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Global environmental initiatives of the EU in Antarctica: Ukraine's position harmonization and prospect (preceding Ukraine's chairmanship in the CCAMLR, 2023–2024)

Abstract. With the strengthening of the global environmental movement, the Southern Ocean has become an effective international testing ground for the development of spatial planning in marine environments beyond national jurisdiction. This note aims to review the European Union (EU) role in the progress on designation of environmentally representative network of marine protected areas (MPAs) in Antarctica, and the effect of this process on the shaping of Ukraine's strategy in this region. Following Ukraine's external vector to European integration, in 2021 the country began formally aligning as a co-proponent with the EU-initiated two MPA proposals — in East Antarctica and the Weddell Sea. This alignment of positions is utterly important, taking into account the approaching of Ukraine's first chairmanship of the Commission for the Conservation of Antarctic Marine Living Resources in 2023–2024, which would be an exceptional opportunity for our country to make a significant progress in designation the largest MPAs ever implemented in Antarctica given national interests, including the creation of an international consortium with the involvement of Ukrainian scientific infrastructure in Antarctica, such as Ukrainian Antarctic Akademik Vernadsky station and the research vessel *Noosfera*, to implement internationally significant scientific and monitoring programs to evaluate MPAs efficiency with Ukraine as a co-initiator.

Keywords: Akademik Vernadsky station, Antarctica, Commission for the Conservation of Antarctic Marine Living Resources, Marine Protected Area, research vessel *Noosfera*

1 Introduction

While the external policies of the European Union (EU) in the Arctic are more diversified and intended first and foremost to protect the rights of the citizens of the EU States as well as to promote the region's balanced development with a clear imperative for environmental conservation and relevant research ac-

tivities (European Commission, 2021a; European Commission, 2021b; European Parliament, 2020; Langlet, 2018), its policy towards the opposite geographic area, Antarctica, is a result of internal institutional goals and strategies of the EU-aimed singularly to signal to the European and worldwide community that the Union is a leading party expressing and powering the realization of supra-national environmental

interests, first of all, with the tasks of mitigating the impact of climate change and marine environment protection (Raspotnik & Østhagen, 2020; Burns et al., 2020; Oberthür & Groen, 2017; Delreux, 2012).

As Dodgshun et al. (2021) stress, the World Ocean ecosystems suffer the triple assault of climate change, anthropogenic pollution, and the following expansive losses of biodiversity. Solving these and other urgent problems requires a more efficient, comprehensive approach to ocean governance based on international cooperation and dialogue. To this effect, in 2016 EU became the first of the main global political powers to adopt the International Ocean Governance Agenda (IOG Agenda). This is a frame to develop legal initiatives to meet the UN's 2030 Sustainable Development Goals (especially Goals 13 "Climate Action" and 14 "Life Below Water"), and to follow the EU's own strategic documents such as the EU Green Deal, the EU Biodiversity Strategy for 2030, the EU Marine Strategy Framework Directive (MSFD), the Maritime Spatial Planning Directive (MSP), the Common Fisheries Policy (CFP), the Horizon Europe research and innovation framework program, 2021–2027, etc. (European Parliament, 2016; European Commission, 2019).

According to the IOG Agenda, the European Commission, together with the European External Action Service, launched in 2020 the International Forum for Ocean Governance (IOG Forum) as an expert platform for the exchange of knowledge, experience, and the best practices in the ocean management among all interested parties both within and outside the Union. A key priority for the EU developed by the experts according to the Third International Forum for Ocean Governance (April 2021), is initiating and managing the development of the global "common strategy for ocean conservation", with no less than 30% of the ocean being protected within a network of MPAs by 2030 (including 10% under strict protection, with all kinds of human activity fully prohibited) (Dodgshun et al., 2021).

To fulfill this requirement, MPAs should be created both within and outside national jurisdiction, based on the best available scientific data and broad application of the ecosystem approach, and mechanisms for monitoring and management with regular review of

the efficiency of the measures and development of novel spatial management tools where necessary (e.g., dynamic measures to protect migratory species).

In this regard, one unique international testing ground to work the kinks out of the spatial mechanisms for marine protection in waters beyond national jurisdiction is the Southern Ocean, subject to the requirements of the regional Convention for the Conservation of Antarctic Marine Living Resources and its acting body is the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR). The Commission was created in 1982 to protect marine biodiversity, to counter the impact of the growing commercial fishing of the Antarctic krill (a keystone component of the Antarctic ecosystem), and the over-exploitation of other marine resources of Antarctica. Based on the best available scientific information, the Commission agrees a set of conservation measures that determine the use of marine living resources in the Antarctic, using the ecosystem approach which was first applied to the whole of the Southern Ocean (that occupies, by various estimates, up to 15% of the World Ocean) in the practice of regional conventional fishery regimes.

Another important part of the Commission's work, especially since the 2000s, is MPAs creation to protect all or some of the natural resources in particularly sensitive waters. Within the MPAs, specific kinds of human activity can be either limited or fully prohibited to protect the environment of industrially valuable or dependent species, monitor the ecosystem, or latitudinally regulate the fisheries.

Currently, the Commission has its Headquarters in Hobart, Australia, and includes 26 Members (including the EU as a separate member with voting rights; it has taken part in the Commission from the outset and even received a mandate for negotiations to develop the Convention for Conservation of Antarctic Marine Living Resources (Commission of the European Communities, 1979). Notably, almost a third of the Members (eight of the 26) is the EU States, which is another argument towards strengthening its position in the CCAMLR and might, in particular, be a staple of long-term stability of the regional regime as a whole, both considerations being

widely used by the Union during the review process for new MPAs in the region.

2. Results

2.1 EU contribution to the progress on designation of MPAs in Antarctica

Creating an environmentally representative network of MPAs in the Southern Ocean is one of the main CCAMLR's obligations pursuant to the decision of the World Summit on Sustainable Development 2002 and also according to the UN Convention on the Law of the Sea.

Meanwhile, MPA creation is a priority for the EU since it helps achieve EU's global goals to strictly protect 10% of the marine environment, more so given that EU's economic activity, unlike the scientific, is not the main element of national interests in Antarctica (Raspotnik & Østhagen, 2020). Thus, it presents a much more comprehensive range of negotiable consensus positions.

Taking this into account, in 2009, CCAMLR followed the recommendation of Great Britain (then an EU member) and created the first MPA of 94 000 km² on the southern shelf of the South Orkney Islands to protect marine ecosystems crucial for penguins' feeding (Brooks et al., 2019). In 2011, New Zealand and the USA proposed another MPA in the Ross Sea (Brooks, 2013). In 2016, after five years of discussions with China, the Russian Federation and Japan, CCAMLR Members finally reached a consensus on the creation of the Ross Sea MPA to protect large-scale ecosystem processes essential for the Antarctic toothfish, biodiversity conservation and also to support monitoring research and other scientific activity to study marine living resources in the region. Currently, the Ross Sea MPA (1.55 million km²) is the largest in the world (Brooks et al., 2019).

Besides that, CCAMLR is reviewing proposals for three new MPA — in East Antarctica (since 2012), in the Weddell Sea (since 2016), and at the Western Coast of the Antarctic Peninsula (since 2018).

The East Antarctica MPA (1.8 million km²) was co-proposed by Australia, France, and the EU to preserve ecosystem processes and critically important

feeding areas for sea mammals and birds and the terrestrial apex predators (penguins) (Brooks, 2019). The Ross Sea MPA proposal was co-developed by the EU and Great Britain to set up research grounds to monitor the impact of the changes in climate, fishery, and other kinds of human activities on marine ecosystems and target species of fishes, mammals, and birds (Teschke et al., 2019). The third MPA proposal (for the Antarctic Peninsula), being developed by Argentina and Chile, also has the EU's firm support (Sylvester & Brooks, 2020). These three proposals are an integral part of developing a representative MPA system in the Southern Ocean. Their cumulative area would be equal to 1% World Ocean.

However, China and Russia systematically block these proposals citing insufficient scientific rationale for these MPAs resisting any additional limitations to their ships' fishing in the Southern Ocean. Meanwhile, participants of the 35th Meeting of the CCAMLR in 2016 acknowledged Russia's historical role in creating the Ross Sea MPA furthered by the country's charing the Commission that year. Thus, some of the main tasks for the EU's diplomatic corps are the continued containment of resource-driven policy approaches and discovering the potential advantages to be gained by all-encompassing environmental stewardship of the Antarctic nature and science-based understanding of its role in the global changes of the Earth's environment (Fedchuk, 2016).

With this in mind, on June 13, 2021, the leaders of G7 proclaimed to fully support the CCAMLR obligations on the development of a representative MPA network within the Convention's area of action. The Environmental Communiqué of G20 also supported the MPA creation in the Southern Ocean (CCAMLR, 2021). Besides that, the joint Ministerial Declaration of April 28, 2021 (European Commission, 2021c) and the European Parliament's Resolution of July 8, 2021, on MPA creation in Antarctica and preservation of the Southern Ocean biodiversity fully support the CCAMLR's efforts to set up new MPAs (European Parliament, 2021).

Thus, due to the EU's diplomatic efforts, by late 2021, 20 out of 26 CCAMLR Members have already agreed to be formal co-sponsors for one or more MPAs

indicating the Union's growing involvement in the operation of the CCAMLR to reach consensus in the decision-making process.

2.2 The development of Ukraine's position in preparation for the first chairing the CCAMLR in 2023–2024

Ukraine became a Member of the CCAMLR in 1994 as one of the successors to the Soviet Union. Among our latest solid achievements is that Ukraine is one of the first CCAMLR Members that has consistently and systematically, since 2005, been developing the ideas of creating a network of local MPAs in the inter-island waters of the Argentine Islands near the Akademik Vernadsky station. Since environmentally speaking, these waters also provide unique possibilities to study marine communities' composition, structure and dynamics, Ukraine became the eighth country to launch research to report according to CCAMLR's Ecosystem Monitoring Program (CEMP). Currently, three out of 13 adopted CEMP sites are near the Akademik Vernadsky station, under Ukraine's operating management. Biologists of the Ukrainian Antarctic Expeditions keep up the year-round observations of the key life-history parameters of selected dependent species to detect changes in the abundance of harvested species. In addition, since 2016, Ukraine has been taking part in the international project to monitor the gentoo penguins' nesting colonies using remote cameras that have made field data collection much more straightforward. The records are regularly sent to the CCAMLR Scientific Committee to have the best available scientific information on harvesting levels.

After the first MPA was created on the South Orkney Islands shelf in 2009, it became clear that the network of three-four local MPAs which Ukraine has proposed is completely disproportionate with the scales of both existing and proposed MPAs. To redress the disbalance, the Working group for Ecosystem Monitoring and Management of the Scientific Committee of the CCAMLR recommended more cohesively directing the efforts to harmonize spatial planning. Taking this into account, the Delegation of Ukraine proposed in 2019 to integrate long-term marine monitor-

ing areas (on which the local MPAs network had been planned) into a large-scale MPA in the Western Antarctic Peninsula (submitted jointly by Argentina and Chile). Meanwhile, these marine monitoring areas within a large-scale MPA would serve as additional scientific reference site to evaluate the effect of the climate change on benthic communities and to study the reproduction success and spread of penguin colonies which is a necessary precondition for the preservation of marine ecosystems in West Antarctica (Fedchuk et al., 2020).

3 Discussion

As for Ukraine's standing on other proposed Antarctic MPAs, over the last meetings of the Commission, Ukraine's Delegation has been systematically logging significant advances in the work on refitting the proposal and maintains a constructive dialogue with the Members who propose MPAs to address certain concerns the Ukrainian Party had expressed about the conditions to carry out research programs within the proposed MPAs, which will foster the deepening of international cooperation on the way to a more efficient application of the ecosystem approach in accordance with the Article II of the Convention.

Moreover, Dr. Kostiantyn Demianenko (Ukraine's representative in the CCAMLR Scientific Committee) proposes, as one possible way to achieve sizable progress in the creation of a representative MPAs network in Antarctica, to optimize the planning of protected areas through the phased implementation of selected zones by judging their short-term effect based on the results of the relevant studies, to gradually widen the confines of the protected areas up to those outlined in the initiating Members' proposals.

This initiative may be put forth during the following CCAMLR meetings in 2023–2024, when according to the schedule, Ukraine will be chairing the Commission (as it had been said above, the historic decision to create the still-the-largest MPA in the Ross Sea was adopted when the Commission was chaired by Vasyl Titushkin of Russia).

Besides that, given the European integration political vector, Ukraine started in 2021 to formally join as a co-proponent of two of the EU-initiated MPA

proposals — in East Antarctica and the Weddell Sea. The preliminary decision was adopted on September 16, 2021, according to the results of the working meeting of Virginijus Sinkevičius, the EU Commissioner for Environment, Oceans, and Fisheries, with the representatives of the Ukrainian Ministries of Foreign Affairs, of Environmental Protection and Resources, and of Education and Science. Later, on October 4, 2021, on an online meeting of Ministers dedicated to the 30th Anniversary of the Antarctic Treaty, this position was first voiced aloud internationally by the representative of the Ministry of Environmental Protection and Resources, along with Ukraine's intentions to co-initiate the third MPA in the Western Antarctic Peninsula (submitted jointly by Argentina and Chile). This is supported by Ukraine having solid scientific expertise in exactly this region: the Ukrainian Antarctic Akademik Vernadsky station is located in this area, and the Ukrainian Antarctic Expeditions regularly carry out field surveys. Ukraine also has a fishery interest, catching Antarctic krill. Thus, over the following inter-sessional period (until Ukraine chairs CCAMLR in 2023–2024), it is necessary to conclude the technical procedure of harmonizing Ukraine's position on this issue with all interested competence authorities, starting with the State Fisheries Agency of Ukraine.

Since having own research infrastructure in Antarctica is important political capital for a State, in August 2021, the Government of Ukraine bought from the British Antarctic Service the research ship *James Clark Ross* for the Ukrainian Antarctic Expeditions' needs and recovery of ground-breaking comprehensive studies in the Southern Ocean, including studies done in cooperation with international partners. Ukraine does have recent experience in organizing maritime expeditions with foreign partners. Thus, in the fishing season of 2018–2019, the Ukrainian trawler *More Sodruzhestva* carried out the CCAMLR program for Antarctic krill acoustic surveys by a joint team from Norway, China, Chile, Great Britain, the Republic of Korea, and Ukraine. The survey gathered scientific data on the Antarctic krill amounts and by-catch of non-target species in CCAMLR statistical subareas 48.1 (Bransfield Strait and South Shetland Islands). The data allow significantly improving forecasting of the

environmental state and productivity of the waters of the Southern Ocean.

From now on, Ukraine can employ her own research vessel not only to continue similar studies cooperating with foreign partners but to initiate internationally significant research and monitoring programs to evaluate the MPA efficiency, which Ukraine would co-initiate. To strengthen the international cooperation in this area, the State Institution National Antarctic Scientific Center (Ukraine) is already pursuing negotiations to become a member of the European Polar Council, a consortium of research institutions, logistical operators, and other interested agencies of the EU member countries whose purpose is to coordinate the European strategic priorities in the scientific activities in the polar regions by improving the knowledge exchange procedures, optimization of polar infrastructure use and conducting large-scale and multi-party initiatives of its parties and international partners.

In our opinion, one of the European Polar Council's initiatives most promising for cooperation is the EU-PolarNet project, currently the main consulting body of the European Commission on matters of polar research and also the globally largest consortium of polar scientific institutions and infrastructure objects, including 25 organizations presenting the EU states and associated countries with advanced national programs of polar studies. The project participants' united efforts are aimed at developing an integrated research program for the EU and the creation of new partner ties. In particular, one of the consortium's main goals is active cooperation with third parties researching the polar regions, which is most assuredly of interest for Ukraine.

After all, Ukraine's receipt of the powerful research vessel *Noosfera* and the announcement of its intention to conduct ongoing marine research within the CCAMLR area, in particular within new MPAs, is a signal to the world community that Ukraine remains an interested, important and responsible partner for a long-term perspective, which strengthens its scientific potential within the CCAMLR and will continue to participate in the implementation of the global environmental initiatives in this part of the World Ocean.

4 Conclusions

As the global environmental protection movement grows in momentum, the Southern Ocean becomes international testing grounds for developing spatial mechanisms of marine environment protection in the waters beyond national jurisdiction. The Commission for the Convention of Antarctic Marine Living Resources is currently considering three Marine Protected Area proposals – in East Antarctica, in the Weddell Sea, and in the Western Antarctic Peninsula, as an integral part of developing an environmentally representative MPA system in the Southern Ocean. If the proposals are adopted, the MPAs will be the largest such objects in the World Ocean. The EU, following its internal strategies and priorities, applies maximum diplomatic efforts to convince the Commission Members to become formal co-sponsors for one or more of the proposed MPAs, indicating significant growth in the EU's involvement in the operation of the CCAMLR decision-making process.

Following the declared EU-oriented priority, Ukraine, in 2021, began the formal joining process as a co-sponsor of two EU-initiated MPA proposals (in the East Antarctica and in the Weddell Sea). These policy adjustments are vitally important taking into account the approaching of Ukraine's chairmanship of the CCAMLR in 2023–2024, which is an exceptional possibility for our country to achieve, through diplomacy, significant progress in reaching consensus decisions in any of the discussed tasks (the designation of one or more MPAs as proposed or by iteratively enlarging the protected zones; reinforcing internationally significant research and monitoring programs of MPA evaluation which Ukraine is going to co-initiate, with the help of the Ukrainian Antarctic Akademik Vernadsky station and the research vessel *Noosfera*. Without doubt, Ukraine has a historical chance to make a meaningful contribution to achieving the CCAMLR's goals, marking in this way the 40th anniversary of the entry into force of the CAMLR Convention in 2022.

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Conflict of Interest. The authors declare that they have no conflict of interest.

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Глобальні природоохоронні ініціативи ЄС в Антарктиці: зближення позицій і перспективи для України (напередодні головування в ККАМЛР у 2023–2024 рр.)

Реферат. З посиленням глобального природоохоронного руху Південний океан став дієвим міжнародним полігоном відпрацювання найбільших у Світовому океані просторових механізмів охорони морського середовища за межами національної юрисдикції. Метою короткого наукового повідомлення є висвітлення ролі Європейського Союзу у досягненні прогресу зі створення репрезентативної системи морських охоронних районів (МОР) в Антарктиці, а також впливу цього процесу на формування стратегії діяльності України в регіоні. Виходячи із задекларованого державою пріоритету політики європейської інтеграції, Україна у 2021 р. розпочала процес формального долучення (як ко-пропонент) до ініційованих ЄС двох МОР — у Східній Антарктиці та морі Ведделла. Така гармонізація позицій вкрай важлива з огляду на наближення періоду першого головування України у ККАМЛР у 2023–2024 рр., що є винятковою можливістю для нашої держави зробити свій внесок у досягнення важливих консенсусних рішень у питанні створення безпрецедентної мережі МОР в Антарктиці із урахування національних інтересів, включаючи створення міжнародного консорціуму із залученням Української антарктичної станції «Академік Вернадський» та науково-дослідного судна «Ноосфера» для виконання міжнародно значимих наукових та моніторингових програм з оцінки ефективності МОР, спів-ініціатором яких виступатиме Україна.

Ключові слова: Антарктика, Комісія зі збереження морських живих ресурсів Антарктики, морський охоронний район, науково-дослідне судно «Ноосфера», Українська антарктична станція «Академік Вернадський»