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OPENING STATEMENT BY THE HEAD OF THE DELEGATION
OF THE UNITED KINGDOM TO THE XI TH SPECIAL
ANTARCTIC TREATY CONSULTATIVE MEETING

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Mr Chairman,

May I, too, add my voice to those who have already congratulated you on your election to chair this meeting, a meeting which my Government sees as being crucially important to the future of the Antarctic Treaty system. Those of us who remember the wisdom you brought to our deliberation at the VIIth regular Consultative Meeting in 1972, and know of the interest you have maintained in the Antarctic Treaty system during the intervening years, know, too, that we are in safe and knowledgeable hands.

May I also take this opportunity, through you, Mr Chairman, to thank the Government of Chile most warmly for the excellent facilities that have been made available to us. For reasons of which we are all sadly aware, the Antarctic Treaty practice of highly migratory negotiation has not been able to find a resting place in Chile since 1966. My delegation is glad to be back.

Mr Chairman, I said that my Government sees this meeting as being crucially important to the future of the Antarctic Treaty system. The issue, as my Government sees it, is whether this system, over the development of which we have laboured for the last 30 years, is to continue to provide the forum decisions about the governance of Antarctica by international agreement.

If it is so to continue, it can only do so on the basis of consensus.

Where there are differences between us, the need for consensus does not mean that Parties should not strongly argue their case. What it does mean is that no Party should put any other Party into an intolerable position. This requires of us all the spirit of mutual forbearance.

It also means, Mr Chairman, that once agreements are reached in this forum, they will be honoured by the Parties to them. Unless there is confidence on that point, the process of compromise leading to consensus will be at risk.

In approaching the negotiations before us, Mr Chairman, we need to bear that in mind and seek to restore that confidence and the accompanying spirit of forbearance upon which the future viability of the Antarctic Treaty system so crucially depends.

If we fail in that endeavour, the prospect before us will be of a return to the situation as it was 31 years ago, before the conclusion of the Antarctic Treaty. I am wholly confident, Mr Chairman, that none of us here wants that. But we need to recognise that avoidance of that prospect will demand of all of us, I repeat, all of us, a willingness to compromise - however strongly held our respective underlying positions may be - coupled with a recognition that our fundamental interest lies in the maintenance of the Antarctic Treaty system. Unless the system survives there can be no protection of the Antarctic environment.

I turn now, Mr Chairman, to the purpose of the meeting before us, which is to establish a comprehensive system for the protection of the Antarctic environment and its dependent and associated ecosystems.

The eyes of the world are upon us. We need to make progress; we need to make it with reasonable dispatch and we need to be thorough in our work. It is the strongly held hope of my Government that we should be able to reach agreement on such a comprehensive system by no later than the end of the XVth Consultative Meeting in Bonn, about a year from now. We are firmly committed to that goal and will work with energy and goodwill towards it.

If we fail to achieve such an agreement on such a timescale, criticism of the Antarctic Treaty system will escalate. It is in the interests neither of us here gathered together, nor, more importantly, of Antarctica that that should happen.

If we are to fulfil such a hope we need to come out of this meeting with a clear road map before us as to how we are to proceed, and to have made substantial progress along the road.

There are, as you know Mr Chairman, three basic approaches to a comprehensive system which have been tabled for consideration at this meeting. What first would strike any reader is the very considerable degree of common ground between them as to what needs to be achieved. All of them, fundamentally, are seeking to ensure that mandatory law should apply to Antarctic activity for the purpose of protecting the Antarctic environment.

We, for our part, agree that we need to make mandatory provision for the application of environmental impact assessment procedures to Antarctic activity. We agree that we need to make mandatory provision for the conservation of wildlife, for waste disposal, for marine pollution, for tourism and for any other activity which could substantially damage the Antarctic environment.

We agree, too, on the need for institutional development of an Advisory Committee and a small secretariat as well as on the need for measures to ensure compliance such as dispute settlement provisions and on-site inspection.

Where these approaches differ, however, is with respect to how best, procedurally, to achieve the fundamental objective. Now is not the time to give a detailed exegesis of my delegation's reactions to the draft convention tabled by France and Australia and others and the draft Protocol tabled by New Zealand. But I should say this: that both drafts attempt to provide not only for the system itself but also call for decisions to be taken, in the course of negotiation, about specific activities as part of the proposed instrument.

Thus the New Zealand approach requires us to reach agreements on how to regulate specific activities such as inspection, area protection, liability and tourism, and the Franco-Australian approach requires us to reach fundamental agreements on a list of activities to be banned and on lists of activities which carry lower or higher environmental risk.

In the view of my delegation, such agreements are not required at this stage. We need to maintain a clear distinction between the system itself, and the regulatory measures to be adopted under it. Otherwise we risk finding ourselves in a

negotiation which is so complex that it will take years to complete. It is nevertheless the hope of my delegation that, within the timescale I have referred to, we shall be able to reach agreement on the system and on a number of regulatory measures in the form of Annexes. Particularly important will be measures on environmental impact assessment.

I have left until last, Mr Chairman, the vexed question of minerals. We all know that that question will be the toughest nut to crack. It will feature in our meeting because both the Franco-Australian and New Zealand drafts refer to it. One thing is certain: we have to deal with the question before we can say that we have comprehensively provided for the protection of the Antarctic environment. But what should be our priorities at this meeting?

We need the comprehensive system for the protection of the Antarctic environment now. We need it to regulate activities that are going on in Antarctica now. I believe we all agree on that. We differ, however, on how best to regulate an activity that is not going on now. My delegation is therefore strongly of the view that, for the sake of the Antarctic, if for no other reason, we should concentrate first on the issue that brings us together rather than on the issue that divides us.

That does not mean that my delegation will not be ready, indeed willing, here, to explore the differences between us on the minerals issue, perhaps, Mr Chairman, by some informal means under your guidance. Time is not on our side. If we have agreed on a system for the protection of the Antarctic environment within the timescale to which I have already referred, but have not reached a consensus on the minerals question, we could be seen as having failed in the task we have set ourselves.

We are therefore ready to explore, on an ad referendum basis, all routes back to consensus. We have only two requirements.

The first is that whatever consensus we eventually find has to be rational and be based, as has been our practice throughout the development of the Antarctic Treaty system, on data and information soberly and scientifically assessed.

The second is that there should be in existence an internationally agreed mechanism for making decisions about mineral activity in the Antarctic, before, and I repeat, before, the need for it arises.

My Government continues to believe that the Minerals Convention, which already exists, provides the only mechanism on offer which has the capacity both to defuse an otherwise explosive political issue, and to regulate mining activity in a manner which would meet all reasonable environmental concerns.

Unless we can achieve such a rational and prudent agreement, my Government fears that we could find ourselves once more in a situation in which support for an agreement reached in this forum is subsequently withdrawn. My Government fears that the Antarctic Treaty system might not be able to withstand such an eventuality.

Thank you, Mr Chairman.