ARK’S COMMITMENT REVIEW PANEL 2019

Meeting report

The Review Panel (RP) met in Hobart, Tasmania, on 24 and 29 October 2019. At the meeting attended representatives from ARK and NGOs (List of attendees at the bottom) as serving members of RP by invitation.

RP reviewed the following items:

- ARK Commitment implementation in 2018/19 according to ToR (Appendix 1)

Review of the Compliance of the Voluntary Measures in 2018/19 season

RP acknowledged the result from the EP, which found 100% compliance from ARK vessels in staying outside the Voluntary Restricted Zones (VRZs) during the seasonal closures in the 2018/19 krill fishing season.

RP recognized

- The first year of implementation of the VRZs as a very successful year with full compliance by all members.
- The approach by ARK is considered a positive step toward improving sustainability in the krill fishery and contribute to the process of establishing a marine protected area in the Antarctic Peninsula.
- ARK members noted that there is an operational cost both during the penguin breeding season (VRZ) and out of the breeding season.

RP discussed

- ARK members asserted that the cost of implementing ‘Best Commercial effort’, needs to be kept in mind as these measures move forward.
- eNGO observers stated that urgency for stronger spatial management and need for marine protected areas in light of the recent findings and recommendations of the 2019 reports from the United Nations Intergovernmental Panel on Climate Change Special Report on Oceans and the Cryosphere in a Changing Climate (IPCC SROCC), Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and recent research on krill and climate change.1,2,3

---

Review the required changes to modify the seasonal VRZs into a year-round protection measure

RP reflected on the advice from the EP, especially regarding (i) postponing implementing year-round protection next season, (ii) not having a VRZ around the Elephant Island in the original ARK Commitment, and (iii) the lack of clarity of the definition of ‘Best Commercial Effort’ and the need of shared understanding of this term.

RP discussed the opportunity for ARK to show strong support to the CCAMLR Domain 1 Marine Protected Area (D1MPA) process, such as the possibility of strengthening the network of VRZs in Area 48 or moving from a seasonal to a year-round protection measure, recognizing that MPAs are a key tool for providing resilience to the ecosystem against climate change impacts.

RP highlighted the conclusion by the EP that there are major data gaps that make the assessment of the VRZs impossible without the implementation of a stratified, long-term monitoring programs of key elements of the ecosystem, e.g. penguins, and that such a long-term monitoring program also would assist the evaluation of any other conservation measures that are proposed to ensure adequate protection of penguins.

RP acknowledged that

- Implementation of VRZs had been a big step for all companies, highlighting the importance of keeping realistic expectations to the VRZ measure going forward.
- Increasing the size of the VRZs, as well as moving to year-round closures, may have significant operational and management ramifications and should be analyzed carefully.
- Implementation of the current seasonal closures has imposed restrictions and changes in the fishing pattern of the fleet, but that effects over the following seasons are still unknown.
- Developing a network of marine protected areas – which by definition are year-round closures and would benefit other predators, such as baleen whales – remains as the long-term conservation goal.
- ARK Members stated their full support of the ARK Commitment and reiterating their intention to maintain the spatial and temporal schedule for the VRZ during the coming 2019/20 fishing season.
- ARK Members explaining this decision by the recommendations derived from the EP report as well as expressing a desire to keep in line with the original intention of the ARK Commitment.

RP recommended that

- Best Commercial Effort should be defined clearly and shared among all parties to this commitment.
- ARK companies continue to apply the above approach during the non-breeding season, noting it is important for the fleet to gain operational experience of the practicalities and potential impact on the commercial fishery of implementing year-round closures.
- the same set of measures is repeated for next season, through which one would be achieving valuable protection in the Antarctic Peninsula region.
ARK companies ensure the punctual delivery of fishing data for each future evaluation of the measures, in support of the work conducted by the EP.

ARK develops and implements a fleet data collection plans for krill, and a stratified, long-term monitoring plan on penguins, in collaboration with Members from CCAMLR and NGOs, as outlined in the Expert Panel report.

Review efforts and progress on achieving a network of MPAs and improved the ecosystem-based management of the krill fishery, by ARK and other stakeholders

RP noted

- That the EP report has been submitted to D1MPA proponents immediately after its conclusion, and that feedback or formal discussions were yet to take place.
- The D1MPA proposal presented this year was different from last year, but some spatial aspects are now more similar to ARK VRZs.
- ARK’s stance that developing VRZs pulling in a different direction to the current D1MPA proposal was considered unwise.
- eNGOs recommended ARK members harmonise efforts, moving from VRZ to using the marine protected area boundaries of the D1MPA proposal in order to begin monitoring and evaluating conservation efforts discussed within the CCAMLR Scientific Committee.

Review progress on best practices for transshipments and how ARK can be of assistance to CCAMLR in the development of transshipment regulations

RP acknowledged the need to improve on transshipment practices and recommended developing a joint NGO-industry paper on transshipment for submission to CCAMLR next year.

Such a paper could support the following initiatives regarding transshipment:

- Request CCAMLR for Scientific Observers to record data on transshipments
- Request carrier vessel to inform VMS data to the CCAMLR Secretariat
- Request CCAMLR the development of standardized transshipment report form
- Request CCAMLR to inform annually on all transshipment activities within CCAMLR

Composition of the Expert Panel

RP acknowledged the request from the EP to include an expert on whale ecology for the next review process. RP also discussed the possibility of having an expert on ecosystem-based management, with a background different than CCAMLR, to facilitate the discussions regarding the implementation of year-round protection zones.

RP agreed on providing names for these positions and to discuss the most fitting names during the intersessional period.
Next meeting

RP recommended organizing an intercessional meeting to progress the above issues and clean the Agenda ahead of the Review Panel 2020 meeting. A date and location will be discussed and coordinated through ARK’s Executive Officer.

List of Attendees, Review Panel Meeting, Hobart, October 24 and 29 2019

Ron Naveen – Oceanites                                      Kristine Hartmann – AKER Biomarine (29 Oct)
Chris Johnson – WWF                                          Anders Almestad - Rimfrost
Frida Bengtsson – Greenpeace Global                          Jakob Remoy – Rimfrost
Will McCallum – Greenpeace (UK)                              Shannon Lee – Jeong-Il
Pål Skogrand – Vice-President ARK                            Donny Yu – Liaoning Deep Sea Fisheries (29 Oct)
Runa Khoury – AKER Biomarine (24 Oct)                        Javier Arata – ARK (Secretary)
Appendix 1

ARK COMMITMENT (ArkCom) REVIEW PANEL
TERMS OF REFERENCE

Mission
Provide advice to ARK on options to improve the principles and objectives of the ARK Commitment towards improved sustainability in krill fishing activity.

Goal
To provide a yearly review and advice on the performance and need for improvements of ARK’s Commitment to protecting krill-dependant predators.

Objectives
1. Review the compliance to the VRZs, based on the outcome from the Expert Panel.
2. Review the required changes to modify the seasonal VRZs into a year-round protection measure.
3. Review the harmonization of the current voluntary measures with the development of the D1MPA and related initiatives discussed in CCAMLR (i.e., FBM, CM 51-07).
4. Review efforts and progress on achieving a network of MPAs and improved the ecosystem-based management of the krill fishery, by ARK and other stakeholders.
5. Review progress on best practices for transhipments and how ARK can be of assistance to CCAMLR in the development of transshipment regulations.
6. Propose possible changes to the current ARK’s Commitment guidelines for the coming fishing season.

Outcome
A Report to be submitted to the ARK AGM.

Annual Meeting and Members integrating the Review Panel 2019
Meeting date: the Review Panel will meet every year during the regular SC-CCAMLR meeting at Hobart.