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# REFLECTIONS FROM A PREVIOUS CHAIR OF THE COMMISSION FOR THE CONSERVATION OF ANTARCTIC MARINE LIVING RESOURCES (CCAMLR) SCIENTIFIC COMMITTEE

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## ABSTRACT

*The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) requires advice based on the best science available to ensure that the objectives of the Articles of the Convention are achieved. Scientists primarily develop this advice, which is often simply endorsed by the Scientific Committee, though subsidiary bodies that meet during the course of the intersessional period. Here, I reflect on my experience as previous Chair of the Scientific Committee to identify some challenges and potential solutions to increase and broaden scientific capacity and help ensure that the best scientific advice is developed.*

## KEY WORDS

**Scientific advice, CCAMLR, subsidiary bodies, capacity building, observers**

## INTRODUCTION

It has been a great honor for me to be able to work in the Antarctic marine environment collecting and analyzing data, developing scientific advice, and providing this advice to the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) for just over decades, primarily as part of CCAMLR's Scientific Committee consultative body. My tenure has included convening a number of Working Groups, Subgroups, focus topics, and workshops, hereafter referred to as "subsidiary bodies" of the Scientific Committee, as well as serving as its Chair for four years (2011-2015), in addition to its first (and only) special intersessional meeting. These experiences, while not always smooth, have elucidated both the complexity and richness of the CCAMLR management framework. I have developed a deep respect and appreciation of this system. Although the work of the Scientific Committee has come with major challenges, it has been largely successful at achieving the primary objective of providing scientific advice on the conservation of Antarctic living marine resources, and allowed the Commission to refine Conservation Measures as the new scientific advice becomes available.

Providing advice to the Commission based on the best science available is enshrined in the spirit and letter of the Articles of the CAMLR Convention. The advice is based in large part on careful consideration and deliberation of Members' submissions that are tabled at the Scientific Committee and its subsidiary bodies. Although all content of these submissions should be strictly unbiased and evidence based, there are instances where Members' specific national values can sometimes be implicitly or explicitly reflected in their contributions, and these can be influenced by broader geopolitical considerations. These values can range from submissions that contribute the best available science with no preconceptions as to how this may impact Commission decisions, to those that endeavor to advance (or delay) protection initiatives and minimize human impacts to the Antarctic ecosystem, to those that promote harvesting by a specific Member as a means of both collecting data and developing advice. There can be strong interactions between Members' scientific contributions, and they can include a variety of other topics that reflect their specific interests.

Regardless of how specific values are reflected in submissions to the Scientific Committee, how that information is considered and taken forward as potential advice to the Commission relies wholly on the scientists participating in the discussions. Thus, the need for robust, broad engagement by scientists is essential. Beyond these scientists working toward providing consensus advice, how uncertainty in this advice is communicated is critical for decision makers. Here, I reflect on my experience as previous Chair of the Scientific Committee, as well as convener of several meetings of subsidiary bodies, to identify challenges and recommend potential solutions to increase and broaden scientific capacity and help ensure that the best scientific advice is developed.

## CHALLENGES

One of the most challenging aspects of Chairing the Scientific Committee is detecting the sometimes-elusive areas of commonality between the values and objectives of Members and the science they contribute, and moving discussions toward these areas to generate scientific advice that will assist

the Commission in achieving their objectives. Because this system of providing scientific advice to the Commission is through strict consensus, this can often lead to complex and nuanced advice that requires effective communicating to managers and stakeholders.

Uncertainty when interpreting scientific conclusions tends to be unavoidable in most situations. How that uncertainty then passes through the filter of each Members' values, and what elements that Member advocates for scientific advice, is an important process to recognize. If not fully considered, this may lead to biased advice and less than optimal decision-making. According to the precautionary principle, the greater the uncertainty, the more precaution one should apply when developing, communicating, and implementing scientific advice. Nevertheless, there are times when Members' values are reflected in interventions that do just the opposite, which can potentially result in the Commission not achieving its objectives. How tension between uncertainty and precaution is resolved and implemented in scientific advice requires careful consideration.

Probably the single most pressing issue that I have observed is a lack of some scientists to engage in discussions that are not strictly beneficial or advantageous to that Members' interests or values at the Scientific Committee subsidiary body meetings. It is at the meetings of the subsidiary bodies where the majority of scientific advice is considered, developed and presented for consideration by the Scientific Committee. These meetings are also where the need for direct engagement by scientists is perhaps most urgent. However, it is often at these meetings where many scientific delegations engage in only a single specific issue, leaving the majority of items considered holistically by only a handful of participants. Such scenarios severely reduce capacity of a scientific forum, and can be attributed to a number of factors.

One of the most prominent factors that reduces capacity is the language barrier during deliberations. All meetings of CCAMLR Scientific Committee subsidiary bodies are conducted in English only, whereas formal meetings are conducted (through interpretation) in English, Spanish, French, and Russian. With an ever growing number of Members and Contracting Parties to CCAMLR from countries where these languages are not widely spoken, the result is reducing engagement in scientific deliberation.

Other reasons for lack of engagement and capacity reduction can include lack of proper preparation or general interest, cultural predisposition, very small Member delegation sizes, and potential guidance to scientists from Member countries. The lack of broad participation is unfortunate, since engagement from all scientists (as opposed to a small handful) often leads to considerably more productive meetings, as each scientist has the potential to contribute something that will improve the overall success of the meeting and its outcomes.

## BUILDING CAPACITY

Some reasons that hinder broader participation and capacity during scientific meetings cannot be mitigated. However, language barriers may soon become a thing of the past, as emerging language-translation technologies that interpret in real time are becoming a reality (ex. Google's Pixel Buds).

There are also promising strategies that can increase small or new delegation engagement, such as scientists from Member countries volunteering to serve as mentors, or Secretariat staff working directly with new scientists to assist them with background information in relation to issues that they may unfamiliar with or require some special assistance in certain details.

Another potential mechanism to increase capacity lies in easing the restrictive policies that do not allow sanctioned Observers to the Scientific Committee to attend intersessional meetings of subsidiary bodies, particularly Working Groups. The establishment and role of subsidiarity bodies of the CCAMLR Scientific Committee are set out in the Scientific Committee Rules of Procedure. Among other things, it states that the Scientific Committee determines their composition, and where applicable, subsidiary bodies shall operate on the basis of the Rules of Procedure of the Committee. Part of the rules explicitly deal with Observers, which sets out the conditions for the invitation and conduct of Scientific Committee Observers. In all cases, Observers invited under this rule shall have appropriate scientific qualifications. However, there are elements within the Rules of Procedure with respect to attendance of Observers at subsidiary bodies of the Scientific Committee that have not been reconciled, particularly in relation to participation in Working Groups, Subgroups, focus topics, and workshops of the Scientific Committee.

Sanctioned Observers are those organizations that have been officially recognized and invited to participate in Scientific Committee meetings. Sanctioned Observers currently include intergovernmental and non-governmental organizations such as ACAP, ARK, ASOC, CCSBT, CEP, COLTO, FAO, IUCN, IWC, OCEANITES, SEAFO and SCAR. Whilst they cannot table papers themselves (although they can table background papers), and cannot block consensus, they are often comprised of highly skilled scientists. Observers may also include scientists from acceding states who are not full Members. All of these Observers are traditionally encouraged to participate in the meeting of the Scientific Committee to the extent possible. However, their participation at Working Group meetings is currently not permitted.

At present, there are uncertainties with respect to the process of selection, invitation, participation and management of scientists that are not associated with Member delegations of the CCAMLR Scientific Committee or its subsidiary bodies. Potential scientists could include both 1) independent invited experts and 2) representatives of sanctioned Observers. Each type of potential scientist serves a different role. Invited experts have attended subsidiary bodies on several occasions on an ad hoc basis, though the specific mechanisms surrounding their selection and participation are not well established. In the recent years, there have been calls to establish a procedure by which Observers can attend subsidiary bodies, as well as instances in the recent past where Observers have requested attendance to attend SC subsidiary body meetings, yet formal mechanisms to engage them have not been established.

The rationale for not endorsing appropriately qualified scientists from sanctioned Observers to meetings of subsidiary bodies has largely been that if a Member wants to include a scientist on a delegation as an invited expert, they are free to do so. The potential role of invited experts as part of a Member delegation, and sanctioned Observers attending Scientific Committee subsidiary bodies is different though, with the former specifically incorporating outside expertise and insights

to contribute to the meetings while not representing Observers, and the latter serving to explore issues of relevance and interaction between CCAMLR and the organization they represent. Although both have the potential to build substantial capacity at SC subsidiary bodies, these differences are significant, and thus the two require different approaches with respect to aspects of their engagement. Further, not allowing expertise from sanctioned Observers overlooks the fact that many Members require their scientists to present viewpoints that are strictly consistent with the larger policies of the Member country. Or, some Members have national policies that do not permit non-governmental scientists from joining their delegation. Because science is dynamic and evolving, and encourages alternative viewpoints and hypothesis to be included in considerations and debate, this eliminates a vast potential source of knowledge, experience, and other insights that could be valuable for developing the best scientific advice. Another important benefit of allowing sanctioned observers from all Member countries would be increasing transparency in relation to the development of scientific advice by Members, with other contracting parties and stakeholders. The mechanisms to facilitate participation and maximize engagement for experts and Observers at subsidiary bodies in relation to selection and invitation, as well as participation and management by the Observers would still need to be developed and endorsed.

There is a suite of potential benefits in exploring mechanisms to increase engagement and capacity at the Scientific Committee and its subsidiary bodies. Overcoming language barriers through technology, mentoring, and permitting qualified scientists from sanctioned Scientific Committee Observers to attend and participate in meetings of subsidiary bodies are all promising, and could build capacity in CCAMLR at little to no extra cost to Members. Allowing for direct interaction between Member scientists and other scientists who undertake Southern Ocean related research, allowing for broader input when generating scientific advice, and increasing transparency would benefit the Scientific Committee and further ensure that the Commission would have the best scientific advice to meet their objectives.

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