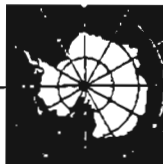


ANTARCTIC TREATY  
FIRST CONSULTATIVE MEETING  
PREMIERE REUNION CONSULTATIVE  
TRAITE SUR L'ANTARCTIQUE



TRATADO ANTARTICO  
PRIMERA REUNION CONSULTIVA  
ПЕРВОЕ КОНСУЛЬТАТИВНОЕ СОВЕЩАНИЕ  
ДОГОВОР ОБ АНТАРКТИКЕ

CANBERRA A.C.T.

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Date: 10th July, 1961.  
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AGENDA ITEM 13.

(TITLE): SUGGESTED FORM OF MEASURES TO PROMOTE CONSERVATION OF  
NATURE IN THE ANTARCTIC - S.C.A.R. DOCUMENT.

Submitted by: The Secretariat.

INTRODUCTION:

- a. These recommendations refer only to the region south of latitude 60°S, i.e. the area covered by the Antarctic Treaty.

This Treaty provides an unparalleled opportunity for international co-operation in the conservation of nature throughout one of the most scientifically important biogeographical regions of the world.

- b. The biological importance of the sub-Antarctic islands north of 60°S, and their affinities with the Antarctic, make it highly desirable that nature conservation in these two areas should be closely integrated. It is hoped that the nations exercising sovereignty over these islands, while taking account of the special problems involved, may consider the introduction of measures to ensure that the sub-Antarctic flora and fauna has comparable protection to that recommended for the area south of latitude 60°S.
- c. It is recognized that the biological resources of the Antarctic are an important source of supply for human needs, and that conservation measures based upon scientific research are essential to preserve and enhance these assets for the future.

MEETING UNCLASSIFIED

MEETING UNCLASSIFIED.

Number: Sec. Paper/8

Date: 10th July, 1961.

(ORIGINAL IN ENGLISH).

- d. Existing national laws or regulations protect wild life in many parts of the Antarctic. Annex A is a list of the information available to the working group. When the Antarctic Treaty comes into force the region south of latitude 60°S will be open to all nations for scientific purposes, and it is clearly desirable that conservation legislation should be consistent. It is hoped that Antarctic Treaty Powers will introduce measures on the lines recommended.
- e. The necessity for conservation of the flora and fauna of the high seas in the Antarctic regions is recognized, both for their own scientific value and because many animals, such as seals and sea-birds, are entirely dependent upon them for food. However, for administrative reasons it would be difficult to apply these recommendations outside coastal waters. It is urged that the key importance of plankton in the biological economy of the Antarctic to be recognized by all nations, and that activities which might impair it, such as harvesting or the introduction of alien species, should be scientifically assessed before being put into practice.
- f. The working group recognizes that the willing co-operation of the individual will do more to promote effective conservation in the Antarctic than any restrictive measures. An informative leaflet prepared by SCAR for issue to all persons who visit the region would be valuable, and a draft is attached (Annex B).
- g. Definitions of the terms used in these recommendations are given in Annex C.

MEETING UNCLASSIFIED.

MEETING UNCLASSIFIED.

Number: Sec. Paper/8

Date: 10th July, 1961.

(ORIGINAL IN ENGLISH)

11. Recommendations

1. All areas of land and fresh water, including fast ice and ice shelves, and all coastal waters south of latitude 60°S, should be recognized internationally as a nature reserve. Within this region, it should be prohibited to kill, capture or interfere with all animals (including indigenous predators) and plants, with the exceptions stated in para. 5 below.

2. Species or habitats which are especially important or vulnerable should be further protected by the designation of selected areas as sanctuaries within which no form of disturbance should be permitted.

3. The deliberate introduction of alien forms of flora and fauna (excluding domestic species, which should be rigidly controlled at the lowest possible number considering their chances of survival, capacity of reproduction, and utilization by man) should be prohibited.

4. The attention of expedition leaders, ship masters and other persons in authority should be drawn to the necessity for control of activities which can cause serious harm to wildlife.

These include -

- (a) Allowing dogs to run free
- (b) Flying helicopters or other aircraft in a manner which would disturb bird colonies, or landing near (e.g. within 200 yards) such colonies.
- (c) Driving vehicles unnecessarily close to breeding colonies of birds.
- (d) Use of explosives or discharge of fire-arms close to breeding colonies of seals.
- (e) Disturbance to bird or seal colonies by persistent attention from people on foot.
- (f) The discharge of oil from ships in coastal water.

MEETING UNCLASSIFIED

MEETING UNCLASSIFIED.

Number: Sec. Paper/8

Date: 10th July, 1961.

(ORIGINAL IN ENGLISH)

5. The complete protection of all species envisaged in par.1 above should be relaxed only in the following cases, which should be controlled by proper authorization on a scale that will not deplete the local stock:

- (a) Collections and studies for scientific purposes,
- (b) Food (meat, eggs) for men and dogs,
- (c) Living specimens for zoological gardens,
- (d) Taking of a strictly limited number of specimens, especially natural casualties, for private purposes,
- (e) Exploitation of fauna for commercial gain, on terms which accord with sound conservation principles.

The necessary systems of authorization must remain a matter for discussion between the responsible authorities. Some preliminary suggestions are given in Annex D.

It is suggested that nations should draft applicable regulations.

MEETING UNCLASSIFIED.

MEETING UNCLASSIFIED.

Number: Sec. Paper/8

Date: 10th July, 1961

(ORIGINAL IN ENGLISH).

ANNEX A

WILD LIFE PROTECTION IN ANTARCTICA

The following laws, regulations or principles are in force at the present time (September 1960). This list is based on information supplied in response to the application in the circular SCAR4/1/60, and verbally by delegates and is certainly not complete.

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Argentina Law 13.908 and Decreto Reglamentario No. 15.501/53 provide for the complete protection within Argentina and the territories under Argentine jurisdiction of all members of the native fauna. There are exceptions for sport, commercial exploitation, scientific, educational and cultural collection, and destruction of pests. The taking of species in the first three of these categories is subject to licence and governed by precise regulations, and the species concerned are listed under both their common and scientific names.

Argentina also has a considerable body of legislation governing inshore fisheries, exploitation of littoral algae, and other allied subjects, little of which has much relevance to the territories south of 60°S.

(Copies of laws and ordinances supplied by Argentina)

Australia Operations Manuals for Australian Antarctic stations provide rules for the protection of wild life. Enforcement is the responsibility of station leaders. (Verbal information from Australian Adviser on biology.)

Belgium Belgium has no special law or regulation concerning conservation or utilization of the Antarctic flora and fauna. (Written information from Belgian delegate.)

MEETING UNCLASSIFIED.

MEETING UNCLASSIFIED

Number: Sec. Paper/8

Date: 10th July, 1961.

(ORIGINAL IN ENGLISH)

- Chile Chilean national legislation protects wild life throughout the country, including areas in Antarctica. The taking of scientific specimens, and the killing of some species for sport or commercial purposes is permitted under licence. (Verbal information from Chilean delegate.)
- France: An Ordinance of 27 February 1959 forbids the killing or taking of specimens except for scientific purposes or in emergency in Terre Adelie. (Verbal information from French adviser on biology.)
- Japan: Expedition members have been reminded of their moral duty to preserve wild life, and leaders of parties have been instructed to see that the maximum of protection is given. Permission to kill animals, even for scientific purposes, must be obtained from the leader or other person in authority. (Verbal information from Japanese delegate.)
- New Zealand Leaders of Antarctic stations have an overall directive to conserve wild life. Recently rather more precise instructions have been issued to reduce the number of seals killed for dog food. (Verbal information from the New Zealand delegate.)
- Norway By Royal Decree of February 27, 1953, in pursuance of Section 3 in a law of December 14, 1951, it is prohibited to take fur-seals or sea-elephants on Bouvetoya and Peter I's oy. (Copy of Decree supplied by Norway.)
- Sth.Africa Wild life protection orders are in force for South African sub-Antarctic islands, and some directive will probably be issued to scientific and other staff of Antarctic bases, if these are established in any area possessing a significant fauna. (Verbal information from South African delegate.)

MEETING UNCLASSIFIED.

MEETING UNCLASSIFIED

Number: Sec. Paper/8

Date: 10th July, 1961.

(ORIGINAL IN ENGLISH).

United  
Kingdom

The Wild Animals and Birds Protection Ordinance of 22 March 1913, as amended in the Wild Animals and Birds Protection Order 1955, provides complete protection for a list of scheduled birds and ~~mammals~~ within the Falkland Islands Dependencies. The only sea-birds protected in these ordinances are penguins, steamer-duck, and kelp geese: petrels and albatrosses. A second Schedule provides a close season for certain birds, mostly ducks and geese, which at other times are unprotected. The taking of penguin eggs is further governed by a supplementary series of regulations. Under an Ordinance 8 of 1921 to consolidate and amend the laws relating to seal fishery and an Amending Ordinance of 1 April, 1953, all seals are protected, except where exploitation has been specifically licensed. There are also fishery protection ordinances. (Copies of laws and ordinances supplied by United Kingdom.)

USA

The Operation Plan of Operation "Deep Freeze II" 1956-7, directs commanding officers of all ships, shore stations, and other bases, and leaders of all parties to ensure that all personnel observe the principles of wild life conservation in Antarctica. Collection of scientific specimens by accredited persons is authorized. The taking of penguins for private collections is discouraged and made subject to conditions to ensure the proper handling of specimens. (Written information supplied by United States.)

USSR

Regulations for the protection of the fauna have been made by the Chief of Soviet Expeditions, and the leaders of parties are responsible for seeing that these are obeyed. Since 15.1.56 the region around Haswell has been declared a reservation. No animals (other than fish, caught on a line) are taken for food by Soviet parties. (Verbal information from Soviet delegation.)

MEETING UNCLASSIFIED.

MEETING UNCLASSIFIED.

Number: Sec. Paper/8

Date: 10th July, 1961.

(ORIGINAL IN ENGLISH).

ANNEX B

Draft contents of a leaflet -

Preservation of Wild Life

(a) Introduction:

Explains that leaflet is intended to familiarize reader with Antarctic animals and birds and to enlist his co-operation in their preservation.

(b) Brief descriptions, with sketch and life history information of seals, birds, etc.

(c) A concluding explanation of the ways in which wild life may be endangered, even unintentionally.

(It is intended that copies of this leaflet should be handed to all personnel on embarkation or arrival in the Antarctic. Shore station leaders should prepare sketch maps showing the location of sanctuaries, main bird and seal colonies, and other interesting natural features in the district and should issue these to their staff, together with a list of the conservation rules applying in the area.)

ANNEX C

Definitions.

alien forms: any living specimen of plant or animal which is not indigenous to the Antarctic.

animal: any vertebrate or invertebrate species, wherever it occurs.

fauna: all vertebrate and invertebrate species, wherever they occur.

flora: all plant species, wherever they occur.

MEETING UNCLASSIFIED.



MEETING UNCLASSIFIED.

Number: Sec. Paper/8

Date: 10th July, 1961.

(ORIGINAL IN ENGLISH)

ANNEX C (Cont'd)

Definitions:

indigenous:	native to the region.
invertebrates:	any form of animal life without a backbone, wherever it occurs
nature:	flora and fauna
nature reserve:	an area of land, ice, fresh water, or sea in which plants and animals are maintained in their natural state as far as possible.
plankton:	all forms of plant and animal life which float in the sea
predator:	any animal which kills other animals for food.
sanctuary:	an area of land, ice, fresh water, or sea in which no form of interference with plants or animals is permitted.
specimen:	any individual plant or animal, or part thereof, which has been collected.
vertebrate	any form of animal life with a backbone, wherever it occurs.

MEETING UNCLASSIFIED.

Number: Sec. Paper/8

Date: 10th July, 1961.

(ORIGINAL IN ENGLISH)

ANNEX D

Authorization for collection of flora and fauna

It is suggested that the following principles may be usefully considered when regulations are drawn up.

(a) For scientific collections

- i Permits should be personal and either non-transferable or transferable only to people employed by and collecting on behalf of the scientist concerned.
- ii They should be issued only to scientists of repute, or persons recommended by reputable scientists.
- iii They should be issued free of charge.
- iv They should be for a defined period, and valid within a defined area.
- v They should not restrict the species to be taken, or limit the number of specimens, which should be left to the responsible judgement of the scientist concerned, who knows his own needs and understands the implications of his collecting.
- vi The right to export the specimens from the area should be included in the permit.
- vii The person authorized to make scientific collections should submit a detailed report of all material collected or used, and of its eventual disposition.

MEETING UNCLASSIFIED.

MEETING UNCLASSIFIED.

Number: Sec. Paper/8

Date: 10th July, 1961.

(ORIGINAL IN ENGLISH)

ANNEX D.

Authorization for collection of flora and fauna.

(b) Taking of animals for food:

- i In recent years the depredations of expeditions upon this traditional food source have become alarmingly heavy, and are now continued without respite from year to year. For example, near several stations the stocks of Weddell Seals have been so disturbed that breeding rates have been affected and scientific research rendered difficult. Animals are killed without regard to age or sex, and even animals marked in the course of scientific studies have been taken. Without detailed biological research it is impossible to assess the permissible annual crop which the various seal colonies would stand, but it is certain that this figure is being seriously exceeded in many areas.

The time has come to consider a positive conservation policy which will prevent depletion of this important natural resource. For the time being, expeditions should be urged to provide alternative foodstuffs for men and dogs and permits to take seals should be granted as sparingly as possible.

- ii Expedition leaders should be made aware of the situation and urged to use the maximum of restraint in the killing of seal and the taking of penguin eggs. They should seek biological guidance wherever possible as to the maximum permissible harvest.
- iii Where permits are issued these should be valid for a limited period and within a definite area.
- iv Permits should be issued to expeditions or other groups, the operations to be the responsibility of the leader who should direct the number to be taken at any one time.
- v Such permits should be free of charge.
- vi Records should be kept of all animals killed under permit, or in emergency, and returns made to the appropriate authority.

MEETING UNCLASSIFIED.

MEETING UNCLASSIFIED.

Number: Sec. Paper/8

Date: 10th July, 1961.

(ORIGINAL IN ENGLISH)

ANNEX D

Authorization for collection of flora and fauna.

(c)

Specimens for zoological gardens:

- i These should be issued personally to collectors, and should be transferable only to their appointed agents.
- ii Before authority to collect is given it should be established that adequate arrangements have been made for the humane capture, efficient keeping in captivity, and safe transport of the animals to a suitable institution.
- iii A limit should be placed on the species and numbers which may be taken under each permit. A prohibited list should be prepared, naming those species that cannot be maintained in good health in captivity for at least three years.
- iv It should be specified that captured animals which cannot be safely transported from the Antarctic be forthwith released.
- v Returns should be provided of the number of each species captured, the number dying in captivity and in transit, and the ultimate disposition of the specimens.
- vi Where desirable a suitable charge should be made under each permit.

MEETING UNCLASSIFIED.

MEETING UNCLASSIFIED.

Number: Sec. Paper/8

Date: 10th July, 1961.

(ORIGINAL IN ENGLISH)

ANNEX D.

Authorization for collection of flora and fauna.

(d) Specimens for private purposes:

- i In principle it is considered that, while the taking of an occasional specimen of most antarctic animals for private retention as "souvenirs" is unlikely to endanger any species, the practice is still an undesirable one. The disturbance and consequent loss which can be caused by people wandering into bird colonies to collect specimens can be out of all proportion to the number they actually kill themselves. Conversely, it is probably impossible to prohibit this practice without causing much ill-feeling and stimulating underhand activities. It is therefore better to recognize and regulate it.
- ii Collection for private purposes should be allowed only under written permit. For administrative convenience this might perhaps be given by a Base Leader or other person in authority, who could receive an overall directive from his Government as to how many such permits to issue. It is suggested that nobody be allowed to kill more than one specimen of each species for private retention.
- iii It is considered highly desirable that no person be permitted to kill any animal as a private specimen unless he has given an assurance that it will be competently prepared. Where efficient and inexpensive taxidermy services operate in a country it is an excellent scheme to require a deposit of money to be made when each permit is issued, to be returned on the submission of a receipted taxidermist's bill. This is not practicable in all countries.
- iv Where possible, people seeking private specimens should be urged to collect animals recently dead from natural causes and where an abundant supply of such specimens exists (e.g. Emperor Penguin chicks which have died of starvation) a Base Leader should not issue a permit to kill that species.

MEETING UNCLASSIFIED.

MEETING UNCLASSIFIED

Number: Sec. Paper/8

Date: 10th July, 1961.

(ORIGINAL IN ENGLISH)

ANNEX D.

Authorization for collection of flora and fauna.

(e) Commercial exploitation

- i Certain forms of commercial harvesting, e.g., of fur-seals, and elephant seals, are considered undesirable at present in the area south of 60°S because the populations of these animals are small and only slowly recovering from past destruction.
- ii Other forms of harvesting, e.g. of plankton or Antarctic fish, would strike at the whole basis of the Antarctic ecological system. Because of their likely repercussion they should not be undertaken without careful consideration.
- iii In general, it is felt that all forms of exploitation should be discouraged until adequate scientific data are available.

G. de Q. Robin,  
Secretary, SCAR  
14 February 1961.

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