

TRATADO ANTARTICO
XII REUNION CONSULTIVA

TRAITE SUR L'ANTARCTIQUE
XII REUNION CONSULTATIVE



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ANTARCTIC TREATY
XII CONSULTATIVE MEETING

ДОГОВОР ОБ АНТАРКТИКЕ
XII КОНСУЛЬТАТИВНОЕ СОВЕЩАНИЕ

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AGREED MEASURES FOR THE PROTECTION OF THE
ANTARCTIC ENVIRONMENT: INTERIM GUIDELINES -
DRAFT UK RECOMMENDATION (ITEM 6)
(SUBMITTED BY AUSTRALIA)

The Representatives,

Recalling: Article II of the Antarctic Treaty,
Recommendations VI-4, VIII-II, VIII-13, IX-5 and
XI-1;

Noting:

that in these Recommendations, which have become effective in accordance with Article IX, Paragraph 4 of the Antarctic Treaty, certain principles were elaborated and adopted, namely that:

- (i) the ecosystem of the Antarctic Treaty Area is vulnerable to human interference;
- (ii) the Antarctic derives much of its scientific importance from its uncontaminated and relatively undisturbed condition;
- (iii) in considering measures for the wise use and protection of the Antarctic environment their Governments shall act in accordance with their responsibility for ensuring that such measures are consistent with the interests of all mankind;
- (iv) no act or activity having an inherent tendency to modify the environment over wide areas within the Antarctic Treaty Area should be undertaken unless appropriate steps have been taken to foresee the probable modifications and to exercise appropriate controls with respect to the harmful effects such uses of the Antarctic Treaty Area may have;

Recalling:

that in accordance with these principles there has been established for the Antarctic a substantial series of measures for the protection, conservation and wise use of Antarctic fauna and flora consisting of the Agreed Measures for the Conservation of Antarctic Fauna and Flora, the Convention for the Conservation of Antarctic Seals and the Convention on the Conservation of Antarctic Marine Living Resources:

Noting:

that the exploration and exploitation of Antarctic minerals would give rise to risks of environmental damage on a scale hitherto unknown in the Antarctic and that their Governments are committed to the development within an Antarctic minerals regime of measures to assess the environmental impact of such activities and to the elaboration of measures aimed at reducing the impact of such activities to a minimum.

Recognising:

that the activities of their Governments in Antarctica in pursuit of knowledge are not themselves generally subject to prior scrutiny of their potential environmental effects, and that if new procedures were to be adopted they should not prejudice one of the fundamental principles of the Antarctic Treaty providing for freedom of scientific investigation;

Recognising:

that the evolution of the present system of Recommendations and conventions has paralleled the increasing level and complexity of man's activities in Antarctica;

Being Aware:

that future developments in Antarctica will call for further measures for the protection of the environment.

Recalling:

that the development of the principles and procedures for environmental impact assessment has been the subject of detailed international study and elaboration by the Scientific Committee on Problems of the Environment (SCOPE) of the International Council of Scientific Unions;

Recognising:

however, that any activity in the Antarctic has some impact, whether of a transitory or more permanent nature; that it is only in relation to such activities as are likely to have an environmentally significant impact that codified assessment procedures might, with benefit, be applied and that the question of the sort of activity which would give rise to "significant impact" ought to be the subject of further study and refinement leading to clear definition;

Desiring:

that the totality of measures for the protection of the Antarctic environment should form a coherent whole;

Recommend:

to their governments that:

1. They give consideration to the ways in which a coherent system of measures for the protection of the Antarctic environment might be developed.
2. In order to assist in the development of such measures (including measures for the prediction of environmental impacts and the application of appropriate controls with respect to the possible harmful effects of activities in Antarctica), in relation to any proposed activity in pursuit of the scientific objectives of the Antarctic Treaty (including the proposed provision of logistic facilities to support such activity) that might reasonably be expected to have more than a transitory or minor impact on the Antarctic environment, they voluntarily adopt, for experimental purposes and in order to gain practical experience. the Interim Guideline Procedures set out below:
 - (i) The proposed activity should be clearly described and defined;

- (ii) A first evaluation of whether the proposal might reasonably be expected to have more than a transitory and minor impact on the environment should be made, preferably making use of an appropriately qualified independent reviewer or advisory group to examine the statement of the proposed activity. If the result of such an examination is a judgement that the proposed action will not significantly affect the environment, it should then proceed, although its effects should be monitored against the conclusions in the assessor's report;

- (iii) If the proposed activity is believed to have potentially significant impacts on the environment, an environmental assessment of the proposed activity and feasible alternatives should be made. Such an assessment should:
 - (a) describe the proposed activity as well as feasible alternatives including the consequences of not proceeding;

 - (b) describe the initial reference state with which predicted changes are to be compared and predict future environmental states in the absence of action;

- (c) estimate the nature and magnitudes of the likely environmental changes resulting from the proposed activity;
- (d) define the criteria to be used in measuring the significance of environmental changes. including the relative weighting to be assigned in comparing different kinds of changes;
- (e) estimate the significance of the predicted changes, i.e. estimate the acceptability of the proposed activity;
- (f) give consideration to the indirect impacts which the activity might have;
- (g) give consideration to the cumulative impacts of the proposed action and other existing and proposed actions;
- (h) describe the manner in which restoration of the environment would be achieved (if appropriate);
- (i) describe the safeguards and standards to be followed in the conduct of the proposed action or the operation of the proposed facility;

- (iv) A decision should be made on the basis of the assessment as to whether:
- the action should proceed in the proposed form and under appropriate conditions;
 - the action should proceed in a modified form and under appropriate conditions; or
 - the action should not proceed

and the conclusions and reasons for reaching them should be stated in a report.

- (v) Implementation of the accepted action should be described;

- (vi) Monitoring of key indicators of the environmental effects of implementation and comparison of the changes taking place against the assessment predictions should be carried out.

3. At each future Consultative Meeting Consultative Parties should table for the information of their partners papers relating to any action taken in accordance with the previous paragraph.

4. They invite the Scientific Committee on Antarctic Research (SCAR), through their National Committees:

- (i) to consider the categories of activity in Antarctica related to the pursuit of the objectives of the Antarctic Treaty (excluding resource related activities) which might reasonably be expected to have a "significant impact" on the environment;
- (ii) to consult with SCOPE as may seem desirable on the procedures for the assessment of environmental impact; and
- (iii) to offer through their National Committees such advice as seems to SCAR to be relevant to the future consideration by Consultative Parties of agreed measures for the protection of the Antarctic environment that might be adopted under the Antarctic Treaty.

5. In the light of experience gained and of SCAR's advice, they consider at a future Consultative Meeting the formulation and adoption of Agreed Measures for the Protection of the Antarctic Environment.