

PART II
MEASURES, DECISIONS AND
RESOLUTIONS

ANNEX A
MEASURES

Measure 1 (2006)

Antarctic Specially Protected Areas: Designations and Management Plans

The Representatives,

Recalling Articles 3, 5 and 6 of Annex V to the Protocol on Environmental Protection to the Antarctic Treaty, providing for the designation of Antarctic Specially Protected Areas and approval of Management Plans for those Areas;

Recalling

- Recommendation VIII-4 (1975), which designated Haswell Island as Site of Special Scientific Interest (“SSSI”) No 7 and annexed a management plan for the site;
- Recommendation XIII-8 (1985), which designated Caughley Beach as SSSI No 10 and annexed a management plan for the site, Recommendation XIII-12 (1985), which designated New College Valley as Specially Protected Area (“SPA”) No 20, Recommendation XVII-2 (1992) which annexed a management plan for the area, and Measure 1 (2000), which expanded SPA No 20 to incorporate Caughley Beach, annexed a revised management plan for the area, and provided that thereupon SSSI No 10 shall cease to exist;
- Recommendation XIII-8 (1985), which designated Canada Glacier as SSSI No 12 and Cierva Point as SSSI No 15 and annexed management plans for these sites, and Measure 3 (1997), which annexed revised management plans for both sites;
- Recommendation XIII-8 (1985), which designated Clark Peninsula as SSSI No 17 and annexed a management plan for the site, and Measure 1 (2000) which annexed a revised management plan for the site;
- Decision 1 (2002) which renamed and renumbered these areas and sites as Antarctic Specially Protected Areas;

Recalling Recommendation XIII-16 (1985), which designated Port-Martin base as Historic Monument No 46, and Measure 3 (2003), which revised and updated the “List of Historic Sites and Monuments” in which Historic Site and Monument (“HSM”) No 46 is listed;

Noting that the Committee for Environmental Protection has advised that three areas, namely: Edmonson Point, Wood Bay, Ross Sea; Port-Martin, Terre Adélie; and Hawker Island, Vestfold Hills, Ingrid Christensen Coast, Princess Elizabeth Land, East Antarctica, be designated as new Antarctic Specially Protected Areas, and has endorsed the Management Plans for those areas annexed to this Measure;

Recognising that these areas support outstanding environmental, scientific, historic, aesthetic or wilderness values, or ongoing or planned scientific research, and would benefit from special protection;

Desiring to approve Management Plans for these areas, and to replace the Management Plans for Antarctic Specially Protected Areas No 116, 127, 131, 134 and 136, with revised and updated Management Plans;

Noting that Edmonson Point, Wood Bay, Ross Sea contains marine areas and that the Commission for the Conservation of Antarctic Marine Living Resources approved the designation of those areas as an Antarctic Specially Protected Area at its 24th meeting;

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

That:

1. the following be designated as Antarctic Specially Protected Areas:

- (a) Antarctic Specially Protected Area No. 165: Edmonson Point, Wood Bay, Ross Sea;
- (b) Antarctic Specially Protected Area No. 166: Port-Martin, Terre Adélie; and
- (c) Antarctic Specially Protected Area No. 167: Hawker Island, Vestfold Hills, Ingrid Christensen Coast, Princess Elizabeth Land, East Antarctica.

2. the Management Plans for the following Areas, which are annexed to this Measure, be approved:

- (a) Antarctic Specially Protected Area No. 116: New College Valley, Caughley Beach, Cape Bird, Ross Island;
- (b) Antarctic Specially Protected Area No.127: Haswell Island (Haswell Island and Adjacent Emperor Penguin Rookery on Fast Ice);
- (c) Antarctic Specially Protected Area No 131: Canada Glacier, Lake Fryxell, Taylor Valley, Victoria Land;
- (d) Antarctic Specially Protected Area No 134: Cierva Point and offshore islands, Danco Coast, Antarctic Peninsula;
- (e) Antarctic Specially Protected Area No. 136: Clark Peninsula, Budd Coast, Wilkes Land;
- (f) Antarctic Specially Protected Area No. 165: Edmonson Point, Wood Bay, Ross Sea;
- (g) Antarctic Specially Protected Area No. 166: Port-Martin, Terre Adélie; and
- (h) Antarctic Specially Protected Area No. 167: Hawker Island, Vestfold Hills, Ingrid Christensen Coast, Princess Elizabeth Land, East Antarctica.

3. all prior management plans for Antarctic Specially Protected Areas No. 116, 127, 131, 134 and 136 shall cease to be effective, or, if any such plans have not yet become effective, they are hereby withdrawn.

Measure 2 (2006)

Antarctic Specially Managed Area: Designation and Management Plan: Admiralty Bay, King George Island

The Representatives,

Recalling Articles 4, 5 and 6 of Annex V to the Protocol on Environmental Protection to the Antarctic Treaty, providing for the designation of Antarctic Specially Managed Areas (“ASMA”) and the approval of Management Plans for those Areas;

Recalling Recommendation X-5 (1979), which designated the western shore of Admiralty Bay as Site of Special Scientific Interest (“SSSI”) No 8, and Decision 1 (2002), which renamed and renumbered the area as Antarctic Specially Protected Area (“ASPA”) No 128;

Recalling Measure 3 (2003) which revised and updated the “List of Historic Sites and Monuments” in which Historic Site and Monument (“HSM”) No 51 is listed;

Recalling the 20th Antarctic Treaty Consultative Meeting, held in Utrecht in 1996, where the Consultative Parties agreed to comply with a Management Plan for Admiralty Bay, King George Island, on a voluntary basis until such time as Annex V to the Protocol on Environmental Protection became effective, when it would become an ASMA after an evaluation of the experience gained and, if necessary, a revision of the Management Plan;

Noting that the Committee for Environmental Protection has advised that Admiralty Bay, King George Island, be designated as an ASMA and has endorsed the Management Plan annexed to this Measure;

Recognising that Admiralty Bay, King George Island, is an area where activities are being conducted, in which it is desirable to plan and co-ordinate activities, avoid possible conflicts, improve co-operation between Parties and avoid possible environmental impacts;

Desiring to designate Admiralty Bay, King George Island, as an ASMA, within which ASPA No 128 and HSM No 51 are located, and to approve a Management Plan for the Area, without any modification to the Management Plan for ASPA No 128 which is annexed to Measure 1 (2000);

Noting that Admiralty Bay, King George Island, contains marine areas and that the Commission for the Conservation of Antarctic Marine Living Resources approved the draft Management Plan for this Area at its 24th meeting;

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

That:

1. Admiralty Bay, King George Island, be designated as Antarctic Specially Managed Area No 1;
2. the Management Plan for Antarctic Specially Managed Area No 1: Admiralty Bay, King George Island, contained in the Annex to this Measure, be approved.

Measure 3 (2006)

Antarctic Historic Sites and Monuments: Rocher du Débarquement

The Representatives,

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

Recalling Measure 3 (2003) which revised and updated the “List of Historic Sites and Monuments”;

Desiring to add Rocher du Débarquement, Terre Adélie, to that list;

Recommend to their Governments the following Measure for approval in accordance with paragraph 2 of Article 8 of Annex V to the Protocol on Environmental Protection to the Antarctic Treaty:

That the following site be added to the “List of Historic Sites and Monuments” annexed to Measure 3 (2003):

No. 81: Rocher du Débarquement, Terre Adélie

Rocher du Débarquement (Landing Rock) is a small island where Admiral Dumont D’Urville and his crew landed on 21 January 1840 when he discovered Terre Adélie.

Location: 66° 36.30'S, 140° 03.85'E

Original proposing Party: France

Party undertaking management: France

Measure 4 (2006)

Specially Protected Species: Fur Seals

The Representatives

Recalling Article 3 of Annex II to the Protocol on Environmental Protection to the Antarctic Treaty (“the Protocol”), providing for the designation of Specially Protected Species to be accorded special protection by the Parties;

Further recalling that the Committee for Environmental Protection (“CEP”) adopted at CEP VIII guidelines for consideration of proposals for new and revised designations of Specially Protected Species, under which risk of extinction is to be assessed using criteria established by the IUCN;

Noting that SCAR has determined that the Antarctic Fur Seal (*Arctocephalus gazella*) and the Sub-antarctic Fur Seal (*Arctocephalus tropicalis*) are no longer at significant risk of extinction, and that as these are the only two species of the genus *Arctocephalus* in the Antarctic Treaty area, the genus *Arctocephalus* should be removed from the list of Specially Protected Species;

Further noting that the CEP has assessed the implications of removing these species from the list of Specially Protected Species, and has advised that they be removed;

Welcoming the recovery of the population and range of the Antarctic Fur Seal and the Sub-antarctic Fur Seal;

Believing that, in the light of the scientific advice from SCAR, the Antarctic Fur Seal and the Sub-antarctic Fur Seal should now be removed from the list of Specially Protected Species contained in Appendix A to Annex II to the Protocol;

Recognizing that the Antarctic Fur Seal and the Sub-antarctic Fur Seal will continue to receive comprehensive protection under the Protocol, and that their delisting will have no implications for the protection of those species of the genus *Arctocephalus* that occur only outside the Antarctic Treaty area;

Further noting that the Ross Seal (*Ommatophoca rossii*) remains a Specially Protected Species;

Bearing in mind the historical exploitation of fur seals in the region that made necessary the special protection of the Antarctic Fur Seal and the Sub-antarctic Fur Seal, and the deep public interest in the protection and conservation of fur seals in Antarctica;

Resolving to keep under review the conservation status of fur seals in the Antarctic Treaty area;

Urging those Consultative Parties which are members of the Commission for the Conservation of Antarctic Marine Living Resources to continue to provide data on the amount of incidental seal mortality, potential impacts of krill harvesting on seal populations, and the development and effectiveness of mitigation measures in the krill fishery;

Recommend to their governments the following Measure for approval in accordance with Article 9 of Annex II to the Protocol on Environmental Protection to the Antarctic Treaty:

That:

In Appendix A to Annex II to the Protocol on Environmental Protection to the Antarctic Treaty, the words “All species of the genus *Arctocephalus*, Fur Seals.” be deleted.

ANNEX B
DECISIONS

Decision 1 (2006)

Approval of Secretariat's Financial Reports for 2004/5 and 2005/6 and Programme and Budget for 2006/7

The Representatives,

Recalling Measure 1 (2003) of ATCM XXVI on the establishment of the Secretariat of the Antarctic Treaty (the Secretariat);

Recalling also Decision 2 (2003) on the provisional application of Measure 1 (2003);

Bearing in mind the Financial Regulations for the Secretariat of the Antarctic Treaty adopted by Decision 4 (2003);

Noting especially the provisions of Regulation 6.3 of the Financial Regulations relating to the surplus;

Decide to:

1. Approve the Secretariat's Financial Report for 2004/5 (SP6) annexed to this Decision (Annex 1);
2. Take note with appreciation of the Secretariat's Report on its work in 2005/6 (SP 3 Rev. 1) and approve the Secretariat's Financial Report for 2005/6 (SP3 Rev. 1 Attachment) annexed to this Decision (Annex 2);
3. Approve the Secretariat's Work Programme and Budget for 2006/7 (SP 4 rev. 3) annexed to this Decision (Annex 3);
4. Approve the expenditure of up to one quarter of the Forecast Budget for 2007/8, annexed to this Decision (Annex 3), in the 2007/8 financial year subject to the availability of sufficient funds;
5. Direct the Secretariat to establish a Staff Replacement Fund in accordance with the provisions of Regulation 6.2(d) of the Financial Regulations, to be used to defray the expenses to be paid according to Rule 9.6 and 10.6 of the Staff Regulations in case of a replacement of an executive staff member;
6. Direct the Secretariat to establish a Staff Termination Fund in accordance with the provisions of Regulation 6.2(d) of the Financial Regulations, to be used to defray the expenses to be paid according to Rule 10.4 of the Staff Regulations in case of separation from service of an executive staff member;
7. Consider at the next Consultative Meeting the issue of the surplus in the General Fund, taking into account the provisions of Regulation 6.3 and the contributions made by the Consultative Parties in accordance with Paragraph 6 of Decision 2 (2003) on the Provisional Application of Measure 1 (2003).

Decision 2 (2006)

Ballast Water Exchange in the Antarctic Treaty Area

The Representatives,

Having adopted Resolution 3 (2006);

Desiring to promote the implementation of an interim Ballast Water Regional Management Plan for Antarctica by all vessels entering the Antarctic Treaty area;

Considering that the International Maritime Organisation (IMO) is the competent organisation to deal with shipping regulations;

Decide to:

Request the Host Government of ATCM XXIX to forward the Practical Guidelines for Ballast Water Exchange in the Antarctic Treaty Area, adopted by the ATCM under Resolution 3 (2006), to the 55th session of the Marine Environment Protection Committee (MEPC) of the International Maritime Organisation, with a request that they be considered for appropriate action by the IMO.

ANNEX C
RESOLUTIONS

Resolution 1 (2006)

CCAMLR in the Antarctic Treaty System

The Representatives,

Recalling the prime responsibilities of the Antarctic Treaty Consultative Parties for the protection and preservation of the Antarctic environment and, in particular, their responsibilities under Article IX, paragraph 1 (f) of the Antarctic Treaty in respect of the preservation and conservation of living resources in Antarctica;

Conscious that the Convention on the Conservation of Antarctic Marine Living Resources is an integral part of the Antarctic Treaty system;

Further recalling that the objective of the Convention is the conservation of Antarctic marine living resources, which includes rational use;

Noting the commitment of all Contracting Parties to the Convention on the Conservation of Antarctic Marine Living Resources that they will not engage in any activities in the Antarctic Treaty area contrary to the principles and purposes of the Treaty and their acceptance of the obligations contained in Articles I, IV, V and VI of the Treaty;

Further noting the desirability of ensuring representation by states at the Antarctic Treaty Consultative Meeting and meetings of the Commission for the Conservation of Antarctic Marine Living Resources that reflects appropriate expertise of the Antarctic Treaty system;

Welcoming the endorsement by the Commission for the Conservation of Antarctic Marine Living Resources at its 24th annual meeting of the Scientific Committee's advice arising from the 2005 Workshop on Marine Protected Areas;

Recalling also Decision 9 (2005);

Recommend that the Parties:

- 1) regularly at the Antarctic Treaty Consultative Meetings reflect upon the contribution made by the Commission for the Conservation of Antarctic Marine Living Resources to the Antarctic Treaty system, including in respect of the conservation and protection of the Antarctic environment;
- 2) encourage increased cooperation at the practical level between the Antarctic Treaty Consultative Meeting and the Commission for the Conservation of Antarctic Marine Living Resources.

Resolution 2 (2006)

Resolution on Site Guidelines for Visitors

The Representatives,

Recalling Resolution 5 (2005) which adopted a list of four sites subject to Site Guidelines;

Believing that Site Guidelines enhance the provisions set out in Recommendation XVIII-1 (Guidance for those organising and conducting Tourism and non-Governmental activities in the Antarctic);

Desiring to increase the number of Site Guidelines developed for visited sites;

Confirming that the term “visitors” does not include scientists conducting research within such sites, or individuals engaged in official governmental activities;

Noting that the Site Guidelines have been developed based on the current levels and types of visits at each specific site, and aware that the Site Guidelines would require review if there were any significant changes to the levels or types of visits to a site; and

Believing that the Site Guidelines for each site must be reviewed and revised promptly in response to changes in the levels and types of visits, or in any demonstrable or likely environmental impacts;

Recommend that:

1. the list of Sites subject to Site Guidelines, that have been adopted by the ATCM, be extended to include a further eight new sites. The full list of Sites subject to Site Guidelines is annexed to this Resolution. This Annex lists the current Sites subject to Site Guidelines, and replaces the Annex to Resolution 5 (2005); and
2. the provisions of paragraphs 2 to 5 of Resolution 5 (2005) be implemented for all sites subject to Site Guidelines listed in the Annex to this Resolution.

Annex to Resolution 2 (2006)

List of Sites subject to Site Guidelines:

1. Penguin Island (Lat. 62° 06' S; Long. 57° 54' W);
2. Barrientos Island, Aitcho Islands (Lat. 62° 24' S; Long. 59° 47' W);
3. Cuverville Island (Lat. 64° 41' S; Long. 62° 38' W);
4. Jougla Point (Lat 64°49'S; Long 63°30'W);

5. Goudier Island, Port Lockroy (Lat 64°49'S; Long 63°29'W);
6. Hannah Point (Lat. 62° 39' S; Long. 60° 37' W);
7. Neko Harbour (Lat. 64° 50' S; Long. 62° 33' W);
8. Paulet Island (Lat. 63° 35' S; Long. 55° 47' W);
9. Petermann Island (Lat. 65° 10' S; Long. 64° 10' W);
10. Pleneau Island (Lat. 65° 06' S; Long. 64° 04' W);
11. Turret Point (Lat. 62° 05' S; Long. 57° 55' W); and
12. Yankee Harbour (Lat. 62° 32' S; Long. 59° 47' W);

Resolution 3 (2006)

Ballast Water Exchange in the Antarctic Treaty Area

The Representatives,

Recalling the requirements of Annex II to the Protocol on Environmental Protection, on the Conservation of Antarctic Fauna and Flora, that precautions be taken to prevent the introduction of non-native species to the Antarctic Treaty area;

Aware of the potential for invasive marine organisms to be transported into, or moved between biologically distinct regions within, the Antarctic Treaty area, by ships in their ballast water;

Conscious that the *International Convention for the Control and Management of Ships' Ballast Waters and Sediments*, 2004 (IMO Ballast Water Management Convention) has yet to enter into force;

Aware of the key principles of the IMO Ballast Water Management Convention, including that ballast water exchange be used as an interim measure until such time as ballast water treatment technologies have been developed, as set out in the Convention;

Noting the provision in the Convention which states that Parties with common interests bordering enclosed and semi-enclosed seas shall endeavour to seek co-operation with neighbouring Parties including through regional agreements to develop harmonised procedures (Article 13(3) of IMO Convention); and

Noting also that the Convention provides for a Party or Parties to put in place additional measures to require ships to meet a specified standard or requirement (Annex, Regulation C-1);

Desiring in the interim to put in place a Ballast Water Regional Management Plan for Antarctica;

Recommend that:

The Practical Guidelines for Ballast Water Exchange in the Antarctic Treaty area annexed to this Resolution be used by all ships in the Antarctic Treaty area, except those referred to in Article 3, paragraph 2, of the *International Convention for the Control and Management of Ships' Ballast Waters and Sediments*, 2004 (IMO Ballast Water Management Convention).

Practical Guidelines for Ballast Water Exchange in the Antarctic Treaty Area

1. The application of these Guidelines should apply to those vessels covered by Article 3 of the IMO's International Convention for the Control and Management of Ships' Ballast Water and Sediments (the Ballast Water Management Convention), taking into account the exceptions in Regulation A-3 of the Convention. These Guidelines do not replace the requirements of the Ballast Water Management Convention, but provide an interim Ballast Water Regional Management Plan for Antarctica under Article 13 (3).
2. If the safety of the ship is in any way jeopardised by a ballast exchange, it should not take place. Additionally these guidelines do not apply to the uptake or discharge of ballast water and sediments for ensuring the safety of the ship in emergency situations or saving life at sea in Antarctic waters.
3. A Ballast Water Management Plan should be prepared for each vessel with ballast tanks entering Antarctic waters, specifically taking into account the problems of ballast water exchange in cold environments and in Antarctic conditions.
4. Each vessel entering Antarctic waters should keep a record of ballast water operations.
5. For vessels needing to discharge ballast water within the Antarctic Treaty area, ballast water should first be exchanged before arrival in Antarctic waters (preferably north of either the Antarctic Polar Frontal Zone or 60°S, whichever is the furthest north) and at least 200 nautical miles from the nearest land in water at least 200 metres deep (If this is not possible for operational reasons then such exchange should be undertaken in waters at least 50 nautical miles from the nearest land in waters of at least 200 metres depth).
6. Only those tanks that will be discharged in Antarctic waters would need to undergo ballast water exchange following the procedure in Paragraph 5. Ballast Water Exchange of all tanks is encouraged for all vessels that have the potential/capacity to load cargo in Antarctica, as changes in routes and planned activities are frequent during Antarctic voyages due to changing meteorological and sea conditions.
7. If a vessel has taken on ballast water in Antarctic waters and is intending to discharge ballast water in Arctic, sub-Arctic, or sub-Antarctic waters, it is recommended that ballast water should be exchanged north of the Antarctic Polar Frontal Zone, and at least 200 nautical miles from the nearest land in water at least 200 metres deep. (If this is not possible for operational reasons then such exchange should be undertaken in waters at least 50 nautical miles from the nearest land in waters of at least 200 metres depth).
8. Release of sediments during the cleaning of ballast tanks should not take place in Antarctic waters.
9. For vessels that have spent significant time in the Arctic, ballast water sediment should preferably be discharged and tanks cleaned before entering Antarctic waters (south of 60°S). If this cannot be done then sediment accumulation in ballast tanks should be monitored and sediment should be disposed of in accordance with the ship's Ballast Water Management Plan. If sediments are disposed of at sea, then they should be disposed of in waters at least 200 nautical miles from the shoreline in waters at least 200 metres deep.
10. Treaty Parties are invited to exchange information (via the Council of Managers of National Antarctic Programs) on invasive marine species or anything that will change the perceived risk associated with ballast waters.

Resolution 4 (2006)

Conservation of Southern Giant Petrels

The Representatives,

Noting that the Committee for Environmental Protection (CEP) is keeping under review the status of the southern giant petrel;

Recognising that the species, in its global distribution, is currently listed as “Vulnerable” by the IUCN;

Recalling SCAR’s advice that the species meets the IUCN criteria for it to be listed as “Critically Endangered” in the Antarctic Treaty area;

Understanding that recent data indicating a larger global population may prompt a reappraisal of the IUCN status category of the species for its global distribution in the near future;

Recalling the Guidelines for CEP Consideration of Proposals for New and Revised Designations of Antarctic Specially Protected Species under Annex II of the Protocol adopted at CEP VIII, which provide, *inter alia*, for assessment of the status of species at a regional or local level;

Recommend that:

1. SCAR undertake a further review of the status of southern giant petrel using all available data and provide a report at CEP X, including if appropriate, a proposal for inclusion of the species on the list of Specially Protected Species in Appendix A to Annex II to the Protocol on Environmental Protection, together with a draft Action Plan;
2. In the intervening period, all Governmental and non-Governmental activities in Antarctica should be planned so as to avoid negative impacts on southern giant petrels, in particular on breeding colonies of this species.