CHAPTER 4

ANTARCTIC TREATY: PROVISIONS AND ASSESSMENT

Signed and ratified by twelve original members on 1st Dec. 1959, the Treaty's total membership has now reached Thirty three and the number of inner circle consultative members, entrusted with voting rights has gone up to twenty. Its operational area is south of 60° latitude, including ice-shelves and highseas. The members have connections with other international organisations like UN, OECD, COMECON, Group 77, NAM, EEC and OAS etc. Freezing all rival claims up to June 1991, Antarctic Treaty has made this continent, the "First Nuclear Free Zone" of the world, permitting only peaceful scientific researches, besides other achievement through numerous consultative meetings and recommendations.

Historical Development

Antarctica, the terra australis had for long fired the imagination of geographers and explorers. According to Polynesian sagas the South Sea islanders discovered continent in about 650 A.D. The ancient Greeks and Maoris believed that a large Southern continent existed to balance the land masses of the north, but it was not until James Cook circumnavigated Antarctica between 1772 and 1775 that documentation of the continent's existence south of the 60th parallel began. Whaling and Sealing activities brought man to Antarctica in 1820 when it was first signed in 1820 A.D., by ships under British, Russian and American command. In the early 20th century, the pace of activity in Antarctica quickened.
Claims to the Antarctic continent in its short history of 250 years of exploration have been based on discovery, occupation, the raising of flags, the issuing of decrees, the printing of postage stamps and geographical continuity. It is unique in being the only major landmass that has not been taken by conquest, although at times warfare has been perilously close as a final solution to conflicting claims.

However, the oldest formal territorial claims were made on 21st July 1908 by Britain to the area south of the Falklands, including Laurie Island in the South Orkney group, i.e., 86° - 20°W (17% of Antarctica). This claim was based on discovery, formal acts of taking possession, maintenance of station and exercise of sovereignty. They reframed it in 1917 to exclude the Laurie Island, steadfastly ignoring the Argentinians claim of 1908 to Antarctic Territory. The British continued the policy of territorial acquisition upto 1920s. In 1923, UK established the Ross Sea Dependency (160°E-150°W) and placed it under the control of New Zealand by an order of council. It collected royalties from whaling companies operating in both areas. This claim was based on discoveries by Ross in 1841 and by Scott and Shackleton between 1901 and 1912. Indeed, although the non-governmental Antarctic Society, formed in 1933 as a local initiative in New Zealand, it persuaded successive governments to take a more active interest in the continent, indeed it was New Zealand's historical dependence on the UK that continued to be the major determinant in shaping official response.
ANTARCTIC CLAIMS

- GT. BRITAIN (AUSTRALIA)
- GT. BRITAIN (N. ZEALAND)
- Claimed by both Britain and Argentina
- Claimed by Argentina, Britain, and Chile
- Claimed by both Chile and Argentina

Fig
Argentina was the first country to have expressly stated a claim to Antarctica in 1908. However, successive Argentinean governments have asserted, most particularly in 1943, that the area (74°W to 25°W) has been its territory since Argentina became a republic. Originally based on succession in Spanish 'rights', later the claim was also made on geographical proximity, and affinity, the sector principle and effective occupation since 1904, particularly over Laurie Island. Argentina further involved a Papal Bull of 1498 (in which the Pope decreed that the world should be split equally between Portugal and Spain), besides Inner Caetera and the Treaty of Tordesillas 1494.

Chile, invoking the same decree, in 1940 claimed 90°W, i.e. 10% of Antarctic Territory. Chile issued a decree to fix with accuracy the limits of a sovereignty that had existed since 16th century. But UK maintained a steadfast and resolute attitude to Chilean and Argentinean claims, both of which overlapped with UK's. UK felt the Antarctic peninsula belonged to her, and with due ceremony tore down flags and stations of foreign usurpers, arrested and deported illegal immigrants back to their country of origin, and went about her business of research, discovery and annexation.

However, surprisingly, despite overlapping claims, Argentina and Chile still support the indisputable rights of each other. Commentators from both nations have frequently tied all Antarctic delimitation issues with their boundary dispute in the Beagle Sea. Seeing all these developments in the region, France showed an unexpected interest in Antarctica by recalling the voyage of
Dumont d'Urville of 1840, and perhaps, with a desire to collect whaling royalties, issued presidential decree on 29th March, 1924 claiming an appropriate slice of Antarctica (136°-142°E) forming 2% of Antarctic Territory, i.e., the whole of Adelie Land. Since it was directly south of Australia it invoked an indignant response from the later side. Further, the French action was not supported by the then active ships and upcoming settlements, mostly by Norwegian whalers.

Australia, in 1933, received 6.5 millions sq.km. of Antarctic continent from Britain. It thus claimed two segments, 45°E-135°E and 142°E-160°E i.e., total 45% of Antarctic Territory. The claim is supported by British and Australian explorations and is based on discoveries by Ross in 1841 and by Scott and Shackleton between 1901-1912.

Finally Norway too claimed from 20°W to 45°E, an area referred to as Dronning (Queen) Maud Land, mainly to prevent German claims to an area explored, discovered and used for whaling purpose by them. The claim was based on Lar Christensen's exploration. One of his ships, the Norvegia, equipped with scientific research tests, as well as for whaling, made a first voyage in the summer of 1927-28. Afterwards Christensen claimed land for Norway between 20°W-60°E longitudes and also Bouvet Island in the South African Sector of the Antarctic. Both claims based on extensive and efficient exploration and whaling, conflicted with British interest, it even overlaped Biscoe's Enderby Land, which had been claimed for
Map: Territorial Division of the Antarctic
BRITISH, ARGENTINE AND CHILEAN ANTARCTIC CLAIMS
William IV of Britain in 1831. Giving much publicity to national rivalries and competitive claims in Antarctica, the Norwegian Press indignantly declared that 'Norway had as much right to any no man's land which she might discover as anybody else does. However, an unique example of amicable agreement took place between Mawson (on Discovery) and Captain H. Riiser-Larsen (in the Norvegia) when they met on Proclamation Island, 14 Jan.1930. On the instruction of Lars Christensen and Norwegian Govt. he claimed land only west to 45°E longitude, thus recognising the rights of UK of Enderby Land, i.e. east of 45th Eastern Meridian.

Prospective Maritime Jurisdictions in the Antarctic:

All sectors claim to Antarctic were placed in abeyance by the 1959 Antarctic Treaty. The Treaty will be reviewed in 1991, however and it is possible that several claims may be reactivated at that time unless a regime governing the exploitation of non-living resources can be negotiated. If claims are reactivated, it seems likely that they may be used to extend national jurisdiction over the Antarctic EEZ and continental shelf.

Argentina and the UK both claim the Falkland Islands and their dependences, South Georgia and the South Sandwich Islands.

Britain claims the South Shetland and S. Orkhey Islands along with its Antarctic claims and administers them as a part of British Antarctic Territories (BAT).

Norway's claims in the oceanic areas surrounding Peter I Island and Antarctica have not been delimited but an equidistance
GLOBAL EEZ DEMARCATION
LEGEND

- 200 N.M. Exclusive Economic Zone
- Antarctic sector claims

1 - 6 United Kingdom's Sector Claims
   1 - Falkland Is.
   2 - South Shetland Is.
   3 - South Orkney Is.
   4 - South Georgia
   5 - South Sandwich Is.
   6 - Gough Is.

7 - 8 Uruguay's Sector Claims:
   7 - Peter Is.
   8 - Bouvet Is.

9 - 11 France's Sector Claims:
   9 - Crozet Is.
   10 - Kerguelen Is.
   11 - Prince Edward Is.

12 - 15 Australia's Sector Claims:
   12 - Heard Is.
   13 - McDonald Is.
   14 - Tasmania
   15 - Macquarie Is.

16 - 20 New Zealand's Sector Claims:
   16 - Chatham Is.
   17 - Bounty Is.
   18 - Auckland Is.

Fig. - Antarctic Claims and 200-mile economic zones
line is used on the map to show the possible extent of that claim.

Questions regarding the regime for Islands (Art.121 of the UNCLOS Treaty) are nowhere better illuminated than in southern oceans. Many of the islands in Antarctic waters are little more than bleak, uninhabited, ice-covered rocks. Such islands include: Scott and the Balleny Islands, the South Orkney, South Shetland, South Sandwich, Peter Island, Bouvet, Heard and McDonald Islands, including South Georgia and the Kerguelen, Cozet and Prince Edward Islands which are also nearly uninhabited. Disputes are inevitable once the "habitability" and potential for "economic life" of most of these Islands come into forefront. Also unresolved is the jurisdiction over the unclaimed Scott and Balleny Islands which lie between the Antarctic sector claim lines of New Zealand.

The edge of Antarctica's permanent ice-shelves has been given full consideration in determining the Antarctica's EEZ.

So we may comment that by 1943, Antarctic territory had been claimed by 7 nations, viz. Argentina, Australia, Chile, France, the UK, New Zealand and Norway, based on several legal principles: discovery occupation, administration\(^7\), inherited rights, contiguity and the sector principle\(^8\). Most of the pie-shaped claims extend from 60\(^\circ\)S to the South pole. However, the Northern and Southern limits of the Norwegian claim and the northern limit of the Chilean claim has not been defined. Only five claimants, namely, Australia, France, New Zealand, Norway
and the UK, mutually recognized each other's claims thus leaving out the two South American Countries. The Antarctic section from 90°W to 150°W longitude remains unclaimed. Of course, particular concern has been the overlapping claims of Argentina, Chile and the UK. This sovereignty dispute became one of the prime reasons of Falkland war. Further since Argentina and Chile, both claim 200 mile territorial sea limits off their section of Antarctica. Chile claims the same right of sovereignty over its sector of the Antarctic as over mainland Chile and has incorporated the sector into its internal regional administration. Part of Chilean Sector is also claimed by Ecuador because of the position of the Galapagos Islands.

A number of islands with the Antarctic convergence are claimed by more than one country. The South Shetlands are claimed by Argentina, Britain and Chile, while the South Sandwich Islands, the South Orkneys, South Georgia Island and Shag Rocks are disputed between Argentina and Britain. The South Shetlands and South Orkneys form part of British Antarctic Territory, established on March 3, 1962; this territory includes that part lying between 20°W and 80°W longitude stretching south of 60°S to the South pole plus the islands and covers a total land and sea area of about 3,000,000 sq.miles including the Weddel Sea. South Africa restricted its claim to a few subantarctic islands, instead of earlier claims on the main land. The USA, the USSR, Japan, West Germany and Belgium, at different point of time and at different levels, have all made discoveries and claims in Antarctica, but for various reasons have not been prepared to
assert them. They do not formally recognise any claim, although the USA, and the USSR reserve their rights to make claim in contrast to their self-professed concept of "Antarctica for International Access".

Japan in 1951, through 'Peace Treaty' agreed to forego any claim it had on the southern continent (based on 1911-12 expeditions). Belgium was active in Antarctica since 1897 in scientific expeditions but has asserted no claim. Peru, Brazil and Uruguay have all registered their interest in their various sections of the Antarctic Peninsula.

Poland became active in Antarctic affairs in 1950s, but did not intend to claim any territory.

West Germany has engaged in Antarctic research since 1873 to Palmer land, Enderby Quadrant and Weddell Sea, but has never laid claim to Antarctic territory.

Prelude to a Treaty

The various national claims to Antarctica till 1943 have been contested on the ground that none of the claims meet the criteria under the international law for the valid assertion of sovereignty. A number of attempts were made after World War II to arrive at the solution of the Antarctic issue.

One of the earliest efforts to unite polar activities was by an Austrian Explorer Karl Weyprecht as early as 1875. The First International Polar Year was held in 1882-83 leading to
establishment of fourteen bases in polar regions by twelve nations to make co-ordinated observations of the climate and the earth's magnetism. After 50 years i.e. in 1932-33, 2nd International Polar Year was held. Further, a stress was made to decrease the gap of years for the 3rd International Polar Year. After 25 years, 1957-58, was chosen for a Third Polar Year as it was to be a period of maximum sunspot activity. Under the auspices of the International Council of Scientific Union (ICSU) the 3rd polar year was formalised as the International Geophysical Year (IGY).

On the other hand several events occurred between 1947 and 1959. On the one hand in 1947, and again in 1955, Argentina and Chile refused a British proposal to go to the ICJ to settle their overlapping Antarctic claims. A further complicating factor concerns recent discoveries which indicate that the principal krill concentrations lie within 200 miles of land disputed between UK and Argentina. On the other hand USA was gravely concerned with the continuous bickering of its allies over this disputed territory. In the 1940s US found itself at odds with the USSR and saw the possibility for yet another wedge being driven into the Antarctic pie - only this one would be red. In 1948 it took a diplomatic move by proposing to Argentina, Australia, Chile, France, New Zealand, Norway and the UK, that the Antarctica should be made the subject of some international trust territory (a condominium) for direct involvement after merging claims and interests. But of all claimant nations, only New Zealand, was prepared to relinquish its claims.
UK, in 1957, made a similar proposal for a condominium, including the USSR, but was finally not adopted.

P.N. Nash, of New Zealand, sought to project an international solution in 1956, when it suggested that Antarctica be deemed as "World territory" under the control of the UN, as "UN Trusteeship" but adequate response from other claimants being absent New Zealand did not pursue the proposal.

Arthur, S. Lall, representing India\textsuperscript{10}, in Feb.1956, requested that the question of Antarctica be included in a provisional agenda of the UN General Assembly. The main emphasis was to develop Antarctic resources solely for peaceful purposes, non-militarization of the area, banning of nuclear weapons testing and reference to future territorial disputes to the ICJ. A few nations indicated interest, but the proposal was withdrawn, largely owing to opposition from Chile and Argentina, and lack of support from the US and the UK. In July, 1958, India again requested that the issue be put on the agenda of the General Assembly. In a rather prophetic statement, India said "it would be appropriate and timely for the nations to agree and to affirm that the area will be utilized entirely for peaceful purposes and the general welfare of the whole world."\textsuperscript{11} Again India could muster little support, since it appeared as if the proposed 12-national Antarctic Treaty Conference might take place, India urged that the UN should have a chance to comment and offer suggestions on possible participation of non-signatory states in the regime provided by the treaty.\textsuperscript{12}
On the scientific front, as said earlier, the major development came in the form of international Geophysical Year, June 1957 to Dec. 1958, on the suggestions of World Meteorological organisation and International Council of Scientific Union, the concept of Polar Year was extended to entire globe in the form of IGY. A special committee to handle the scientific co-ordination and logistics for IGY was established in 1953 - the Comite Special de l'Annee Geophysique internationale or CSAGI. In ICSU own special committee selected two areas for special attention - outerspace and Antarctica. It was this decision that paved way for the Antarctic Treaty, following which there was an almost simultaneous thrust into the affairs of the continent.

The first Antarctic Conference was held in Paris under the chairmanship of General G.R. Laclavere in (6-10 July) 1955, emphasising only on science; rather than politics or boundary demarcation, as the tool for establishing international accord in Antarctic matters. During IGY, the participating 12 nations established forty stations on mainland and twenty on surrounding islands to implement major Antarctic Scientific Research Programmes. Of considerable significance was the agreement to allow countries working in Antarctica to place scientific stations, anywhere on the continent, irrespective of territorial claims. The US team alone involved 3000 people and 12 ships. The Russians moved into the Australian Territory and the USA into the Antarctic Peninsula and into New Zealand's Ross Dependency. Even before IGY had finished its work, moves were afoot to continue the unique scientific endeavour on this content.
The ICSU approved the formation of a special Committee on Antarctic Research (SCAR), which held its first meeting at Den Hague in 1958. SCAR, with the sole purpose of continuing and coordinating the scientific operations of IGY, was to become, and still is, one of the most effective committees on Antarctic Science & Management.

In April 1958, USA took the initiative\textsuperscript{13} in convening a conference to discuss the future of Antarctica. Subsequently (on 2nd May 1958) USA proposed to IGY participants that they should join 'in a treaty designed to preserve the continent as an "International laboratory" for scientific research and ensure that it should be used only for peaceful purposes.\textsuperscript{14}

There was a general desire not to return to the pre-IGY scenario, i.e. tendency to interpret Antarctic science as a politico-legal instrument employed to record and strengthen territorial claims which meant that national interest were stressed at the expense of international scientific cooperation.\textsuperscript{15} A preliminary conference of working group met in June 1958, in Washington and after sixty meetings (by Oct. 1959) the draft treaty was prepared. The conference was convened in Washington on 14th October 1959 and the Antarctic Treaty was signed on 1st Dec. of the same year. This Antarctic Treaty was originally signed by 12 countries.\textsuperscript{16} These 12 countries were known as consultative parties. On 23rd June 1961, the treaty was ratified. The term Antarctic Treaty System describes a range of arrangements centered upon the Antarctic System besides indicating the permanent and coherent character of their
framework of international cooperation into a specific area, i.e. upto 60°S latitude.

During its life time, the Antarctic Treaty System has evolved in two ways. In the first place, the system has experienced increased international participation in respect to both levels of membership. Accession, the lower level, involves merely acceptance of the treaty's principles, although recently such governments, the non-consultative parties, have been granted observers status at meetings and thus less passive role in management process. The higher level of participation is Consultative Party Status., which is possessed by the original twelve signatories as well as by those governments adjudged by a Special Consultative Meeting to be 'active' in Antarctic Research. Six governments: (1) Poland (1977), West Germany (1981), India (1983), Brazil (1983), China (1985), Uruguay (1985), Italy and G.D.R. (1987) - have been admitted to this status to increase the number of consultative parties to 20, together with 17 non-consultative parties (e.f., Cuba (16 Aug. 1984), Spain (31 March 1982), Sweden (24 April 1984), Czechoslovakia (14 June 1962), Denmark (15 May 1965), Netherlands (30 March 1967), Romania (15 Sept. 1971), Bulgaria (11 Sept. 1978), Papua New Guinea (16 March 1981), Peru (10 April, 1971), Hungary (27 June, 1984), Finland (15 May 1984), the Republic of Korea (28 Nov. 1986), Greece (8 Jan. 1987) and the Democratic Republic of Korea (21 Jan.1987), Austria, (Aug.25, 1987), Ecuador (Sept.15,1987), the Antarctic Treaty System now embraces 35 governments.
Thus we see that the 1980s have witnessed an acceleration in the pace of international participation, since 1981, Consultative members have been added. Further, chance can be expected, for certain parties (e.g., the Netherlands and Spain) are advancing to Consultative Party Status through the development of Antarctic research; in addition, certain outsiders, Austria, Canada, Indonesia, are supposed to be moving towards, or at least to be contemplating, accession.

Second, the treaty framework has been extended and modified constantly to accommodate new situations and problems, to cover perceived 'gaps' in the system, and to consolidate the treaty powers control over the region, thus designed to further the principles and purposes of the treaty. Therefore, this form of inter-governmental management has not been supported by the establishment of permanent institutional mechanisms, partly because certain claimants opposed anything more than minimal administrative arrangements on account of their anxiety of not to qualify, their sovereign positions. The only actual institutional apparatus provided in the treaty was that of a Consultative Meeting, adopting recommendations and Agreed Measures through consensus on a range of scientific, environmental, administrative and other questions.

However, the key international organisation behind Antarctic Science is the Scientific Committee for Antarctic Research (SCAR) of the ICSU, set up at close to the IGY. SCAR has an advisory role in relation to the Antarctic Treaty. It has played an important role in initiating discussions which led to the
Agreed Measures for the conservation of Antarctic Flora and Fauna (1964), the Convention for the conservation of Antarctic Seals (CCAS) (1972), and the convention for the conservation of Antarctic Marine Living Resources (CCAMLR, 1980). More recently the programme of BIOMASS (Biological Investigations of marine Antarctic Systems & stocks) has responded to requests from the Scientific Committee of CCAMLR. The Consultative Parties are engaged currently in negotiations for the creation of an Antarctic Minerals Regime, (Paris 1985) and (Hobart 1986 April) and (Wellington 1987) being the most recent, designed to consolidate, perhaps even to complete, the Antarctic Treaty System.

Substance of Antarctic Treaty

The major reason for the successful implementation of the Antarctic Treaty lies in its clever mix of specificity and vagueness. In fact, the treaty was a modest, limited, and relatively costless attempt at international control, blocking large scale institutional provisions. It was essentially a formal version of the status quo reached during the IGY. Most of the current difficulties of the treaty stem from the fact that effort was to skirt and shelve complex issues rather than resolve it. On the one hand treaty promotes compromises rather than conflict, on the other it instills a sense of exclusivity for the consultative parties, yet inviting all nations to join it. Further, it clearly says that Antarctica is in the interest of all mankind, but on the other hand it negates the control of UN for the said purpose. In short, it is the content of the Treaty
that has made its implementation so successful. The treaty, possessing no time limit, can last indefinitely even if there exists provisions for a conference to 'review' the operation of the Treaty, that also only if some member demands after it has been in force for 30 years, i.e. during and after 1991; in fact, this review procedure has encouraged some commentators to state incorrectly that the treaty expires in 1991. Further, the system which has evolved under the Antarctic Treaty by now appears both simple and pragmatic. These characteristics should not mask the fact that the treaty system has also been flexible and innovative in response to new and evolving issues.

The preamble provides some insight into the manner in which the signatories originally approached the Antarctic Treaty, or at least into the interpretation they wished to present to a wider audience. Accordingly their primary concern was to ensure that: 'In the interest of all mankind the Antarctica shall continue for ever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord.... as treaty.... will further the purposes and principles embodies in the charter of the United Nations.'

Article I, helped in Antarctica's emergence as the first demilitarized and nuclear-free zone. Keeping the continent solely for peaceful purposes, all measures of military nature including testing of weapons, military manoeuvres, and the establishment of military bases, are banned. However, use of military personnel or equipment is allowed for logistics support
or scientific or other peaceful purposes. The treaty thus promotes a sense of harmony and separateness from the proliferation of weapons systems found in the rest of the world.

In Article II it is declared with clear assertion that the principles of freedom and cooperation in scientific research as applied during the IGY, shall be continued. Any nation genuinely interested in Antarctic Science is welcome to the continent.

In Article III the pace of scientific research hand, its accountability and accessibility for all by making free exchange of scientific plans, observations, results and personnel has been purposed.

Article IV is drafted in a manner to shelve rather than to resolve, the legal problem of territorial demarcation and occupation; thus, the conflicting views of the claimants' and non-claimants' governments or otherwise overlapping territorial claims by some consultative members, were accommodated by a semantic formula designed to protect positions through a "freeze" of the legal status quo at the time when the present arrangement came into force.

Article V totally prohibits nuclear explosion and dumping of radioactive wastes in Antarctica.

Article VI defines the delimitation of area of applicability of the treaty, as all lands, islands, ice and water south of 60°S latitude. However, nations rights to high seas are not to be
prejudiced in the "area". But the Treaty does not define how much of the sea south of $60^\circ$S is not high seas. So in a way, the wordings do provide harmony and compromise, but it does not deal with potential dispute arising from the pressure for resource exploitation.

Article VII allows the appointed observers from the consultative powers to have the right of free access to any area of Antarctica and may inspect all stations, installations, and equipment. This provision minimizes fears of a secret military build up by either of the two superpowers. And, in fact, this is the first instance in which both USA and USSR have agreed to on-site inspections. The article also permits aerial observations at any time over any area of Antarctica.

Article VIII ensures that observers and scientific personnel exchange under Article III shall remain subject only to the jurisdiction of the contracting parties of which they are nationals.

Article IX clearly shows that some of the political forethought went into the overall treaty which has helped make it so successful. Full consultative membership is reserved for the original 12 signatories (Permanent Consultative Parties) and any acceding state during such time as (it) demonstrates its interests in Antarctica by conducting substantial scientific research activity or the despatch of a scientific expedition. All Consultative parties are subject to exchange information, consult on matters of common interest, and recommend additional
measures to further the principles and objectives of the Treaty, viz.

(a) Use of Antarctica for peaceful purposes;
(b) facilities of scientific research in Antarctica;
(c) formulation of international scientific cooperation in Antarctica;
(d) facilitate the exercise of the rights of inspection (Art.VII);
(e) questions relating to the exercise of jurisdiction in Antarctica present and conservation of living resources of Antarctica.

In Article X it is declared that countries will discourage activities by any country in the Antarctic region that are contrary to the treaty.

Article XI states that disputes are to be settled peacefully by the parties concerned. In case of failure, recommendation has been made to use ICJ.28

Article XII talks about the 2 procedures for amending the Treaty.

An amendment can take place with the unanimous agreement of the Consultative Parties. It will come into force once all Consultative Parties have ratified it. Such amendments will be applicable on other parties (i.e. acceding nations) when they ratify it. If an acceding state fails to ratify an amendment within two years of the date an amendment comes in to force then that state will be deemed to have withdrawn from the treaty.
Article XII sets out procedures for the special review conference, at the request of any of the consultative parties, in which both consultative and non-consultative members can participate. Amendment may be proposed by a simple majority of consultative and non-consultative members but the amendment is subject to the approval of majority of the consultative parties ensuring that the process is controlled by the consultative parties only. If any amendment adopted at the review conference has not been ratified by all consultative parties within two years after the review conference has proposed it any party may give notice of withdrawal. Such notice takes effect two years from the date it is given to the depository government.

Article XIII specifies that any member who is a member of the UN or is especially invited by unanimous vote of the consultative parties may accede to the treaty. The treaty enters into force for an acceding state on the date a notice of accession is made.

Article XIV declares that the US is the depository of the treaty and is responsible for providing certified copies to signatories and acceding states. Since the treaty makes no provision on ways in which it may be terminated, normal rules of international law is applicable in this regard.

Further it clearly asserts that actions taken while the treaty is in force cannot form the basis for asserting, supporting or denying any territorial claims, rights or bases of claims. New claims are not permitted while the treaty is in force. It is certified that claims already made are not
diminished in any way by becoming a contracting party to the treaty, and that those states not recognising the claims of others have not prejudiced their position by signing the treaty. So in a way only to facilitate scientific cooperation the question of ownership of the Antarctic was put on the ice, as it were. However, seeing the situation, the territorial issues may, however, be raised at a potential review conference sometime after June 1991.

No doubt, the key to the entire functioning of the Antarctic Treaty System is consultative status. Since all decision-making power lies with the Consultative Parties, and the harsh demands placed on being qualified for Consultative Status has often led to the criticism that an exclusive Antarctic Club has been created.

The 13th Antarctic Treaty Consultative Meeting which took place in Brussels, Belgium, 7-9 Oct. 1985, centered its discussion on improving operation of the Antarctic Treaty System and preventing harmful impact on the Antarctic environment as a result of human activities.

Italy and G.D.R. were given the consultative status at the 14th Consultative Meeting at Rio De Janeiro (1987). Observers attended from the 17 parties to the Antarctic Treaty are not consultative parties.

Further views were exchanged on the proposal of earlier 12th, 13th meetings preparation of a bringing out a 'white book' on Antarctica. The prevailing view among the representatives was
that the 30th Anniversary (1991) of the treaty's entry into force might be appropriate for issuance of such a publication.

The invitation to CCAMLR and SCAR to the 13th meeting was the first provision for attendance by international organisations at regular consultative meetings. Later Andersen working group drafted a recommendation (approved as Recommendation XIII-15) that calls for invitations to non-consultative parties to attend consultative meetings as observers on a continuing basis, instead of meeting - by meeting as was done previously. As reflected in the final report, the delegations did agree that draft revisions to the rule of procedures for consultative meetings dealing with attendance by international organisation observers would be prepared and circulated before the next preparatory meeting. Other important discussion included:

1. the establishment of a permanent infrastructure (possibly a secretariat) for the Antarctic Treaty Consultative mechanism.

2. frequency of meeting to be enhanced.

3. regarding sharing of the costs of the arranged meetings, and were finally identified as issues for priority attention at the 14th meeting.

Regarding the item on inspection, United States suggested a reference to the importance of regular exercise of the on-site inspection rights contained in the Antarctic Treaty, later was agreed to be inserted in the final report. There was also a
preliminary exchange of views on the feasibility and desirability of consultative parties conducting joint inspections.

Giving a detailed attention to SSIs and SPAs systems the working group chaired by L. Felipe de Macedo Soares, mainly concentrated on matters relating to the protection of the Antarctic environment. Calling SSISIs and SPAs as systems that have evolved within the consultative mechanism to preserve areas of particular value for specific scientific studies and areas of particular ecological sensitivity from harmful human impact or interference thus being protected by a special management plan and taking special notice of the advice of SCAR, the working group prepared recommendations (approved as Recommendation XIII-7 through XIII-14) that designate 3 New SPAs and 13 new SSISIs, modify one SPA by extending the areas, extend the duration of 7 SSISIs and amend and extend the duration of another SSSI. This brings the total number of SPAs to twenty.

SSISIs - places where scientific investigations might suffer from interference unless protected by a specific management plan.

SPAs - areas of outstanding scientific interest that are accorded special protection to preserve their unique natural system.

As at the 12th meeting, representatives continue to disagree over the designation of SSISIs wholly or predominantly located in marine areas. Three such sites had been recommended by SCAR, but there was no consensus to approve their designation.
The United States, taking a somewhat different approach, emphasized the need to develop and integrate the data necessary to make determinations about protected areas, as well as to ensure consistency among various activities in Antarctica. Consideration of these matters resulted in Recommendation XII-5, which requests the advice of SCAR. Also considered were preliminary guidelines developed by SCAR that suggests that Consultative Parties consider updating the existing code of conduct for Antarctic expeditions and station activities. It was agreed that this task should await completion of the detailed review of the code of conduct being undertaken by SCAR. A recommendation referring the matter to SCAR was elaborated and approved as Recommendation XIII-4.

The Macedo-Soareses working group also debated the question of concentration in the siting of stations in Antarctica. The subject, originally raised by Chile, was referred to plenary for development of a recommendation. After extensive informal consultation, Recommendation XIII-6 was adopted: it calls for consultations among those nations pertaining scientific stations in the same vicinity to avoid environmental or logistics problems and possible interference with scientific research. The working Group did further work on environmental impact assessment procedures to apply to research and related support in Antarctica.

A regime of Antarctic mineral resources is subject of detailed and ongoing negotiation in a separate Special Consultative meeting in procedural way. The latest was held at
Wellington, June, 1988 with 33 countries participating in it. France got the opportunity to report in the last round in the mineral resource negotiations, which had taken place in Paris. Progress in negotiations were welcome and importance underlined. At Wellington, it outlined a framework for controlling every aspect of development from prospecting and exploration activities to mineral extraction and processing, and puts priority on protecting the Antarctic for research purposes, by replacing informal moratorium on mineral development that has been observed by all nations for the past 8 years.

In the 14th meeting annexing ten recommendations, it was realised that there has been an increase in public knowledge of the achievements and operation of the Antarctic Treaty System.

It was agreed that during 15th Consultative meetings the information documents submitted by nations shall be made public for consultation unless the party concern indicates not to do so.

It was agreed to evaluate the environmental impact of Antarctic activities. Major guidelines for this included are establishing a first evaluation termed as "Initial Environmental Evaluation" which should be performed to determine whether the activity might reasonably be expected to have major impact. Otherwise a "Comprehensive Environmental Evaluation" should be prepared. Key indicators of the environmental effects of the activity should, as in all Antarctic activities, be minimised or mitigated.
Thus the conclusion of the Antarctic Treaty completed earlier endeavors to find an international regime for Antarctica within the framework of the UN and solve existing issues which were in International arbitration. During the first decade of the Treaty's existence, the efforts of various UN agencies, especially the FAO, the UNEP and the Economic and Social Council (ECOSOC) to take a more active role in the management of Antarctica have encountered firm and successful resistance from the ATCPs. The situation changed considerably during the second decade of the Treaty System. New forces supporting the international management of space and resource rather than national jurisdiction emerged. Third World Pressure for the implementation of NIEO, the new jurisdiction for the deep seabed in UNCLOS III and the incorporation of CHM. Prominent speakers from Third World Countries have demanded a new international regime for Antarctica throughout the seventies but these were constantly rejected by the then ATCPs. Different political positions arose during the discussions of the "Question of Antarctica".

Representing Third World's assessment of the Treaty, Ambassador Ghebo stated "The treaty in our view, cannot guarantee our common heritage and at the same time be a rich man's club." Headed by Malaysia, Antigua and Barbados, this group pleading for CHM, disputed the legitimacy of the ATCPs' practice of widening the regime's functional scope. However indirect denial of two
Major guidelines for scientific drilling in the ATR include, first of all, adequate detailed geophysical surveys shall be performed of the sites in question to enable any potential hazard associated with any specific drill site within the area of interest to be evaluated along with any other information available about that particular site. If any significant hazard is identified which cannot be avoided by modifying the planned drilling procedure or equipment, the location of the proposed drill site shall be abandoned and any recommendations of the reviewing body shall be considered in connection with the choice of an alternative site.

While facilitating the scientific research, seven SSSIs were annexed, i.e. Site No. 22 to 28. For the first time they invited through their National Committees, to have regard to certain guidelines when considering proposals for marine sites of Special Scientific Interest.

In the matters regarding Antarctic meteorology, existing links for the daily international exchange of meteorological data within the Antarctic "is Principle routes by which Antarctic Meteorological data enter the GTS" (Global Telecommunications System of the WMO World Weather Watch). In final recommendation to their Governments, they were asked to invite WMO and SCAR to consider ways of improving or developing operational marine meteorological and sea ice information services in the Treaty Area of the South Ocean.
non-aligned, new industrialised countries (NIC's), India and Brazil (1983, Consultative Status) to the idea of CHM and large-scale change in ATs, left the third world as ununified group on the issue. However, pleading for setting of a central authority to administer any exploitation in the 'area' fixing production restriction limit, managing mandatory technology transfer, finalizing required review proceedings at times indeed, all under, say, International sea-bed Authority, has been the demand of the Third World Countries for bringing out a new international agreement on Antarctica. Thus avoiding the situation where historical episodes are made into facts and substantial claims over extraterritorial regions like outer space, moon, deep seabed and Antarctica. This is reflected in the Malasian Statement, "The present machinery for Antarctica has not kept pace with its two hived membership is unaccountable because of its exclusivily, its unaccountability, and its secrecy. Membership as Consultative parties requires the ability to meet stringent qualifications established by the original consultative parties themselves, which can only be met by rich and scientifically developed countries".34.

Suspicion about ATCPs' effective carrying out of their stewards responsibilities, six year long secrecy regarding negotiating a mineral resource regime and ongoing inside bargaining on different matters has invited growing criticism from Third World Countries. Recent invitation of some non-governmental organisations and non-consultative parties with observer status to regular meetings, is indication of ATCPs
somewhat liberal attitude however, there has been no fundamental change in the Antarctic management decision-making.

Moreover, in spite of widespread resentment about the politico-legal barriers faced by new comers, Third World interest in Antarctica show tendencies towards divergence, which is quite often demonstrated at UN meetings and in UN reports on Antarctica. The fact remains that the weakness of the Third World position stems from the self-interest of each nation in seeking to capture for itself the maximum benefits of any wealth created by Antarctic resource development. However, the major categories classifying their attitudes and approaches of Third World towards Antarctica can be established as:

(1) Claimant States: Territorial Approach
(2) Status quo Supporters: Pragmatic Approach
(3) Revisionist: CHM Approach

(1) **Claimant States**:

Chile and Argentina, are only original signatories of the Antarctic Treaty from the Third World. For both countries, the Antarctic Sector areas claimed constitute important part of National Territory, even claiming 200 miles territorial sea in the Antarctic sectors.

(2) **Status Quo Supporters: The Pragmatic Approach**

This group represents the states that are currently engaged in Antarctic activities under the frame work of the Antarctic
Treaty Regime or deemed to be sufficiently sympathetic to the basic principles expressed by the Antarctic Treaty. They wish to acquire for themselves the maximum political and practical benefits under the existing treaty framework. This group of states includes technologically advanced newly industrialised Third World nations, such as Brazil, India, the People's Republic of China, South Korea and Uruguay, in addition to other less technologically capable nations that have acceded to the treaty.

India's interest in Antarctica, as mentioned earlier, goes back to 1950s when both in 1956 and 1958, it unsuccessfully pleaded for UN involvement in management of Antartica. However for around more than two decades, India remain silent on this issue. Launching its 1st Scientific Expedition in 1981, India acceded to the treaty on 19th August 1983 and attained the Consultative status in less than one month i.e. on 12th September 1983. Since 1981 India has successfully continued its annual Antarctic Expedition and establisshed permanent station at Dakshin Gangotri, which is on the ice-shelf. Further India has also been admitted as a member of SCAR in October, 1984 at the Bremorhaven Meeting. India accede to the CCAMLR on 17th June, 1985.

Considering its earlier attempts and being the leader of the non-aligned movement and active spokesman of the Group of 77, the India position in ATS has become a delicate issue. Further India's Antarctic Programme was considered essential to raise its prestige vis-a-vis other coastal status and give it more weight in international forums on Indian Ocean Affairs. Politically
India never wish to be left behind China. Of course, India has a particular interest in meteorological sciences is currently seeking ways of improving monsoon prediction, given their significance to agriculture on the Indian subcontinent. However, it has to be emphasised that the admittance of both India and Brazil as ATCPs was prompted by the need to demonstrate the ability of the Treaty structure to adopt to Third World needs and aspirations.

No doubt, the legal foundations of Antarctic Treaty have been questioned by many developing countries, its consideration and functioning as an exclusive group being the main objection. Seventh Conference Summit of Non-aligned Meeting held in New Delhi in 1983 also endorsed that the exploration of the Antarctic areas and exploitation of its resources should be carried out for the benefit of mankind. 37

India's political position, along with those of Brazil, was reiterated during the discussion of the minerals resource question at which Third World States called for a 'CHM' to the issue of the exploitation of the mineral resources on the Antarctic continent 38 and the former insisted that the issue should be dealt with under the framework of the Treaty. 39

As recently as 7th October, 1985, both China and Uruguay obtained Consultative Party Status as a result of their Antarctic activities. Over the past 5 years, more than fifty Chinese scientists have been sent to the Antarctic to carry out joint research with other consultative parties excluding Argentina,
Chile and the USA. Finally, in Feb.1985, China opened a permanent station, named "Great Wall Station"\(^{40}\) China's recognition of the Treaty principles was welcomed by the other Treaty Status, which hoped that it would set an example to the Third World nations, who view the Treaty with distrust.

Uruguay, acceding to Treaty on 11th Jan, 1980, was able to send its 1st expedition as late as Dec.1984. Its full consultative status is an example of creation of an embarassing procedural anomaly. Normally full consultative status presupposes a serious scientific contribution, which by any standard Uruguay has not made. Due to its regular existence since 1968, its acceptance as a Consultative member, may at least in part, considered as a sop to Third World States in advance of the debates at the UN later in 1985. Besides, Uruguay has made its geopolitical interest in Antarctica, quite obvious.

The South Korean case illustrates yet another Third World Nation's involvement in the Antarctic, in this case prompted by practical economic interests, by large scale krill, finfish catch from southern ocean. In March, 1985, South Korea signed the CCAMIR and 18 months after this acceded to Antarctic Treaty with plans of building a research station by 1988.\(^{41}\)

(3) Revisionist: The Common Heritage

Approach : UN Involvement

This egalitarian stance calls for equality in wealth and welfare, power and access to quality of life. They contend that
a truly 'good' management system for Antarctica should aim at equitable international redistribution. Growing awareness in 1970s about economic potential Antarctica's living and mineral resources and emergence of concept of NIEO, CHM, particularly applied to deep sea-bed (UNCLOS-III) outerspace and Moon. The resources of Antarctic continent have not, until now, been appropriated by individual states and the territorial claims of the seven claimants are generally rejected by the rest of the international community and as such are not recognised as valid in international law.42

It was in 1975, when Srilanka's permanent representative to the UN, the late Shirley Amerasinghe first advocated application of 'CHM' principle' to Antarctica, with basic elements as applied being43

(1) the non-appropriability of Antarctic resources by any single nation, enterprise or group of nations;
(2) the shared management of the resources through international institutions.
(3) the sharing of benefits by mankind as a whole;
(4) the use of resources for peaceful purposes only; and
(5) the conservation of resources for use by future generations.

Recently Mahabir in September 1982 criticised the Antarctic arrangement as being an out-dated colonealist arrangement and recommended that the continent be placed under the control of UN or, alternatively, that present occupants (i.e. ATPCs) act as trustees for the nations of the world.44 His viewpoint got all
support in 1983 New Delhi NAM Meeting. In the same year, the initiatives of Malasiya and Antigua and Barmuda led to UN involvement through the mandate on Antarctic affairs contained in UN General Assembly resolution 38/77 of 1983 which in turn led to the UN Secretariat in 1984 producing a 'comprehensive, factual and objective study on all aspects of Antarctica.' The Third World advocates in further two consecutive UN debates in 1984 and 1985 maintained almost the same standpoint. Concluding its 1985 consideration of the Antarctic issue, the General Assembly adopted following resolutions:

(1) affirmed the concept of equitable sharing among all states in the management and benefits of the edxploitation of Antartica.

(2) Called for the update and enlargement of the Antarctic Study Report in order to address such issues as the availability of information from the Antarctic Treaty parties on their respective activities and deliberations regarding the continent.

(3) Called for the involvement of the specialised agencies and inter-governmental organisations in the Treaty Systems.

(4) pointed out the significance and applicability of the UNCLOS to the southern ocean, and

(5) called for the exclusion of the apartheid regime of South Africa from the Treaty at the earliest possible date.

Further recalling Final Political Declaration of the Conference of Foreign Ministers of NAM countries held at Luanda from 4th to 7th Sept.1985, as well as the resolution of
Antarctica adopted by the Council of Ministers of OAU at the 42nd Ordinary Session held at Addis Ababa from 10th to 17th July 1985, they reiterated their conviction that the interest of the international community in the continent can be enhanced by keeping the UN fully informed of developments in Antarctica and its management and exploitation.

Nigeria stated that "the non-recognition by the Treaty parties of the continent as CHM is a serious omission." Pakistan asserted that 'the self appointed system established by the Antarctic Treaty for administering the continent is unjust and undemocratic.' Malasiya again reiterated that "the major deficiency of the current system is that decisions are made exclusively by the ATCPs and a further attempt on the part of the Treaty parties to gradually enlarge their rights."

In its 41st session, on 22nd Jan, 1987, UN General Assembly requested the ATCPs to keep Secretary General fully informed on all aspects of the question on Antarctica and called upon the ATCPs to impose a moratorium on the negotiations to establish a mineral regime until such time as all members of the international community can participate fully in such negotiations.

On 30th Sept. 1987, in its 42nd session a detailed report of the Secretary General on the question of Antarctica concerning (1) communication from the ATCPs about updated information on the question of Antarctica provided by the relevant specialized agencies and bodies of the UN, as well as by the relevant inter-
governmental and non-governmental bodies; (2) a) W.M.O. (on Antarctic Meteorology), b) F.A.O. (c) I.M.O. (International Maritime Organisation), d) International Civil Aviation organisation (ICAO), e) Inter-governmental Oceanographic Commission (IOC) f) International Whaling Commission (IWC), g) CCAMLR, h) Committee on Space Research of the International Council of Scientific Unions, i) SCAR of ICSU, j) IIED (International Institute for Environment and Development), k) IUCN and Natural Resources.

Report of First Committee of 42nd UN General Assembly, 46th Meeting on 17th Nov. 1987 was regarding political and Security committee beginning debate on Antarctica and about receipt of proposals to exclude South Africa from Treaty and to invite Secretary-General to attend meetings of ATCPs. All detailed view point of most of the demanding countries were covered in takes 1-9 of this release. The next day, on 18th, first committee continued debate on Antarctica, a detailed account of which appeared in takes 1-5 of the said release. Finally 1st Committee strongly appealed for South Africa's exclusion from the ATCPs and called again for moratorium on mineral regime negotiations, the details came in takes 1-11 and Annex I - II.

Finally, in 42nd Session of UN General Assembly, on 7th January, 1988, on question of Antarctica, reiterated the same issues and finally urged all state members of the UN to co-operate with the Secretary General and to continue consultations on all aspects relating to Antarctica.
Thus seeing all those developments one may reiterate that the most significant obstacle to the 'CHM' principle to be found in the realities of informational politics i.e. the ATCPs would never like the arrangement resulting in erosion of their power and privilege. Secondly CHM as a moral ideal or political aspiration lacks the legal content at present. Its legal implications can only be strong with mineral resource development rather than ATS itself or the aspect of committed or shared responsibilities for protecting the environment in which resources are located. Further in functional terms, successful operation of truly international arrangement is doubtful. A universalist regime for Antarctica, while desirable in theory, may well prove to be politically impossible in the foreseeable future.

Practical translation into activity of popular Third World Nation of CHM inherits many unsolvable difficulties. Moreover, submissions on the Antarctic issue by the Third World to the UN have tended to focus on the organisational framework for the exchange of viewpoints, rather than a forum for resolving political conflicts over the continents.

The recognition of Antarctic Treaty regime by India and Brazil, has undoubtedly led to the evolution of a more pragmatic approach among a growing number of Third World Nations, which in turn is linked to two other developments. First some developing countries, especially those of the southern hemisphere, enterprise activity with other states for the exploitation of the
Antarctic waters. Assuming a gradual growth of a krill fishery, it is possible to conceive of mutual benefits in having home ports and processing plants in states in southern hemisphere, such as Namibia and Mozambique. Economics on fuel and crew costs might be effected by keeping the fishing vessels in the southern hemisphere on a year-round basis, using them to develop coastal fisheries of those countries during the off season period.

Further participation, in international programmes could increase their eligibility for Antarctic discriminating states. For instance, Zimbabwe, at one time proposed that International stations in Antarctica should be set up where scientists from Third World Countries would be encouraged to go and work without prejudice. Similarly, one Tunisian diplomat has recently noted that since there will not be any profit from mineral exploitation for many decades, sharing the rewards of scientific research in Antarctica would be much more valuable for Third World Nations than individual enterprises.

Nevertheless, the present approach is not a universal remedy. Wider participation of states should be encouraged and a mechanism should be developed for orderly and rational use of Antarctic resources for the benefit of all. United Nation's role in handling "Question of Antarctica" should be bridge building instead of widening the existing gulf.
NOTES

1. In fact British Letters Patent consolidated the UK's territorial claims dating from 1775 to the Dependencies of the Falkland Islands.


3. However, Chile opened its first station only in 1947, in the claimed region.


5. In fact, in 1933, the British Government claimed Australian Antarctic Territory and placed it under Australian control.

6. The Norwegians were unable to stop the German expedition, but wanted to preempt a Nazi claim. so in the beginning they confined their claim to a coastal zone, now considered to be a undefined one.

7. Issuing decrees and postage stamps, employing magistrates, establishing family groups.

8. These wedge shaped claims, themselves a contentions issue, derived from the sector theory of Senator Poirier in the Canadian Parliament in 1907.

9. 17% of the Antarctic territory, known as Marie Byrd Land, has been tacitly regarded as a potential US sector.


13. President Eisenhour revealed the national plan: The United States is dedicated to the principle that the vast uninhabited waters of Antarctica should be used only for peaceful purposes. We don't want Antarctica to become an object of political conflict... We also propose the joint administrative arrangements to be worked out."


16. Argentina, Australia, Belgium, Britain, Chile, France, Japan, New Zealand, Norway, South Africa, Soviet Union, USA.

17. Consultative and Non-Consultative (observer status).

18. Poland acceded to Antarctic Treaty on 8th June 1961 and attained the Consultative Status on 17th Sept. 1977. After briefly operating a coastal station in East Antarctica with Soviet support, Poland established a year-round station near the northern tip of Antarctic peninsula, on King George Island 62°09'S, 58°28'W, using Professor Siedlecki and Tazar ships. In 1975, Poland accepted title of the former Soviet Summer Station, Oasis, renaming it Dobko Wolski.

19. Acceding on 5 Feb. 1979, W. Germany got the consultative status on 23rd June 1981. Resuming its expedition since 1975-76, FRG with the help of Polar Sirke (1979-80), Schepelsturm (1979-80 GAVOVEX-I), Gotland II (GANOVEX II in 1981-82), GANOVEX III & IV with support vessels (1982-85) has done much research on Filchner and ronne Ice Shelves, Ross Sea and Dronning Maud Land. It also has the best and the costliest ice-strengthened indigenously built ship, Polar Stern, fitted with two helicopters and 2 Dornier Aircrafts with minterring station at 70°37'S, 8°22'W and 3 summer stations, it now reads in Antarctic research.

20. India acceded to Antarctic Treaty on 19th Aug. 1983 and gained Consultative Status in the least ever duration, i.e., within 23 days on 12th Sept. 1983 at the 5th Special Consultative meeting (12th General Consultative meeting) at Canberra (Australia). India's Antarctic research activities which commenced in 1981, with the launching of first scientific expedition during 1981-82 by the chartered vessel Polar Sirkel, have now become a regular annual feature. During last 6 years, Govt. of India has sent 6 scientific expeditions to Antarctica with a permanently manned station at 'Dakshin Gangotri' 70°03'S, 41°02'E. India is the only developing country (Asian one) to have acquired this status.

21. Brazil acceded to Antarctic treaty on 16th May 1975 and got its consultative status along with India on 12 Sept. 1983. In 1981, Brazil purchased the Danish ship Thala Dan, which poreviously had been used to resupply Australia's stations and the French station Dumont d'Urville. During the 1982-83 austral summer, the Thala Dan renamed Barao de Teffe and another ship, Prof. Beshard, were used in the Southern ocean to conduct marine research. The base was established on King George Island, on the Western side of Antarctic peninsula.
22. China acceded to Antarctic Treaty on 8th June 1983 and attained its Consultative Status at a special meeting just before the 13th Consultative Meeting at Brussels (Belgium) during 7-19 Oct. 1985. In 1979-80, two Chinese observers visited station of New Zealand and Australia. In 1982-83, its scientists participated in New Zealand's Research Program and wintered one at Australian stations. In July 1984 its first expedition to Antarctic Peninsula commenced with 48 persons at ship. China has been in favour of UN involvement in Antarctica.


28. The Soviet Union, Argentina and Chile would not accept any rule saying that consultative parties must use the ICJ.


30. F.M. Auburn, Antarctic Law and Politics, 1982, p.120.


41. Early south Korean application for acceding to Antarctica Treaty in 1985 fared a stiff resistance by the USSR and Poland, mainly for political reasons.


49. UN Doc GA/PS/2684, 18 Nov. 1987.


55. UNGA, Question on Antarctica Part II, vol. III, p.139.