OPERATION OF THE ANTARCTIC TREATY SYSTEM

Consultative Meetings

Introductory note

Article IX (1) of the Antarctic Treaty provided for the Contracting Parties to meet two months after the entry into force of the Treaty "and thereafter at suitable intervals and places, for the purpose of exchanging information, consulting together on matters of common interest pertaining to Antarctica, and formulating and considering, and recommending to their Government, measures in furtherance of the Treaty...". These meetings are known as Antarctic Treaty Consultative Meetings (ATCM); the "Measures" referred to above were known as "Recommendations" until 1995. At that time it was decided to identify as "Measures" texts which contain provisions intended to be legally binding once approved by all Antarctic Treaty Consultative Parties in accordance with paragraph 4 of Article IX of the Treaty. It was agreed to identify as Decisions texts adopted at an Antarctic Treaty Consultative Meeting on an internal organizational manner to be operative at adoption or at such other time as specified. It was agreed to identify as Resolutions texts of a hortatory nature adopted at an Antarctic Treaty Consultative Meeting. Twenty-four meetings have been held between 1961 and 2001 in places decided by the arrangement of the Consultative Parties in alphabetical order in English.

Until 1991, regular Consultative Meetings were held every two years. From about 1976 onwards, however, the number of Antarctic Treaty meetings increased markedly, particularly as a consequence of the living resource and mineral resource negotiations which, between them, went on from 1978—1988. The move to annual Consultative Meetings was made at the ATCM XVII. When Consultative Meetings were held every two years, it was normal to hold a preparatory meeting a few months before the ATCM to draft the agenda and, after 1983, to decide which international organizations should be invited to send experts to assist the ATCM in its work. With the move to annual ATCMs it was felt that the preparatory meeting was unnecessary. In 1992, at the XVIIth ATCM, the Rules of Procedure were amended to reflect these changes in practice.

In the development of the Antarctic Treaty system it has been found necessary to hold two other sorts of meetings: "Special Consultative Meetings" and "Meetings of Experts". The main differences among these three types of meeting, some of which derive from the development of practice over the years, are as follows:

- Consultative Meetings, of which the first was held in Canberra in 1961, make Recommendations to their Governments that do not come into effect until after they have been approved by all Consultative Parties who were entitled to attend the meeting in question. They have virtually no other decision-making power, other than in respect of their own procedure.

- Special Consultative Meetings, of which the first was held in London in 1977, may have rights of making decisions, binding on participating Governments, limited to the specific purpose of the meeting.
- Meetings of Experts, of which the first was held in Buenos Aires in 1969, have a right only to prepare a report which is passed to Consultative Parties for their consideration. Any action that might be needed as a result of the report of a meeting of experts is proposed, by a Consultative Party, to a Consultative Meeting for consideration.
- The twelve Special Consultative Meetings that have been held have considered the matters as follows:
- The First (London, 1977), Third (Buenos Aires, 1981), Fifth (Canberra, 1983), Sixth (Brussels 1985), Seventh (Rio de Janeiro, 1987), Eighth and Ninth (Paris 1988 and 1989), and Tenth (Viña del Mar 1990) have been held to consider notifications from States which, having acceded to the Antarctic Treaty, consider themselves entitled to appoint Representatives to participate in Antarctic Treaty Consultative Meetings under Article IX, paragraph 2.
- The Second had three formal and four informal sessions between 1978 and 1980 for the purpose of negotiating the text of the Convention on the Conservation of Antarctic Marine Living Resources. The Convention was concluded at a diplomatic conference in Canberra in May 1980.
- The Fourth had 12 sessions between 1982 and 1988 for the purpose of negotiating the text of the Convention on the Regulation of Antarctic Mineral Resource Activities. The Convention was concluded in Wellington in June 1988.
- The Eleventh had four sessions between 1990 and 1991 for the purpose of negotiating the text of the Protocol on Environmental Protection to the Antarctic Treaty.
- The Twelfth considered the report of the Third Meeting of the Committee for Environmental Protection, held in the Hague in September 2000.

Antarctic Treaty System: Meeting dates and places

Antarctic Treaty Consultative Meetings

Meeting	Dates	Location
I	10 – 24 Jul 1961	Canberra
II	18 – 28 Jul 1962	Buenos Aires
III	2 – 13 Jun 1964	Brussels
IV	3 – 18 Nov 1966	Santiago
V	18 – 29 Nov 1968	Paris
VI	19 – 31 Oct 1970	Tokyo
VII	30 Oct – 10 Nov 1972	Wellington
VIII	9 – 20 Jun 1975	Oslo

IX	19 Sep – 7 Oct 1977	London
X	17 Sep – 5 Oct 1979	Washington
XI	23 Jun – 7 Jul 1981	Buenos Aires
XII	13 – 27 Sep 1983	Canberra
XIII	8 – 18 Oct 1985	Brussels
XIV	6 – 16 Oct 1987	Rio de Janeiro
XV	9 – 20 Oct 1989	Paris
XVI	7–18 Oct 1991	Bonn
XVII	11 – 26 Nov 1992	Venice
XVIII	11 - 22 April 1994	Kyoto
XIX	8 - 19 May 1995	Seoul
XX	29 April – 10 May 1996	Utrecht
XXI	19 – 30 May 1997	Christchurch
XXII	25 May – 5 June 1998	Tromsø
XXIII	24 May – 4 June 1999	Lima
XXIV	9 - 20 July 2001	St. Petersburg

Special Antarctic Treaty Consultative Meetings

Meeting	Session	Dates	Location
I		25,27and 29 Jul 1977	London
II	1	27 Feb – 10 Mar 1978	Canberra
	2	17 – 28 Jul 1978	Buenos Aires
	3	5 – 6 May 1980	Canberra
III		3 Mar 1981	Buenos Aires
IV	1	14 – 25 Jun 1982	Wellington
	2	11 – 22 Jul 1983	Bonn
	3	23 Sep – 4 Oct 1985	Paris
	4	18 – 27 Jan 1984	Washington DC
	5	23 – 31 May 1984	Tokyo
	6	26 Feb – 8 Mar1985	Rio de Janeiro
	7	23 Sep – 4 Oct 1985	Paris
	8	14 – 25 Apr 1986	Hobart
	9	27 Oct – 12 Nov 1986	Tokyo
	10	11 – 20 May 1987	Montevideo
	11	18 – 29 Jan 1988	Wellington
	12	2 May – 2 Jun 1988	Wellington
V		12 Sep 1983	Canberra

VI		7 Oct 1985	Brussels
VII		5 Oct 1987	Rio de Janeiro
VIII		20 – 21 Sep 1988	Paris
IX		9 Oct 1989	Paris
X		19 Nov 1990	Viña del Mar
XI	1	19 Nov – 6 Dec 1990	Viña del Mar
	2	22 – 30 Apr 1991	Madrid
	3	17 – 22 Jun 1991	Madrid
	4	3 – 4 Oct 1991	Madrid
XII		14 – 18 Sept 2000	The Hague

Diplomatic conferences

- Conference on Antarctica, 15 Oct – 1 Dec 1959, Washington DC
- Conference on the Conservation of Antarctic Seals, 3 – 11 Feb 1972, London
- Conference on the Conservation of Antarctic Marine Living Resources, 7 – 20 May 1980, Canberra
- Meeting to review operation of the Convention for the Conservation of Antarctic Seals, 12 – 16 Sep 1988, London

Meetings of Experts

- First Antarctic Telecommunications, 24 – 28 Jun 1963, Washington
- Second Antarctic Telecommunications, 1 – 12 Sep 1969, Buenos Aires
- Third Antarctic Telecommunications, 11 – 15 Sep 1978, Washington
- Air Safety, 2 – 5 May 1989, Paris
- Environmental Monitoring, 1 – 4 Jun 1992, Buenos Aires
- Antarctic Shipping, 17 – 19 April 2000, London

Convention for the Conservation of Antarctic Marine Living Resources: Meetings of the Commission and of the Scientific Committee at Commission Headquarters in Hobart, Tasmania, Australia

- Preparatory Meeting, 10 – 24 Sep 1981
- 1st Meeting, 25 May – 11 Jun 1982
- 2nd Meeting, 29 Aug – 9 Sep 1983
- 3rd Meeting, 3 – 14 Sep 1984
- 4th Meeting, 2 –13 Sep 1985
- 5th Meeting, 8 – 19 Sep 1986
- 1st Special Meeting of the Commission, 8 Sep 1986
- 6th Meeting, 26 Oct – 6 Nov 1987
- 7th Meeting, 24 Oct – 4 Nov 1988
- 8th Meeting, 6 – 17 Nov 1989
- 9th Meeting, 22 Oct – 2 Nov 1990
- 10th Meeting, 21 Oct – 1 Nov 1991
- 11th Meeting, 26 Oct – 6 Nov 1992

- 12th Meeting, 25 Oct – 5 Nov 1993
- 13th Meeting, 26 Oct – 4 Nov 1994
- 14th Meeting, 24 Oct – 3 Nov 1995
- 15th Meeting, 21 Oct – 1 Nov 1996
- 16th Meeting, 27 Oct – 7 Nov 1997
- 17th Meeting, 26 Oct – 6 Nov 1998
- 18th Meeting, 25 Oct – 5 Nov 1999
- 19th Meeting, 23 Oct – 3 Nov 2000
- 20th Meeting, 22 Oct - 2 Nov 2001

General Assemblies of the Scientific Committee on Antarctic Research

Meeting	Dates	Location
I	3 – 5 Feb 1958	The Hague, The Netherlands
II	4 – 11 Aug 1958	Moscow, USSR
III	2 – 6 Mar 1959	Canberra, Australia
IV	29 Aug – 2 Sep 1960	Cambridge, UK
V	9 – 14 Oct 1961	Wellington, New Zealand
VI	20 – 24 Aug 1962	Boulder, Colorado, USA
VII	23 – 27 Sep 1963	Cape Town, South Africa
VIII	24 – 28 Aug 1964	Paris, France
IX	20 – 24 Sep 1966	Santiago, Chile
X	10 – 15 Jun 1968	Tokyo, Japan
XI	17 – 22 Aug 1970	Oslo, Norway
XII	14 – 19 Aug 1972	Canberra, Australia
XIII	3 – 7 Sep 1974	Jackson Hole, Wyoming, USA
XIV	18 – 23 Oct 1976	Mendoza, Argentina
XV	16 – 26 May 1978	Chamonix, France
XVI	14 – 24 Oct 1980	Queenstown, New Zealand
XVII	5 – 9 Jul 1982	Leningrad, USSR
XVIII	1 – 5 Oct 1984	Bremerhaven, Germany
XIX	23 – 27 Sep 1986	San Diego, California, USA
XX	12 – 16 Sep 1988	Hobart, Tasmania, Australia
XXI	23 – 27 Jul 1990	São Paulo, Brazil
XXII	15 – 19 Jun 1992	San Carlos de Bariloche, Argentina
XXIII	5 – 9 Sep 1994	Rome, Italy
XXIV	12 – 16 Aug 1996	Cambridge, UK
XXV	27 – 31 Jul 1998	Concepción, Chile
XXVI	17 – 21 Jul 2000	Tokyo, Japan

Status of Antarctic Treaty Recommendations

Approval, as notified to the Government of the United States of America, of measures relating to the furtherance of the principles and objectives of the Antarctic Treaty

	16 Recommendations adopted at First Meeting (Canberra 1961)	10 Recommendations adopted at Second Meeting (Buenos Aires 1962)	11 Recommendations adopted at Third Meeting (Brussels 1964)	28 Recommendations adopted at Fourth Meeting (Santiago 1966)	9 Recommendations adopted at Fifth Meeting (Paris 1968)	15 Recommendations adopted at Sixth Meeting (Tokyo 1970)
	Approved	*Approved*	*Approved*	*Approved*	*Approved*	*Approved*
Argentina	ALL	ALL	ALL	ALL	ALL	ALL
Australia	ALL	ALL	ALL	ALL	ALL	ALL
Belgium	ALL	ALL	ALL	ALL	ALL	ALL
Brazil (1983)+	ALL	ALL	ALL	ALL	ALL	ALL (except 10)
Bulgaria (1998)+						
Chile	ALL	ALL	ALL	ALL	ALL	ALL
China (1985)+	ALL	ALL	ALL	ALL	ALL	ALL (except 10)
Ecuador (1990)+						
Finland (1989)+						
France	ALL	ALL	ALL	ALL	ALL	ALL
Germany (1981)+	ALL	ALL	ALL (except 8)	ALL (except 1-11 & 13-19)	ALL (except 5* & 6)	ALL (except 9 & 10)
India (1983)+	ALL	ALL	ALL (except 8***)	ALL (except 18)	ALL	ALL (except 9 & 10)
Italy (1987)+	ALL	ALL	ALL	ALL	ALL	ALL
Japan	ALL	ALL	ALL	ALL	ALL	ALL
Korea, Rep. (1989)+	ALL	ALL	ALL	ALL	ALL	ALL
Netherlands (1990)+						
New Zealand	ALL	ALL	ALL	ALL	ALL	ALL
Norway	ALL	ALL	ALL	ALL	ALL	ALL
Peru (1989)+	ALL	ALL	ALL	ALL	ALL	ALL
Poland (1977)+	ALL	ALL	ALL	ALL	ALL	ALL
Russian Federation	ALL	ALL	ALL	ALL	ALL	ALL
South Africa	ALL	ALL	ALL	ALL	ALL	ALL
Spain (1988)+	ALL	ALL	ALL	ALL	ALL	ALL
Sweden (1988)+						
U.K.	ALL	ALL	ALL	ALL	ALL	ALL
Uruguay (1985)+	ALL	ALL	ALL	ALL	ALL	ALL
U.S.A.	ALL	ALL	ALL	ALL	ALL	ALL

* IV-6, IV-10, IV-12, and V-5 terminated by VIII-2

*** Accepted as interim guideline

\+ Year attained Consultative Status. Acceptance by that State required to bring into force Recommendations or Measures of meetings from that year forward.

Status of Antarctic Treaty Recommendations (*continued*)

	9 Recommendations adopted at Seventh Meeting (Wellington 1972)	14 Recommendations adopted at Eighth Meeting (Oslo 1975)	6 Recommendations adopted at Ninth Meeting (London 1977)	9 Recommendations adopted at Tenth Meeting (Washington 1979)	3 Recommendations adopted at Eleventh Meeting (Buenos Aires 1981)	8 Recommendations adopted at Twelfth Meeting (Canberra 1983)
	Approved	*Approved*	*Approved*	*Approved*	*Approved*	*Approved*
Argentina	ALL	ALL	ALL	ALL	ALL	ALL
Australia	ALL	ALL	ALL	ALL	ALL	ALL
Belgium	ALL	ALL	ALL	ALL	ALL	ALL
Brazil (1983)+	ALL (except 5)	ALL	ALL	ALL	ALL	ALL
Bulgaria (1998)+						
Chile	ALL	ALL	ALL	ALL	ALL	ALL
China (1985)+	ALL (except 5)	ALL	ALL	ALL	ALL	ALL
Ecuador (1990)+						
Finland (1989)+						
France	ALL	ALL	ALL	ALL	ALL	ALL
Germany (1981)+	ALL (except 5)	ALL (except 1, 2, & 5)	ALL	ALL	ALL	ALL
India (1983)+	ALL	ALL	ALL	ALL (except 1 & 9)		
Italy (1987)+	ALL (except 5)	ALL	ALL	ALL (except 1 & 9)		
Japan	ALL	ALL	ALL	ALL	ALL	ALL
Korea, Rep. (1989)+	ALL	ALL	ALL	ALL	ALL	ALL
Netherlands (1990)+						
New Zealand	ALL	ALL	ALL	ALL	ALL	ALL
Norway	ALL	ALL	ALL	ALL	ALL	ALL
Peru (1989)+	ALL	ALL	ALL	ALL	ALL	
Poland (1977)+	ALL	ALL	ALL	ALL	ALL	ALL
Russian Federation	ALL	ALL	ALL	ALL	ALL	ALL
South Africa	ALL	ALL	ALL	ALL	ALL	ALL
Spain (1988)+	ALL	ALL	ALL	ALL (except 1 & 9)	ALL (except 1)	ALL
Sweden (1988)+						
U.K.	ALL	ALL	ALL	ALL	ALL	ALL
Uruguay (1985)+	ALL	ALL	ALL	ALL	ALL	ALL
U.S.A.	ALL	ALL	ALL	ALL	ALL	ALL

Status of Antarctic Treaty Recommendations (*continued*)

	16 Recommendations adopted at Thirteenth Meeting (Brussels 1985) *Approved*	10 Recommendations adopted at Fourteenth Meeting (Rio de Janeiro 1987) *Approved*	22 Recommendations adopted at Fifteenth Meeting (Paris 1989) *Approved*	13 Recommendations adopted at Sixteenth Meeting (Bonn 1991) *Approved*	4 Recommendations adopted at Seventeenth Meeting (Venice 1992) *Approved*	1 Recommendation adopted at Eighteenth Meeting (Kyoto 1994) *Approved*
						ALL
Argentina	ALL	ALL	ALL	ALL except XVI-10	ALL	
Australia	ALL	ALL	ALL	ALL	ALL	
Belgium	ALL	ALL				
Brazil (1983)+	ALL	ALL	ALL	ALL	ALL	ALL
Bulgaria (1998)+				XVI-10		
Chile	ALL	ALL	ALL	ALL	ALL	ALL
China (1985)+	ALL	ALL	ALL	ALL		
Ecuador (1990)+						
Finland (1989)+			ALL	ALL	ALL	ALL
France	ALL	ALL	ALL	ALL	ALL	ALL
Germany (1981)+	ALL (except 10-13)	ALL	ALL (except 3,4,8,10,11,22)	ALL (except 4,6,7,8 & 9)	ALL (except 2 & 3)	ALL
India (1983)+						
Italy (1987)+		ALL	ALL	ALL	ALL	ALL
Japan	ALL	ALL		XVI-10		ALL
Korea, Rep. (1989)+	ALL	ALL	ALL (except 1-11, 16, 18, 19)	ALL (except 12)	ALL (except 1)	
Netherlands (1990)+				XVI-10		
New Zealand	ALL	ALL	ALL	ALL	ALL	
Norway	ALL	ALL	ALL	ALL	ALL	ALL
Peru (1989)+				XVI-10		
Poland (1977)+	ALL	ALL	ALL			
Russian Federation	ALL	ALL				
South Africa	ALL	ALL	ALL	ALL	ALL	ALL
Spain (1988)+						
Sweden (1988)+			ALL	ALL	ALL	ALL
U.K.	ALL	ALL (except 2)	ALL (except 3, 4, 8, 10, 11)	ALL (except 4, 6, 8, & 9)	ALL	ALL
Uruguay (1985)+	ALL	ALL	ALL	ALL	ALL	
U.S.A.	ALL	ALL	All (except 1-4, 10, 11)	ALL	ALL	ALL

Status of Antarctic Treaty Recommendations

	5 Measures adopted at Nineteenth Meeting (Seoul 1995)	2 Measures adopted at Twentieth Meeting (Utrecht 1996)	5 Measures adopted at Twenty-first Meeting (Christchurch 1997)	2 Measures adopted at Twenty-second Meeting (Tromso 1998)	1 Measure adopted at Twenty-third Meeting (Lima 1999)	2 Measures adopted at Twelfth Special Consultative Meeting (The Hague 2000)	3 Measures adopted at Twenty-third Meeting (St. Petersburg 2001)
	Approved	*Approved*	*Approved*	*Approved*	*Approved*	*Approved*	*Approved*
Argentina	ALL	ALL					
Australia							
Belgium							
Brazil (1983)+	ALL						
Bulgaria (1998)+							
Chile	ALL	ALL					
China (1985)+							
Ecuador (1990)+							
Finland (1989)+	ALL						
France							
Germany (1981)+							
India (1983)+							
Italy (1987)+	ALL	ALL					
Japan							
Korea, Rep. (1989)+	ALL						
Netherlands (1990)+							
New Zealand							
Norway	ALL	ALL	ALL				
Peru (1989)+							
Poland (1977)+							
Russian Federation							
South Africa							
Spain (1988)+							
Sweden (1988)+	ALL	ALL	ALL	ALL	ALL		
U.K.							
Uruguay (1985)+							
U.S.A.	ALL	ALL	ALL				

XXIV: Resolution 1 (2001):

Table of Recommendations, Measures, Decisions and Resolutions

The Representatives,

Conscious of the ever increasing number of decisions of various kinds taken by Antarctic Treaty Consultative Meetings;

Taking account of Decision 1 (1995) adopted at the XIX ATCM in Seoul, in which decisions of the Antarctic Treaty Consultative Meetings are classified according to their applicability and effect as respectively Measures, Decisions and Resolutions, and in which the approval procedure of Article IX-4 is reserved for Measures;

Noting that since 1995, 16 new Measures have been adopted by the (S)ATCM and that, in the meantime, no recommendations later than those of the XIth ATCM (Buenos Aires, 1981) have been approved by all Consultative Parties concerned;

Noting that consequently, the gap between measures adopted by the ATCM and measures subsequently approved and now effective has continued to grow;

Desiring to achieve a better understanding of which measures, whether approved or not, have in the meantime been superseded;

Recommend that intersessional consultations be held* to prepare a Decision, to be adopted at the XXV ATCM, determining which of the Recommendations, adopted by the I to the XVIII ATCM, have been superseded by subsequent Recommendations, Measures, Decisions or Resolutions or can be considered obsolete for other reasons.

*with reference to the table of Recommendations, Measures, Decisions and Resolutions contained in Information Paper (XXIV ATCM/IP25)

XIX: Decision 1(1995)

Measures, Decisions and Resolutions

1. Measures
   a) A text which contains provisions intended to be legally binding once it has been approved by all the Antarctic Treaty Consultative Parties will be expressed as a Measure recommended for approval in accordance with paragraph 4 of Article IX of the Antarctic Treaty, and referred to as a "Measure".
   b) Measures will be numbered consecutively, followed by the year of adoption.
2. Decisions
   a) A decision taken by an Antarctic Treaty Consultative Meeting on an internal organizational matter will be operative at adoption or at such other time as

may be specified, and will be referred to as a "Decision".

b) Decisions will be numbered consecutively, followed by the year of adoption.

3. Resolutions

a) A hortatory text adopted at an Antarctic Treaty Consultative Meeting will be contained in a Resolution.

c) Resolutions will be numbered consecutively, followed by the year of adoption.

4. Final Reports of ATCMs

a) Part II, Annex A of the Final Report of each Antarctic Treaty Consultative Meeting will contain the full text of Measures adopted at the Meeting.

b) Part II, Annex B of the Final Report of each Antarctic Treaty Consultative Meeting will contain the full text of any Decisions adopted at the Meeting.

c) Part II, Annex C of the Final Report of each Antarctic Treaty Consultative Meeting will contain the full text of any Resolutions adopted at the Meeting.

5. Nothing in this Decision affects in any way anything done by previous Antarctic Treaty Consultative Meetings.

6. This Decision will be operative at adoption.

VI-15: Seventh Antarctic Treaty Consultative Meeting

The Representatives,

Recommend to their Governments that they accept the offer by the Delegation of New Zealand to hold the Seventh Consultative Meeting under Article IX of the Antarctic Treaty in Wellington, on a date in 1972 to be mutually decided upon by the Consultative Governments.

V-9: Sixth Antarctic Treaty Consultative Meeting

The Representatives recommend to their governments that they accept the offer by the Delegation of Japan to hold the Sixth Consultative Meeting under Article IX of the Antarctic Treaty in Tokyo on a date in 1970 to be mutually decided upon by the Consultative Governments.

IV-28: [Next Meeting]

The Representatives recommend to their Governments that they accept the offer of the French Delegation to hold a Consultative Meeting under Article IX of the Antarctic Treaty in Paris in 1968, on a date to be agreed upon by the Consultative Governments.

III-IV: [Next Meeting]

The Representatives recommend to their Governments that they accept the offer of the Chilean Delegation to hold the Fourth Consultative Meeting under Article IX of the Antarctic Treaty, in Santiago, Chile.

The Meeting shall take place at a date which will be agreed upon by the participating Governments.

III-VII: Acceptance of approved Recommendations

Since the Recommendations approved by the Contracting Parties entitled to participate in meetings held in accordance with Article IX of the Antarctic Treaty are so much a part of the overall structure of cooperation established by the Treaty, the Representatives recommend to their governments that any new Contracting Party entitled to participate in such meetings should be urged to accept these recommendations and to inform other Contracting Parties of its intention to apply and be bound by them.

The Representatives recommend further that their governments agree that existing Contracting Parties and any new Contracting Parties other than those entitled to participate in meetings held in accordance with Article IX of the Treaty be invited to consider accepting these recommendations and to inform other Contracting Parties of their intention to apply and be bound by them.

Extract from Report of IVth ATCM: Explanatory statement concerning Recommendation III-7

During their discussion of Recommendation III-7, under which Parties by accession would be urged or invited to accept Approved Recommendations, Representatives to the Fourth Consultative Meeting agreed that the following considerations are pertinent to the application of Recommendation III-7:

1. In becoming Parties to the Antarctic Treaty, States bind themselves to carry out its provisions and to uphold its purposes and principles;
2. Recommendations which become effective in accordance with Article IX of the Treaty are, in terms of that Article, 'measures in furtherance of the principles and objectives of the Treaty';
3. Approved Recommendations are an essential part of the overall structure of co-operation established by the Treaty;
4. In pursuance of the principles and objectives of the Treaty there should be uniformity of practice in the activity of all Parties active in Antarctica; and
5. Approved Recommendations are to be viewed in the light of the obligations assumed by Contracting Parties under the Treaty and in particular Article X.

II-IX: [Consultative Meeting Recommendations]

The Representatives recommend to their Governments:

a) that they take the necessary steps to examine as soon as possible, in conformity with their legal and constitutional procedures, the recommendations adopted by any Consultative Meeting and that they take a decision on such recommendations as they find themselves able to approve as

soon as possible after such recommendations have been officially communicated to them by the government which was the host for the Consultative Meeting concerned;

b) that if they find themselves unable to give early approval to one or more of the recommendations of a Consultative Meeting, they should signify their approval of the remaining recommendations, whether separately or as a group, as soon as they are able to do so.

II-X: [Third Consultative Meeting]

The Representatives recommend that their Governments accept the offer made by the Delegation of Belgium, to the effect that the Third Consultative Meeting under Article IX of the Antarctic Treaty be held in Brussels.

This Meeting will be held on a date to be decided upon by agreement among the participating governments.

[Statement by Chilean Delegation]

In respect of Recommendation II-X, the Chilean Delegation expressed the hope that in the near future the Consultative Meeting will recommend to the Governments that the sessions referred to in Article IX of the Antarctic Treaty be held every two years, on the date considered most appropriate, without prejudice to advancing these dates or convening extraordinary sessions should circumstances render it advisable.

I-XV: [Second Consultative Meeting]

The Representatives recommend to their Governments that they accept the offer by the delegation of Argentina of the city of Buenos Aires as the seat of the second consultative meeting under Article IX of the Antarctic Treaty, to be held on a date mutually decided upon by the Participating Governments.

Permanent Secretariat

ATCM XXIV: Decision 1 (2001): [Site of Permanent Secretariat]

The Representatives,

Recalling the need to establish a permanent Secretariat of the Antarctic Treaty to assist the Antarctic Treaty Consultative Meeting (ATCM) and the Committee for Environmental Protection (CEP) in performing their functions;

Welcoming the offer made by Argentina in July 1992 proposing Buenos Aires as the headquarters of the Secretariat of the Antarctic Treaty;

Further welcoming the consensus reached on the location in Buenos Aires of the Antarctic Treaty Secretariat;

Decide:

- That the Antarctic Treaty Secretariat shall be established in Buenos Aires following the development of necessary modalities and agreements, which the Parties shall urgently pursue.
- That the XXV ATCM shall consider a progress report from Argentina concerning facilities and related matters.

[Extract from Report of XXIVth ATCM: Operation of the Antarctic Treaty System

(24) All delegations unanimously and warmly welcomed the new consensus on the site of the Secretariat, noting this historic occasion for the Antarctic Treaty System, and that the Secretariat would considerably enhance the operation of the Antarctic Treaty System. The Meeting decided that the Secretariat shall be established in Buenos Aires and adopted Decision 1 (2001) contained in Annex B. Delegations congratulated Argentina and the United Kingdom on this important development.

(25) Italy and New Zealand presented Working Paper (XXIV ATCM/WP35) concerning the modalities for establishing an Antarctic Treaty Secretariat. Paper recalled that ATCM XVII in Venice had marked the beginning of discussions on the form, composition, functions and financing for the new institutions, when consensus on the principle of a Secretariat had been reached. There had been numerous discussions since and a consensus was confirmed at ATCM XXIII on establishing a permanent Secretariat. At SATCM XII in the Hague, Italy and New Zealand had presented papers on this issue and been requested to present a single paper for this meeting.

(26) Uruguay introduced Working Paper (XXIV ATCM/WP36) on behalf of Argentina, Brazil, Chile, Peru and Uruguay. Uruguay noted that there were several important issues to decide, including the form of the instrument establishing the Secretariat, its legal capacity, and the question of funding. The paper was very similar to the paper presented by Italy and New Zealand.

(27) The United Kingdom noted that establishing a Secretariat involved legal and political issues including the question of establishing privileges and immunities for the institution and its staff. Germany noted that it would be helpful to consider a draft Headquarters Agreement as well as elements of financial regulations at the next meeting together with Working Paper (XXIV ATCM/WP37). Germany offered to prepare key elements of possible financial regulations.

(28) A number of points to be considered and included in the decision that could be taken by a Measure were made:

- Legal capacity of the Secretariat only in the host country and including immunities attached to Secretariat staff and the status of the Secretariat as an executive arm of the ATCM in the exercise of the Secretariat's legal capacity (e.g. as illustrated by Article IV set out in Working Paper (XXIV ATCM/WP37);
- The Executive Secretary shall be appointed on objective criteria. The most competent person shall be selected after an open application procedure;
- The host country obligations should be specified such as the duty and tax

exemptions for the Secretariat and staff, and the provision of the premises and equipment for the Secretariat.

(29) Delegations noted that Working Paper (XXIV ATCM/WP37) submitted by Argentina, Brazil, Chile, Italy, New Zealand, Peru and Uruguay would be a useful reference point for further discussions. The Meeting agreed to return to the question of developing the necessary modalities and agreements for the Secretariat at its next meeting. Argentina was invited to circulate a draft Headquarters Agreement and material relating to privileges and immunities as soon as possible to assist with further consideration of the modalities of the establishment of a Secretariat intersessionally. Argentina indicated that it would welcome any informal feedback on these texts.]

Extract from Report of XXIIIrd ATCM: Operation of the Antarctic Treaty System

(24) There was consensus amongst Parties as to the need for the establishment of a permanent Secretariat, which is cost-effective. The Meeting expressed the urgent need to reach consensus on the issue of the Secretariat's location as well as its modalities.

(25) A great majority of Consultative Parties reiterated their support for Buenos Aires.

(26) Numerous delegations expressed the view that given the degree of support it had received, the agreement on Buenos Aires as the site is the quickest way to reach a prompt solution.

(27) The Meeting was encouraged to hear that Argentina and the United Kingdom are engaged in a constructive dialogue on certain Antarctic issues, including the Secretariat and its siting.

(28) Norway as the host country of the previous ATCM (Tromsø 1998) drew attention to the problems related to the burden on the host country arranging Consultative Meetings without a permanent Secretariat, such as the absence of a collective memory in the form of archives and the financial burden. Several delegations expressed that they would prefer a small Secretariat.

(29) Several Parties stated that the establishment of a Secretariat was a highly important and urgent matter for the efficient functioning of the Antarctic Treaty co-operation. Efforts should be made to prepare ground for a discussion at the next ATCM of all issues involved, with the aim of finding a solution for the Secretariat in its entirety. Some delegations noted that the legal aspects of establishing a Secretariat, could not be dealt with in isolation from addressing other topics of paramount importance, such as those of political, administrative, and financial nature. They regretted that -- despite the efforts in defining legal issues -- there was still no consensus on such basic issues as the Secretariat's legal basis.

(30) The Meeting noted the suggestion that pending a decision on the site of the Secretariat, work needed to proceed on the following issues: (a) functions, (b) composition, (c) budget, (d) contributions, (e) legal instrument, (f) legal status and

(g) privileges and immunities. It was also noted that it would be useful to refer to the valuable background on this matter contained especially in the reports of the ATCM XVII (Venice) and XIX (Seoul), so as not to repeat work already done.

(31) Several delegations stated that it was necessary to identify points of consensus on the topic related to this issue and, on that basis, Parties could present working papers to be discussed at ATCM XXIV.

(32) Information Paper (XXIII ATCM/IP40), introduced by Italy, summarised the work done thus far and identified issues for further consideration. The Meeting welcomed the offer of Latin American Consultative Parties to develop a joint Working Paper on the modalities of the Secretariat. It was noted that Norway and Peru would prepare papers outlining their experiences as host countries of ATCM XXII and XXIII on secretarial aspects of organising Consultative Meetings. The United Kingdom indicated that it would prepare an overview of the historical perspectives of work undertaken by the ATCM on the Secretariat issues since ATCM XVII. Italy was requested to review Information Paper (XXIII ATCM/IP40) and to resubmit it as appropriate to ATCM XXIV. The above distribution of work would not preclude other Parties from contributing papers on any aspect related to this issue.

(33) With regard to the ever-increasing cost that organising an ATCM represents for the host country, concern was expressed that a *de facto* division might develop in the Antarctic Treaty System between those countries that could assume the burden and others that could not. It was noted that the establishment of a Secretariat would be one way of diffusing that burden. It was however also noted that the question of burden sharing with respect to the Secretariat and organisation of the ATCM must be examined in detail in a larger context of defining the Secretariat's functions and rationalisation of the ATS' operation.

(34) It was suggested that the Meeting examine a topic closely related to that of the Secretariat: the possibility of adopting a cost-sharing system that would rationalise the system's operation. The possibility was mentioned of having the Secretariat adopt an arrangement similar to the one used for CCAMLR, where the costs of meetings, documentation, and related activities are shared, and the location of the Secretariat is considered the default location for official meetings.

(35) Some delegations were prepared to consider the possibility of holding ATCMs every other year provided that there would be a guarantee for the continuity of the work of the CEP, on the issue of liability and on issued relating to the establishment of a permanent Secretariat. In this connection, it was expressed that meeting every other year would entail a practical problem in respect of the application of paragraphs 3 and 5 of Annex I to the Madrid Protocol, with regard to CEEs and other ATCMs responsibilities. Other delegations noted that there are solutions to address the issues with respect to paragraphs 3 and 5 of Annex I.

(36) The view was also expressed that ATCMs should be reduced to one week rather than following the current practice of two, since this would provide a better and more efficient structure of work. The CEP could meet during the week preceding

the ATCM.

(37) Some delegations stressed that holding meetings every other year would allow for a more structured preparation of the issues and more meaningful outcomes. The establishment of a Secretariat would reinforce these aspects, it would support the CEP and other intersessional meetings, and it would allow for cost sharing. In this connection, it would be important to reach a consensus on the structure of the Secretariat as a starting point for deliberations on this matter at the following ATCM.

Extract from Report of XXIInd ATCM: Operation of the Antarctic Treaty System

(23) Professor Wolfrum reported on the work of the Contact Group on organisational aspects of the establishment of an Antarctic Treaty Secretariat, which he chaired. There were two options discussed on the question of privileges and immunities to be given to the Secretariat.

i) The Secretariat to have privileges and immunities in both the host state and all Consultative Parties.
ii) The Secretariat to have privileges and immunities in the host country only.

(24) The Contact Group also discussed whether the establishment of a Permanent Secretariat should be dealt with by a Protocol or a Measure. On the future budgets of a Permanent Secretariat, the Group raised the question of whether the contributions from States should only cover the running cost of the Secretariat, or if the costs incurred by the Consultative Meetings should be covered as well.

Extract from Report of XXIst ATCM: Organisational Aspects, Secretariat

(85) Professor Wolfrum reported on the work of the Contact Group on Organisational Aspects of the Establishment of an Antarctic Treaty Secretariat which he chaired. A number of Delegations expressed their preference for an arrangement where the specific regulations on privileges and immunities for the Secretariat and its staff would be dealt with in a host state agreement. The Meeting recommended the reconvening of the Contact Group for one day at ATCM XXII.

(86) The Meeting noted Information Paper (XXI ATCM/INF 117) on the establishment of the Antarctic Treaty Secretariat, submitted by Argentina, Brazil, Chile, Ecuador, Peru and Uruguay. The Paper was introduced by the delegation of Brazil and urged the establishment of the Antarctic Treaty Secretariat considering that the Madrid Protocol will shortly enter into force. In the Paper, the sponsors reiterated their full support to the establishment of the Secretariat in Buenos Aires, evoking an appropriate geographical balance in the distribution of the headquarters of Antarctic fora. In the case of the Antarctic Treaty, such a decision would more adequately reflect the equitable spirit of cooperation and harmony that has prevailed throughout the last thirty-five years. The Information Paper noted that the candidacy of Buenos Aires had obtained an almost unanimous support of the Consultative Parties and a consensus on this matter was very close in achieving a satisfactory solution on the

establishment of the Secretariat and the designation of Buenos Aires as its Headquarters.

Extract from Report of XXth ATCM: Organisational Aspects, Secretariat

(52) The Contact Group on Organizational Aspects of the Establishment of an Antarctic Treaty Secretariat convened under the chairmanship of Professor Wolfrum in Utrecht on 3 May 1996. Professor Wolfrum gave a brief report on the discussion which took place. A document drawn up by Professor Wolfrum entitled "Legal Status, Privileges and Immunities of the Antarctic Treaty Secretariat" formed the basis of the Contact Group's discussion. This discussion focused on the question of what instruments (e.g. a Protocol or a Measure), were necessary for the establishment of a Secretariat, and on the question of whether the Secretariat should enjoy privileges and immunities in the Host State only or also in all the other ATCPs. No agreement could be reached on the subjects in question yet. However, the Chairman of the Contact Group expressed confidence that an agreement could be reached if the necessary political will existed to do so, since the issue did not raise complicated legal problems.

(53) Professor Wolfurm indicated that he would draw up and distribute a new document, based on the discussion, six weeks after the XX ATCM. This document could contain the following elements:

- Status of the Secretariat (legal personality under national and international law);
- Functions of the Secretariat;
- Staff;
- Contributions to the Budget;
- Privileges and Immunities.

(54) With regard to privileges and immunities, the document would comprise two alternatives, namely:

Privileges and immunities for the Secretariat in the Host Country only;

Privileges and immunities for the Secretariat in all Consultative Parties.

(55) The Parties would subsequently be requested to make their views known within six weeks. Professor Wolfrum could then distribute an amended version of the document for the XXI ATCM. Professor Wolfrum expressed the hope that this discussion could be concluded during the XXI ATCM.

(56) Professor Wolfrum's proposals as set out above met with the approval of the Meeting and were agreed to.

Extract from Report of XIXth ATCM: Organisational Aspects (including Secretariat)

(65) The Meeting held a debate on the future establishment of a permanent Secretariat to

the Antarctic Treaty. There was agreement that the work of a contact group of WG I, chaired by Professor Ruediger Wolfrum, Federal Republic of Germany, should be intensified in order to come to some early conclusions on the organisational aspects of the establishment of such a Secretariat. The Meeting encouraged the group to continue its work, taking note of existing papers, including a Working Paper (XIX ATCM/WP 13), as modified by the Chairman during the Meeting. The Meeting decided that the group should meet inter-sessionally in conjunction with the gathering of the meeting of Legal Experts on Liability in the last part of 1995.

(66) The Meeting noted that there is still no progress on reaching a consensus on the location of the Secretariat. Further, the Meeting took note that in a sub-group of WG I, convened by Ambassador Jan Arvesen of Norway at the request of the Chairman of WG I, no consensus could be reached on any so-called interim solution. However, there was a consensus that parties should explore how to enhance the effectiveness of secretariat functions provided by host Government for future ATCMs.

(67) Finally, there was a consensus that early establishment of a permanent Secretariat is needed and that a decision regarding all aspects of its establishment, including the location, must be made by consensus.

Extract from Report of XVIIIth ATCM: Organisational Aspects, Secretariat

(64) the Meeting noted that during the intersessional period, informal consultations on certain aspects relating to the future establishment of a permanent Secretariat to the Antarctic Treaty were carried out through normal diplomatic channels and with the coordination of Italy, as Chair of the XVII ATCM, on the occasion of the meeting of Legal Experts on liability held at Heidelberg from 18 to 29 November 1993.

(65) Some opening addresses attached to this Final Report refer to the subject. [not reproduced]

(66) A number of Working documents were submitted to the XVIIIth Antarctic Treaty Consultative Meeting: XVIII ATCM/WP 8 by Australia, XVIII ATCM/WP 15 by Belgium and XVIII ATCM/WP 16 by Italy.

(67) A contact group of Working Group I, chaired by Professor Rüdiger Wolfrum (Federal Republic of Germany) discussed this item under the following headings: a) Legal Personality; b) Functions; c) Privileges and Immunities; and d) the Legal Instrument to establish those privileges and immunities and status (e.g. Protocol, Headquarters Agreement).

(68) The contact group devoted considerable time to discussing the status, privileges and immunities as well as the function of the future Secretariat. It was possible to clarify further the issues involved and to modify and supplement the texts as a focus for future deliberations. However, several issues remained to be agreed upon. Although there was consensus that a permanent Secretariat had to be empowered to pursue its activities in the territory of all Antarctic Treaty Consultative Parties, some

delegations wanted the privileges and immunities of the Secretariat restricted to the host State. Apart from that, it was the prevailing view within the group that the activities of the Secretariat should be limited to shoe necessary to assist the Antarctic Treaty Consultative Meeting and the Committee for Environmental Protection, and that the privileges and immunities should be commensurate with, and limited to, those necessary for the performance of its functions.

(69) The progress achieved in the consideration of those items is reflected in the report made by the Chairman of the contact group, attached as Annex D of this Report.

(70) The Meeting acknowledged that further progress on these aspects, and particularly on the main issues relating to the establishment of the Secretariat, such as its composition, financing and location was needed. The Meeting therefore urged that every possible effort should be made by all Consultative Parties during the intersessional period to prepare for resolution of all outstanding issues relating to the establishment of the Secretariat, with a view of reaching a consensus at the earliest possible opportunity.

Annex D: Elements for the Antarctic Treaty Secretariat

Elements for the Antarctic Treaty Secretariat

I. Functions

The Secretariat shall perform the functions in support of the Antarctic Treaty Consultative Meeting (ATCM) and the Committee for Environmental Protection which are entrusted to it by the ATCM. In particular, the Secretariat shall under the direction and supervision of the ATCM exercise the following functions:

1. Provide assistance to the Parties, in particular to the host Governments of the ATCMs and other meetings held under the Antarctic Treaty and the Protocol on Environmental Protection to the Antarctic Treaty (the Protocol) in respect of arrangements for and reports of such meetings.
2. Provide in close cooperation with the host government administrative assistance to the Committee for Environmental Protection in respect of the functions entrusted to that Committee by the Protocol.
3. Facilitate and coordinate communications and exchange of information amongst Parties on all exchanges and modifications required under the Antarctic Treaty and the Protocol.
4. Assist the ATCM to review information exchange requirements with a view to facilitating timely and responsive exchanges with Parties.
5. Based upon information received from Parties, establish data-bases relevant to the operation of the Antarctic Treaty and the Protocol, and ensure publication as appropriate.

6. Circulate to the Parties information received from one or more Parties of activity in Antarctic by non-Parties.
7. Ensure the necessary coordination with all elements of the Antarctic Treaty System and those international bodies with which the ATCM has entered into contact.
8. Maintain the records of the ATCMs and of other Meetings under the Antarctic Treaty and the Protocol and facilitate the availability of information about the Antarctic Treaty System.
9. Prepare reports on its activities carried out in implementing of its functions and present them to the ATCM.
10. Perform such other functions relevant to the purpose of the Antarctic Treaty and Protocol as may be determined by the ATCM.

II. Legal Status, Privileges and Immunity

Article 1

Legal Personality

The Secretariat shall have full legal personality.

Article 2

Privileges and Immunities

1. The Antarctic Treaty Consultative Parties [the Party on whose territory the Secretariat is located] shall within the scope of the official activity of the Secretariat confer the privileges and immunities upon the Secretariat and its officials set out below.
2. Except as provided for in paragraph 3, privileges and immunities of the Secretariat and the officials may be waived only by the Executive Secretary. The Executive Secretary has the authority to waive the privileges and immunities in cases where retaining such privileges and immunities would impede the course of justice and where waiver would be without prejudice to the interests of the ATCM.
3. The immunity of the Executive Secretary may be waived only by the ATCM. Paragraph 2 applies *mutatis mutandis*.

Article 3

Scope of Privileges and Immunities

1. The Secretariat, its property and assets, shall enjoy immunity from legal process.
2. The premises of the Secretariat as well as its archives will be inviolable. Its property and assets will be immune from search, requisition, confiscation and expropriation.
3. The Secretariat shall not be restricted by financial controls, currency regulations or moratoria of any kind that may impede the holding and use of funds.

4. The Secretariat shall be free to transfer its funds or currency from the host country to another country to the extent necessary to the exercise of its functions.

Article 4

Tax Exemptions of the Secretariat

1. The Secretariat, its property, assets and income shall be exempt from all direct taxes and from custom duties on imports and exports in respect of articles which are imported or exported for official use of the Secretariat.
2. This will not prevent the Government of the host country from regulating the conditions under which articles imported under exemption may be disposed in its territory.
3. The Secretariat shall be exempt from indirect taxes on purchases or services of substantial value.
4. The Secretariat shall pay taxes when they represent charges for public utility services.

Article 5

Communications

The Secretariat shall enjoy for its official communications the same treatment as that accorded to diplomatic missions.

Article 6

Secretariat Officials

1. The officials of the Secretariat shall enjoy the following privileges and immunities:
   a) Immunity from criminal, administrative and civil jurisdiction in respect of acts performed or omissions made by them in their official capacity, except in cases of civil responsibility for damage caused by traffic accidents;
   b) Inviolability of all documents
   c) Exemption from national service obligations;
   d) Exemption in respect of themselves, their spouses, children and other persons belonging to their household from immigration restrictions and alien registration as accorded to diplomatic agents of foreign States;
   e) The right to import free of duty their furnitures, one car and effects at the time of first taking up their posts and to export the same free of duty at the same time of their leaving the post. Article 4 paragraph 2 shall apply *mutatis mutandis*;
   f) The same repatriation facilities in time of international crisis as diplomatic agents.
2. Privileges and immunities covered by paragraphs 1 c, d, e and f above shall not be accorded to nationals and permanent residents of the host State.

3. Provided that the officials of the Secretariat are covered by a security scheme offered or approved by the ATCM, they will be exempt from compulsory national security schemes.
4. The officials of the Secretariat shall be exempt from taxes on their income provided by the Secretariat.

Article 7

Identity Card

1. The ATCM may issue an identity card to secretariat staff on official duty. This card will not substitute for ordinary travel documents.
2. The card will be issued in accordance with a form to be approved by the ATCM.

III. Instrument for Establishment of the Secretariat

The following options were discussed:

- establishment of the Secretariat through a Protocol, privileges and immunities to be enshrined in an Annex plus a headquarters agreement;
- two protocols, one for the establishment, one for the privileges and immunities and a headquarters agreement;
- a headquarters agreement only.

Extract from Report of XVIIth ATCM: Organisational Aspects, Secretariat

(41) A number of Delegations submitted papers on this item; in particular the Netherlands (XVII ATCM/WP 7), Australia (XVII ATCM/WP 19), Uruguay (XVII ATCM/INFO 33) and USA (XVII ATCM/INFO 36).

(42) The Consultative Meeting devoted considerable time discussing the establishment of the Secretariat, its location, functions, composition, legal status and sharing of costs

(43) Consensus existed that a Secretariat should be established to assist the Antarctic Treaty Consultative Meeting and the Committee for Environmental Protection in performing their functions.

(44) Two Contracting Parties, Argentina and the United States of America, offered Buenos Aires and Washington D.C. respectively, to serve as headquarters for the proposed Secretariat.

(45) The Delegation of Argentina provided detailed information on the infrastructure and other facilities which its Government was ready to make available for this purpose as well as some possible criteria for privileges and immunities to be granted to the Secretariat.

(46) The Delegation of the United States stressed the advantages of locating the

Secretariat at the site of the Depositary Government.

(47) A number of Delegations expressed themselves in favour of the Argentine offer. In this context, views were expressed favouring the insertion of Latin America in the institutional framework of the Antarctic Treaty System.

(48) No decision has yet been taken on this specific issue.

(49) Progress achieved in the consideration of the other main issues involved is reflected in the report and texts annexed hereto (Annex E). These texts were elaborated by a contact group of Working Group I, chaired by Prof Francesco Francioni of the Delegation of Italy.

(50) The need for further work on this matter was acknowledged, including further consultations through normal means of diplomatic communication coordinated by the Chairman of the XVIIth Antarctic Treaty Consultative Meeting.

(51) In this context, upon the offer made by the Republic of Italy, it was decided that an informal meeting of the Parties will be held in Italy before the XVIIIth ATCM with a view to reaching overall agreement on all the issues involved.

Annex E: Elements for the Antarctic Treaty Secretariat According to Paragraph 49 of the Final Report

Elements for the Antarctic Treaty Secretariat

I

Functions of the Secretariat

The Secretariat will perform the functions in support of the Antarctic Treaty Consultative Meeting (ATCM) and the Committee for Environmental Protection which are entrusted to it by the ATCM. In particular it will:

1. provide advice and assistance to the host Governments of the ATCMs and other Meetings held under the Antarctic Treaty and the Protocol on Environmental Protection to the Antarctic Treaty (the Protocol) in respect of arrangements for, and reports of, such Meetings;
2. provide administrative assistance to the Committee for Environmental Protection in respect of the functions entrusted to the Committee by the Protocol;
3. facilitate communication and exchange of information amongst Contracting Parties and components of the Antarctic Treaty System;
4. maintain the records of the ATCMs and of other Meetings held under the Antarctic Treaty and the Protocol;
5. facilitate the availability of information about the Antarctic Treaty System.

II

Staff Complement of the Secretariat

6. In order to carry out its functions, the Secretariat shall be composed initially of an Executive Secretary, two additional professional staff, and up to six administrative and support staff.
7. The Antarctic Treaty Consultative Meeting (ATCM) shall appoint the Executive Secretary according to such procedures and on such terms and conditions at the ATCM may determine.
8. The term of office of the Executive Secretary shall be four years. He/she shall be eligible for re-appointment but, unless the ATCM decides otherwise, for no more than one additional four year term.
9. The ATCM shall authorise the appointment of the professional staff indicated in paragraph 1 above. The Executive Secretary shall appoint, direct and supervise such staff according to such rules, procedures and on such terms and conditions as the ATCM may determine. The initial appointment of the professional staff shall be subject to consultation between the Executive Secretary and the Antarctic Treaty Consultative Parties.

III

Secretariat Costs

1. The budget of the Secretariat shall be financed by contributions from the Antarctic Treaty Consultative Parties, provided that this shall not preclude any other Party from making a voluntary contribution to the budget.
2. For a period of three years after the establishment of the Secretariat, each Antarctic Treaty Consultative Party shall make a contribution to the budget as specified in the footnote below (*). During such period the Antarctic Treaty Consultative Meeting shall consider, as a matter of priority and with a view to ensuring equitable sharing, contributions to the budget and make provisions accordingly.

(*) Footnote

Argentina	1/26	Korea Rep. Of	1/26
Australia	1/26	Netherlands	1/26
Belgium	1/26	New Zealand	1/26
Brazil	1/26	Norway	1/26
Chile	1/26	Peru	1/26
China	1/26	Poland	1/26

Ecuador	1/26	Russia	1/26
Finland	1/26	South Africa	1/26
France	1/26	Spain	1/26
Germany	1/26	Sweden	1/26
India	1/26	United Kingdom	1/26
Italy	1/26	United States	1/26
Japan	1/26	Uruguay	1/26

IV

Legal Status of the Secretariat

The Secretariat and its staff shall enjoy, in the territory of its host State, such legal capacity as may be necessary to perform their functions and enjoy the privileges and immunities set out in Annex I to this Recommendation in agreement with the host State.

Administrative arrangements with respect to Consultative Meetings

XIII-1 Operation of the Antarctic Treaty System: Information

The Representatives,

Recalling Recommendation XII-6;

Recognizing the importance of accurate and adequate information regarding the Antarctic Treaty System,

Noting therefore the desirability of ensuring and facilitating the availability of information about the Antarctic Treaty System;

Recommend to their Governments that:

1. Efforts be continued to ensure that final reports of Consultative Meetings provide full and accurate records of these meetings, including:
    a) the general trends of discussion of the specific agenda items considered as well as specific steps or actions taken as a result of decisions or recommendations adopted at previous consultative meetings; and
    b) appropriate additional documentation of the meeting;

2. The Antarctic Treaty Handbook be regularly maintained as a current compilation of the recommendations and other actions agreed by Consultative Meetings;

3. To the greatest extent practicable and feasible and in accordance with national laws and regulations, the following be made available on request:

a) reports of Consultative Meetings,
b) The Antarctic Treaty Handbook,
c) Annual exchanges of information they provide under the Antarctic Treaty;

4. Their national committees be encouraged to make available, on request and in accordance with national laws and regulations, annual activities reports which these committees submit to the Scientific Committee on Antarctic Research (SCAR);

5. On request and in accordance with national laws and regulations, up-to-date information be made available, to the greatest extent practicable and feasible, on:

a) the location of depositories of data, samples and collections resulting from scientific research in Antarctica, and
b) the nature and location of bibliographies or other information sources concerning reports and published works related to Antarctic matters, including those related to scientific research activities in Antarctica;

6. A national contact point, or contact points, be designated and charged with the functions referred to in paragraph 3 above and maintaining the information referred to in paragraph 5 above;

7. The names and addresses of the institutions or entities designated as national contact points, pursuant to paragraph 6 above, be published as an annex to the final report of each Consultative Meeting and the Antarctic Treaty Handbook and be otherwise publicly disseminated.

XIII-2: Operation of the Antarctic Treaty System: Overview

The Representatives,

Recognizing the virtue of there being a regular overview of the Antarctic Treaty System, including the relationships among its components;

Believing that regular reports about the activities of these components at the Consultative Meetings would serve this objective;

Recommend to their Governments that:

1. An item "Operation of the Antarctic Treaty System: Reports" be included on the Agenda of each subsequent Consultative Meeting;

2. Under that item reports concerning developments in their respective areas of competence since the previous Consultative Meeting be received from the components of the system and that, to this end:

a) they request the Chairman of any special Consultative Meeting, and of any

other meeting held pursuant to a Recommendation of a Consultative Meeting, or a person designated by him, to present such a report;

b) they invite the Commission for the Conservation of Antarctic Marine Living Resources to appoint its Chairman or other person to represent the Commission as an observer for the specific purpose of presenting such a report;

c) through their National Committees, they invite the Scientific Committee on Antarctic Research (SCAR) to appoint its President or other person to represent the Committee as an observer for the specific purpose of reporting on:

   iii) the general proceedings of SCAR;

   iv) matters within the competence of SCAR under the Convention for the Conservation of Antarctic Seals;

   v) such publications and reports as may have been published or prepared in accordance with Recommendations IV-19 and VI-9 respectively;

d) pending possible establishment of a Commission as provided for under the Convention for the Conservation of Antarctic Seals, they invite the Depositary Government of that Convention to report on the matters within the Depositary's competence under the Convention.

3. In preparing for each Consultative Meeting they consider, in relation to developments since the previous Consultative Meeting, whether, for the purpose of such overview, reports on any such developments in, or bearing upon, the Antarctic Treaty system would be helpful and, through the host Government for that Consultative Meeting, act accordingly.

XII-6: Operation of the Antarctic Treaty System

The Representatives,

Noting that the Antarctic Treaty, based on principles of the United Nations Charter, in the interest of all mankind, establishes Antarctica as an area dedicated exclusively to peaceful purposes, to international harmony and to international scientific cooperation;

Noting further that the Antarctic Treaty, the numerous measures adopted in furtherance of the principles and objectives of the Treaty and other instruments and acts associated with it constitute a farsighted and effective system of international cooperation, which promotes international peace and security, increase in scientific knowledge and understanding, and effective environmental protection;

Desiring to involve the Contracting Parties to the Antarctic Treaty which are not Consultative Parties more closely with the Antarctic Treaty system;

Conscious of the value of increasing public knowledge of the achievements and operation of the Antarctic Treaty system;

Recalling Article III, paragraph 2 of the Antarctic Treaty which encourages cooperative working relations with those Specialised Agencies of the United Nations and

international organizations having a scientific and technical interest in Antarctica;

Recommend to their Governments that:

1. In addition to sending Consultative Parties certified copies of the Report as well as documents of Consultative Meetings as called for in Recommendation I-XIV, paragraph 1, the Government of the host country of each Consultative Meeting shall also send certified copies of the Report as well as documents of that meeting to all other Contracting Parties which were invited to that Meeting;

2. In furtherance of Article III, paragraph 2, of the Treaty, the Government of the host country shall:

a) on behalf of the Consultative Parties send a certified copy of the Final Report and Recommendations of regular Consultative Meetings to the Secretary-General of the United Nations, and
b) as and when the Representatives of the Consultative Parties consider it appropriate, draw the attention of any Specialised Agency of the United Nations or other international organization having a scientific or technical interest in Antarctica to any part of the Report of the Consultative Meeting, or any information document submitted to the Meeting and made available to the public, relevant to the scientific or technical interest which that agency or organization has in Antarctica;

3. The "Handbook of Measures in Furtherance of the Principles and Objectives of the Antarctic Treaty" be renamed the "Handbook of the Antarctic Treaty" and:

a) be brought up to date by the host government as soon as possible after each Consultative Meeting,
b) contain an introduction outlining the background and history of the Antarctic Treaty as well as a preface to each section as appropriate giving a brief background to the measures set out in that section. The host government of the Twelfth Consultative Meeting will undertake the necessary consultations with a view to the early preparation of such introduction and prefaces, and
c) contain the Final Report (excluding attachments and annexes) from each Consultative Meeting;

4. Starting with the Thirteenth regular Consultative Meeting,

a) Delegations should indicate, when submitting an Information Document, if they intend that document to be publicly available;
b) after the closure of the Meeting and provided no Consultative Party has objected, any Consultative Party or non-Consultative Party which has been invited to that Meeting may make such document publicly available on such terms as it may prescribe;
c) as regards Conference Documents or Information Documents of the First to the Twelfth Consultative Meeting, and Conference Documents of the Thirteenth Consultative Meeting, and subsequent Meetings, as well as Information Documents that have not been identified in accordance with paragraph (a) above as intended to be publicly available, Consultative Parties

will consider in what circumstances such Documents may be made publicly available, with a view to discussing the matter further at the Thirteenth Consultative Meeting;

5. Invite the depositary Government to examine the question of information about the Antarctic Treaty system, including publicly available documents arising from Consultative Meetings, with a view to identifying and cataloguing publicly available information about the System and identifying the sources from which such information can be obtained; and

6. "The Operation of the Antarctic Treaty System" be included on the Agenda of the Thirteenth Consultative Meeting.

I-XIV: [Administrative arrangements for Consultative Meetings]

Pending any further recommendation which may be adopted at a future meeting concerning the procedures to be followed in connection with the consultative meetings provided for in Article IX of the Treaty, the Representatives recommend to their Governments that as an interim measure:

1. The Government of the host country of the present meeting shall send to each of the participating Governments as certified copy of the final report containing the authentic texts of all documents agreed and adopted by the meeting. It shall also send to the other participating Governments any other documents relative to the meeting and comply with any additional request, or answer any questions on the subject, and supply any information which the participating governments may subsequently request regarding the first consultative meeting or recommendations of that meeting;

2. The Government of the country where the next meeting is to be held shall consult the other Governments entitled to participate in the consultative meetings in regard to the provisional agenda and the choice of the opening date of the meeting;

3. The Governments shall consult through diplomatic channels as they deem necessary on matters of common interest relating to the Treaty Area including matters which may be proposed for consideration at future consultative meetings;

4. Notifications of approval by Governments of recommendations adopted at consultative meetings shall be communicated through diplomatic channels to all other such Governments entitled to participate in the consultative meetings;

5. The Depositary Government designated in the Antarctic Treaty shall inform all signatory and acceding states when any recommendation has been approved in accordance with Article IX(4) of the Treaty by all the contracting parties whose representatives were entitled to participate in the meeting held to consider that recommendation.

I-XVI: [Preparations for Consultative Meetings]

The Representatives recommend to their Governments that reports, studies and all other documentation, including any specific proposal or draft recommendation, which any participating government may desire to place before the next consultative meeting, shall be forwarded through diplomatic channels so as to reach all governments entitled to participate in that consultative meeting, at least one month prior to the meeting, except in circumstances of urgency.

Public Availability of Information

XXIII: Decision 1(1999)

CEP Web site

The Representatives,

Recognising the usefulness of a World Wide Web site on the Internet in the operation of the CEP;

Noting that the operation of such a web site ideally would be the responsibility of a Secretariat established under the Antarctic Treaty;

Decide:

1. That the home country of the Chair of the Committee for Environmental Protection (CEP) shall, within the resources available to it, and only for as long as it provides the CEP Chair, operate a CEP web site on the World Wide Web on an interim basis.

2. The CEP web site will be operated in close co-operation with the Host Country of the ATCM operating the ATCM Home Page.

3. The CEP web site shall *inter alia* contain:

a) in an area freely accessible to the general public:
- general information about the Committee on Environmental Protection and environmental issues in Antarctica;
- an archive of official documentation from the previous meetings of the Committee, containing Working and Information Papers submitted to its meetings, as well as the final reports of its meetings;
- links to related web sites (e.g. SCAR, COMNAP, CCAMLR)

b) in a password protected area accessible only to the Members of the CEP, Observers to the CEP, and other experts as appropriate that the Committee decides should have such access:
- official documents submitted electronically to the Host Country and the CEP Chair in advance of a CEP Meeting;
- any other documents that have been provided to the CEP Chair for consideration at the Meeting

4. All official documents from each CEP meeting shall be made freely available on the CEP web site from the closure of that CEP Meeting if no member has indicated its intention to the contrary when submitting a document.

5. Meeting documents of the CEP are to be posted in all available translations. Any other input from Members shall be posted in the official Treaty language or languages in

which it is submitted.

XXII: Resolution 5 (1998)

ATCM Home Page

The Representatives

Recommend that:

1. The Host Government of an Antarctic Treaty Consultative Meeting be encouraged to consider the establishment of an Internet home page on the World Wide Web (ATCM Home Page).

2. The *ATCM Home Page* should *inter alia* contain:

a) in an area freely accessible to the general public:
- general information on Antarctica and the Antarctic Treaty system[1];
- within the resources available, and in accordance with paragraph 3 of this Resolution, an archive of official documentation from the Antarctic Treaty Consultative Meetings, containing working and information papers submitted to the Meetings, as well as the Final Reports of the Meetings with text of annexes.

b) in a password protected area accessible only to the Antarctic Treaty Parties, the Antarctic Treaty System Observers[2], experts invited by the Antarctic Treaty Consultative Meeting and any other entities that the Meeting decides should have such access:
- official documents submitted electronically to the Host Government in advance of an Antarctic Treaty Consultative Meeting;
- any practical information related to the Antarctic Treaty Consultative Meeting, which the Host Government may wish to communicate this way.

3. As from the closure of an Antarctic Treaty Consultative Meeting, and if no Delegation has indicated its intention to the contrary when submitting a document, the Host Government should enable free public access to all the official documents which have been placed on the *ATCM Home Page*, by removing the password protection from these.

4. Norway, as the Host Government of the XXII Antarctic Treaty Consultative Meeting shall, based on the Home Page prepared in advance of the XXII Meeting, establish the *ATCM Home Page*, and shall maintain it until three months after the closure of ATCM XXII.

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[1] Developed in pursuance of paragraph 132 of the Final Report of the XXI Antarctic Treaty Consultative Meeting.

[2] As referred to in Rule 2 of the Revised Rules of Procedure for Antarctic Treaty Consultative Meetings (1997)

5. Thereafter, within the resources available and pending any more permanent solution agreed upon by the Antarctic Treaty Consultative Parties. the *ATCM Home Page* should be maintained by any subsequent Host Government of the Antarctic Treaty Consultative Meeting, from three months after the closure 3 of the previous Meeting until three months after the closure of the Meeting it hosts[3].

XIV-1: Operation of the Antarctic Treaty System: Public Availability of the Documents of Consultative Meetings

The Representatives,

Conscious of the value of increasing public knowledge of the achievements and operation of the Antarctic Treaty System;

Noting operative paragraph 4 of Recommendation XII-6, sub-paragraph (c) of which is no longer relevant;

Desiring to modify sub-paragraphs (a) and (b) of the said operative paragraph 4, which deal with the handling of Information Documents;

Recommend to their Governments that operative paragraph 4 of Recommendation XII-6 be replaced by the following:

> 4. Starting with the XVth Consultative Meeting, Delegations should indicate, when submitting an Information Document, if they intend that document not to be made public. In the absence of such an indication, the Document will be publicly available as from the closure of the Meeting at which it was submitted.

Extract from Report of XIVth ATCM

Guidelines on notification with respect to Consultative Status:

46. The Meeting had before it a Working Paper on this subject submitted by the Delegation of the United States (WP 26). The working Paper referred to the procedures relating to notifications seeking acknowledgement of consultative status which had been adopted at the First special Antarctic Treaty Consultative Meeting in 1977. It proposed that guidelines be elaborated for the information, which, according to the Agreed Procedures, is to be submitted in support of such notifications.

47. It was pointed out that any such guidelines would be designed to be of assistance to non-Consultative Parties which sought acknowledgement of consultative status in accordance with the Agreed Procedures (see Part I of the Final Report of the First special Antarctic Treaty Consultative Meeting).

48. Some non-Consultative Party delegations posed questions about the proposal, noting concern that guidelines might become a precedent for more rigid interpretation of Article

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[3] Cf. Guidelines for Pre-sessional Document Circulation and Document Handling, pargraph 7.

IX of the Treaty in the future. In this regard, it was understood by the Meeting that any such guidelines could in no way affect the provisions of Article IX or any Party's right to interpret those provisions. In fact, it was further noted that such guidelines could draw attention to the openness of the consultative mechanism.

49. With these points in mind, the U.S. Delegation suggested that it would be useful if the information provided by a non-Consultative Party to the Treaty in support of a notification relating to Consultative Status, pursuant to the procedures agreed at the First Special Antarctic Treaty Consultative Meeting included:

a) A complete description of its past scientific programmes and activities in Antarctica, including published results or studies;
b) A complete description of it ongoing and planned scientific programmes and activities in Antarctica, including how they relate to long-term scientific objectives; and
c) A complete description of the planning, management and execution of its scientific programmes and activities in Antarctica, including identification of the governmental and non-governmental institutions involved.

The Meeting agreed with this suggestion

Recognition of Consultative Status

XXII: Decision 1 (1998)

[Consultative Status: Republic of Bulgaria]

The Representatives,

1. *Recalling* that the Republic of Bulgaria acceded to the Antarctic Treaty on 11 September 1978 in accordance with Article XIII;

2. *Recalling* further the notification of the Republic of Bulgaria setting forth its view that it has met the requirements of Article IX paragraph 2 of the Antarctic Treaty by conducting substantial scientific research in Antarctica, and its intent to approve measures adopted under Article IX;

3. *Recalling* Decision 2(1997);

4. *Recalling* also Paragraph 161 of the Final Report of ATCM XXI with regard to the Republic of Bulgaria's notification of its interest to achieve Consultative Party status and the wish of that Meeting to consider the matter again at an early stage during ATCM XXII should the Republic of Bulgaria have met the conditions set out in Decision 2 (1997);

5. *Noting* that Parties are encouraged to approve Recommendations adopted at earlier ATCMs, and in particular recalling Recommendation XVI-10, which includes the text of Annex V to the Protocol on Environmental Protection;

6. *Noting* the entry into force of the Protocol on Environmental Protection on 14 January 1998 and the subsequent deposit by the Republic of Bulgaria of its instrument of accession with the Depositary on 21 April 1998, and that subsequently the Protocol entered into force for the Republic of Bulgaria on 21 May 1998, fulfilling the requirement of Article 22 (4) of the Protocol;

7. *Having* ascertained, in accordance with Article X of the Antarctic Treaty, on the basis of the information provided about scientific expeditions and the research carried out, that the activities of the Republic of Bulgaria are in accordance with the principles and purposes of the Treaty;

8. *Record* their acknowledgement that the Republic of Bulgaria has fulfilled the requirements established in Article IX, paragraph 2 of the Antarctic Treaty and that, as a consequence, is entitled, during such time as it continues in accordance with Article IX paragraph 2 of the Treaty to demonstrate its interest in Antarctica by conducting substantial scientific research there, to appoint representatives in order to participate in the Consultative Meeting provided for in Article IX, paragraph I of the Treaty; and thereby warmly welcome the Republic of Bulgaria as a participant in such meetings.

XXI: Decision 2(1997)

Consultative Status

The Representatives,

Recalling the decision of the First Special Antarctic Treaty Consultative Meeting;

Recalling also the Guidelines on Notification with respect to Consultative Status agreed at the XIVth Antarctic Treaty Consultative Meeting;

Noting the procedures agreed in Decision 1(1995)

Decide:

1. To replace paragraphs 1 to 5 of the decision of the First Special Consultative Meeting with the following:

> "1. An acceding State which considers itself entitled to appoint Representatives in accordance with Article IX, paragraph 2, shall notify the Depositary Government for the Antarctic Treaty of this view and shall provide information concerning its activities in the Antarctic, in particular the content and objectives of its scientific programme. The Depositary Government shall forthwith communicate for evaluation the foregoing notification and information to all other Consultative Parties.
>
> 2. Consultative Parties, in exercising the obligation placed on them by Article X of the Treaty, shall examine the information about its activities supplied by such an acceding state, may conduct any appropriate enquiries (including the exercising of their right of inspection in accordance with Article VII of the Treaty) and may, through the Depositary Government urge such a state to make a declaration of intent

to approve the Recommendations adopted at Consultative Meetings in pursuance of the Treaty and subsequently approved by all the Contracting Parties whose Representatives were entitled to participate in those meetings. Consultative Parties may, through the Depositary Government, invite the acceding state to consider approval of the other Recommendations.

3. The Government which is to host the next Consultative Meeting in the context of its preparation of the Provisional Agenda for the Consultative Meeting in accordance with Rule 37 of the Rules of Procedure, shall include an appropriate item in the Provisional Agenda for consideration of the notification.

4. The Consultative Meeting shall determine, on the basis of all information available to it, whether to acknowledge that the acceding state in question has met the requirements of Article 9 paragraph 2 of the Antarctic Treaty and of Article 22(4) of the Protocol on Environmental Protection and taking into account the Guidelines agreed at the XIV Antarctic Treaty Consultative Meeting. If agreed by the Representatives of all the Consultative Parties, such acknowledgement shall be recorded in a Decision of the Consultative Meeting and be notified by the host Government to the acceding state.

5. The procedure hereby established may be modified only by a unanimous decision of Consultative Parties."

2. That all other elements of the decision and Guidelines relating to Consultative Status shall remain unchanged.

Report of Tenth Special Antarctic Treaty Consultative Meeting

The Xth Antarctic Treaty Special Consultative Meeting was held on November 19, 1990, in Viña del Mar, Chile. It was attended by representatives of all the Parties being Consultative Parties at that time namely Argentina, Australia, Belgium, Brazil, Chile, the People's Republic of China, Finland, France, Germany, India, Italy, Japan, the Republic of Korea, New Zealand, Norway, Peru, Poland, South Africa, Spain, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay.

The meeting considered in plenary session the notifications and informations received from the Governments of the Republic of Ecuador and the Kingdom of the Netherlands, concerning their activities in the Antarctic.

The Representatives of the Consultative Parties recognised that on the basis of scientific programmes being carried out, facilities that have been established, the commitments to independent scientific activities that have been made and their further intentions, Ecuador and the Netherlands have demonstrated the substantial nature of their interest in Antarctica, in accordance with Article IX, paragraph 2 of the Antarctic Treaty;

The Representatives of the Consultative Parties ascertained in accordance with Article IX of

the Antarctic Treaty, on the basis of the information provided about scientific expeditions and the research carried out, that the activities of Ecuador and the Netherlands are in accordance with the principles and purposes of the Treaty;

The Representatives of the Consultative parties recorded their acknowledgment that Ecuador and the Netherlands have fulfilled the requirements established in Article IX, paragraph 2 of the Antarctic Treaty and that in consequence, during such times as they continue, in accordance with Article IX, paragraph 2 of the Treaty, to demonstrate their interest in Antarctica, they are entitled to appoint Representatives to participate in the Consultative Meetings provided for in Article IX paragraph 1 of the Treaty.

They warmly welcomed Ecuador and the Netherlands as participants in such meetings.

Report of the Ninth Special Antarctic Treaty Consultative Meeting

Representatives of the Consultative Parties (Argentina, Australia, Belgium, Brazil, Chile, France, the Federal Republic of Germany, the German Democratic Republic, India, Italy, Japan, New Zealand, Norway, the People's Republic of China, Poland, South Africa, Spain, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay) met in Paris on 9 October 1989.

1. Having regard to part I of the Final Report of the first Special Antarctic Treaty Consultative Meeting, the meeting considered in plenary session the notifications and information received from the Governments of Peru, Ecuador, the Republic of Korea, the Netherlands, and Finland concerning their activities in the Antarctic and, in relation to Peru, Republic of Korea and Finland decided as follows:

The Representatives of the Consultative Parties:

Recalling that Peru acceded to the Antarctic Treaty in accordance with Article III on 1 April 1981.

Noting that on 13 April 1988 Peru transmitted to the Government of the United States of America as Depositary Government for the Antarctic Treaty:

- a notification to the effect that Peru considered itself entitled to appoint Representatives in accordance with Article IX, paragraph 2 of the Treaty, to participate in the meetings referred to in Article IX, paragraph 1 of the Treaty;
- a declaration that Peru intends to approve all those Recommendations which have formally become effective in accordance with Article IX, paragraph 4 of the Antarctic Treaty and is willing to consider the approval of the Recommendations which have not yet become effective with a view to approving them in due course; and
- a report on Peruvian Antarctic activities in 1988

Recalling that the Government of Peru had, in September 1988, informed the Depositary Government of its wish that its notification be examined after the second Peruvian scientific Antarctic expedition, which was to be conducted between December 1988 and

March 1982;

Noting that during the two Antarctic expeditions it undertook in 1988 and 1989 Peru carried out research programmes including the following disciplines: physical and chemical oceanography, phytoplankton and primary production, zooplankton, birds and marine mammals and geology; that in 1989 Peru began the construction of a station on King George Island (base Macchu Picchu) which will accommodate 13 people;

Noting that Peru proposes to despatch further expeditions between 1989 and 1994;

Recalling that the Republic of Korea acceded to the Antarctic Treaty in accordance with Article XIII on 28 November 1986;

Noting that on 2 May 1989 the Republic of Korea transmitted to the Government of the United States of America as Depositary Government for the Antarctic Treaty;

- a notification to the effect that the Republic of Korea considered itself entitled to appoint Representatives in accordance with Article IX paragraph 2 of the Treaty, to participate in the Meeting referred to in Article IX, paragraph 1 of the Treaty;
- a declaration that the Republic of Korea intends to approve the Recommendations which have formally become effective in accordance with Article IX, paragraph 4 of the Antarctic Treaty and that it is willing to consider the approval of the Recommendations which have not yet become effective with a view to approving them in due course; and
- information relating to the nature and objectives of the Antarctic research activities and the nature and objectives of its future Antarctic expeditions;

Noting that since 1978 the Republic of Korea has been conducting scientific research in Antarctica covering a wide range of disciplines including biology, geology, marine geology and geochemistry, ocean sciences and upper atmosphere sciences; that in February 1988, the Republic of Korea inaugurated a station on King George Island (base King Sejong) at 62°13"S, long. 58°45"W, which accommodates 13 people;

Noting that the Republic of Korea intends to pursue and intensify its research programme in Antarctica;

Recalling that Finland acceded to the Antarctic Treaty in accordance with Article XIII on 15 May 1984;

Noting that on 29 June 1989 Finland transmitted to the Government of the United States of America as Depositary Government for the Antarctic Treaty:

- a notification to the effect that Finland considered itself entitled to appoint Representatives in accordance with Article IX, paragraph 2 of the Treaty to participate in the meeting referred to in Article IX, paragraph 1 of the Treaty;
- a declaration that Finland intends to approve all those Recommendations which have formally become effective in accordance with Article IX, paragraph 4 of the Antarctic Treaty, and that it is willing to consider the approval of the Recommendations which have not yet become effective; and
- information relating to the nature and objectives of the Antarctic research

activities in Finland and the nature and objectives of its future Antarctic expeditions;

Noting that during the Antarctic expedition that it undertook in 1988/89 Finland carried out research programmes in the following disciplines: glaciology, logistics, climatology, human biology and medicine, biology, geology and upper-atmosphere physics; that in the 1988/89 season it established a station "Aboa" in Dronning Maud Land, lat. 73°03"S, long. 13°25"W, which can accommodate 10 people;

Noting that Finland proposes to despatch further expeditions in 1989/90 and 1990/91;

Recognising that on the basis of scientific programmes being carried out, stations that have been established, scientific expeditions that have despatched and their future intentions, Peru, the Republic of Korea and Finland have demonstrated their interest in Antarctica, in accordance with Article IX, paragraph 2 of the Antarctic Treaty;

Having ascertained, in accordance with Article X of the Antarctic Treaty, on the basis of the information provided about scientific expeditions and the research carried out, that the activities of Peru, the Republic of Korea and Finland are in accordance with the principles and purposes of the Treaty;

Record their acknowledgement that Peru, the Republic of Korea and Finland have fulfilled the requirements established in Article IX, paragraph 2 of the Antarctic Treaty and that in consequence, during such time as they continue, in accordance with Article IX, paragraph 2 of the Treaty, to demonstrate their interest in Antarctica, they are entitled to appoint Representatives to participate in the Consultative Meetings provided for in Article IX, paragraph 1 of the Treaty; and hereby warmly welcome Peru, the Republic of Korea and Finland as participants in such meetings.

2. In relation to the notifications of Ecuador and the Netherlands the Representatives of the Consultative Parties:

Recalled that Ecuador and the Netherlands acceded to the Antarctic Treaty on 15 September 1987 and 30 March 1967, respectively;

Noted that on 7 September 1988 and 22 June 1989, Ecuador and the Netherlands respectively transmitted to the Government of the United States of America, as Depositary Government for the Antarctic Treaty:

- notifications to the effect that Ecuador and the Netherlands considered themselves entitled to appoint Representatives in accordance with Article IX, paragraph 2 of the Treaty to participate in the meetings referred to in Article IX, paragraph 1 of the Treaty;
- a declaration that Ecuador will abide by Recommendations adopted by all the Consultative Parties at their previous meetings; that it intends to approve these Recommendations in accordance with internal legal procedures; and that it will consider approving Recommendations which have not yet become effective; and
- information relating to the nature of objectives of the Antarctic research activities of Ecuador and objectives of its future Antarctic expeditions;

- a declaration that the Netherlands is willing to make every effort to comply with Recommendations and provisions agreed upon since the entry into force of the Antarctic Treaty and adopted by all Consultative Parties pending a more extensive investigation to ascertain how the Recommendations and provisions agreed upon should be implemented at the national level;
- information relating to the nature and objectives of the Antarctic research activities of the Netherlands and the nature and objectives of its future Antarctic expeditions.

3. In relation to the notifications of Ecuador, and the Netherlands, there was no consensus that the scientific activities had fully met the requirements of Article IX, paragraph 2 of the Antarctic Treaty.

However, there was consensus that consideration of both of these cases be deferred to permit assessment of additional activities to be carried out by Ecuador and the Netherlands. The Representatives looked forward to cooperation with the scientific programs of both parties.

Report of the Eighth Special Antarctic Treaty Consultative Meeting

Representative of the Consultative Parties (Argentina, Australia, Belgium, Brazil, Chile, France, the Federal Republic of Germany, the German Democratic Republic, India, Italy, Japan, New Zealand, Norway, the People's Republic of China, Poland, South Africa, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and Uruguay) met in Paris on 20 and 21 September 1988.

1. Having regard to part I of the Final Report of the First Special Antarctic Treaty Consultative Meeting, the Meeting considered in plenary session the notifications and information received from the Governments of Sweden and Spain concerning their activities in the Antarctic and decided as follows:

The Representatives of the Consultative Parties:

Recalling that Spain and Sweden acceded to the Antarctic Treaty in accordance with Article XIII on 31 March 1982 and 24 April 1984 respectively;

Noting that on 17 March 1988, Sweden transmitted to the Government of the United States of America, as Depositary Government for the Antarctic Treaty:

- a notification to the effect that Sweden considered itself entitled to appoint Representatives in accordance with Article IX, paragraph 2 of the Treaty to participate in the Meetings referred to in Article IX, paragraph 1 of the Treaty;
- a declaration that Sweden will abide by the Recommendations adopted by all the Consultative Parties at their previous Meetings; that it intends to approve these Recommendations; and that it will consider approving Recommendations which have not yet become effective; and
- information relating to the nature and objectives of the Antarctic research activities of Sweden, its cooperation with the Consultative Parties, the technical

parameters and location of its existing and planned Antarctic stations and the nature and objectives of its future Antarctic expeditions;

Noting that on 8 April 1988 Spain transmitted to the Government of the United States of America, as Depositary Government for the Antarctic Treaty:

- a notification to the effect that Spain considered itself entitled to appoint Representatives in accordance with Article IX, paragraph 2 of the Treaty to participate in the Meetings referred to in Article IX, paragraph 1 of the Antarctic Treaty; and
- information relating to the nature and objectives of the Antarctic research activities of Spain, its cooperation with the Consultative Parties, the technical parameters and location of its Antarctic station and the nature and objectives of its future Antarctic expeditions;

Having ascertained that Spain intends formally to approve the Recommendations of Consultative Meetings which have become effective in accordance with Article IX of the Antarctic Treaty as being, in the terms of that Article, "meetings in furtherance of the principles and objectives of the Treaty", and that Spain will give careful consideration to approving the Recommendations which have not yet become effective;

Noting that on 16 January 1988 Sweden established a station, equipped with automatic measuring instruments in Queen Maud Land, lat. 74°35"S, long. 11°13"W which can accommodate 8 people; and that scientific programmes have been launched in the following research disciplines: climatology, glaciology, glacial geomorphology, geology, oceanography, marine biology;

Noting that during the two Antarctic expeditions it undertook in 1986-87 and 1987-88 respectively, Spain carried out research programmes in the following disciplines: glaciology, oceanography, marine biology, geology; that in January 1988 Spain established a station on Livingston Island (base Juan Carlos I), lat. 62°40"S, long. 60°20"W, which can accommodate 12 people.

Noting that Sweden proposes to embark in the 1988-89 season upon the construction of an additional station at lat. 73°02"S, long. 13°25"W;

Noting that Sweden and Spain intend to pursue and intensify their programmes and that each country is constructing ice-breaking or ice-strengthened vessels for deployment in Antarctica in pursuit of scientific objectives;

Recognizing that on the basis of the scientific programmes they are carrying out, the station they have established, the scientific expeditions they have despatched and their future intentions, Sweden and Spain have demonstrated their interest in Antarctica, in accordance with Article IX, paragraph 2 of the Antarctic treaty;

Having ascertained, in accordance with Article X of the Antarctic Treaty, on the basis of the information provided about scientific expeditions and the research carried out, that the activities of Sweden and Spain are in accordance with the principles and purposes of the Treaty;

Record their acknowledgement that Sweden and Spain have fulfilled the requirements established in Article IX, paragraph 2 of the Antarctic Treaty, and that in consequence, during such time as they continue in accordance with Article IX, paragraph 2 of the Treaty to demonstrate their interest in Antarctica, they are entitled to appoint Representatives to participate in the Consultative Meetings provided for in Article IX, paragraph 1 of the Treaty; and hereby warmly welcome Sweden and Spain as participants in such meetings.

2. The Meeting noted that the Government of Peru had informed the Depositary Government of its wish that its notification be examined after the second Peruvian scientific Antarctic expedition, which is to be conducted between December 1988 and March 1989.

3. The Meeting noted that the Depositary Government had received a notification from the Government of Ecuador on 7 September 1988, and that this notification and the accompanying documentation had been transmitted to the diplomatic missions of the Consultative Parties in Washington.

Report of the Seventh Special Antarctic Treaty Consultative Meeting

Representatives of the Consultative Parties (Argentina, Australia, Belgium, Brazil, Chile, the People's Republic of China, France, the Federal Republic of Germany, India, Japan, New Zealand, Norway, Poland, South Africa, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay) met in Rio de Janeiro on 5 October 1987.

Having regard to Part I of the Final Report of the 1st Special Antarctic Treaty Consultative Meeting, the Meeting considered in Plenary Session the notifications and informations received from the Governments of the German Democratic Republic and of the Republic of Italy about their activities in Antarctica and decided as follows:

The Representatives of the Consultative Parties:

Recalling that the German Democratic Republic and the Republic of Italy acceded to the Antarctic Treaty in accordance with the Article XIII on 19 November 1974 and 18 March 1981 respectively;

Noting that on 14 July 1987 the German Democratic Republic transmitted to the Government of the United States of America, as Depositary Government for the Antarctic Treaty:

- a notification that the German Democratic Republic considered itself entitled to appoint Representatives in accordance with Article IX, paragraph 2, of the Treaty to participate in the Meetings referred to in Article IX, paragraph 1, of the Treaty;
- a declaration that the German Democratic Republic will abide by the Recommendations adopted by all the Consultative Parties at their previous Consultative Meetings; that it intends to approve these Recommendations; and that it is ready to consider approval of the other Recommendations that have not yet become effective;

- information relating to the contents and targets of the Antarctic research activities of the German Democratic Republic, its cooperation with Consultative Parties, the location and technical parameters of its Antarctic Station and the content and targets of its future Antarctic expeditions;

Noting that on 22 April 1987 the Government of the Republic of Italy transmitted to the Government of the United States of America, Depositary Government for the Antarctic Treaty:

- a notification that the Government of the Republic of Italy considered itself entitled to appoint Representatives to participate in the Meetings provided for in Article IX, paragraph 1, of the Antarctic Treaty;
- a declaration that the Government of the Republic of Italy will abide by Recommendations adopted by all Consultative Parties at their previous Meetings and that it will give active consideration to Recommendations that have not yet become effective;

Noting also that on 16 July 1987 the Government of the Republic of Italy transmitted to the Government of the United States, Depositary Government for the Antarctic Treaty:

- information relating to its activities in Antarctica describing the grounds upon which the Government of the Republic of Italy considers itself entitled to participate in the meetings provided for in Article IX, paragraph 1, of the Antarctic Treaty.

Noting that the Government of the German Democratic Republic and the Government of the Republic of Italy subsequently clarified through the Depositary Government, their intention to approve the Recommendations of previous Consultative Meetings which have become effective;

Noting that the German Democratic Republic had established in 1976 a year-round research base in the eastern part of the Schirmacher Oasis in Queen Maud Land, lat 70° 46"S long 11° 5"E; that it had declared it intended to convert the research base into the Antarctic Station "Georg Forster" in October 1987; that the research base had a complement of 4 and an overwintering complement of 8; that for the realization of its biological programme it maintains a refuge at Ardley Island near Braillard Point, lat 62°13"S, long 58°55"W, established in March 1981, that scientific programmes had been undertaken in the following disciplines; Meteorology, Geodesy, Glaciology, Gravimetry, Geomagnetic Physics of the Antarctic upper atmosphere, Geology, Geomorphology, Hydrology, Isotope Research, Environmental Research, Biology, Medicine and Bioclimatology;

Noting that the Republic of Italy had established during the summer 1986/87 an Antarctic base in Terra Nova Bay (Ross Sea, Victoria Land) along the coast of the Northern Foothills, North-East of Gerlache Inlet, lat 74°41" 42S, long 164°07" 23E: that the station had an assumed standard capacity for 24 people, with possibility to accommodate up to 48 exceptionally: that at its first Antarctic expedition (1985/86) the Republic of Italy had undertaken programmes in the following disciplines: Geomorphology, Structural Geology, Vulcanology, Geomagnetism, Biological Sciences and Meteorology, followed in the second expedition (1986/87) by programmes mainly in the same disciplines, with

the exception of Vulcanology and addition of Cosmology, Oceanography, environmental impact monitoring and solar radiation;

Noting that the German Democratic Republic intends to continue its scientific programmes during its first completely independent Antarctic expedition from October 1987 in the following disciplines: isotope and environmental research, Geomagnetism, Meteorology, Ionosphere, Biology and Geology and had declared its intention to develop a long-term scientific programme of Antarctic research;

Noting that the Republic of Italy intends to continue its scientific programmes in the following disciplines for the 1987/88 expedition: Biology and Medicine, Oceanography, Cosmophysics, environmental impact and Earth Sciences;

Recognizing that the German Democratic Republic and the Republic of Italy, on the basis of the scientific programmes they have undertaken, the stations they have established and their future intentions, thereby demonstrate their interest in Antarctica in accordance with Article IX, paragraph 2, of the Antarctic Treaty;

Having ascertained in accordance with Article X of the Antarctic Treaty, on the basis of the information provided about scientific expeditions and investigations being carried out at their stations, that the activities of the German Democratic Republic and the Republic of Italy are in accordance with the principles of the Treaty;

Record their acknowledgement that the German Democratic Republic and the Republic of Italy have fulfilled the requirements established in Article IX, paragraph 2, of the Antarctic Treaty and that, as a consequence, they are entitled, during such time as they continue in accordance with Article IX, paragraph 2, of the Treaty to demonstrate that interest, to appoint Representatives to participate in the Consultative Meetings provided for in Article IX, paragraph 1, of the Treaty; and hereby warmly welcome the German Democratic Republic and the Republic of Italy as participants in such Meetings.

Final Report of the Sixth Special Antarctic Treaty Consultative Meeting

Representatives of the Consultative Parties (Argentina, Australia, Belgium, Brazil, Chile, France, the Federal Republic of Germany, India, Japan, New Zealand, Norway, Poland, South Africa, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America) met in Brussels on 7 October 1985.

Having regard to Part I of the Final Report of the Ist Special Antarctic Treaty Consultative Meeting, the Meeting considered in Plenary Session the notifications received from the Governments of the People's Republic of China and the Oriental Republic of Uruguay and decided as follows:

The Representatives of the Consultative Parties:

Recalling that the People's Republic of China and the Oriental Republic of Uruguay acceded to the Antarctic Treaty in accordance with Article XIII on 8 June 1983 and 11

January 1980 respectively;

Noting that on 31 July 1985, the People's Republic of China transmitted to the Government of the United States of America, as Depositary Government for the Antarctic Treaty:

- a notification that the People's Republic of China considered itself entitled to appoint Representatives in accordance with Article IX, paragraph 2, of the Treaty to participate in the Meetings referred to in Article IX, paragraph 1, of the Treaty;
- a declaration that the People's Republic of China will abide by the Recommendations adopted by all the Consultative Parties at their previous Meetings and that it will give active consideration to Recommendations that have not yet become effective; and
- information relating to the contents and objectives of the Antarctic research activities of the People's Republic of China, its cooperation with the expeditions of Consultative Parties and the preliminary results of its scientific investigations;

Noting that on 15 April 1985, the Oriental Republic of Uruguay transmitted to the Government of the United States of America, as Depositary Government for the Antarctic Treaty:

- a notification that the Oriental Republic of Uruguay considered itself entitled to appoint Representatives in accordance with Article IX, paragraph 2, of the Treaty to participate in the Meetings referred to in Article IX, paragraph 1, of the Treaty;
- a declaration that it will abide by the Recommendations adopted at Consultative Meetings and approved by all the Contracting parties entitled to attend the Meetings at which they were adopted, while examining them in accordance with its constitutional procedures with a view to approving them in due course, and that it intends to accord appropriate consideration to Recommendations that have not yet become effective with a view to approving them in due course; and
- information relating to its historical connections with Antarctic exploration arising from its proximity to the Antarctic, its cooperation with the expeditions of Consultative Parties, the organization and coordination of its Antarctic activities, its scientific programmes and activities in Antarctica and its future planned activities;

Noting moreover that on 29 August 1985, the Oriental Republic of Uruguay resubmitted this material in expanded form to the Government of the United States of America as Depositary Government for the Antarctic Treaty;

Noting that the People's Republic of China had established on 20 February 1985 "The Great Wall Station" on Fildes Peninsula, King George Island, South Shetland Islands, lat 62°13"S, long 58°58"W, that the station had a summer complement of 54 and an overwintering complement of 8; that meteorological, aeronomy, geophysical, seismological, geological and biological programmes had been undertaken; that physical and biological oceanography programmes had been undertaken using two ships in the 1984–85 season;

Noting that on 14 December 1984 the Oriental Republic of Uruguay had established the

Scientific Antarctic Base "Artigas" on Fildes Peninsula, King George Island, South Shetland Islands, lat 62°10"S, long 58°50"W, that the station had a summer complement of 23; that it has firm plans to initiate permanent occupation of the station in the 1985–86 season; that meteorological, inshore and littoral biological, krill study and penguin population programmes were undertaken;

Noting that the People's Republic of China intends to continue meteorological, geophysical, upper atmosphere physics, ecological, marine biological and geological programmes from its "Great Wall Station" which will continue to be manned on a permanent basis;

Noting that the Oriental Republic of Uruguay intends to continue meteorological and marine biological programmes; that it intends to purchase a suitable vessel for Antarctic work; that it plans to establish a second station, on the siting of which it intends to consult Consultative Parties with longer experience in the area, and that its future scientific programmes, in addition to those already begun, will include geophysical, human and medical programmes;

Recognizing that the People's Republic of China and the Oriental Republic of Uruguay, on the basis of the scientific programmes they have undertaken, the stations they have established and their future intentions, thereby demonstrate their interest in Antarctica in accordance with Article IX, paragraph 2, of the Antarctic Treaty;

Having ascertained in accordance with Article X of the Antarctic Treaty, on the basis of the information provided about scientific expeditions and investigations being carried out at their stations, that the activities of the People's Republic of China and the Oriental Republic of Uruguay are in accordance with the principles and purposes of the Treaty;

Record their acknowledgement that the People's Republic of China and the Oriental Republic of Uruguay have fulfilled the requirements established in Article IX, paragraph 2, of the Antarctic Treaty and that, as a consequence, they are entitled during such time as they continue in accordance with Article IX, paragraph 2, of the Treaty to demonstrate that interest, to appoint Representatives to participate in the Consultative Meetings provided for in Article IX, paragraph 1, of the Treaty; and hereby warmly welcome the People's Republic of China and the Oriental Republic of Uruguay as participants in such Meetings.

Final Report of the Fifth Special Antarctic Treaty Consultative Meeting

Representatives of the Consultative Parties — Argentina, Australia, Belgium, Chile, France, the Federal Republic of Germany, Japan, New Zealand, Norway, Poland, the Republic of South Africa, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America — met in Canberra on 12 September 1983.

The Meeting considered in Plenary Session the notifications received from the Governments of the Republic of India and of the Federative Republic of Brazil about their activities in the Antarctic and decided as follows:

The Representatives of the Consultative Parties:

Recalling that the Federative Republic of Brazil and the Republic of India acceded to the Antarctic Treaty in accordance with Article XIII on 16 May 1975 and 19 August 1983 respectively;

Noting that on 19 August 1983, the Republic of India transmitted to the Government of the United States of America, as Depositary Government for the Antarctic Treaty:

- a notification that the Republic of India considered itself entitled to appoint Representatives in accordance with Article IX, paragraph 2, of the Treaty to participate in the Meetings referred to in Article IX, paragraph 1 of the Treaty;
- a declaration that the Republic of India will abide by the Recommendations adopted at Consultative Meetings and approved by all Consultative Parties, while it is examining them in accordance with its constitutional processes with a view to approving them in due course, and that appropriate consideration would also be given to Recommendations that have not yet become effective with a view to approving them in due course; and
- information about the logistic facilities, programme of work and scientific results of the previous Indian expeditions to Antarctica including, in 1981-82 and 1982-83, studies on meteorology, radiowave propagation, glaciology, magnetic measurements, aerosol measurements, geology, chemistry, biology, geophysics, air-sea interaction, paleomagnetism and magnetic properties, acoustics and hydroacoustics geomagnetism and physical oceanography;

Noting that on 23 August 1983, the Federative Republic of Brazil transmitted to the Government of the United States of America, as Depositary Government for the Antarctic Treaty:

- a notification that the Federative Republic of Brazil considered itself entitled to appoint Representatives in accordance with Article IX, paragraph 2 of the Treaty to participate in the Consultative Meetings provided for in Article IX, paragraph 1 of the Treaty;
- a declaration that the Federative Republic of Brazil intended to approve the Recommendations adopted in the Consultative Meetings which have already been approved by all Contracting Parties entitled to appoint Representatives to Consultative Meetings, and that the Federative Republic of Brazil further expressed its willingness to consider favourably the approval of the other Recommendations; and
- information describing the contents and objectives of the Antarctic research activities of the Federative Republic of Brazil, including, in 1982-83, oceanographic work preliminary to participation in the Second International Biomass Experiment in 1983-84 and 1984-85, marine biology, logistic and equipment research navigation training and hydrographic surveys, and including, for 1983-84, research projects in atmospheric sciences, earth sciences, life sciences, education, training and logistics;

Noting that the Republic of India has firm plans during the 1983-84 season to establish the "Dakshin Gangotri" permanent manned station at lat 70°45"S, long 11°38"E;

Noting that the Federative Republic of Brazil has firm plans during the 1983-84 season to establish the "Commandante Ferraz" summer station on an island of the Palmer Archipelago east of the Neumayer Channel, and that the station will have the capacity to be expanded into a permanent station;

Recognizing that the Republic of India and the Federative Republic of Brazil on the basis of scientific expeditions they have dispatched to Antarctica and of the station they will establish during the forthcoming summer season, thereby demonstrate their interest in Antarctica in accordance with Article IX, paragraph 2 of the Treaty; Having ascertained in accordance with Article X of the Antarctic Treaty, on the basis of the information provided about scientific expeditions and investigations to be carried out at stations, that the activities of the Republic of India and of the Federative Republic of Brazil are in accordance with the principles and purposes of the Treaty;

Record their acknowledgement that the Republic of India and the Federative Republic of Brazil have fulfilled the requirements established in Article IX, paragraph 2 of the Antarctic Treaty and that, as a consequence, they are entitled, during such time as they continue in accordance with Article IX-2 to demonstrate that interest, to appoint representatives to participate in the Consultative Meetings provided for in Article IX, paragraph 1 of the Treaty; and hereby warmly welcome the Republic of India and the Federative Republic of Brazil as participants in such meetings.

Final Report of the Third Special Antarctic Treaty Consultative Meeting

The Representatives of the Consultative Parties (Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, Poland, and the Republic of South Africa, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America) met in Buenos Aires on the 3rd of March 1981.

The Meeting considered in Plenary Session the question of the notifications received from the Government of the Federal Republic of Germany about its activities in the Antarctic and decided as follows:

The Representatives of the Consultative Parties:

Recalling that the Federal Republic of Germany acceded to the Antarctic Treaty on the 5th February 1979 in accordance with Article XIII;

Noting that in a Circular Note dated October 7, 1980 the Government of the United States of America, acting in its capacity as the Depositary Government for the Antarctic Treaty, and in accordance with paragraph 1 of Part I of the Final Report of the First Special Antarctic Treaty Consultative Meeting, had informed the Consultative Parties to the Antarctic Treaty that it had received from the Federal Republic of Germany a diplomatic note transmitting the following:

- a notification that the Federal Republic of Germany considered itself entitled to appoint Representatives in accordance with Article IX, paragraph 2 of the Treaty to participate in the Consultative Meetings provided for in Article IX, paragraph 1 of the Treaty;

- a declaration that the Federal Republic of Germany intended to approve the Recommendations adopted at Consultative Meetings in pursuance of the Treaty and subsequently approved by all the Contracting Parties whose Representatives were entitled to participate in those meetings and that it was ready to consider approval of the other Recommendations; and
- information material describing the contents and objectives of the Antarctic research activities of the Federal Republic of Germany;

Noting that in February 1981 the Government of the Federal Republic of Germany, in accordance with Article VII, paragraph 5 of the Antarctic Treaty, had informed the Consultative Parties of its planned research activities in the Antarctic (set out in accordance with Recommendation VIII-6) including the intent of the Federal Republic of Germany to establish its Antarctic research station on the Filchner-Ronne Ice Shelf;

Noting that heavy pack in the southern Weddell Sea had prevented establishment by the Federal Republic of Germany of its station on the Filchner-Ronne Ice Shelf and that the Federal Republic of Germany had selected an alternate site for its station close to Atka Bay;

Noting that in the same Note the Federal Republic of Germany had indicated that its station would be completed at Atka Bay later in February to the extent that scientific operations could start and allowing of the exercise by any Consultative Party of the right of inspection in accordance with Article VII of the Antarctic Treaty;

Noting that in a Circular Note dated February 19, 1981 the Government of the United States of America, acting in its capacity as the Depositary Government for the Antarctic Treaty, and in accordance with paragraph 2 of Part I of the Final Report of the First Special Antarctic Treaty Consultative Meeting, had informed the Consultative Parties to the Antarctic Treaty that it had received, under cover of a note dated February 17, 1981, a notification that the Government of the Federal Republic of Germany had considered the Recommendations adopted at the first ten Antarctic Treaty Consultative Meetings, had approved all the Recommendations that had become effective in accordance with Article IX, paragraph 4 of the Antarctic Treaty and that appropriate consideration was being given to Recommendations that had not yet become effective with a view to approving them in due course;

Noting the declaration received by the Government of the Republic of Argentina from the Government of the Federal Republic of Germany that its permanent scientific research station named "Georg von Neumayer" had been established on February 24, 1981, close to Atka Bay at 70°37"S, 08°22"W, and that the Federal Republic of Germany thereby demonstrates its interest in Antarctica in accordance with Article IX, paragraph 2 of the Treaty;

Having ascertained in accordance with Article X of the Antarctic Treaty, on the basis of the information provided about scientific expeditions and investigations being undertaken at the station, that the activities of the Federal Republic of Germany in the Antarctic are in accordance with the principles and purposes of the Treaty;

Record their acknowledgement that the Federal Republic of Germany has fulfilled the

requirements established in Article IX, paragraph 2 of the Antarctic Treaty and that, as a consequence, has the right to appoint representatives in order to participate in the Consultative Meetings provided for in Article IX, paragraph 1 of the Treaty; and hereby warmly welcome the Federal Republic of Germany as a participant in such meetings.

Extract from the Final Report of the First Special Antarctic Treaty Consultative Meeting

The Representatives of the Consultative Parties (Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, the Republic of South Africa, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America) met in London on 25, 27 and 29 July 1977. The Meeting considered in Plenary Session the question of procedures to be adopted to give effect to Article IX, paragraph 2, of the Antarctic Treaty, and the notifications received from the Polish People's Republic about its activities in the Antarctic, and decided as follows:

I.

The Representatives of the Consultative Parties

Recognizing the need for a procedure of consultation to be adopted between them in the event that another state, having acceded to the Antarctic Treaty, should notify the Depositary Government that it considers it is entitled to appoint Representatives to participate in Antarctic Treaty Consultative Meetings;

Recalling that Recommendations which became effective in accordance with Article IX of the Treaty are, in terms of that Article "measures in furtherance of the principles and objectives of the Treaty" ;

Recalling their obligation under Article X of the Antarctic Treaty to exert appropriate efforts, consistent with the Charter of the United Nations, to the end that no one engages in an activity in Antarctica contrary to the principles or purposes of the Treaty;

Recognizing that the entitlement of an acceding state to appoint Representatives to participate in Antarctic Treaty Consultative Meetings under Article IX, paragraph 2, of the Treaty depends on such a state demonstrating its interest in Antarctica by conducting substantial scientific research activities there, such as the establishment of a scientific station or the despatch of a scientific expedition;

Unanimously decide:

1. An acceding state which considers itself entitled to appoint Representatives in accordance with Article IX, paragraph 2, shall notify the Depositary Government for the Antarctic Treaty of this view and shall provide information concerning its activities in the Antarctic, in particular the content and objectives of its scientific programme. The Depositary Government shall forthwith communicate for evaluation the foregoing notification and information to all other Consultative Parties.

2. Consultative Parties, in exercising the obligation placed on them by Article X of the

Treaty, shall examine the information about its activities supplied by such an acceding state, may conduct any appropriate enquiries (including the exercising of their right of inspection in accordance with Article VII of the Treaty) and may, through the Depositary Government, urge such a state to make a declaration of intent to approve the Recommendations adopted at Consultative Meetings in pursuance of the Treaty and subsequently approved by all the Contracting Parties whose Representatives were entitled to participate in those meetings. Consultative Parties may, through the Depositary Government, invite the acceding state to consider approval of the other Recommendations.

3. As soon as possible, but in any case within 12 months of the date of the Communication by the Depositary Government to the other Consultative Parties referred to in paragraph 1 above, the Government which is to host the next Consultative Meeting shall convene a Special Consultative Meeting in order that it may determine, on the basis of all information available to it, whether to acknowledge that the acceding state in question has met the requirements of Article IX, paragraph 2 of the Antarctic Treaty. The adequate preparation of the Special Consultative Meeting shall be undertaken through diplomatic channels.

4. With the agreement of the Representatives of all the Consultative Parties, the Special Consultative Meeting shall record this acknowledgement in its report. The acceding state shall be so notified by the host Government of the Special Consultative Meeting.

5. The procedure hereby established may be modified only by a unanimous decision of Consultative Parties.

II.

The Representatives of the Consultative Parties,

Recalling that the Polish People's Republic acceded to the Antarctic Treaty on the 8th of June 1961 in accordance with Article XIII;

Noting that the Polish People's Republic established a permanent scientific station named "Henryk Arctowski Antarctic Station", Lat 62°09"S, Long 58°32"W, in the Antarctic Treaty Area on the 26th of February 1977 and that the Polish People's Republic thereby demonstrates its interest in Antarctica in accordance with Article IX, paragraph 2 of the Treaty;

Recalling that the Polish People's Republic has made known its approval of all the Recommendations adopted at the first eight Antarctic Treaty Consultative Meetings;

Having ascertained in accordance with Article X of the Treaty, on the basis of information provided about scientific investigations being undertaken at the station and of an inspection carried out under Article VII of the Treaty, that the activities of the Polish People's Republic in the Antarctic are in accordance with the principles and purposes of the Treaty;

Record their acknowledgment that the Polish People's Republic has fulfilled the

requirements established in Article IX, paragraph 2 of the Antarctic Treaty and that, as a consequence, has the right to appoint representatives in order to participate in the Consultative Meetings provided for in Article IX, paragraph 1 of the Treaty; and thereby warmly welcome the Polish People's Republic as a participant in such meetings.

Extract from Report of XIVth ATCM relating to the Report of the First Special Consultative Meeting

Guidelines on notification with respect to Consultative Status:

46. The Meeting had before it a Working Paper on this subject submitted by the Delegation of the United States (WP 26). The working Paper referred to the procedures relating to notifications seeking acknowledgement of consultative status which had been adopted at the First special Antarctic Treaty Consultative Meeting in 1977. It proposed that guidelines be elaborated for the information, which, according to the Agreed Procedures, is to be submitted in support of such notifications.

47. It was pointed out that any such guidelines would be designed to be of assistance to non-Consultative Parties which sought acknowledgement of consultative status in accordance with the Agreed Procedures (see Part I of the Final Report of the First special Antarctic Treaty Consultative Meeting).

48. Some non-Consultative Party delegations posed questions about the proposal, noting concern that guidelines might become a precedent for more rigid interpretation of Article IX of the Treaty in the future. In this regard, it was understood by the Meeting that any such guidelines could in no way affect the provisions of Article IX or any Party's right to interpret those provisions. In fact, it was further noted that such guidelines could draw attention to the openness of the consultative mechanism.

49. With these points in mind, the U.S. Delegation suggested that it would be useful if the information provided by a non-consultative Party to the Treaty in support of a notification relating to Consultative Status, pursuant to the procedures agreed at the First Special Antarctic Treaty Consultative Meeting included:

a) A complete description of its past scientific programmes and activities in Antarctica, including published results or studies;
b) A complete description of it ongoing and planned scientific programmes and activities in Antarctica, including how they relate to long-term scientific objectives; and
c) A complete description of the planning, management and execution of its scientific programmes and activities in Antarctica, including identification of the governmental and non-governmental institutions involved.

The Meeting agreed with this suggestion.

Declarations

[ATCM XXIV Declaration

The Representatives,

Gathered in St Petersburg, a city of culture and science, which hosts the Russian Arctic and Antarctic Institute;

Recalling the contribution made to the discovery and exploration of Antarctic by the first Russian Antarctic Expedition led by Bellingshausen and Lazarev (1819-1821);

Noting the messages from the President of the Russian Federation, its Parliament and the government of St Petersburg;

Mindful of the importance of the 40th anniversary of the entry into force of the Antarctic Treaty whose membership with the accession of Estonia now number 45 States representing more than 80% of the world's population;

Inspired by the common endeavor to preserve Antarctica as a natural reserve devoted to peace and science;

Restating their commitment to the Protocol on Environmental Protection to the Antarctic Treaty, under whose terms all human activities on Antarctica are being further regulated to protect the Antarctic environment and dependent and associated ecosystems; and

Noting with satisfaction that the few remaining Parties which have not ratified Annex V to the Protocol have pledged to expedite their ratification which will be of benefit for area protection and management;

Declare that:

The St. Petersburg ATCM will be remembered in particular for the historic decision to establish a Secretariat in the city of Buenos Aires, Argentina, a Secretariat and actively promote its implementation;

A resolution to support CCAMLR's efforts to combat illegal, unreported and unregulated fishing of toothfish in the Convention area as a clear demonstration of the solidarity among the components of the ATS; and

Progress in work done within the Committee for Environmental Protection; and to continue and conclude the negotiations on a draft annex on the liability aspects of environmental emergencies as soon as possible and many other aspects which contribute to enhancing cooperation within the ATS, openness and transparency towards the international community, and a significant step towards the establishment of a Secretariat, are some of the landmarks of this productive XXIV ATCM held in St Petersburg.]

Commemoration of the 40th anniversary of the signing of the Antarctic Treaty

Extract from Report of XXIIIrd ATCM

On the occasion of the forties anniversary of the signing of the Antarctic Treaty, a commemorative ceremony was held at the Palacio de Gobierno of Peru. The statements made by His Excellency Alberto Fujimori, President of the Republic of Peru, and Ambassaord Carlos Alzamora, Chairman of the Meeting are reproduced at Annex E. [not reproduced here] During a Special Session of the Meeting, the Contracting Parties adopted the Lima Declaration, which is also reproduced as Appendix to this Report. At that occasion, Ambassador Oscar Pinochet de la Barra, who attended the Washington Conference in 1959 as member of the Chilean delegation, was invited to address the Meeting.

Lima Declaration

Declaration by the Contracting Parties on the Occasion of the Fortieth Anniversary of the Signing of the Antarctic Treaty

The Representatives of the Contracting Parties, gathered in Lima at the XXIII Antarctic Treaty Consultative Meeting, from May 24 to June 4, 1999;

Recalling that, on December 1, 1959, the Antarctic Treaty was signed in Washington, inspired by the ideals of peace and cooperation, in order to ensure Antarctica is forever used exclusively for peaceful purposes and to guarantee the freedom to conduct scientific research;

Considering that the evolution of the Treaty has been a dynamic and creative process that inter alia has responded to increasing interest among the international community and has raised awareness of the importance of making a concerted effort to protect the environment of Antarctica;

Noting that the entry into force of the Protocol on Environmental Protection to the Antarctic Treaty on 14 January 1998 has enhanced the protection of the Antarctic environment and its dependent and associated ecosystems;

Expressing satisfaction that the number of Parties to the Antarctic Treaty continues to increase;

Noting also that implementation of the Treaty has fostered, over the last four decades, the formation, development, and consolidation of an Antarctic Treaty System that has made significant progress towards its core objectives and institutional development;

Reaffirming the commitments undertaken through various instruments in furtherance of the principles and objectives of the Antarctic Treaty and the Antarctic Treaty System, in particular the Convention for Conservation of Antarctic Seals, the Convention for the Conservation of Antarctic Marine Living Resources and the Protocol on Environmental Protection to the Antarctic Treaty, to safeguard the environment of, and protect the integrity of the ecosystem of the seas surrouding Antarctica;

Declare, at the threshold of the new millennium, that Antarctica shall continue to be devoted forever to peace and science, and reaffirm their resolve to face together future challenges and to continue, in a spirit of cooperation and sovereignty, to pursue the historic mission that was laid out forty years ago in the Antarctic Treaty.

Commemoration of the 30th anniversary of the entering into force of the Antarctic Treaty

Extract from Report of XVIth ATCM

Delegations wished to mark the significance of 30 years of cooperation in the Antarctic under the Antarctic Treaty and the significant achievements under the Antarctic Treaty System. For this purpose, they considered a proposal submitted by Australia (XVI ATCM/WP 47/REV.1) and adopted a Declaration commemorating the 30th anniversary of the entry into force of the Antarctic Treaty (Part III of this report). They requested the host Government to forward the Declaration to the Secretary General of the United Nations and recommended that the Governments of all Contracting parties distribute the Declaration to interested organisations and persons in their own countries.

Declaration by contracting Parties on the 30th anniversary of the entry into force of the Antarctic Treaty

The Representatives of the Contracting Parties present in Bonn for the XVIth Antarctic Treaty Consultative Meeting:

Recalling the Antarctic Treaty, done in Washington on 1 December 1959 and which entered into force on 23 June 1961;

Reaffirming the objective of the Treaty to ensure, in the interest of all mankind, that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord;

Noting with pleasure the continuing growth in the number of states acceding to the Treaty;

Conscious of the measures adopted pursuant to Article IX of the Treaty and the associated and separate conventions regulating their activities in Antarctica;

Welcoming the recent adoption in Madrid of the protocol on environmental Protection to the Antarctic Treaty which designates Antarctica as a natural reserve devoted to peace and science; and

Convinced of the continued effectiveness of the Antarctic Treaty for cooperation in Antarctica;

Declare that in the interests of all mankind Antarctic shall continue to be used exclusively for peaceful purposes and, in this regard, dedicate themselves to enhancing further their record of cooperation in a decade of international Antarctic scientific cooperation, 1991 to 2000, and record their achievements over the first thirty years of the Antarctic Treaty as

set out in the Annex hereto.

Annex: 30th anniversary of the entry into force of the Antarctic Treaty

A unique agreement for a unique continent

The Antarctic Treaty has for thirty years united countries active in Antarctica in a uniquely successful agreement for the peaceful use of a continent. Scientific research conducted by the Treaty Parties, and cooperation between them, have signalled to the world that nations can work together for their mutual benefit and for the benefit of international peace and cooperation. Antarctica is the largest unspoiled continent on Earth and the Treaty parties have committed themselves to its study and to protecting its unique environment. The Antarctic Treaty provides an example to the world of how nations can successfully work together to preserve a major part of this planet, for the benefit of all mankind, as a zone of peace, where the environment is protected and science is pre-eminent.

Thirty years ago

The Antarctic Treaty was adopted by twelve governments in 1959 at a time when other parts of the world were subject to international tensions. The governments of Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, South Africa, the Soviet Union, the United Kingdom and the United States, which had conducted scientific research in the Antarctic during the International Geophysical Year, were convinced that the unique opportunities that the Antarctic presented for science should not be jeopardised by disputes between them. The Treaty, which entered into force on 23 June 1961, ensures that in the interests of all mankind Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord.

A continent devoted to peace and cooperation

The Antarctic Treaty contains far-sighted means to achieve its objectives. It prohibits measures of a military nature and prohibits nuclear explosions and the disposal of radioactive wastes. The Treaty guarantees freedom of scientific research and promotes international scientific cooperation. Article IV of the Treaty ensures that differing positions regarding claims to territorial sovereignty do not prevent Parties to the Treaty cooperating in the pursuit of the Treaty's objectives. It provides for exchange of detailed information about activities in Antarctica and allows observers complete freedom of access to all areas of Antarctica to ensure that the provisions of the Treaty are respected by Parties to it. The Treaty has, through these means, been outstandingly successful in achieving its objectives.

The strength of the Antarctic Treaty continues to grow and parties to the Treaty now represent 70% of the world's population. Following their accession to the Treaty, Brazil, China, Ecuador, Finland, Germany, India, Italy, the Republic of Korea, the Netherlands, Peru, Poland, Spain, Sweden, and Uruguay have joined the original signatories as Consultative Parties. The Consultative Parties have welcomed the accession to the Treaty of Austria, Bulgaria, Canada, Colombia, Cuba, Czechoslovakia, the Democratic People's

Republic of Korea, Denmark, Greece, Guatemala, Hungary, Papua New Guinea, Romania and Switzerland.

In accordance with Article IX of the Treaty representatives of the Parties meet regularly to exchange information and consult together on matters of common interest and to formulate and recommend to their governments measures in furtherance of the objectives of the Treaty. In 1964 the Parties adopted the Agreed Measures for the Conservation of Antarctic Fauna and Flora. Two separate conventions, the Convention for the Conservation of Antarctic Seals and the Convention on the Conservation of Antarctic Marine Living Resources, have subsequently entered into force.

Committed to protecting the environment

On 4 October 1991 the Parties adopted in Madrid the Protocol on Environmental Protection to the Antarctic Treaty. The Protocol, which is an integral part of the Antarctic Treaty, designates Antarctica as a natural reserve devoted to peace and science. It establishes a comprehensive legally binding regime for ensuring that activities that parties undertake in Antarctica are consistent with protection of the Antarctic environment and its dependent and associated ecosystems.

Thirty-one Contracting Parties to the Antarctic Treaty signed the Protocol on the date of its adoption, and have committed themselves to taking the necessary steps to achieve the earliest possible entry into force of the Protocol. In the meantime, parties will ensure that as far as possible, and consistent with their legal and constitutional processes, the provisions of the Protocol and its Annexes are applied to their activities in Antarctica. Adoption of the Protocol in 1991 is a fitting tribute to the thirtieth anniversary of the Antarctic Treaty and signals the commitment of Parties to the future strength of the Treaty.

A priority to science

The Antarctic Treaty Parties are fully committed to scientific research in Antarctica which has been effectively coordinated by the Scientific Committee on Antarctic Research since the 1950s. Parties have long recognised the fundamental role that Antarctica plays in understanding global environmental processes and the unique opportunity it provides for research.

Antarctica provides an outstanding opportunity for the free conduct of science for the benefit of all mankind. It is a pristine laboratory, of world-wide significance, which has enabled research to detect and monitor global environmental phenomena such as the depletion of atmospheric ozone, global warming and sea level changes. Antarctic meteorological research has provided data essential to forecasting in the Southern Hemisphere. Glaciological research provides important information about the heat exchange budget and Antarctica's influence on weather and climate. Geological and geophysical research in Antarctica provides new insights into global geological history and the formation of continents. The Earth's geomagnetic field makes Antarctica particularly well suited to the study of solar-terrestrial interactions and cosmic rays that travel from outside our galaxy. The extreme environment of the Antarctic provides

unique opportunities to study the specialised adaptations of organisms with their environment, and biological research is providing data essential to informed decision-making about marine living resources. Human biology and medicine provide information on the physiological adaptation of man to extreme climates and isolation. The Treaty Parties have ensured that the results of these important research efforts are freely available to all mankind.

A natural reserve devoted to peace and science

The Antarctic Treaty Parties are proud of their achievements over the last thirty years and the example of peaceful cooperation that the Treaty provides to the rest of the world.

The determination of Parties to maintain and strengthen the Treaty and to protect Antarctica's environmental and scientific values is convincingly demonstrated in their adoption of the Protocol on Environmental Protection to the Antarctic Treaty and their decision to designate Antarctica as a natural reserve devoted to peace and science.

XV-22: Antarctic Treaty thirtieth anniversary commemorative stamp issue

The Representatives,

Recommend to their Governments that:

1. On the occasion of the Thirtieth Anniversary of the entry into force of the Antarctic Treaty, each Consultative party should issue a commemorative stamp (or stamps) on a common date in 1991 (e.g.. 23 June 1991).

2. The stamp (or stamps) should bear, in the language or languages of each issuing country, the following words : 'Antarctic Treaty 1961–1991'

3. Consideration be given to the themes of protecting the Antarctic environment and international cooperation in Antarctic scientific research for the most prominent features of the design.

4. There should be incorporated into the design of the stamp (or stamps), the Antarctic Treaty emblem representing a map of Antarctica which appears on the official documents of Consultative Meetings.

5. Any additional matter should be consonant with the provisions and the spirit of the Antarctic Treaty.

6. The number of stamps to be issued and the denominations of the stamp or stamps should remain at the discretion of the issuing country.

X-9: Twentieth Anniversary of the Antarctic Treaty

The Representatives,

Noting that the Tenth Antarctic Treaty Consultative Meeting marks the twentieth anniversary of the signature in Washington of the Antarctic Treaty and that the Eleventh

Consultative Meeting in Argentina will mark the twentieth anniversary of its entry into force;

Recalling the second perambular paragraph of the Antarctic Treaty in which it is recognized that is in the interest of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord;

Conscious of:

d) the responsibility assumed by the Consultative Parties for the Protection of the environment and the wise use of the Treaty area;
e) the increased understanding of the Antarctic and of its relationship to the world as a whole that has resulted from the endeavours of the Antarctic scientific community;
f) the benefits derived from the coordination of Antarctic scientific research through the Scientific Committee on Antarctic Research (SCAR), its subsidiary institutions and from its cooperation with other international organizations having a scientific or technical interest in the Antarctic; and
g) the value of the scientific advice from SCAR, requested by their Governments through their respective National Antarctic Committees, in connection with the development of the Antarctic Treaty system;

Recommend to their Governments that:

I. Scientific research

Through their respective National Antarctic Committees, or the offices administering their Antarctic research programmes, as appropriate, they express their gratitude to the members of the Antarctic scientific community, past and present, and to SCAR for the devoted service which they have given to the achievement of a better understanding of the Antarctic and to the development of the Antarctic Treaty System;

II. Commemoration of the twentieth anniversary of the entry into force of the Antarctic Treaty

1. They consider suitable ways of commemorating the twentieth anniversary of the entry into force of the Antarctic Treaty, including the possibility of issuing a commemorative postage stamp during 1981 on the lines indicated in Recommendation V-1;

2. Any commemorative event should be consonant with the provisions and spirit of the Antarctic Treaty.

V-1: Commemorative stamp issue

The Representatives recommend to their Governments:

1) that, on the occasion of the Tenth Anniversary of the entry into force of the Antarctic Treaty, each Consultative Party should issue a commemorative postage stamp during 1971;

2) that this stamp should bear, in the language or languages of each issuing country, the following words: 'Antarctic Treaty 1961–71';

3) that the most prominent feature of the stamp should be the Antarctic Treaty emblem representing a map of Antarctica which appears on the official documents of Consultative Meetings;

4) that any additional matter should be consonant with the provisions and the spirit of the Antarctic Treaty;

5) that the denominations of the stamp should remain at the discretion of each issuing country.

Participation: Non-Consultative Parties, Other Components of the System, International Organizations

Introductory note

The Antarctic Treaty itself and the Rules of Procedure adapted at the first ATCM, are silent on what rights, if any, are possessed by States which have acceded to the Treaty but are not Consultative Parties, regarding attendance at Consultative meetings. The Treaty is similarly silent on what part, if any, can be played by according observer status to international organizations at ATCMs in the development of working relations in the sense of Article III of the Treaty. Non-Consultative Parties attended the XIIth ATCM in Canberra in 1983 and have attended all formal regular Consultative meetings as well as the last nine sessions of the IVth and all sessions of the XIth Special Consultative Meetings. International organizations were invited to attend the XIVth ATCM in Rio de Janeiro in 1987 in the capacity of "experts". SCAR and CCAMLR, as components of the system, were invited to attend the same meeting, in accordance with the terms of Recommendation XIII-2, as "observers". The Rules of Procedure adopted in 1987 reflected these changes in practice regarding participation.

Article III paragraph 2 of the Antarctic Treaty enjoins the Consultative Parties to give "every encouragement ... to the establishment of cooperative working relations with those Specialized Agencies of the United Nations and other international organizations having a scientific or technical interest in Antarctica".

A most important vehicle for this cooperation has been SCAR — the Scientific Committee on Antarctic Research of the International Council of Scientific Unions. Since a main purpose of the Antarctic Treaty is "to promote international cooperation in scientific investigations in Antarctica", it was important that the Treaty should bring about an atmosphere which would positively urge international scientific cooperation between scientists directly involved and would remove the political obstacles which might inhibit its development. Scientists have thus been encouraged to participate in and contribute to the international scientific infrastructure. SCAR was a product of the

International Geophysical Year (IGY); the IGY itself was a successor to the First and Second International Polar Years (1882–3 and 1932–3). All three of these international scientific programs were based on a belief that global phenomena could not be understood without an understanding of these phenomena in the Arctic and the Antarctic.

The fostering of "cooperative working relations" with international organizations was taken a further step by the invitations extended to various organizations to attend the XIVth ATCM. The groundwork for these invitations had been laid at the XIIth ATCM in 1983.

ATSCM XII: Decision 1(2000): Observers to the Committee for Environmental Protection

The Representatives,

Acting upon the advice of the Committee for Environmental Protection

Confirmed as observers to the Committee for Environmental Protection according to Rule 4c of the CEP Rules of Procedure the following organisations: ASOC, IAATO, IHO, IUCN, UNEP, and WMO, until such time as the ATCM decides otherwise.

XIII-15: Matters relating to the appointment of observers at Consultative Meetings

The Representatives,

Taking note of Article IX of the Antarctic Treaty;

Noting also that all Contracting Parties to the Antarctic Treaty have rights and obligations under the Treaty and are, as Parties, bound to carry out its provisions and uphold its purposes and principles, and to maintain and strengthen that Treaty;

Recalling that the non-Consultative Parties to the Antarctic Treaty were invited to attend the XIIth and XIIIth Consultative Meetings, as well as the Preparatory Meeting for the XIIIth Consultative Meeting;

Noting that accordingly the Rules of Procedure have been appropriately amended;

Recognizing the valuable contribution made to the deliberations of the XIIth and XIIIth Consultative Meetings by the representatives of the non- Consultative Parties;

Recommend to their Governments that the Government of the host country of each future regular Consultative Meeting invite non-Consultative Parties to appoint representatives to attend the Meeting, and any associated Preparatory Meeting, in accordance with the relevant provisions of the Rules of Procedure.

XII-8: SCAR assistance to Consultative Parties

The Representatives,

Recognizing that the Scientific Committee on Antarctic Research (SCAR) of the International Council of Scientific Unions comprises a unique assemblage of knowledge and expertise in Antarctic scientific fields;

Noting with appreciation the advice provided to the Antarctic Treaty Consultative Parties by SCAR in response to various requests;

Being aware that under its Constitution SCAR is charged with 'furthering the coordination of scientific activity in Antarctica, with a view to framing a scientific program of circumpolar scope and significance';

Being aware also that the assistance requested of SCAR by the Consultative Parties imposes additional demands on scarce resources;

Recommend to their Governments:

That they consider in the light of its expertise and past assistance any requests that may be made by their national committees for additional funding to meet costs to SCAR of responding to requests for advice by the Antarctic Treaty Consultative Parties.

Extract from Report of XIIth ATCM

38. Not all States which are Contracting Parties to the Antarctic Treaty are entitled to appoint representatives to participate in Consultative Meetings. Non-Consultative Parties, like all Contracting Parties, have rights and obligations under the Antarctic Treaty and are, as Parties, bound to carry out its provisions and uphold its purposes and principles, and to maintain and strengthen that Treaty. The Consultative Parties therefore invited non-Consultative Parties to this Consultative Meeting and welcomed their attendance: it assisted the deliberations of the Consultative Parties, helped to keep non-Consultative Parties informed about activities under the Treaty, and furthered the common aim of all Contracting Parties to develop and strengthen the operation of the Antarctic Treaty system.

39. For these reasons, the representatives of the Consultative Parties endorsed the attendance of non-Consultative Parties at the next regular Consultative Meeting. They therefore decided to invite the non-Consultative Parties to the Thirteenth Consultative Meeting, as well as to its Preparatory Meeting. Draft Rules of Procedure incorporating the necessary amendments were prepared by the Meeting, and will be referred to Governments for their consideration on the clear understanding that this would not affect the right of Special Consultative Meetings, as Meetings held pursuant to Article IX of the Antarctic Treaty, to adopt their own Rules of Procedure. Consultative Parties which have not indicated their views by 1 April 1984 will be taken to have accepted the text. If any government request that the matter be discussed further, the Australian Government will either pursue the matter through diplomatic channels or will refer the draft Rules of Procedure to the preparatory meeting for the Thirteenth Consultative Meeting.

40. Since there was a close relationship between subjects to be discussed at special Consultative Meetings and attendance at those Meetings, the Meeting decided that the

question of attendance at future Special Consultative Meetings could be decided only when such Meetings were being convened. As regards the Fourth Special Consultative Meeting, the Meeting took note of the wish of several of the non-Consultative Parties that they should be invited to attend future sessions. The Meeting was of the view that attendance at the Fourth Special Consultative Meeting, representation at which had been determined in 1981, was a matter to be decided by that Meeting.

41. A statement by Non-Consultative Parties is at Annex C.

42. There was a full discussion of the extent to which, in the light of paragraph 2 of Article III of the Antarctic Treaty, the attendance of appropriate international organisations at regular Consultative Meetings might assist the Consultative Parties. The Meeting concluded that, as part of the preparation from each regular Consultative Meeting, the Consultative Parties should consider whether the Consultative Parties would be assisted in their discussion of any item of the agenda of the regular Consultative Meeting if a Specialised Agency of the United Nations or other international organisation having a scientific or technical interest in Antarctica were to attend the Meeting as an observer when that item was being discussed; and, if so, whether the relevant organisation should, with the agreement of all Consultative Parties, be invited by the host government to attend the Meeting on that basis.

Annex C to report of XIIth ATCM: Statement of non-Consultative Parties

The delegations of the non-Consultative Parties to the Antarctic Treaty having been present at the Twelfth Consultative Meeting express appreciation to the Government of Australia and to the other Consultative Parties at having been invited to this Meeting.

Our presence reflects the interest of our Governments in the development of the Antarctic system and our willingness to contribute to the maintenance and the further development of the principles and objectives of the Antarctic Treaty.

We all recognise the achievements of the Treaty, for example, with regard to cooperation in the field of scientific research, the protection of the environment, and demilitarization. We have noted with satisfaction the recognition by the Consultative Parties of the difference in position between the non-Consultative Party and observers.

We have noted, furthermore, with satisfaction that the Consultative Parties are receptive to a more meaningful and substantive participation of non-Consultative Parties, which would undoubtedly contribute to strengthening the system. Likewise the delegations of the non-Consultative Parties fully endorse statements of Consultative Parties which have been made during the Twelfth Consultative Meeting regarding the importance of the availability of information to the non-Consultative Parties so as to facilitate their participation in the various Antarctic meetings.

We believe that the participation of non-Consultative Parties in the various activities of the Antarctic system is important for the strengthening of the system and for the contribution thereto by the non-Consultative States. We request that this statement be attached to the Final Report of the Twelfth Consultative Meeting.

Canberra, 27 September 1983

VIII-8: Activities of States that are not Consultative Parties

The Representatives,

Recalling the principles and purposes of the Antarctic Treaty;

Reaffirming that it is in the interest of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord;

Recognizing that the Antarctic Treaty places a special responsibility on the Contracting Parties to exert appropriate efforts, consistent with the Charter of the United Nations, to the end that no one engages in any activity in the Antarctic Treaty Area contrary to the principles or purposes of the Treaty;

Considering paragraphs 15 to 17 of the Final Report of the Seventh Antarctic Treaty Consultative Meeting regarding activities in the Treaty Area by States that are not Contracting Parties;

Considering further that it is desirable for acceding States to approve existing and future Recommendations, which form an integral part of the Treaty regime;

Recommend to their Governments that:

1. They reaffirm the principles set forth in paragraphs 15 to 17 of the Final Report of the Seventh Antarctic Treaty Consultative Meeting in respect of activities by States that are not Contracting Parties to the Antarctic Treaty;

2. They urge the States that have or will become Parties to the Antarctic Treaty to approve the Recommendations adopted at Consultative Meetings in pursuance of the Treaty and subsequently approved by all the Contracting Parties whose representatives were entitled to participate in the meetings held to consider those measures.

I-IV: [SCAR]

The Representatives agree, without prejudice to the rights of Governments, to make such arrangements as they may deem necessary to further the objectives of scientific cooperation set forth in the Treaty:

(1) that the free exchange of information and views among scientists participating in SCAR, and the recommendations concerning scientific programmes and cooperation formulated by this body constitute a most valuable contribution to international scientific cooperation in Antarctica;

(2) that since these activities of SCAR constitute the kind of activity contemplated in Article III of the Treaty, SCAR should be encouraged to continue this advisory work which has so effectively facilitated international cooperation in scientific investigation.

I-V: [International organizations]

The Representatives recommend to their Governments that they should individually encourage the work of international organizations having a scientific or technical interest in Antarctica, including the specialized agencies of the United Nations, and should promote on a bilateral basis the establishment and development of cooperative working relations with these organizations. In this connexion, the Representatives take note of the letter to the Minister of State for External Affairs of Australia from the Secretary-General of the World Meteorological Organization dated 28th June 1961, circulated at the meeting. They welcome the offer made by the World Meteorological Organization of cooperation in questions of meteorology and of the collection and relaying of meteorological data in the Antarctic, and recommend to their governments that they should establish cooperation in these matters through their representatives in that organization.

Meetings of Experts

Introductory note

Meetings of experts provide a mechanism for in-depth study of a matter of common concern, for the invitation of experts from countries other than Consultative Parties and for the preparation of reports for consideration at ATCMs. Such meetings are not empowered to take decisions or to make Recommendations to governments, but the reports can be used by ATCMs as the basis for making Recommendations. This mechanism has been used to deal with questions, usually of a technical nature, relating to meteorological observations and allied telecommunications, and air safety, and environmental monitoring.

IV-24: Meetings of Experts

The Representatives recommend to their Governments that:

1. Meetings of experts be convened from time to time as the need arises to discuss practical problems relating to Antarctic activities. Such meetings would be attended by experts from Consultative Parties. With the agreement of all the Consultative Parties, other experts may be invited to attend. They may submit documents and make statements, but they may not vote.

2. Such meetings be convened and the terms of reference be established either at Consultative Meetings or as a result of agreement reached through diplomatic channels among all the Consultative Parties.

3. The host Government circulate a report concerning the meeting of experts to all the Contracting Parties.

4. The report of the meeting of experts shall be submitted to a subsequent Consultative

Meeting for consideration except when the Consultative Parties have agreed otherwise.

III-VI: Questions concerning Meetings of Specialists

The Representatives, recognizing the importance of the problem raised during the examination of Item 7 (that is, the Item entitled "Questions concerning Meetings of Specialists"), recommend their governments to examine this question attentively before the Fourth Consultative Meeting and to consider including it on the Agenda of that Meeting.