, such as the requirement that an RMP be developed in conjunction with the MPA proposal, as this would provide additional clarity on what conservation objectives the MPA would achieve, would link specific MPA objectives with research proposals and would improve the effectiveness of MPA performance evaluation at milestone intervals.
- (iii) Members discussed the potential addition of a checklist of requirements to designate MPAs based on the proposal by Japan (CCAMLR-XXXIV/19). An updated checklist could potentially be included as annexes to CM 91-04 or as part of an evaluation of an MPA proposal. Some Members also considered that a baseline evaluation of data is desirable when considering a proposed MPA.
- (iv) A common understanding was reached by all Members that with the inclusion of an RMP in an MPA proposal, there would be no barrier to the adoption of MPAs.

3.5 The Commission noted the summary text of the Co-conveners and thanked them for their work. The Commission noted that whilst a divergence of views existed on whether changes to CM 91-04 were required, Members were willing to act in good faith to improve the framework under which MPAs are developed, proposed, designated and implemented, on the basis that there would be a commitment from all Members to work towards adopting a representative system of MPAs.

3.6 The EU and its Member States noted that amending CCAMLR's framework for designating MPAs should not be a precondition for the adoption of the MPA proposals already under consideration.

3.7 Some Members considered that any proposed changes to CM 91-04 could also provide a worked example of a current or future MPA proposal, to determine whether the proposed changes to CM 91-04 demonstrated improvements on the existing measure.

3.8 Most Members noted that the use of the term 'sufficient data' in the proposal by Russia (CCAMLR-SM-III/07) was inappropriate as 'sufficient data' is not the standard in the Convention (see paragraph 2.13). Additionally, many of the suggested changes to CM 91-04 detailed in this document presented unachievable barriers to adopting MPAs. Many Members referred to the precautionary approach that characterises the Convention and conservation measures adopted pursuant to it.

3.9 Russia and China considered that changes to CM 91-04 are required to better define the requirement for both the quantity and quality of data presented when an MPA is proposed. These Members also considered such changes may have the benefit of improving the evaluation of MPA performance as the current paragraph regarding the MPA review process in the conservation measure is not extensive. China pointed out that Resolution 31/XXVIII on best available science urges Members to work together to ensure that scientific information is adequately collected, reviewed and applied in a transparent fashion, in accordance with sound scientific principles.

3.10 ARK expressed its support with the establishment of a representative system of MPAs in the Convention Area and highlighted the importance of the information that needs to be considered when analysing the designation of an MPA, hence the importance of the revision of

CM 91-04. To that end, ARK noted that it is not the same to establish an MPA within an area where there is no fishing activity, compared to areas that historically have been fished, since that would have economic and social implications for the Flag State economies of the vessels involved. Considering this, ARK expressed its wish to participate in the work that the Commission may undertake for that purpose and to collaborate in the provision of information and proposals that could be useful for the discussion of the revision of CM 91-04 at the next meeting of the Commission.

How to progress the MPA proposals

4.1 The Commission noted CCAMLR-SM-III/03, submitted by the EU and its Member States, which recalled the Commission's commitment made in 2008 to establish a representative system of MPAs to achieve all the general objectives set out in paragraph 2 of CM 91-04, and indicated that regardless of whether an MPA is designed to restore or maintain biodiversity and ecosystem processes, its implementation will strengthen the ecosystem's ability to adapt to irreversible changes in environmental conditions related to global change, including threats linked to climate change and the consequences of other human impacts.

4.2 The Commission noted CCAMLR-SM-III/01, submitted by the EU and its Member States, Norway, Uruguay, Australia, the UK, New Zealand, the USA, Republic of Korea, India, Ukraine and Chile, which presented a draft conservation measure for a Weddell Sea MPA (WSMPA) – phase 1. The proponents indicated that the draft conservation measure was unchanged from that submitted to the Commission in 2022 (CCAMLR-41/28) and that the proposed MPA would be a substantial step towards CCAMLR's goal of establishing a representative system of MPAs with the aim of conserving marine biodiversity in the Convention Area. They further recalled that Norway reported on the status of the WSMPA phase 2 work and the workshop discussions at SC-CAMLR-41 and CCAMLR-41 (CCAMLR-41/BG/42) and indicated that a WSMPA phase 2 proposal is intended to be submitted at CCAMLR-42 in 2023.

4.3 The Commission noted CCAMLR-SM-III/02, submitted by Australia, the EU and its Member States, India, New Zealand, Norway, Republic of Korea, Ukraine, the UK, the USA and Uruguay, which presented a draft conservation measure for an East Antarctic MPA. First introduced in 2012, the draft measure has been revised several times in consideration of feedback provided by Members. The proposal presented for the Third Special Meeting of the Commission (CCAMLR-SM-III) had not changed from the proposal presented at CCAMLR-41 (CCAMLR-41/27), with the purpose of the paper being to recall and detail the improvements presented previously.

4.4 The Commission noted CCAMLR-SM-III/06, submitted by Argentina and Chile, which presented a revised proposal for a conservation measure establishing an MPA in Domain 1 (D1MPA) (Western Antarctic Peninsula and South Scotia Arc). First presented in 2018 (CCAMLR-XXXVII/31), the paper contained an update in the background information from the proposal presented in CCAMLR-41/34 using the most recently available scientific information, and highlighted the importance of the adoption of the D1MPA proposal given the ongoing environmental changes that continue to stress habitats and ecosystems (SC-CAMLR-41/BG/30).

4.5 The Commission noted CCAMLR-SM-III/09, submitted by Russia, which presented comments and suggestions on the RSRMP. These included the need for clarification and analysis of data hosted on the CCAMLR MPA Information Repository (CMIR) in the context of the feasibility of implementing the key research categories in the MPA, and the need for quantitative characteristics at the start of the MPA, including justification, description and quantification of key or test indicators to be monitored, rationale and description of the indicators and criteria for achieving the objectives and effectiveness of the MPA at the start of establishing the MPA, the establishment of guidelines in CM 91-05 that outline the steps and resources required to establish catch limits for conducting resource surveys that align with the MPA's objectives, and suggestions regarding the structure of the RMP. Russia maintained that the proposed draft RMP for the Ross Sea marine area requires significant revision.

4.6 The Commission noted CCAMLR-SM-III/12, presented by the USA, which summarised principles and concepts used to develop candidate specific, measurable, achievable, relevant and time-bound (SMART) criteria, with baselines and decision rules, for the RSRMPA. Whilst the paper provided six examples of SMART criteria, the complete list of 46 candidate criteria was presented in CCAMLR-SM-III/BG/01.

4.7 The Commission noted CCAMLR-SM-III/13, submitted by Norway, which presented details on the methodology used to guide the proposal for WSMPA phase 2 and some recommendations to assist in future CCAMLR MPA planning. The recommendations included: (i) seeking involvement from the entire CCAMLR community early to gather different perspectives, (ii) providing clear and transparent access to information (e.g. <https://tryggve.npolar.no/web/maudatlas/Atlas.html>), (iii) using interactive planning solutions (e.g. <https://mathmarecol.shinyapps.io/WSMPA2/>), (iv) incorporating circumpolar data layers, and (v) considering the potential effects of climate warming.

4.8 The Commission noted CCAMLR-SM-III/BG/03, submitted by ASOC, which presented a way for CCAMLR to visualise the evolution of MPAs over time, showing that proponents have invested considerable effort into responding to feedback from CCAMLR Members and resulting in a growing number of co-proponents for some proposals.

4.9 The Commission noted CCAMLR-SM-III/BG/04, submitted by ASOC, which reviewed CCAMLR MPA discussions since CCAMLR-SM-II, including the discussion of key MPA concepts such as the precautionary principle, duration, climate benefits of MPAs, and the opportunities MPAs offer to CCAMLR. From this review ASOC concluded that: (i) future Antarctic MPAs should exclude limits to duration, (ii) the precautionary principle should be applied in management decisions in the absence of complete scientific knowledge, (iii) CCAMLR can enact a climate mitigation strategy that would support the mandate of Article II in conserving Antarctica's rich biodiversity, and (iv) CCAMLR MPAs should be large, precautionary and permanent.

4.10 The Commission noted CCAMLR-SM-III/BG/05, submitted by ASOC, which considered that the implementation of CCAMLR's conservation mandate had been inconsistently applied by some CCAMLR Members and that as a result CCAMLR has strayed from its conservation mandate. The paper noted that in CCAMLR's early history, those wishing to go fishing were expected to prove that they could do so in accordance with the Convention. Currently, it appears that fisheries lacking some of the information required by Article II can be approved by the Commission. At the same time, some Members have rejected MPA

proposals, based on large amounts of data, on the basis that they do not have adequate scientific justification. The paper urged CCAMLR to return to its conservation roots and status as a leader in protecting marine ecosystems by designating MPAs.

4.11 ASOC noted that global ambition on MPAs has increased substantially, as seen in the recently adopted GBF, and that now was a critical time for CCAMLR to fulfill its commitment to create a representative system of MPAs. ASOC stated that CCAMLR was not a bystander to the crises of climate change and biodiversity loss, but had the capacity to lead the world in moving towards a new age of caring for the planet and all of its diverse ecosystems and species. ASOC encouraged all Members to use the opportunity of this special meeting to find a productive way forward on the designation of MPAs.

4.12 The Commission noted CCAMLR-SM-III/BG/06, submitted by ASOC, which presented a statement by the Oceanographic Institute, Foundation Albert I, Prince of Monaco, indicating its intent to scale up their involvement in Antarctic and Southern Ocean public awareness and conservation efforts through a tailored polar program over the next 2.5 years, leading up to the Third United Nations Ocean Conference in June 2025. The Oceanographic Institute indicated its support for the designation and management of three new MPAs, and looked forward to working with CCAMLR Members and Observers to make progress on this goal.

4.13 The Commission noted CCAMLR-SM-III/BG/07, submitted by New Zealand and Italy, which presented further background and clarification of information on the RSRMPA RMP. Whilst noting that the RMP has yet to be adopted by the Commission, the paper detailed significant research and monitoring activities that have been undertaken by many Members in relation to the RMP.

4.14 The Commission noted CCAMLR-SM-III/BG/09, submitted by ARK, which reflects on the general framework for the establishment of MPAs within the Convention Area. The paper considers that CM 91-04 offers a broad scope for developing MPAs, however, lacks clarity on how to implement it. As an example, the implementation of Article II was open to discussions until an operationalisation scheme was agreed upon. The paper contended that the Commission should provide guidance towards how much protection to afford to different conservation objectives based on their representativeness, uniqueness or conservation status. The paper further elaborated on specific analyses and methodologies that can be employed to effectively harmonise contrasting objectives, namely conservation and fishing, within the proposed DIMPA.

4.15 The Commission tasked an informal group (see paragraph 1.23) convened by Dr D. Welsford (Chair of the Scientific Committee) with considering additional improvements to the RMP that would facilitate easier adoption of MPA proposals.

4.16 The Convener provided his summary of the informal group discussions in paragraphs 4.17 to 4.19:

4.17 The informal group focused on scientific activities that RMPs should identify, and was supported by a list of framing questions that the convener presented. The informal group recalled that in 2017, SC-CAMLR endorsed the RSRMPA RMP (SC-CAMLR-XXXVI, paragraphs 5.39 to 5.45) and noted that RMPs should identify the minimum scientific activities and information required to address the objectives for which the specific MPA was established.

The informal group noted that as a priority, all RMPs should address the question: do the boundaries of the MPA continue to adequately encompass the priority populations, features and areas that led to the designation of the MPA with a high probability?

4.18 The discussion of the informal group had noted that depending on the objective of the MPA, the RMP may also identify scientific activities that address other questions such as:

- (i) What are the ecosystem roles of the identified habitats, processes, populations, life-history stages, or other priority features?
- (ii) How are the priority features potentially affected by fishing, climate change, environmental variability, or other impacts?
- (iii) Are there enough areas with little or no fishing to understand how intact marine ecosystems work?
- (iv) Does the MPA protect an adequate proportion of the marine environments in the region?
- (v) Does the structure and function of the marine ecosystem differ between areas inside and outside the MPA?

4.19 The discussion of the informal group had also noted that:

- (i) The framing questions presented to the floor were generally supported, and it was considered useful to prioritise addressing paragraph 4.18, question (i), in all RMPs.
- (ii) RMPs will naturally develop as more information is collected inside and outside the MPA, and so may be considered as living documents. Including phases in the RMP was also considered useful to provide a mechanism to mobilise research activities around partial research questions at particular times.
- (iii) Priority questions such as those above used in the discussion would facilitate that engagement, recalling the progress in the revision of the krill fishery management approach where focused questions had been developed.
- (iv) Due to the challenges associated with research activities in the Convention Area, RMPs need to be developed with contributions from all Members, to enable cross-Member collaboration in research activities, and to foster engagement with the broader scientific research community.
- (v) In the specific case of the RSRMPA, the amount of information collected was of a scale much larger than that possible by the original proponents alone, with over 30 different States, and 166 active projects engaged when summary information was presented to CCAMLR-41.
- (vi) Timing and phasing of the RMP needs to consider the time needed to mobilise scientists, logistics and funding, which is likely to differ across parties wanting to contribute to the RMP, but should not be a barrier to developing, adopting or participating in activities in the RMP.

- (vii) Funding mechanisms should be explored, whether existing or innovative ones (e.g. establishment of a common fund, attracting other sources of funding), to enable research activities under an RMP.
- (viii) Fishing vessels and the scientific observers provide important data streams to understand the ecosystem. When one of the purposes of an MPA is to understand the status and trends of harvested species and the impact of fishing on species such as toothfish, it is useful to include explicit allocation of a portion of the catch limit estimated for stock(s) in the MPA for research fishing in the MPA. However, it was noted that fishing vessels and observers cannot undertake all science detailed in RMPs alone, as MPAs are generally designated to protect more than just those species targeted for harvesting.
- (ix) The amount of research and monitoring activity would be determined by the nature of the MPA objectives. Some MPAs may be designated in part to facilitate scientific research, while others, such as those protecting unique or particularly vulnerable features may even limit certain types of research activities to avoid unnecessary negative impacts, and hence any general guidance on developing RMPs should be case-specific to reflect this.
- (x) Baseline data is key in the development of all MPAs in CCAMLR, and posting this data to the CMIR is important to enable Members to understand the rationale behind each MPA, and also evaluate the effectiveness of each MPA after its establishment.
- (xi) The usefulness of the findability, accessibility, interoperability and reusability (FAIR) principles for data collected under any RMP, and coordination among researchers with respect to data quality.
- (xii) The need to periodically collate and synthesise the scientific information to assess the status of the ecosystem (recalling SC-Symposium-2022, paragraph 4.1(a)(iv)(b)).
- (xiii) Support for further development of the method introduced by the USA to add specific indicators to the RSRRMP (see also paragraph 4.20) and for developing a common approach to quantitative and qualitative indicators to evaluate specific MPAs and the representative system as a whole.
- (xiv) The need for a streamlined endorsement of RMPs, facilitated by addressing priority questions. It was noted that the Scientific Committee was the best forum to evaluate and review RMPs, and advise the Commission on how effective MPAs are in delivering their specific objectives and contributing to the overall objective of CCAMLR.

4.20 The Commission noted that the proposals developed by the USA detailing SMART criteria (CCAMLR-SM-III/12 and CCAMLR-SM-III/BG/01) were tabled to WG-EMM-2023, and considered that review of these criteria by the Working Group would provide additional information on their utility for inclusion in MPA proposals.

4.21 The Commission noted the summary provided by Dr Welsford and thanked him for leading the informal group discussions.

4.22 The Commission considered that the addition of details regarding the status of the ecosystem, and the values that are intended to be protected by an MPA could be included in MPA proposals and should be one of the questions to be answered by the RMP activities.

4.23 The Commission recognised that baseline data are an integral part of the development of RMPs and had been key in the development of all MPAs designated or proposed in CCAMLR so far.

4.24 Many Members agreed that RMPs are a living document that should be reviewed and updated, that there is no 'one size fits all' approach as RMPs need to be site and objective specific to take into account the uniqueness of each region and MPA, and that performance indicators could be included in RMPs, provided that they are realistic and achievable.

4.25 The Commission noted that RMPs should be based on datasets and analysis methods that follow the FAIR approach, as facilitated by the CMIR, to ensure that all Members can contribute to CCAMLR RMPs.

4.26 The Commission noted that the Scientific Committee provided the most appropriate forum for evaluating RMPs.

4.27 Many Members noted that RMPs are living documents that should be regularly reviewed and updated, and that performance indicators could be included in RMPs, provided they are realistic and can be quantified.

4.28 Many Members considered that the same level of scientific scrutiny applied to RMPs should be required to approve any current and future fishing proposals by Members.

4.29 China and Russia considered that objectives of the existing CCAMLR MPAs are not well structured, that data included during the initial adoption of the MPAs lacked clear analysis to ensure that it was the most appropriate for use, and that without an adopted RMP and detailed performance objectives, reviews of the performance of the existing MPAs are not viable. These Members noted that future MPA proposals needed to ensure that evaluation of MPA effectiveness was quantifiable when reviewing research and monitoring performance.

4.30 Many Members strongly disagreed with these views, noting that all existing and proposed MPAs have a sound and comprehensive scientific foundation, which has been compiled and analysed over many years in a transparent way with the best science available. There are extensive lists of research projects undertaken in the existing MPAs, the resources allocated by Members to the collection of monitoring and scientific data in the MPAs and despite the Commission not formally adopting the RMPs, the documents provided clear priorities and guidance for current research efforts by Members. They also noted that the reports and information available to the Commission confirm that the existing MPAs are achieving their objectives.

4.31 ARK noted the discussions by Members on the need for developing performance indicators for each of the main objectives, which in turn would provide guidelines as to what data to collect. To enhance the information required for fulfilling the 'priority elements for an RMP' as per CM 91-04, ARK proposed the inclusion of indicators in the RMP annex

accompanying each MPA proposal. By incorporating high-level indicators for each objective, ARK considered that it will be easier to understand how MPAs will be monitored, effectively addressing concerns expressed by some Members during the meeting.

4.32 ASOC noted that during the informal discussions there were no specific details provided on how the research conducted in the existing MPAs was inadequate to determine if the objectives of the MPAs were being achieved. ASOC therefore concluded that while there were some minor improvements that could be addressed in future RMPs, the current RMPs were setting an example for future high-seas MPAs. ASOC supported the Commission in agreeing that, at a minimum, the same level of science applied to RMPs should be required to approve any current and future fishing. ASOC noted that it would be useful to assess the state of the ecosystem, assess baseline data and establish indicators before fishing. This kind of process would be needed to meet the requirements of Article II, since fishing activities are not supposed to disturb ecological relationships and should not cause any changes to the ecosystem that are not reversible in a few decades. ASOC considered that CCAMLR should not apply a lower bar for fishing than for MPAs or other forms of marine protection, as this would be contrary to the Convention and its conservation objective.

Outcome of the meeting and next steps

5.1 The Commission noted CCAMLR-SM-III/10, submitted by Russia, which presented a proposal outlining a number of legal, scientific and implementation procedures that provide an example of a ‘roadmap’ for establishing MPAs and their ongoing management. The document suggests amending CM 91-04 to regulate a unified process for the establishment, scientific development and management of MPAs, and the suspension of discussions on new proposals to establish MPAs in the Convention Area until CMs 91-03 and 91-05 are aligned with the rules governing the revised CM 91-04.

5.2 The Commission noted CCAMLR-SM-III/11, submitted by Argentina and Chile, which presented a proposed roadmap to advance the development of a representative system of MPAs in the Convention Area. Recalling past efforts and points of divergence between Members, and building on the existing consensus (CCAMLR-40, Annex 7), the document presented a list of key elements needed in a roadmap towards the establishment of a representative system of MPAs, supported by an ad hoc working group with specific tasks for the period 2023–2027. A draft resolution on the establishment of the roadmap was presented in Annex 2 of the paper.

5.3 The Commission tasked an informal group (paragraph 1.23) convened by Ambassador F. Berguño (Chile) with developing a roadmap to progress the establishment of a representative system of MPAs by CCAMLR.

5.4 The Convener provided his summary of the informal group discussions in paragraphs 5.5 and 5.6:

5.5 The informal group focused on two main questions:

- (i) What elements should a roadmap contain to achieve a representative system of MPAs?

- (ii) What future work, working groups, meetings will be required for us to realise the roadmap?

5.6 The informal group undertook lengthy deliberations on these questions but was unable to progress any proposals enabling the development of a roadmap for MPA designation and adoption, nor was there agreement to draft a communiqué of the meeting due, inter alia, to no consensus on a reaffirmation of the Commission's previous commitment to the establishment of a representative system of MPAs.

5.7 The Commission thanked Ambassador Berguño for his extensive efforts to attempt to develop a roadmap, and expressed regret at not being able to achieve consensus on these discussions.

5.8 Korea presented the following statement on behalf of Australia, the EU and its Member States, New Zealand, Korea, Ukraine, the UK, the USA and Uruguay:

'We want to thank Chile for hosting us this week and Ambassador Berguño for all of your hard work, including on the roadmap.

In 2009, the Commission "endorsed the milestones agreed by the Scientific Committee to guide its work towards the achievement of a representative system of MPAs within the Convention Area by 2012". CCAMLR has agreed two MPAs. But three longstanding proposals for MPAs in East Antarctica, the Weddell Sea and the Antarctic Peninsula, which are crucial to contributing to establishing the representative system of MPAs we all committed to, have not progressed to adoption.

In 2021, the Commission reaffirmed in its 40th anniversary declaration its "determination to establish a representative system of MPAs within the Convention Area, and to continue making best efforts to scientifically design, designate, implement, monitor and review effectiveness of MPAs in accordance with the Convention". Recognising that any MPA proposal requires a significant amount of work before it is adopted, the proponents of both the South Orkney Islands southern shelf MPA and Ross Sea region MPA made adjustments to satisfy the concerns of a very small number of Members. Similarly, the proponents of the three current proposals all made substantial adjustments in good faith to take account of the concerns raised by some Members. These proposals have been before the Commission for many years. Yet the proposals continue to be blocked.

Recent important steps in multilateral processes like the adoption of the Kunming-Montreal Global Biodiversity Framework and of the BBNJ agreement have proved that such progress can be made, if there is willingness from all parties. We are here this week in Chile in an effort to find a way forward, consistent with our commitment to a representative system of MPAs in the Convention Area. However, we regret we have not succeeded in agreeing a roadmap for the adoption of a representative system of MPAs at this special meeting. This is another missed opportunity to progress this important issue which we have spent extensive time and resources on, collectively and working within delegations, to establish such a system of MPAs.

The saying goes that you need two to tango. We have been willing to entertain any solutions to resolve this impasse. At this meeting, we have seen flexibility from many

Members to consider amending the CCAMLR framework for designating MPAs, although they believe revisions unnecessary. It is disappointing that this flexibility was not demonstrated by other Members to take any steps towards the designation of additional MPAs. Instead, regrettably, we have seen some Members backtrack on the commitment the Commission renewed just two years ago to establish a representative system of MPAs in the Convention Area. It is further regrettable that despite the sincere efforts made by a great number of Members, these Members have chosen to prioritise their individual concerns over the collective goal of establishing a representative system of MPAs.

We reiterate our firm commitment to work together with all Members to achieve the Convention's objective of conserving Antarctic marine living resources. A representative system of MPAs is a key tool to achieve this, while allowing, and in some cases benefiting, rational use.'

5.9 China made the following statement:

'It is regrettable that we cannot reach an agreement on the roadmap due to the divergent views of delegations, many of which came from another hemisphere, far away from Chile, with high expectations for this meeting. Nevertheless, we have held candid and frank dialogue and know each other's positions better than before, which would no doubt laid down a solid foundation for future work.

We would like to take this opportunity to thank the Chair. Even though this is the first time you take up this work, you have done an excellent job. We also want to thank the five conveners for their efforts in guiding the discussion in their respective discussion groups. Our thanks in particular go to Ambassador Berguño for his efforts and dedication towards reaching an agreement on the roadmap. Last but not least, we have to thank Chile as the host country for preparing this meeting and serving the delegations. Without those considerate arrangements, it is impossible for the meeting to be held so efficiently.

Although no tangible result has been achieved during the meeting, we are still optimistic about the future development and stand ready to work with all parties to further the conservation of marine living resources in the waters surrounding the Antarctic.'

5.10 Argentina made the following statement:

'Argentina would like to thank Chile for the excellent organisation of this Third Special Meeting of the Commission. We also want to specially highlight the work of Ambassador Berguño in leading the informal group with the objective of devising a roadmap towards the establishment of a representative system of MPAs.

We regret that consensus was not reached to achieve said objective, and not even to draft a communiqué.

Despite this setback, Argentina hopes that the valuable exchange of ideas we have had this week will be used as a base to reaffirm our shared commitment to advance the process of establishing a representative system of MPAs.'

5.11 Chile recalled that it had worked on this issue since 2011, beginning with an interest in developing a proposal for a D1MPA, and joined other countries to contribute to this important process. It recalled that the progression of CCAMLR spatial planning processes had endured setbacks and successes, including the adoption of the RSRMPA. Chile recalled how over time other Members joined the efforts undertaken since Bremerhaven, and more work had been conducted intersessionally, through the Scientific Committee, and leading up to this Special Meeting. Chile noted that this meeting did not deliver the expected roadmap, but was not completely worthless as it helped better understand the position of other Members.

5.12 Chile expressed concern over the meaning of this failure for the Antarctic Treaty System and CCAMLR, as well as the lack of consensus on several conservation measures in recent years. Chile recalled that CCAMLR Members had a responsibility towards the Convention. It encouraged Members to reflect on the situation from now until CCAMLR-42 and thanked those Members that made efforts towards reaching consensus.

5.13 Russia thanked the Chilean government for hosting the special meeting, and Ambassador Berguño for his efforts as informal group convener. Russia noted that it attended this meeting with high expectations for the development of a roadmap to progress MPAs, and had developed and submitted concrete proposals to achieve this. Russia considered that many fruitful and honest discussions had been undertaken during the special meeting, and reiterated its view that any measures which progressed the conservation of Antarctic marine living resources and ecosystems were useful and effective instruments.

5.14 Brazil made the following statement:

‘At the outset, Brazil would like to thank Chile for its hospitality and for convening this meeting. I would also like to express our appreciation to you and to all conveners, with particular recognition to the leadership and efforts of Ambassador Berguño in informal group 4.

We regret that we have not been able to reach consensus on a roadmap that would contribute to the establishment of new MPAs. There is a pressing need for us to agree on a structured process to build trust, continue an inclusive and constructive dialogue and make tangible progress based on previous agreements and in line with the Convention.

Despite the divergences that are still pending, we do believe that we can – and we must – move forward in the development of a representative system of CCAMLR MPAs. We hope that we can use the time before the meeting in October to build on the discussions of this week and reflect on ways to make concrete progress on this matter.’

5.15 Norway made the following statement:

‘Norway would like to thank Chile and Ambassador Berguño for his excellent leadership of our efforts to reach consensus. Regretfully, we did not get there in spite of Ambassador Berguño’s tireless efforts. Norway would like to thank all parties for participating in open and frank discussions. We would also like to echo the wise words and concerns expressed by Chile and Argentina.

CCAMLR is a consensus-based organisation. Consensus is fragile. It requires constructive dialogue and spirit of compromise. Sometimes we fail. What is important though, is that our failure to reach consensus here in Santiago does not influence other important work under CCAMLR in a negative way. Building consensus takes time.

Although we had hoped for more concrete results from this meeting, we want to highlight that the process and rich discussions have provided us with perspectives which we will build on in our continued work. We can learn from failure, and failure can sometimes contain the seeds of future success. While we are frustrated, we should not be paralysed.

We all now need to continue our work on MPAs and to create common understanding and build future consensus. Norway firmly believes that our approach to the Weddell Sea phase 2 can build on inputs and experience from this meeting. Norway is also ready to engage in dialogue on how we can proceed on a common understanding of our aim to establish a representative circumpolar system of MPAs.'

5.16 Belgium made the following statement:

'First of all, I thank Chile wholeheartedly for its hospitality and generosity. I particularly thank Ambassador Berguño for all his efforts and endeavours in facilitating a compromise that is acceptable to all Members, with the aim of agreeing on a roadmap for the establishment of a representative system of MPAs.

Belgium fully aligns with Korea's statement which was made on behalf of a number of countries including Belgium. We just heard Russia say they don't consider this outcome as negative. I can understand their evaluation as they have clearly indicated that they are not ready to implement our previous commitment to establish a representative system of MPAs nor to reconfirm this commitment.

For Belgium this outcome is very disappointing. We are wondering: What are we going to tell the outside world? What are we going to tell our children and grand-children? That we failed them again? That we couldn't even agree on a roadmap to implement decisions we have all agreed to?

Let me be very clear, Mr Chair, colleagues, this setback will not hold us back to continue our work to implement the Convention and to maintaining its integrity. The Antarctic Treaty System is very dear to Belgium. The current impasse will not prevent us from considering alternative ways to achieve the objective of the Convention and to protect and conserve the Antarctic marine biodiversity and its ecosystems.'

5.17 Japan made the following statement:

'At the opening of this special meeting, Japan urged Members to change the mode of discussions at this meeting to explore and discuss possible ways forward. In the last few days, we saw great efforts by all Members to try to promote mutual understanding and to find mutually acceptable solutions for making progress. We now have much better understanding on issues in front of us and identified elements that require further work.

Although we could not produce expected outcomes including a roadmap for establishing a representative system of MPAs consistent with the CAMLR Convention and the

CCAMLR conservation and management measures, Japan would like to remain forward-looking and reconfirm our best efforts in active dialogues through the spirit of international cooperation and consensus building that characterises CCAMLR and the Antarctic Treaty System. In this respect I would like to associate ourselves with the forward-looking statements by Ambassador Berguño and many others.

Our efforts on MPAs do not end here today. We need to start thinking today about a work plan. What can we and should we do for making progress toward CCAMLR-42 and beyond and thereby keep the integrity of this important organisation?

Last but not the least I would like to thank you Mr Chair and my fellow conveners of informal groups, especially Ambassador Berguño, and the host of this meeting the Government of Chile.’

5.18 Ecuador made the following statement:

‘We extend our thanks for the work of the delegations and, in particular, for the work of the informal discussion group facilitators during this Third Special Meeting. We also express our particular gratitude to the government of Chile for hosting this meeting and for all the facilities provided for the event. Ecuador, as the most recent Member of the Commission, reiterates its acknowledgement of the principles enshrined in the Convention and of the objectives of the conservation and management measures. Although the rational use of the Antarctic marine living resources is an appropriate consideration, we need to be aware that it also includes the protection of species and their ecosystems. A representative system of MPAs must try to achieve that balance, while scientific studies and decisions regarding Antarctic region activities must be the result of dialogue and the commitment of all Members to reach a consensus that will benefit everyone.’

5.19 Spain made the following statement:

‘As this is the first time that Spain takes the floor, I want to thank Chile for hosting us as well as for their hospitality and commitment to the organisation of this important special meeting of the Commission.

Antarctica is a global common good that we must protect and conserve. Therefore, we should explore this territory deeper so that we may be able to have more scientific knowledge. In this connection, MPAs play a key role in the conservation of marine resources and their rational use, as stated in Article II of the Convention. This fact has been patently clear through the establishment of the two existing MPAs in the Convention Area: the South Orkney Islands southern shelf MPA and the Ross Sea region MPA. Currently, scientific research in the Convention Area has allowed us to identify three areas more suitable to become MPAs due to their natural value. To keep complying with CCAMLR objectives and in order to achieve the establishment of a representative system of MPAs by means of the best scientific data available, Spain supports the creation of the three proposed MPAs that have been submitted.

Dialogue and discussion are to be welcomed in to any organisation as prestigious as CCAMLR, characterised by a wide range of cultures, history and political regimes, to reach consensus and advocate for our common good and that of our successors, as

established in the UN 2030 Agenda. All of this should help us to significantly progress towards a realistic and far-reaching roadmap that is aligned with CCAMLR's conservation principle, based on consensus. We make this statement fully aware that everything that we have done throughout all the years, since the Commission was established, has been achieved by the Parties present here today with a great effort and dedication.

The bioregionalisation efforts made by the Commission and the current scientific knowledge allow us to consider today the creation of a representative system of MPAs in each of the nine planning domains, which is a significant progress.

The Kingdom of Spain, a Contracting Party of this Convention, has extensive experience in the declaration of MPAs that combine the concept of environmental protection with sustainable use, such as Spain's network of marine reserves. Therefore, in line with the European Commission statements of the past few days, Spain supports the adoption of MPA proposals under the scope of CM 91-04 for the establishment of MPAs with the goals of protecting marine species, biodiversity and habitats, as well as the sites with a historic and cultural value. Spain is willing to keep progressing in this comprehensive cooperation and research process in order to achieve the objectives of the Commission.

Lastly, I would like to recall the last cases of multilateral success in the past 12 months in marine environment affairs, such as World Trade Organisation (WTO) Agreement on Fisheries Subsidies (June 2022), the Kunming-Montreal Global Biodiversity Framework (December 2022), and the adoption of this week of the BBNJ, in which MPAs are explicitly recognised the compatibility of achieving specific objectives of long-term conservation of biological diversity and sustainable use of resources, where appropriate, as long as it is in accordance with said objectives. Let us make the best of the time we still have in Chile to make sure that CCAMLR is not left behind and remains at the forefront of conservation and sustainable use of marine resources.

Moreover, let us not forget that in the next years we will have to prepare ourselves for the Third UN Ocean Conference to be held in Nice, France (June 2025). It will be an excellent opportunity to show the progress achieved in the CCAMLR area.'

5.20 The USA made the following statement:

'The USA thanks the government of Chile for its hospitality and its excellent hosting of this very important meeting of the Commission. Chair, we are thankful for your leadership and the leadership of the conveners of the informal groups. We are deeply disappointed that we have not made progress on establishing a representative system of MPAs at this special meeting, such as by development of a roadmap that would lead to the establishment of MPAs in the Convention Area.

We have listened carefully to the robust discussions and believe there could be common ground among most of the Commission Members. We heard all Members express the common view that MPAs are an effective and important tool for meeting the Convention objective to conserve Antarctic marine living resources. We appear to diverge on whether this tool should be used by CCAMLR to achieve its conservation objective.

And this delegation is quite concerned that some statements made by one Member could be interpreted as meaning there is no longer consensus of CCAMLR to establish a representative system of MPAs.

Colleagues, the USA is convinced that a representative system of MPAs is necessary to achieve the objective of the Convention. Failure to fulfil this effort is failing to meet the objective of the Convention. We also risk failing to ensure the long-term ecological viability of Antarctic marine ecosystems and protection of the Antarctic marine biodiversity. There are no winners when we fail. In fact, the real loser is Antarctic marine living resources.

As stated by others, the USA remains flexible on ways we can go about achieving this goal. As we stated before, we are open to discussions to improve the general framework (i.e. CM 91-04) if possible, but we must also achieve the end goal of establishing a representative system of MPAs. As reflected in our joint statement, the USA is interested in continuing this discussion in advance of October, and hopes that we can make real, substantive progress towards achieving our common goal.'

5.21 ASOC made the following statement:

'We are of course disappointed in the outcome of this meeting. There has been an incredible amount of time and effort invested, not to mention carbon emitted.

We would like to thank all of the Members who have demonstrated their intention to fulfill their commitment to designate a representative system of MPAs. We also thank Chile and Ambassador Berguño and his team for all their work to make this meeting a success, as well as the flexibility of many Members. But not all Members were prepared to find solutions, and unfortunately we have ended in failure due to a minority. In fact, from the previous discussion, it seems there may even be a regression from previous commitments.

The objective of the Convention is conservation. But here we see that in practice, conservation requires a higher burden of proof than fishing to achieve consensus in CCAMLR. This is baffling. It is virtually impossible for an MPA to violate the conservation principles of the Convention, while there are many examples of seemingly well-regulated fishing causing negative environmental impacts. This mismatch between the level of information required for fishing and for conservation is contrary to the Convention and cannot continue. We must return to the precautionary approach, which is a fundamental part of the Convention and something that all Members have agreed to implement. Ecosystem and biodiversity protection is at the heart of the Antarctic Treaty System, including CCAMLR, and should not be undermined.

We would like to express concerns about the mismatch between the urgency of conservation action on climate, biodiversity and pollution at a global level, and the ability of CCAMLR to deliver any relevant decisions in the Southern Ocean despite the effort by many Members.

We are well past urgency. Finally, speaking as citizens of the only known planet that can support life, it is extremely distressing for us that those who have the responsibility and the power to protect that life have chosen not to act.'

5.220 SCAR made the following statement:

‘SCAR thanks the Government of Chile for hosting this Special Meeting of the Commission, and we sincerely recognise the efforts of you Mr Chair, and also Ambassador Berguño and the other informal group conveners, in guiding the discussions this week.

SCAR is disappointed that it has not been possible for the Commission to make significant progress during this meeting. We, like others, travelled to Santiago with optimism that the Commission had a clear intention to build on its previous commitment to establish a representative system of MPAs, based on the best available scientific information.

An enormous scientific effort has been mobilised over almost two decades to develop the basis for a representative system of MPAs, to improve our understanding of Antarctic marine ecosystems, and to develop proposals and innovative new approaches for improving the conservation of ecosystems and biodiversity in the Convention Area. We are concerned that this effort by our scientific colleagues has been sidelined, that scientific evidence is not being taken seriously, and that the precautionary principle is potentially being undermined at the expense of unrealistic demands for scientific certainty before any conservation action is taken.

We would like to reiterate the critical importance of MPAs in providing resilience and an opportunity for adaptation to the effects of climate change. MPAs have been recognised by the IPCC and IPBES as a powerful tool for supporting and maintaining ecosystem resilience, alongside global efforts towards the rapid reduction of global greenhouse gas emissions. As stated by the IPCC earlier this year, “there is a rapidly closing window of opportunity to secure a liveable and sustainable future for us all.” Efforts to seize this opportunity must include the development of MPAs, and SCAR joins others in remaining forward-looking – we remain committed to working with all Members, and continuing to provide scientific advice, to achieve this aim.’

5.23 At the time of adoption of the report, Members expressed different views on the chapeau of paragraph 5.22.

5.24 IUCN made the following statement:

‘IUCN would like to express its gratitude to CCAMLR’s Secretariat and delegates, to you Chair, translators and to Chile for hosting this important meeting, and for allowing the participation of observers, giving us the possibility to participate.

IUCN regrets that CCAMLR Parties were not able to fulfil their objective under the terms of reference of this special meeting: to agree on a roadmap that would advance the establishment of a representative system of MPAs within the Convention Area.

This impasse delays the urgent advancement of marine conservation efforts in 10% of the global ocean. It is a missed opportunity for CCAMLR Parties to fulfil their general obligation under the Convention, as well as the UN Convention on the Law of the Sea (UNCLOS) to “protect and preserve the marine environment” (Article 192) and to contribute to the targets of the Kunming-Montreal Global Biodiversity Framework.

Today is a day for reflection for CCAMLR when you think that the ink on the final document of the BBNJ Agreement, which was adopted by consensus, is not even dry.

IUCN remains at the disposal of CCAMLR, its secretariat and its members, in full support of the Convention's mission to conserve the living resources of Antarctica and look forward to continue engaging in this work at the October meeting and beyond.'

Report of the Third Special Meeting of the Commission

6.1 The report of the third special meeting of the Commission was adopted.

Close of the meeting

7.1 At the close of the meeting, the Chair thanked the host country Chile, the co-conveners of the informal groups for their work and Members and Observers for their contributions to CCAMLR-SM-III. He also thanked the Executive Secretary and the Secretariat, the students of the Chilean diplomatic service, the interpreters, Congress Rental and all support staff for their hard work in the lead up to and support during CCAMLR-SM-III. The Chair reflected that although the outcomes of this meeting were disappointing for many delegates, many frank and honest discussions had taken place which may progress discussions and consensus-making decisions in the future.

7.2 Australia, on behalf of the Commission, thanked the Chilean government for hosting CCAMLR-SM-III and the co-conveners of the informal groups.

7.3 Australia especially thanked the Chair for his leadership and guidance during CCAMLR-SM-III.

7.4 Mr Lopez Crozet noted that CCAMLR-SM-III would be the final meeting for Dr O. Pin (Uruguay) and expressed his appreciation for the extensive contributions that Dr Pin had made to progress the work of CCAMLR. The Scientific Committee Chair also expressed his appreciation for Dr Pin's contributions on behalf of all Members of the Scientific Committee.

List of Participants

List of Participants

Chair		Mr Vitalii Tsymbaliuk Ministry of Foreign Affairs of Ukraine
Chair, Scientific Committee		Dr Dirk Welsford Australian Antarctic Division, Department of Agriculture, Water and the Environment
Argentina	Head of Delegation:	Mr Fausto Lopez Crozet Ministry of Foreign Affairs and Worship
	Alternate Representatives:	Mr Juan Antonio Barreto Embajada Argentina en la República de Chile
		Mr Javier De Cicco Argentine Ministry of Foreign Affairs, Trade and Worship
		Dr María Mercedes Santos Instituto Antártico Argentino
	Advisers:	Mr Eduardo Raúl Cavallero Ministry of Foreign Affairs, International Trade and Worship
		Dr Dolores Deregibus Instituto Antártico Argentino/CONICET
		Mr Darío Dziewezo Polski Ministry of Foreign Affairs, International Trade and Worship
		Dr Enrique Marschoff Instituto Antártico Argentino
		Ms Cynthia Mulville Ministerio de Relaciones Exteriores, Comercio Internacional y Culto
		Dr Emilce Florencia Rombolá Instituto Antártico Argentino
Australia	Head of Delegation:	Ms Gillian Slocum Australian Antarctic Division, Department of Climate Change, Energy, the Environment and Water

Alternate
Representatives:

Mr Todd Quinn
Department of Foreign Affairs and Trade

Ms Simone Retif
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Advisers:

Ms Harriet Baillie
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Ms Bailey Bourke
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Ms Sally Carney
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Ms Maya Gold
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Dr Lyn Goldsworthy
Academic

Ms Emily Grilly
WWF – Australia

Dr So Kawaguchi
Australian Antarctic Division, Department of
Climate Change, Energy, the Environment
and Water

Mr Russell Miles
Department of Foreign Affairs and Trade

Ms Isobella Rafty
Department of Foreign Affairs and Trade

Dr Dirk Welsford
Department of Climate Change, Energy, the
Environment and Water

Belgium	Head of Delegation:	Ms Stephanie Langerock FPS Health, DG Environment
Brazil	Head of Delegation:	Ms Maitê Schmitz Ministry of Foreign Affairs
	Alternate Representative:	Mr Leandro Rocha de Araujo Ministério das Relações Exteriores
Chile	Head of Delegation:	Mr Julio Salas Subsecretaría de Pesca y Acuicultura
	Alternate Representative:	Mr Marcos Correa Ministry of Foreign Affairs of Chile
	Advisers:	Ms Paola Natividad Arroyo Mora Dirección General del Territorio Marítimo
		Mr Francisco Berguño Ministerio de Relaciones Exteriores de Chile
		Mr Sebastián Bravo Directorate General of the Maritime Territory and Merchant Marine,
		Dr César Cárdenas Instituto Antártico Chileno (INACH)
		Mr Lars Christiansen Chilean Navy
		Dr Daniela Diaz Instituto de Fomento Pesquero
		Dr Lucas Krüger Instituto Antártico Chileno (INACH)
		Dr Marcelo Leppe Instituto Antártico Chileno
		Mr Mauricio Mardones Instituto de Fomento Pesquero
		Mr Sebastián Molina Ministerio de Relaciones Exteriores
		Mr Álvaro Pereira Ministry of Foreign Affairs of Chile

Ms Macarena Quezada
Ministry of Foreign Affairs of Chile

Dr Lorena Rebolledo
Instituto Antártico Chileno (INACH)

Mr Francisco Santa Cruz
Instituto Antártico Chileno (INACH)

Mr Juan Santibañez
Undersecretary for Fishing and Aquaculture

Mr José Luis Sepulveda
Directorate General of the Maritime Territory
and Merchant Marine

**China, People's
Republic of**

Head of Delegation:

Mr Linlin Li
Ministry of Foreign Affairs of China

Advisers:

Mr Kan Cao
Ministry of Foreign Affairs

Mr Gangzhou Fan
Yellow Sea Fisheries Research Institute

Mr Yuhao Tang
Ministry of Foreign Affairs

Mr Lei Yang
Chinese Arctic and Antarctic Administration

Dr Guangtao Zhang
Institute of Oceanology, Chinese Academy of
Sciences

Dr Xianyong Zhao
Yellow Sea Fisheries Research Institute,
Chinese Academy of Fishery Science

Ecuador

Head of Delegation:

Mrs Rebeca Espinoza Bernal
Ministerio de Producción, Comercio Exterior,
Inversiones y Pesca

Alternate Representative:

Mr Abi Xavier Espinoza Ramírez
INOCAR

Adviser:

Mr Jorge Costain
Transmarina S.A.

European Union	Head of Delegation:	Mr Luis Molledo European Union
	Alternate Representative:	Ms Fiona Harford European Union
France	Head of Delegation:	Ms Caroline Krajka Ministry of Foreign Affairs
	Alternate Representatives:	Ms Jeanne Bayle Ministère de l'Europe et des Affaires étrangères
		Ms Maude Jolly Ministère de la Transition Ecologique
	Advisers:	Mr Clément Astruc Delor MTECT
		Dr Marc Eléaume Muséum national d'Histoire naturelle
		Professor Philippe Koubbi Sorbonne Université
Dr Jacques Raharinaivo Ministère de l'Europe et des Affaires étrangères		
Germany	Head of Delegation:	Mr Bernd Söntgerath Federal Ministry of Food and Agriculture
	Alternate Representatives:	Mr Christian Schulz Federal Foreign Office
		Mr Julian Wilckens Project Management Juelich – German Federal Ministry of Education and Research
Advisers:	Ms Patricia Brtnik German Oceanographic Museum	
	Dr Stefan Hain Alfred Wegener Institute for Polar and Marine Research	
	Dr Katharina Teschke Alfred Wegener Institute for Polar and Marine Research	

Italy	Head of Delegation:	Dr Laura Ghigliotti National Research Council of Italy (CNR), Institute for the study of the anthropic impacts and the sustainability of the marine environment (IAS)
Japan	Head of Delegation:	Dr Joji Morishita Minister of Agriculture, Forestry and Fisheries
	Alternate Representatives:	Mr Masahiro Akiyama Fisheries Agency of Japan
		Mr Tooru Kawabata Fisheries Agency of Japan
		Mr Toya Takehara Fisheries Agency of Japan
	Advisers:	Mr Naohiko Akimoto Japanese Overseas Fishing Association
		Dr Takehiro Okuda Fisheries Resources Institute, Japan Fisheries Research and Education Agency
Korea, Republic of	Head of Delegation:	Ms Jung-re Riley Kim The Ministry of Oceans and Fisheries of Korea
	Alternate Representative:	Mr Sungho Chung Ministry of Foreign Affairs of the Republic of Korea
	Advisers:	Dr Sangdeok Chung National Institute of Fisheries Science (NIFS)
		Dr Eunhee Kim Citizens' Institute for Environmental Studies
		Dr Jeong-Hoon Kim Korea Polar Research Institute (KOPRI)
		Dr Hyoung Sul La Korea Ocean Polar Research Institute (KOPRI)
Netherlands, Kingdom of the	Head of Delegation:	Mr Martijn Peijs Department of Nature and Biodiversity

New Zealand

Head of Delegation: Ms Michelle Podmore
Environment Division, Ministry of Foreign
Affairs and Trade

Alternate Representative: Mr Jonathan Muliaga
Ministry of Foreign Affairs and Trade

Advisers:

Dr Clare Adams
Ministry for Primary Industries

Ms Emily Barrington
Ministry of Foreign Affairs and Trade

Mr Adam Berry
Ministry for Primary Industries

Mrs Jacqui Caine
Te Rūnanga o Ngāi Tahu

Ms Sophie Ironside
Ministry of Foreign Affairs and Trade

Mr Simon Lamping
Department of Conservation

Ms Alexandra Macdonald
Department of Conservation

Ms Monique Messina
Ministry for Primary Industries

Professor Sandra Morrison
Antarctic Science Platform/ University of
Waikato

Mr Enrique Pardo
Department of Conservation

Mr Andy Smith
Self employed

Mr Nathan Walker
Ministry for Primary Industries

Mr Barry Weeber
ECO Aotearoa

Norway	Head of Delegation:	Mr Fredrik Juell Theisen Norwegian Ministry of Climate and Environment
	Alternate Representative:	Mr Petter Meier Ministry of Trade, Industry and Fisheries
	Advisers:	Ms Louisa Borresen Norwegian Ministry of Foreign Affairs - Norwegian Embassy Santiago de Chile
		Dr Gary Griffith Norwegian Polar Institute
		Ambassador Jostein Leiro Ministry of Foreign Affairs, Norway
		Dr Ulf Lindstrøm Institute of Marine Research
		Mr Knut Seim Ministry of Foreign Affairs Norway
		Ms Mette Strengehagen Ministry of Foreign Affairs
		Dr Cecilie von Quillfeldt Norwegian Polar Institute
Russian Federation	Head of Delegation:	Mr Dmitry Kremenyuk Federal Agency for Fisheries
	Alternate Representatives:	Mr Andrey Kalinin Ministry of Foreign Affairs of the Russian Federation
		Dr Svetlana Kasatkina AtlantNIRO
Adviser:	Ms Yulia Zhuzhginova Ministry of Foreign Affairs of the Russian Federation	
Spain	Head of Delegation:	Mr Luis Belmonte González Ministry for Agriculture, Fisheries and Food
	Adviser:	Ms Carmen Margarita Mancebo Robledo Secretaria General de Pesca

Sweden	Head of Delegation:	Dr Pia Norling Swedish Agency for Marine and Water Management
	Alternate Representative:	Mr Staffan Danielsson Ministry of Climate and Enterprise
Ukraine	Head of Delegation:	Dr Kostiantyn Demianenko Institute of Fisheries and Marine Ecology (IFME) of the State Agency of Melioration and Fisheries of Ukraine
	Adviser:	Mr Vladyslav Bogorad Embassy of Ukraine in Chile
United Kingdom	Head of Delegation:	Ms Jane Rumble Foreign, Commonwealth and Development Office
	Alternate Representatives:	Ms Kylie Bamford Foreign, Commonwealth and Development Office
		Dr David Goddard Foreign, Commonwealth and Development Office
	Advisers:	Dr Martin Collins British Antarctic Survey
Mr Matt Spencer WWF-UK		
		Mr Peter Thomson Argos Froyanes
United States of America	Head of Delegation:	Ms Elizabeth Phelps US Department of State
	Alternate Representatives:	Ms Mi Ae Kim National Oceanographic and Atmospheric Administration (NOAA)
		Dr George Watters National Marine Fisheries Service, Southwest Fisheries Science Center

Advisers: Ms Nicole Bransome
The Pew Charitable Trusts

Dr Lauren Fields
National Oceanic and Atmospheric
Administration (NOAA)

Dr Polly A. Penhale
National Science Foundation, Division of Polar
Programs

Ms Lela Scott
Department of State

Ms Christina Stigliani
United States Embassy, Santiago, Chile

Ms Clare Zimmerman
U.S. Embassy Santiago

Uruguay

Head of Delegation: Mrs Valentina Fernández Quesada
Ministry of Foreign Affairs

Alternate
Representatives: Dr Yamandú Marín
Dirección Nacional de Recursos Acuáticos
(DINARA)

Professor Oscar Pin
Dirección Nacional de Recursos Acuáticos
(DINARA)

Observers – Acceding States

Canada

Head of Delegation: Ms Jasmine Jarjour
Fisheries and Oceans Canada

Alternate Representative: Mr Matt Sweeting-Woods
Fisheries and Oceans Canada

Advisers: Ms Fiona Chartrand
Fisheries and Oceans Canada

Ms Olivia Lassaline
Fisheries and Oceans Canada

Peru

Head of Delegation: Mrs Aurora Cano
Ministry of Foreign Affairs of Peru

Alternate Representative: Mr Rubén Pablo Londoño Bailon
Ministry of Foreign Affairs of Peru

Adviser: Mrs Elisa Goya Sueyoshi
Institute of the Sea of Peru

Observers – Non-Contracting Parties

Türkiye

Head of Delegation: Dr Mahir Kanyılmaz
Ministry of Agriculture and Forestry of
Türkiye

Alternate Representative: Mr Melih Er
Ministry of Agriculture and Forestry

Advisers: Mr Mehmet Tamer Çobanoğlu
Ministry of Environment, Urbanisation and
Climate Change of Türkiye

Ms Zeynep Bilge Esen
TUBITAK MAM Polar Research Institute

Mr Serdar Sağdıç
Ministry of Environment, Urbanisation and
Climate Change

Mr Hasan Burak Yıldız
National Center For the Sea and Maritime Law

Dr Atilla Yılmaz
TUBITAK MAM Polar Research Institute

Observers – International Organisations

IUCN

Head of Delegation: Dr Thierry Lefebvre
IUCN

Alternate
Representatives: Ms Minna Epps
Global Marine & Polar Programme, IUCN

Dr Guillermo Ortuno Crespo
Independent Consultant /IUCN WCPA
Member

Mr Remi Parmentier
The Varda Group

		Mrs Maria Belen Valenzuela IUCN
SCAR	Head of Delegation:	Dr Susie Grant British Antarctic Survey
	Alternate Representative:	Dr Cassandra Brooks University of Colorado Boulder
	Adviser:	Ms Clare Gallagher University of Colorado, Boulder
SCOR	Head of Delegation:	Dr Alyce Hancock Southern Ocean Observing System (SOOS)
SEAFO	Head of Delegation:	Dr Lizette Voges South East Atlantic Fisheries Organisation
SIOFA	Head of Delegation:	Dr Marco Milardi Southern Indian Ocean Fisheries Agreement

Observers – Non-Governmental Organisations

ARK	Head of Delegation:	Dr Javier Arata Association of Responsible Krill harvesting companies (ARK)
	Alternate Representative:	Mrs Valeria Carvajal Federación Industrias Pesqueras del Sur Austral (FIPES)
	Adviser:	Mr Enrique Gutierrez Pesca Chile
ASOC	Head of Delegation:	Ms Claire Christian Antarctic and Southern Ocean Coalition
	Advisers:	Dr Rhona Barr The Pew Charitable Trusts
		Mr Jiliang Chen Greenovation Hub
		Ms Barbara Cvrkel The Pew Charitable Trusts
		Mr Emil Dediu The Pew Charitable Trusts

Mr Ryan Dolan
The Pew Charitable Trusts

Ms Silvana Espinosa
Greenpeace

Mr Bruno Giambelluca
Greenpeace

Mr Randal Helten
Friends of the Earth Japan (FoE Japan)

Dr Katja Hockun
Deutsche Umwelthilfe e.V.

Ms Andrea Kavanagh
The Pew Charitable Trusts

Mr Nicholas Kirkham
The Pew Charitable Trusts

Mr Cristian Laborda
Laborda Abogados SpA

Ms Yacqueline Montecinos
WWF

Ms Karen Rauch
Asoc

Dr Ricardo Roura
Antarctic and Southern Ocean Coalition

Ms Meike Schuetzek
Antarctic and Southern Ocean Coalition

Ms Miranda Vinson
Pew Charitable Trusts

Mr Mike Walker
The Pew Charitable Trusts

Dr Rodolfo Werner
The Pew Charitable Trusts & Antarctic and
Southern Ocean Coalition

Ms Lena Zharkova
Antarctic and Southern Ocean Coalition.

Ms Wei Zhou
Greenpeace

COLTO

Head of Delegation: Mr Rhys Arangio
Coalition of Legal Toothfish Operators

Oceanites

Head of Delegation: Mr Ron Naveen
Oceanites, Inc.

Alternate Representative: Mr Steven Forrest
Oceanites, Inc.

Advisers: Dr Grant Humphries
Black Bawks Data Science

Professor Philip Trathan
Oceanites, Inc.

Secretariat

Executive Secretary

Dr David Agnew

Science

Science Manager

Dr Steve Parker

Fisheries and Observer Reporting Coordinator

Isaac Forster

Science Data Officer

Daphnis De Pooter

Fisheries and Ecosystems Analyst

Dr Stephane Thanassekos

Fishery Monitoring and Compliance

Fishery Monitoring and Compliance Manager

Todd Dubois

Compliance Administration Officer

Eldene O'Shea

Fisheries Monitoring and Compliance Data Officer

Henrique Anatole

Research, Monitoring and Compliance Analyst

Claire van Werven

Data Assistant

Alison Potter

Finance and Administration

Finance Officer

Christine Thomas

Human Resources Officer

Angie McMahon

Administrative Services Officer

Yue Huang

Communications

Communications Manager

Doro Forck

French Translator/Team Coordinator

Floride Pavlovic

French Translator

Marie Lecomte

Russian Translator/Team Coordinator

Olga Kozyrevitch

Russian Translator

Anar Umerkhanova

Spanish Translator/Team Coordinator

Jesús Martínez

Spanish Translator

Facundo Alvarez

Data and Information Systems

Data and Information Systems Manager

Gary Dewhurst

Systems Analyst

Ian Meredith

Software Developer

Mingyun Qie

Technical Business Analyst

Mitchell John

Web Project Officer

Dane Cavanagh

Interpreters (ONCALL Conference Interpreters)

Mrs Elena Bocharova
Mr Andrey Efimenko
Ms Claire Garteiser
Prof. Sandra Hale
Dr Marc Orlando
Ms María Perino

List of Documents

List of Documents

CCAMLR-SM-III/01	Draft conservation measure for a Weddell Sea Marine Protected Area – Phase 1 Delegations of the European Union and its Member States, Norway, Uruguay, Australia, the United Kingdom, New Zealand, the USA, Republic of Korea, India, Ukraine and Chile
CCAMLR-SM-III/02	Draft conservation measure for an East Antarctic Marine Protected Area Delegations of Australia, the European Union and its Member States, India, New Zealand, Norway, Republic of Korea, Ukraine, the United Kingdom, the USA and Uruguay
CCAMLR-SM-III/03	CCAMLR marine protected areas: multiple objectives for a representative system Delegation of the European Union and its Member States
CCAMLR-SM-III/04	MPA Management and Research and Monitoring Plans: Objectives, key elements and linkages Delegation of the European Union and its Member States
CCAMLR-SM-III/05	Proposal on the way forward for CCAMLR MPA process Delegation of the People’s Republic of China
CCAMLR-SM-III/06	Revised proposal for a Conservation Measure establishing a Marine Protected Area in Domain 1 (Western Antarctic Peninsula and South Scotia Arc) Delegations of Argentina and Chile
CCAMLR-SM-III/07	Draft amendment to Conservation Measures CM 91-04 (2011) General Framework for the establishment of CCAMLR Marine Protected Areas Delegation of the Russian Federation
CCAMLR-SM-III/08	Comments on the status of the South Orkney Islands southern shelf Marine Protected Area (SOISS MPA) Delegation of the Russian Federation
CCAMLR-SM-III/09	Comments and suggestions on the draft Ross Sea region MPA Research and Monitoring Plan Delegation of the Russian Federation

CCAMLR-SM-III/10	Suggestions for establishing Marine Protected Areas in the CCAMLR Convention Area: regulation of the uniform process for establishing MPAs and the Commission's management of MPAs Delegation of the Russian Federation
CCAMLR-SM-III/11	Proposal for a roadmap to advance in the process of developing a representative system of marine protected areas in the Convention Area Delegations of Argentina and Chile
CCAMLR-SM-III/12	Developing SMART criteria, with baselines and decision rules, to evaluate CCAMLR MPAs Delegation of the USA
CCAMLR-SM-III/13	The methodology used for WSMPA Phase 2 and some recommendations to assist in future CCAMLR MPA planning Delegation of Norway

CCAMLR-SM-III/BG/01	Candidate SMART criteria, with baselines and decision rules, for the Ross Sea region Marine Protected Area Watters, G.M.
CCAMLR-SM-III/BG/02	Collation of existing CCAMLR documents and discussions on marine protected areas Secretariat
CCAMLR-SM-III/BG/03	Great Expectations: Moving towards consensus on CCAMLR MPAs in 2023 Submitted by ASOC
CCAMLR-SM-III/BG/04	From Bremerhaven to Santiago: Reflections on CCAMLR MPA discussions Submitted by ASOC
CCAMLR-SM-III/BG/05	Marine Protected Areas and the original meaning of the CAMLR Convention Submitted by ASOC
CCAMLR-SM-III/BG/06	The Oceanographic Institute, Foundation Albert I, Prince of Monaco – Statement of intent and commitment Submitted by ASOC
CCAMLR-SM-III/BG/07	Ross Sea Region Marine Protected Area Research and Monitoring Plan Delegations of New Zealand and Italy

- CCAMLR-SM-III/BG/08 The importance of marine protected areas in enhancing ecosystem resilience to climate change impacts
Submitted by SCAR
- CCAMLR-SM-III/BG/09 Comments on CCAMLR MPA process: the need for overarching targets
Submitted by ARK

**Opening Address by the Acting Minister of Foreign
Affairs of Chile, Ms Gloria de la Fuente**

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‘Dear Chair of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), Representatives, Delegations, and members of the Secretariat, I would like to extend a warm welcome to Chile on the opening of this III Special Meeting of the Commission. I would also like to greet the delegates who are following us online.

For Chile, it is a great honour to host this CCAMLR Special Meeting – the third one in its history. As the world is going back to in-person meetings, it is our pleasure to host you in our country.

I would like to begin my speech by reaffirming that Chile is doubly driven: it is both an oceanic country and an Antarctic country.

World Oceans Day was celebrated a few weeks ago. Apart from recalling the historical and economic link with our oceans, this day also reminds us that the challenge of protecting the oceans and the biodiversity of their marine ecosystems is both a national and an international duty to which all our countries have committed themselves.

Chile is also a country with a clear Antarctic projection. We have been a party to the Antarctic Treaty System since its beginning, and we have developed an extensive scientific program in Antarctica of which we are proud of. Our fishing operations in the Southern Ocean have a long history and date back to the activities carried out by the Norwegian–Chilean captain Adolfo Andresen at the end of the 19th century, and later with the formation of the Whaling Society of Magallanes (Sociedad Ballenera de Magallanes) at the beginning of the 20th century. Already at that time, our geographical proximity to Antarctica gave us a privileged status as a gateway, making of Punta Arenas a logistics centre for the exploitation of Antarctic marine living resources. Today, in addition to being a port linked to Antarctic fishing, it is a relevant logistics and scientific centre.

Our countries keep a strong commitment to the principles and purposes of the Antarctic Treaty System, as stated by Article III of the CAMLR Convention. Those of us who are part of it recognise its extraordinary value as an institution that has allowed us to reach agreements and to progress in the protection and management of a unique continent, a continent whose influence on global weather patterns we know today is decisive.

This historical link between Chile and the Antarctic continent and the waters surrounding it explain why this Special Meeting is a priority for us and we have assumed the task of organising it, yet another contribution from Chile to the Antarctic Treaty System in general, and to CCAMLR in particular. This Special Meeting is an opportunity to continue displaying the capacity of the components of the Antarctic Treaty System to work, to move forward, and to find agreements on urgent and priority matters.

Dear Commission, this week you are facing an enormous task: reaching consensus to identify a roadmap that shall allow progress towards the establishment of a representative system of marine protected areas (MPA). In this regard, I would like to take the opportunity to recall a couple of points that I consider to be relevant for this week.

Firstly, I would like to mention something that is already evident and clear: there is a political will among the Members of this Commission to establish a representative system of MPAs. The recent Declaration on the Fortieth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources, sponsored by Chile and adopted by consensus by the Commission in October 2021, reaffirms that purpose.

We fully understand that there are different visions of how to move towards that purpose. Hence our duty and, I hope, our determination to work creatively together towards this objective, ultimately, with a view to advancing in the implementation of the objective of the CAMLR Convention as established in Article II.

We are convinced that only international collaboration will allow us to address the challenges that our planet is facing. Mitigating the effects of climate change, the loss of biodiversity, and environmental pollution is a pressing shared duty that requires a holistic approach and determined actions. To move forward on this path, it is essential to establish a dialogue that may allow us to bridge the gaps among us. This week, I encourage you to take part on these discussions creatively and in full awareness of the urgency of the task that we face and of our obligation to take specific steps towards achieving a necessary consensus.

CCAMLR has been a successful and pioneering forum. In barely 40 years of existing, the Commission has reached relevant achievements that make it an example of international collaboration in matters of conservation and rational use. I would like to recall some of them, such as the successful fight against illegal, unreported, and unregulated fishing; the reduction in the number of incidental mortalities of seabirds; and the sustainable management of fishing by means of a set of conservation measures while beholden to the principle of rational use of Antarctic marine living resources. These milestones are unquestionably a contribution to the global conservation effort and the management of fishing resources, noted for their good practices and a solid scientific basis. However, it is also science that has shown us that in Antarctica it is necessary to go further: effective protection there requires additional efforts. It is imperative to ensure the existence of spaces for adaptation and resilience so that ecosystems, processes, habitats, and species have a greater probability of adapting and responding positively to climate change. Today, we should be able to continue to build on the successes of the past and move forward in creating a representative MPA system through a realistic roadmap established with everyone's input.

Dear Commissioners, the achievements I just mentioned have been achieved in cooperation. They are the result of robust debates and successful negotiations, not always easy, but above all, they respond to the express will of CCAMLR Members to work jointly and with a solid scientific basis, towards the achievement of the Convention's conservation objectives. All that progress reflects flexibility, creativity, generosity, and the hard work of all the Members. This is a legacy that has to be valued and looked after, and that we hope to be able to honour this week.

The Santiago meeting may be a turning point in CCAMLR's efforts to establish a representative system of MPAs. We have spent several years without any substantive progress in this matter, and it is time to leave that stagnation behind.

Before finishing, I would call on you to redouble your efforts. We believe that, through honest discussions, it is possible to reach agreements like the ones we need to reach today in Santiago.

It only remains for me to wish you much success in your work, as well as an enjoyable and pleasant stay in our country.

Thank you for your time.'

Agenda for the third Special Meeting of the Commission

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

1. Welcome, adoption of the agenda, introductory remarks and organisation of the meeting
2. Best practices and evaluation of the lessons learned and effectiveness of the overall conservation measures related to marine protected areas already adopted by CCAMLR
3. How the adopted general framework for the establishment of CCAMLR marine protected areas (MPAs) (CM 91-04 (2011)) could be improved
4. How to progress the MPA proposals
5. Outcome of the meeting and next steps
6. Other business
7. Adoption of the report of the Third Special Meeting of the Commission.