

MEASURE 1 (2003)

SECRETARIAT OF THE ANTARCTIC TREATY

The Representatives,

Recalling the Antarctic Treaty and the Protocol on Environmental Protection to the Antarctic Treaty (the Protocol);

Recognizing the need for a secretariat to assist the Antarctic Treaty Consultative Meeting (the ATCM) and the Committee for Environmental Protection (the CEP) in performing their functions;

Recalling Decision 1 (2001) of the XXIV ATCM on the establishment of the Secretariat of the Antarctic Treaty (the Secretariat) in Buenos Aires, Argentina;

Recommend to their Governments the following Measure for approval in accordance with paragraph 4 of Article IX of the Antarctic Treaty:

ARTICLE I

SECRETARIAT

The Secretariat shall constitute an organ of the ATCM. As such it shall be subordinated to the ATCM.

ARTICLE II

FUNCTIONS

1. The Secretariat shall perform those functions in support of the ATCM and the CEP which are entrusted to it by the ATCM.
2. Under the direction and supervision of the ATCM, the Secretariat shall, in particular:
 - (a) Provide, with assistance from the host government, secretariat support for meetings held under the Antarctic Treaty and the Protocol and other meetings in conjunction with the ATCM. Secretariat support shall include:
 - i) Collation of information for ATCM/CEP meetings e.g. environmental impact assessments and management plans;

- ii) Preparatory work for and distribution of the meeting agendas and reports;
 - iii) Translation of meeting documents;
 - iv) Provision of interpretation services;
 - v) Copying, organizing and distributing meeting documents; and
 - vi) Assisting the ATCM, in drafting the meeting documents including the final report;
- (b) Support intersessional work of the ATCM and the CEP by facilitating the exchange of information, organizing meeting facilities and providing other secretariat support as directed by the ATCM;
 - (c) Facilitate and coordinate communications and exchange of information amongst Parties on all exchanges required under the Antarctic Treaty and the Protocol;
 - (d) Under guidance from the ATCM, provide the necessary coordination and contact with other elements of the Antarctic Treaty system and other relevant international bodies and organizations as appropriate;
 - (e) Establish, maintain, develop and, as appropriate publish, databases relevant to the operation of the Antarctic Treaty and the Protocol;
 - (f) Circulate amongst the Parties any other relevant information and disseminate information on activities in Antarctica;
 - (g) Record, maintain and publish, as appropriate, the records of the ATCM and CEP and of other meetings convened under the Antarctic Treaty and the Protocol;
 - (h) Facilitate the availability of information about the Antarctic Treaty system;
 - (i) Prepare reports on its activities and present them to the ATCM;
 - (j) Assist the ATCM in reviewing the status of past Recommendations and Measures adopted under Article IX of the Antarctic Treaty;
 - (k) Under the guidance of the ATCM, take responsibility for maintaining and updating an Antarctic Treaty system “Handbook”; and
 - (l) Perform such other functions relevant to the purposes of the Antarctic Treaty and the Protocol as may be determined by the ATCM.

ARTICLE III

EXECUTIVE SECRETARY

1. The Secretariat shall be headed by an Executive Secretary who shall be appointed by the ATCM from among candidates who are nationals of Consultative

Parties. The procedure for the selection of the Executive Secretary shall be determined by a Decision of the ATCM.

2. The Executive Secretary shall appoint staff members essential for the carrying out of the functions of the Secretariat and engage experts as appropriate. The Executive Secretary and other staff members shall serve in accordance with the procedures, terms and conditions set out in the Staff Regulations which shall be adopted by a Decision of the ATCM.

3. During the intersessional periods the Executive Secretary shall consult in a manner to be prescribed in the Rules of Procedure.

ARTICLE IV

BUDGET

1. The Secretariat shall operate in a cost-effective manner.

2. The budget of the Secretariat shall be approved by the Representatives of all Consultative Parties present at the ATCM.

3. Each Consultative Party shall contribute to the budget of the Secretariat. One half of the budget shall be contributed equally by all Consultative Parties. The other half of the budget shall be contributed by the Consultative Parties based on the extent of their national Antarctic activities, taking into account their capacity to pay.

4. The method for calculating the scale of contributions is contained in Decision 1 (2003) and the Schedule attached to it. The ATCM may amend the proportion in which the abovementioned two criteria shall apply and the method for calculating the scale of contributions by means of a Decision.

5. Any Contracting Party may make a voluntary contribution at any time.

6. Financial Regulations shall be adopted by a Decision of the ATCM.

ARTICLE V

LEGAL CAPACITY AND PRIVILEGES AND IMMUNITIES

1. The legal capacity of the Secretariat as an organ of the ATCM as well as its privileges and immunities and those of the Executive Secretary and other staff members in the territory of the Argentine Republic shall be provided for in the Headquarters Agreement for the Secretariat of the Antarctic Treaty (the Headquarters Agreement) hereby adopted and annexed to this Measure, to be concluded between the ATCM and the Argentine Republic.

2. The ATCM hereby authorizes the person who holds the office of the Chair to sign the Headquarters Agreement on its behalf at the time this Measure becomes effective.
3. The Secretariat may exercise its legal capacity as provided for in Article 2 of the Headquarters Agreement only to the extent authorized by the ATCM. Within the budget approved by and in accordance with any other decision of the ATCM, the Secretariat is hereby authorized to contract, and to acquire and dispose of movable property in order to perform its functions as set out in Article 2 of this Measure.
4. The Secretariat may not acquire or dispose of immovable property or institute legal proceedings without the prior approval of the ATCM.