Recent trends and renewed interest in establishing Marine Protected Areas in Southern Ocean – Indian perspective

The Southern Ocean that covers approximately 32 million Km2 is rich in marine living resources such as krill etc. A Commission on Conservation of Antarctic Living Marine Resources (CCAMLR) came into existence in 1982 and was mandated under the Convention the task of management of living resources with a concept of "Ecosystem Approach" as also with provision for resources exploitation.,It has provisions for conservation, including creating special areas for protection and scientific study by bringing-out legal guidelines as "Conservation Measures". Although CCAMLR is existing for more than a quarter century, it was after “Madrid Protocol” came into force, that the first ever Marine Protected Area (MPA) namely the South Orkney Islands Southern Shelf MPA, was declared in the year 2009 and later implemented in 2011.When both the CAMLR convention and the Madrid Protocol of Antarctic Treaty System constitute legal responses to perceived threats from increasing human activity in the Antarctic regions and have mandate for establishing marine protected areas, the Antarctic Treaty System (ATS) under the 6.2 Article of Annex V of the Madrid protocol allowed CCAMLR to deal with the proposal for declaring protected areas in marine realm around the Antarctic continent. It has resulted in a situation where the competing interest of CCAMLR members on commercial fishery subdued the interest on establishment of MPAs for marine ecosystem protection. Hence, out of four proposed MPAs through CCAMLR viz. Ross Sea by New Zealand & USA, East Antarctic MPA by Australia & France, Weddle

Sea by European Union & Germany, and MPA covering about 40% areas of southern Ocean by Antarctic Ocean Alliance (AOA), only Ross Sea MPA has been declared as an MPA during the year 2016 while other proposals are under consideration of the Commission of CCAMLR. This illustrates the notion that whatever be the difficulties, Antarctica being the land with no sovereign rights, an easier place to designate MPAs has been proven wrong. But still, countries are pushing every year their proposal for MPAs under CCAMLR because there is always economic gain through fishery if the MPA are declared under CCAMLR convention rather than establishing MPAs using provision of Madrid Protocol under ATS. The present work further describes the pros and cons of using MPA as an ecosystem conservation under Madrid Protocol of ATS or fishery management tool under CCAMLR from the perspective of India.