



VERBATIM RECORD OF THE 45th MEETING

Chairman: Mr. ROCHE (Canada)

CONTENTS

- QUESTION OF ANTARCTICA: GENERAL DEBATE AND CONSIDERATION OF AND ACTION ON DRAFT RESOLUTIONS

*This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned within one week of the date of publication to the Chief of the Official Records Editing Section, room DC2-350, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session in a separate fascicle for each Committee.

The meeting was called to order at 10. 20 a.m.

AGENDA ITEM 70 (continued)

QUESTION OF **ANTARCTICA**; GENERAL DEBATE AND CONSIDERATION OF AND ACTION ON DRAFT RESOLUTIONS

The CHAIRMAN: I call upon the representative of Zaire, who will make a statement on behalf of the Group of African States.

Mr. KIBIDI (Zaire) (interpretation from French) : The debate on the question of Antarctica at the forty-third session of the General Assembly centres on draft resolution A/C.1/43/L. 82 and L. 83, which deal with the participation of South Africa in the meetings of the Antarctic Treaty Consultative Parties and with the Convention on the Regulation of Antarctic Mineral Resource Activities adopted last June by the States Parties to that Treaty and opened for signature at Wellington, New Zealand, on 2 November.

The delegation of Zaire has the honour to speak today, on behalf of the Group of African States, to draw the attention of the international community to South Africa's anachronistic and unusual participation in the meetings of the Consultative Parties to the Antarctic Treaty, a matter dealt with in draft resolution A/C. 1/43/L. 03.

In bringing this item before the First Committee, the Group of African States was prompted by serious political concern, namely, the exclusion of South Africa from all international negotiations, beginning with its exclusion from participation in the work of the United Nations General Assembly, as a logical consequence of its continued insistence on implementing the policy of apartheid on its territory, a policy unanimously condemned as a crime against mankind.

Indeed, for years now, on every regional and international front, and especially within the United Nations, considerable efforts have been devoted to achieving the necessary social and political changes in South Africa, changes which,

(Mr. Kibidi, Zaire)

had they been **achieved**, would have led to the eradication of the abhorrent **system** of apartheid and **the establishment** of a democratic **government** based **on** the participation of all the country's **inhabitants** in the management of public affairs, whatever the **colour** of their skin, their religious **beliefs** and their philosophical or ideological convictions.

The revolting apartheid régime, which tortures, pillages, **imprisons** without trial and **systematically** massacres **blacks** and **destabilizes** the economies of **the** front-line countries, **is** not always condemned with the vigour and unswerving determination we might hope for. That is truly regrettable. **Complicities** of every **kind**, even in certain major industrialized countries, provide South Africa with grounds for pursuing its criminal **activities**.

In response to that situation, the **African** States are submitting, in conformity with the resolution **adopted** by the Council of Ministers of the **Organization of African Unity (OAU)** at **its** forty-second **session** held at **Addis Ababa** **from** 10 to 17 July 1985, draft resolution **A/C.1/43/L.83**, which appeals unequivocally for **the exclusion** of **South Africa** from participation in the **meetings** of the Consultative Parties to the **Antarctic** Treaty.

There is no scientific reason that can legitimise the participation of the supporters of apartheid in the **meetings** of the Consultative Parties to a treaty which, according to its signatories, has been highly **successful** in **maintaining** peace and concord in **Antarctica** for more than **twenty-five** years. There are no moral or legal grounds for **such** participation, considering that the Antarctic Treaty, by its very language, **was** designed to serve the purposes and principles of the United Nations Charter.

Antarctica is the common heritage of **all** mankind, and **the supporters** of apartheid, who have made racial hatred the philosophical **basis** of their policy, should have no **place** within the framework of that **Treaty**.

(Mr. Kibidi, Zaire)

Those are all pertinent reasons that should prevent the participation of South Africa in the meetings of the Antarctic Treaty Consultative Parties and that should compel all States to vote in favour of draft resolution A/C.1/43/L. 83, which renews the appeal to the Consultative Parties to take urgent measures to exclude the racist apartheid régime from participation in their meetings at the earliest possible date.

On behalf of the Group of African States my delegation is also sponsoring draft resolution A C.1/43/L. 82, which deals with the Convention on the Regulation of Antarctic Mineral Resource Activities adopted by the States Parties to the Treaty.

The continent of Antarctica, which is the subject of widespread interest, is also the least known. Ninety-nine per cent of its 4 million square kilometres is covered with a layer of ice of some 2 kilometres in thickness. It is the coldest continent, with temperatures as low as minus-88 degrees Centigrade, the highest, with an average altitude of 1800 metres, the driest, with nine annual precipitations averaging only 10 centimetres - and, lastly, the one with the strongest winds, which restrict human activity even more than do the cold or its topography.

The problems of Antarctica were first brought before the United Nations General Assembly at its thirty-eighth session. Since then, there has been increasing interest in the intentions of the countries that exercise administrative control and plan to maintain their monopoly over the region, whereas the preservation of its ecosystem should be a primary concern of all mankind. The protection of the ecosystem is viewed as one of the foremost priorities of the States Parties to the Treaty. However, we are increasingly beginning to wonder whether the ecosystem will not be altered, thus leading to tragic consequences on a global scale.

(Mr. Kibidi, Zaire)

Indeed, contrary to the commitments clearly defined in the Treaty and **its annexes, the practices of certain countries** with **administrative control over** the continent are having negative **effects on** the ecosystem. **Notwithstanding** the terms of the Agreed **Measures** for the Conservation of Antarctic Fauna and Flora, fishing **remains for** the most part unregulated.

Seismic prospecting for minerals, which **various scientific** studies have found to **be** harmful, **is continuing**, and we note that several countries **are authorizing or** ignoring the discharge of **waste materials by their ships** in Antarctic waters, with harmful **consequences for the marine environment**. During on-site **inspections** a number **of non-governmental organizations, such as** Greenpeace, have noted that several **bases** are disregarding regulations and even common **sense**, continuing with **impunity** to discharge **waste materials** and to conduct operations that **disturb** the fauna .

The adoption of a regime governing mineral **resources was** encouraged by the **findings** of **seismic** and other **research** that indicated large **deposits of** natural resources in Antarctica and **its** glacial shelf. The United States geological **services** estimate the mineral **reserves** of the continental plateau of western Antarctica **at 45** billion barrels of oil and 115 trillion cubic feet of natural gas, **a third of** which are extractable. By its very nature, however, mineral **extraction is** very harmful to the environment and, in the **case** of an **unexploited** region **whose** ecosystem **was untouched by** man prior to the twentieth century, **any** pollutant, **even in small** quantities, could have tragic consequences. Failure to protect the ecosystem, on the part **of** the **countries** exercising administrative control over Antarctica, would be both imprudent and **dangerous**.

(Mr. Kibidi, Zaire)

That is why, in its resolutions **35/77** of 15 December 1983, **39/152** of 17 December 1984, **40/156** A and B of 16 December 1985 and **41/88** A and B of **30 November 1987**, the General Assembly reaffirmed that the management, exploration, exploitation and use of Antarctica must be conducted in conformity with the purposes and principles of the United Nations Charter so as to favour the maintenance of international peace and security and promote international **co-operation** for the benefit of all mankind,

It is with consternation that the great majority of Member States have learned of **the** signing of a Convention relating to the regulation of activities to exploit the mineral **resources** of Antarctica, whereas General Assembly resolutions **41/88 B** and **42/46 B** called upon the **Antarctic** Treaty Consultative Parties to impose a **moratorium** on negotiations concerning a minerals **régime** until such **time** as all members of the international community might fully participate in **such** negotiations=

We have before us a fait accompli, a unilateral action undertaken by a small group of States for selfish purposes, which the international community cannot accept. That is why my delegation, **on** behalf of the African group, fully subscribes to the provisions of draft resolution **A/C.1/43/L.83**, which calls on the Antarctic **Tre-ty** Consultative Parties in particular to invite the **Secretary-General** or his representative to all meetings of the Treaty parties, including consultative meetings.

For all the reasons that we have just explained, we urgently appeal to all States Parties to the Antarctic Treaty to make an effort to put an end to their indifference to the participation of South Africa in the meetings on Antarctica as well as the question **of** the Convention on the mineral resources of Antarctica, a Convention worked out and signed outside the framework of the United Nations.

Mr. ADAM (Sudan) (interpretation *from* Arabic): The **international** community's interest in the question of **Antarctica** has **been growing, not only because** Antarctica is an uninhabited continent that **arouses a large degree of** scientific and geographic curiosity **but also because it is a part of our planet** that plays an **essential** role in weather patterns. It also constitutes a unique scientific **environment** that has not yet been **touched by man or destroyed by the** over-exploitation and excessive **industrial and economic development, which damage** the flora, fauna and human **environment**, as was the case in **other parts** of the *world*.

In addition, Antarctica is rich in unexploited natural resources which **are** considered non-renewable in **other** parts of the world.

All those qualities make the continent an important repository for the economic and scientific future of mankind. It must therefore remain the **common heritage of mankind** and not become an arena *for* competition between States, **which** possess the economic and scientific capabilities to **reach that** continent and thereby impose their claims to sovereignty and to the right to investment **and** scientific research on the basis of that **fait accompli**.

On **account** of those genuine fears and reasons, the question of Antarctica has **been** on the General Assembly's agenda since its **thirty-eighth** session in **1983**, when the Assembly requested the Secretary-General **to** prepare a comprehensive **study on** all questions pertaining to Antarctica, taking full account of the Treaty **régime** and all other relevant factors.

Thereafter, the General Assembly Continued to consider the subject through the First Committee and from the **point** of view of specific questions, **namely:**

First, **to what** extent can the Treaty **régime** contribute to **the maintenance of** international peace and security, the preservation of the **environment**, the **economic** situation and scientific research? The fact that the Treaty is virtually closed to the overwhelming majority **of** the international community cannot, **by** its very **nature**,

(Mr. Adam, Sudan)

provide the necessary guarantees for the important matters just raised, although it has **so far been** successful in keeping Antarctica free of military and nuclear activity.

Secondly, is the Treaty **régime** sufficient to guarantee Antarctica's exploitation for peaceful purposes only in accordance with the wish of the **international** Community? **Does** the Treaty guarantee that Antarctica will not be turned into the arena or subject of an international dispute in the future?

Thirdly, are the **management**, exploitation, exploration and use of **Antarctica** being conducted in accordance with the principles of the Charter concerning the maintenance of international **peace** and security and the promotion of international **co-operation** for the benefit of mankind as a whole?.

Fourthly, we presume that better **knowledge** of Antarctica is the interests of mankind as a whole. But the current situation concerning the provision of comprehensive information on the continent is not consonant with that, particularly in the light of the General Assembly resolutions dealing specifically with the international **community's** right to be informed on all **aspects** of the question of Antarctica and with the United **Nations** being the repository of such information.

Furthermore, the **resolution** adopted on the subject at the forty-second **session** of the General Assembly in its first operative paragraph, requested the Antarctic Treaty **Consultative** Parties **to** invite the Secretary-General **or** his representative to all meetings of the Treaty parties, including their consultative meetings and the negotiations pertaining to the minerals regime.

We continue to believe that many aspects of the position of the Consultative Parties are unclear, including in **particular**:

The opening of the Treaty to all States for accession, so as to give the Treaty a true international character, expressing the aims of the international community as whole ;

(Mr. Adam, Sudan)

The provision of all interested parties, especially the United Nations and its specialized agencies, with all information pertaining to the question of Antarctica,

The participation of the Secretary-General or his representative in all meetings of the Treaty parties - and here we do not mean that he should only be informed selectively of the proceedings of those meetings.

(Mr. Warn, Sudan)

We must express our deep regret that the Consultative Parties continued their negotiations on a minerals régime for Antarctica and adapted a Convention last June, in spite of the fact that in a resolution last year the General Assembly called upon

"the Antarctic Treaty Consultative Parties to impose a moratorium on the negotiations to establish a minerals régime until such time as all members of the international community can participate fully in such negotiations".

(resolution 42/46 B, para. 3)

Early in my statement I posed a number of questions about the fitness of the current Treaty régime to reflect the purposes and aspirations of the international community concerning the future of Antarctica. I ask now whether the minerals régime signed recently is fit to reflect the purposes and aspirations of the international community; on that important aspect of Antarctic activities. The international community, as represented in this Organization, did not participate in the negotiations and the régime therefore remains the exclusive domain of signatory States - with all the resulting positive and negative aspects.

The entire international community has condemned the inhuman apartheid régime of the racist Government of South Africa and its policies against the indigenous population of South Africa. In view of the international community's indignation at these practices, the General Assembly has suspended the racist Government of South Africa from participation in its work. The number of States imposing economic and military embargo measures against South Africa grows daily. In spite of that ever strengthening trend and the repeated appeals of the General Assembly, the Antarctic Treaty Consultative Parties continue to greet with open arms representatives of the racist régime of Pretoria at all their meetings.

(Mr. Adam, Sudan)

My delegation **considers** that the call to exclude the Pretoria **régime** from participation in the **meetings** of the Consultative **Parties is based on** the following **factors**: the need to tighten the **noose** around the **racist régime** of South Africa at all **levels** - regional and international - and in all **fields** - economic, **scientific, military, cultural and sports** - with a view to isolating it **totally** until it **bends** to the will of the **international** community and **dismantles** the apartheid **system**; the fact that the majority of the international community does not trust the **racist régime** of South Africa **because** of its constant deception of international public opinion with respect to the future of the people of South Africa **and its efforts** to increase its **capabilities** in the military and nuclear **fields** without **allowing** the relevant **specialized agencies** to carry out **inspections**; and the fact that by taking such **positions** the South African **régime** directly threatens international **peace and security** in Africa and throughout the world. The international community cannot feel reassured **about the future** of Antarctica and **about its** remaining **demilitarized and denuclearized** so long as racist **South Africa continues** to be a Consultative Party to the Treaty. **Racist South Africa's** accession to the **minerals régime** does not mean that the Pretoria **Government is interested** in **preserving** the unique environment **and natural resources** of Antarctica.

We fully agree with previous **speakers** on **this** item on the following points: **first**, the **Antarctic Treaty régime is not consonant** with international **norms** and **instruments such as** the Convention on the Law of the **Sea**; **secondly**, the Convention On the **Regulation of Antarctic Mineral Resource Activities** - in whose negotiation the international community, **as represented by its organizations**, did not participate - **is bound to** affect world ecological and **economic systems**. **It is** unacceptable to the international community that the continent's resources should

(Mr. Adam, Sudan)

be monopolised by a **small** group of **States**, in a manner **similar** to that of the Antarctic **Treaty itself**. We **therefore support** all callr on the **Consultative Parties to cease** forthwith ratification of the Convention on the **Regulation of Antarctic Mineral Resource Ac tivities**. We agree, thirdly, that the United Nations has proven **its ●** ffeutivenear in the maintenance of international **peace and security** under the Charter, **through its multilateral forums**. It **is therefore** incumbent upon **us** all to **endorse participation** by the Secretary-General or **his representatives** in **all consultations and meetings** on the regulation of Antarctic **activities, thereby** enabling the Secretary-General to prepare **reports** that would be a valuable addition to the information **about** the continent.

We believe it is **of especial** importance that the question of Antarctic remain on the agenda of the General **Assembly; there is** a need for further **consultations** and better **understanding among** all delegation6 with a view to reaching **consensus** inotead of persisting in sterile confrontation that **does** not contribute to the maintenance of international **peace and security or the promotion of** international co-operation for the benefit of all mankind.

Mr. FENJOR (Bhutan): My delegation, **like many other s,** welcomes the **positive** developments end increased **awareness and concern over** the changing environment. In fact, with the prevalence of **this** favourable global attitude we would have thought **the** question of **Antarctica** would have **ceased to be an issue** . The world **is now aware** of the ecological and **security** implications of damage to the fragile **ecosystem** of Antarctica and the **possible** disputes **arising** from the **process** of extracting and sharing the **vaet resources** of the continent.

The integrated or unified **nature** of **our common** environment **is** unquestionable. **For that** reason, **the issue** of the **environment** must transcend the natural and poll **tical** houndaries that not only divide **us** from each other **but also** influence and orient **our** national and **regional** perceptions. We believe that Antarctica **has**

(Mr. Penjor, Bhutan)

always had a benign influence on the global **environment** and climate. **This has been** established through **scientific research and historical facts**. **Recent studies** have **revealed** not only that the influence of the region has been beneficial, **but that** the undermining **of its** fragile, **pristine** ecology would have a devastating **impact** on **the** world, leading to a threat to the **very survival** of life **as** we know **it**.

Indeed, **some** of the tragic **and** inexplicable **environmental** phenomena the world **has suffered** in recent times are, we believe, only the tip of the iceberg, which we may liken to the role **of** Antarctica, much of which **still remains unknown**.

From the foregoing, it will **be** apparent that any disturbance to **Antarctica's** **environment has global implications**. It **is** therefore imperative that all **decisions** and **actions** affecting the **future** of Antarctica **be recognized as** the common **responsibility** of **all** mankind.

(Mr. Penjor, Bhutan)

Although we are a land-locked nation, far removed from the region of Antarctica, we have asked to speak to voice our conviction on the matter and our commitment to assume our shared responsibility as a member of the world family of nations. Indeed, the future of Antarctica is not the responsibility of the surrounding region and the coastal nations alone, nor can such a responsibility be assumed by a few nations which have the technological and economic capabilities to take advantage of its resources.

Having advanced thus far in the expression of my country's concerns, I fear that my delegation is at risk of being misunderstood were its position on the Antarctic Treaty of 1959 and the role played thus far by the Treaty Parties. All the Treaty Parties have to our knowledge striven to adhere to the noble aims and principles of the Treaty, the primary purpose of which is stated to be the preservation of the pristine ecology of this frozen continent and to use it only for peaceful purposes. In fact, we commend the manner in which the Treaty has successfully averted any significant disturbance to the ecology of the continent of Antarctica while having prevented any serious territorial disputes between the Treaty Parties. We also believe that certain Treaty Parties from the developing countries have endeavoured to represent the interest and the concern of those countries that have not been able to subscribe to the Treaty, mainly because of lack of scientific and financial capabilities.

While the role of the Antarctic Treaty has hitherto been positive, we believe that technological advances, deteriorating environmental and climatic conditions and a resurgence of faith in multilateralism have rendered the very nature of the Treaty obsolete. The Treaty suffers from inherent inadequacies; above all, we are convinced that there is truth in the reports of pollution arising from the careless discharge of toxic and other forms of refuse as well as indiscriminate harvesting of marine resources, and that the Treaty will not be able to withstand the disputes

(Mr. Penjor, Bhutan)

that will obviously arise **from the assertion of claims on and extraction of its** known and unknown natural **resources.**

We **were** disturbed by the adoption on 2 June **1988 of** the Convention *on the Regulation of Antarctic Mineral Resource Activities*, in spite of General Assembly resolutions **41/88 B** and **42/46 B**, which called for the **imposition** of a moratorium on negotiations to establish a minerals **régime until** such time **as** all **members of** the international **community** could fully participate in such negotiations. While the whole world has acknowledged, **as** have the Treaty Parties, the extremely **fragile** nature **of** the **region's** ecology, it is also clear that the **process** of extracting any *form* of the natural resources in the region must necessarily lead to levels of ecological disturbance that **its** ecosystem will not be able to tolerate. With the Convention we fear the stage has now been set for the gradual and systematic destruction of the continent's ecology and **of** the harmony that has prevailed among the Treaty Parties.

In conclusion, my delegation fully supports draft resolution A/C.1/43/L.82, which in essence reaffirms our belief that Antarctica **is** the common heritage *Of* mankind and calls for the need to assume our collective responsibility to ensure that Antarctica remains free from the threat of any harm arising from ignorance or deliberate undermining of its benign role in influencing the global environment, the climate and security.

Mr. CHOHAN (Pakistan): The debates over the **past** few years on the question of Antarctica have served to underscore the vital importance **of** the **continent**, covering an **area** of approximately 14 million square kilometres. The debates have *also* highlighted the direct interest of the international community in participating and sharing, in an equitable and non-discriminatory manner, in the scientific exploration and exploitation *of* the living and mineral **resources** of that vast expanse of land.

(Mr. Chohsn, Pakistan)

Equally, the **protection of Antarctica's ecosystems**, whose glacial fragility **is** being increasingly brought **home** by the recent **reports** of massive **ozone** depletion in **the** atmosphere, is **a** question whose importance to the international community **cannot be over-emphasized**.

In raising this issue **once** again at the United **Nations**, we **are** motivated by the sincere desire to **focus** attention on and **to take** action on **a** matter which is of **common** interest and concern to humankind. Our approach throughout has been to engage in an earnest dialogue that would help diffuse the rigid caste-like **exclusivism** with which some countries **have sought to circumscribe** the Antarctic continent. **Our** sincere efforts to build bridges of understanding have been ignored. **Our** constructive attitude **was** disregarded by the adoption in June this year **of** the Convention on the **Regulation of Mineral Resource Activities** in Antarctica.

How are we to comprehend the precipitate conclusion of the Convention **when** we were given to understand **that so far** there were no indications of any major discovery **of** mineral **resources** in **sizeable** quantities? What we **know** is that **the** discrimination built into the Antarctic Treaty has been further accentuated by the regulatory mechanisms and other provisions **of** the mineral resources Convention.

The **international community** this year has reason to celebrate **the** ascendancy **of** the spirit **of** peace and **co-operation** across our planet. Unfortunately, that does not appear to **be the case** in Antarctica, where **the frigid** **positions** of the **Antarctic** Treaty Consultative Parties has generated more concern. The growing process of interdependence for mutual and **common** benefit cannot **be** frozen on the **fringes** of Antarctica **for the sake of a few countries**.

We **are** aware that the Antarctic Treaty itself acknowledges the common interest **of** mankind in Antarctica. The positive aspects of the Antarctic Treaty **system**

(Mr. Chohan, Pakistan)

cannot be denied. These relate to holding in **abeyance the territorial claims of certain States over parts of Antarctica, ensuring the continent's denuclearized status and the exclusion of military rivalry and making possible the pursuit of peaceful co-operation in scientific research.**

But the Treaty was concluded at a time when a vast majority of States were still engaged in the arduous struggle of sweeping away the cobwebs of colonialism. In 1959 the Antarctic Treaty may have appeared to be a viable approach. Although the Antarctic Treaty Consultative Parties may not acknowledge it in the context of Antarctica, the world has significantly changed since then. Differences surfaced in regard to the Treaty about the manner in which the common interest of mankind requires realization in practice in Antarctica.

My delegation would like to **reiterate** that, given the shortcomings and **lacunae of the Antarctic Treaty system, a new international regime for Antarctica must be negotiated among the members of the international community, under the auspices of the United Nations. The fundamental principles which should inspire such a new instrument of a universal character should be: first, Antarctica and its resources are the common heritage of mankind; secondly, it is not subject to appropriation by any State or persons; thirdly, it should be reserved exclusively for peaceful purposes; and, fourthly, Antarctica should be open to use by all States, without discrimination, in accordance with the international regime to be established.**

(Mr. Chohan, Pak istan)

The scientific and technological disadvantage faced by a majority of the developing countries at this time cannot constitute a sufficient basis for denying them their right to participate as equal partners in the decision-making process governing the *affairs of* Antarctica. The acknowledged interest of all mankind in Antarctica implies that the international community should be more fully involved in its administration and should share equally in all the benefits derived from scientific, commercial or other activities in Antarctica.

My delegation shares the legitimate concern over the participation of the apartheid régime of South Africa as a full Consultative Party to the Antarctic Treaty. The international community has clearly pronounced its total opposition to the unacceptable abhorrent practices of apartheid based on racial discrimination. The Antarctic Treaty Consultative Parties must take urgent measures at the earliest possible date to exclude the racist apartheid régime from participation in their meetings.

At their meeting held in Hararu in September 1986, the Heads of State or Government of Non-Aligned countries affirmed their conviction that any exploitation of the resources of Antarctica should ensure the maintenance of international peace and security in Antarctica and the protection of its environment and should be for the benefit of all mankind. In that context, they also affirmed that all States Members of the United Nations had a valid interest in such exploitation.

More recently, at the Conference of Foreign Ministers of the Movement of Non-Aligned countries held in Nicosia in September 1988, the Ministers reaffirmed the principle that the international community was entitled to information concerning all aspects of Antarctica and that the United Nations should be made the central repository of such information. The Ministers also considered that the adoption by the Antarctic Treaty Consultative Parties of a Convention on

(Mr. Chohan, Pakistan)

the **Regulation of Antarctic Mineral Resource activities**, on 2 June 1988, could **make efforts to reach a consensus** on the **issue** at the **General Assembly** more difficult.

My delegation **is** conscious of the wide divergence of **views** in the Committee on the question **of** Antarctica and related issues. We feel that **every** effort should **be made to avoid** confrontation and to **adopt a course of** action which would facilitate dialogue on **this** important question, **promote a gradual narrowing** of differences and lead finally to the emergence of an international consensus on **a new and** appropriate regime for Antarctica.

Mr. AZ IKWE (Nigeria) : Since 1982, when the Antarctic Treaty Consultative Parties started negotiations on a minerals **regime for** Antarctica, the international community had expressed serious concern regarding the **decision** of the Treaty Parties to continue with **the** negotiations. When it **became** apparent that the Treaty Parties **were** bent on implementing their decision on the minerals **regime** dating back to the late **1970s**, the General Assembly, at its forty-second **session**, adopted resolution **42/46 B** dated 30 November 1987 calling upon the Antarctic Treaty Consultative Parties to impose **a** moratorium on negotiations to establish a minerals **regime for Antarctica**. It **is** deeply **regrettable that the** Antarctic Treaty Consultative Parties, disregarding the concerns of the international community, proceeded to conclude the negotiations on 2 June 1988, **thus** establishing the Convention on the **Regulation of Antarctic Mineral Resource Activities**. Equally regrettable is the rush to open the Convention for signature within a **year**, with **effect** from 25 November 1988.

My delegation's **concerns** are not only **based** on the obvious flaws in the Convention **itself**. Indeed, we are totally opposed to any mineral **Convention** involving **activities** in Antarctica. Therefore, **our** position is that there should

(Mr. Azikiwe, Nigeria)

be a **permanent** moratorium on all mineral **activities** in **Antarctica** because *Of* the **adverse effects** such activities would have on **the Antarctic eco-system and the** entire world

It will be recalled that in its statement on **this** subject on **11 November** 1986, my delegation expressed serious **concern** about the **adverse effects** the proposed mineral activities would have on the **Antarctic environment**.

Although the Treaty **Parties seem** to have recognised the dangers of **any** exploration and exploitation of minerals in the virgin **continent**, they have failed to **address a real** solution to the problem. Their acknowledgment of significant changes in atmospheric, terrestrial and marine environments, **as well as** adverse effects on global **or** regional climate or weather patterns, **can be seen** in the management procedures envisaged in **the Convention**. The solution to those complex problems lies in the non-implementation **of** the minerals **régime**. The flooding of the global oceans **and** seas that could result from the disruption of the ice on Antarctica, which accounts for **over** 90 per cent of global ice, could **be** avoided by ensuring that the ice does not melt through mineral activities. I therefore call *on* the Antarctic Treaty Consultative Parties to *refrain from* signing the **minerals régime** or Convention.

Permit me therefore to reiterate my **delegation's** call for the **establishment** of a United Nations ad hoc committee **to** examine the whole question **of** Antarctica and report to the **General** Assembly taking into account the views expressed by Member States in previous sessions. Similarly, I wish to reiterate our view that efforts should continue to be made to avoid any confrontation on **the subject**. It is our hope that a **consensus** resolution will **be** possible at this session.

(Mr. Azikiwe, Nigeria)

Another serious concern of my delegation regarding the Convention on the Regulation of Antarctic Mineral Resources Activities is its relationship with the activities of the International Sea-Bed Authority as envisaged in the 1982 Convention on the Law of the Sea to regulate minerals development in the sea bed beyond national jurisdiction. The unsettled question of claimant and non-claimant States, together with the Convention on the Regulation of Antarctic Mineral Resource Activities, are in conflict with the requirements of the Convention on the Law of the Sea. Although the Convention on mineral resources seeks to define or determine the "geographical continental shelf" in accordance with Article 76 of the Convention on the Law of the Sea, the fundamental question of ownership of Antarctica remains unresolved. The arguments of "claimant" and "flag" States as they may relate to the Convention on mineral resources are untenable. There is no amount of co-operation with the Convention on the Law of the Sea that will make the Convention on mineral resources acceptable. The only acceptable course of action that could be taken by the Treaty Parties would be measures to ensure non-ratification of the Convention on the Regulation of Antarctic Mineral Resources Activities.

My delegation has repeatedly questioned the rationale for allowing the draft régime in Retoria, which has been suspended from the United Nations, to be a member of an organization made up of Member States of the United Nations.

(Mr. Azikwe, Nigeria)

By several **resolutions**, the **Organization** has **condemned** apartheid South Africa for **its** racist policies. Apartheid has been condemned in several United Nations **forums**. In the **same** vein there have been repeated calls on the racist regime to **renounce** apartheid and to establish a democratic **rule** based on universal adult **suffrage**. My delegation will therefore continue to question racist South Africa's participation in **the** meetings **of** the Consultative **Parties**.

Indeed, at **its** forty-second **session** the General Assembly again adopted **resolution** 42/46 A, and an appeal was made to the Treaty parties

'to **take** urgent measures to exclude the racist apartheid regime **of** South **Africa** from participation in **the** **meetings** of the Consultative Parties at the earliest **possible** date"

and to inform the **Secretary-General** accordingly. My delegation is distressed to note **from** document A/43/565 that no positive action has been taken by the **Treaty** parties in that regard. **We are more** distressed by the maintenance **of** the arguments adduced by the **Treaty** parties in document A/42/587. The principle of **university** in the United **Nations** cannot apply to a regime that **has** been **suspended** from the world body. **Racist** South Africa is a pariah, **and** its present participation in the Antarctic Treaty **System** needs to be redressed for *reasons* I **have** **just** adduced. We appeal once again to the **Antarctic** Treaty Consultative Parties to take the necessary steps to exclude racist South Africa **from** participation in the meetings of the Treaty parties.

Mr. COSTELLO (Australia) : I address the **Committee** today **on** the question of Antarctica on behalf of States Parties to the Antarctic Treaty.

The agenda **item** on the question of Antarctica has been considered by **the** General Assembly **for** the declared purpose **of** serving the **best** interest of **Antarctica**. But that interest is not served **by** attacks **on** the Antarctic Treaty system that is protecting humanity's interest in Antarctica.

(Mr. Costello, Australia)

The Treaty system works, and it works well. It has created a unique system of international **co-operation** in the fields of environmental protection, scientific research and the preservation and conservation of living resources in Antarctica. It has ensured that Antarctica has remained free of political conflict and tension, and it has ensured the complete **denuclearization** and **demilitarization** of the area.

Despite claims to the contrary, there has been no substantial effect on the Antarctic **environment** or living resources as a result of activities undertaken under the Antarctic Treaty. **No** military or nuclear activity has taken place in Antarctica. No activities detrimental to the interests of the international community have taken place in Antarctica.

On the contrary, the recommendations of Consultative Party meetings under the Treaty and the treaties negotiated under it - the Convention on the Conservation **of** Antarctic Seals, the Convention on the Conservation of Antarctic Marine Living Resources and the newly concluded minerals Convention - have built up an effective Protection **régime** for the environment.

The Treaty has developed a legal and juridical system, the Antarctic Treaty system, which is in perfect conformity with international law. As a result of the operation of the Treaty and the Treaty system, Antarctica is the area of the world that best demonstrates the practical realization of the principles and purposes Of the United Nations Charter.

The Treaty has made **a** major contribution to international peace by removing the potential for sovereignty disputes among Treaty parties. The Treaty **has**, in effect, put to one side all disputes about sovereignty.

The Antarctic Treaty and the system it has developed have served humanity well for over a quarter of a century and will continue to do so in the future, as is indicated by the growing participation in it. The **Antarctic** Treaty is open to all Members of the **Organization**. The Antarctic Treaty system is not closed. It is not

(Mr. Costello, Australia)

• **exclusive club.** Since last year's debate Canada has acceded to the Treaty. Any party that undertakes substantial scientific research on the continent will be recognized as having consultative status. In September, Spain and Sweden became Consultative Parties. Other Members of the United Nations, like Peru and Ecuador, are seeking to become Consultative Parties and have submitted a formal notification to that effect in conformity with the Treaty's provisions. Finland has stated its wish to become a Consultative Party.

The Treaty system does not operate in secrecy or isolation. The development of co-operative working relations between the Antarctic Treaty system and other international organizations is increasing every year. Those working relationships have developed into a process of practical co-operation. At the last Consultative Party meeting representatives of the International Union for the Conservation of Nature and Natural Resources and the World Meteorological Organization were present.

The Antarctic Treaty Parties, however, are not complacent about its success. On the contrary, they are continually engaged in efforts to improve the Antarctic Treaty system. In September of this year, for example, the Parties to the Convention for the Conservation of Antarctic Seals met in London to review the operation of that Convention. A number of decisions and recommendations were made with a view to enhancing its implementation.

We have heard, and will hear, in this debate much criticism of the conclusion this year of the Antarctic minerals Convention. Much of that criticism flows from a misunderstanding of the Convention and the way it will operate. We regret that some of those who have sought to condemn the Convention have attributed motives to the Treaty parties that are quite untrue. The negotiation and conclusion of the minerals Convention was in fact the result of the recognition by the Treaty parties that a separate instrument was needed in the Antarctic Treaty system.

(Mr. Costello, Australia)

That recognition **was** based on the need to protect the **Antarctic environment** **should** mineral **activities ever occur**. The Treaty **parties** were **also** concerned that any **minerals activity** in Antarctica could lead to the **resurrection of disputes about sovereignty**, which, **as** I have **noted**, have been **successfully** put **to** one side by the **Antarctic** **Convention**.

It has been **said** in **this debate** that the **minerals** Convention has been concluded with unseemly **haste**. I **wish** to record that the *formal* negotiation **of** the Convention began in June 1982, following adoption of a recommendation to that effect **by** the Antarctic Treaty **Consultative Parties** in July 1981. The **formal process** of the negotiation **of** the Convention, therefore, **took 7 years**. That cannot be regarded, by **any reasonable** standard, as **hasty**.

The Convention **on minerals ensures** that **if minerals activities ever take** place in Antarctica they will do so within a **system** that **protects** the Antarctic from **environmental** threats **and guards against** a revival **of disputes over sovereignty**. It **is** a matter of disappointment to the Treaty parties that their careful and **successful** efforts **to** achieve **those aims** in the **conclusion of** the Convention **have** been **assailed** as efforts **to** damage **the** Antarctic continent, the preservation of which has always been the hallmark and aim of **activities under the** Antarctic Treaty.

May I expand on several **aspects of** the Antarctic minerals **Convention** that have been misunderstood. First, **the** Convention will not **result** in a rush to develop minerals in Antarctica. It **is** most unlikely that extraction of minerals in **the** Antarctic will **take** place **for** the **foreseeable future, not least** because no exploitable mineral **deposits have been identified** in Antarctica. Moreover, the Treaty States voluntarily held **back** on minerals activity in Antarctica while the Convention **was** negotiated. That voluntary restraint will continue pending **timely** entry into force of the Convention. Before that can happen, at least 16 States **will have to have** adhered to **the** Convention.

(Mr. Co8 tello, Aus tralia)

Secondly, the entry into **force of the Convention on minerals** does not mean that whatever mineral **resources** are found in Antarctica can automatically be mined. Every **precaution** will be taken to **ensure** that mineral⁸ exploration and **development, should i t occur** will be **environmentally secure.**

(Mr. Costello, Australia)

After entry into **force** of the Convention, mineral⁸ exploration and **development cannot take place unless a series of positive decisions** are taken, beginning with a **consensus decision** to identify **areas** for **possible** activities.

No exploration and **development may take place** until it **is judged**, after a **comprehensive** environmental and technical **assessment**, to be environmentally **safe**. It **must** follow **specific** criteria and safeguards that **are** among the **most** stringent in any international treaty. Antarctica **is** to remain **closed** to exploration and development **unless a consensus decision is taken** to identify a particular area **at** one in respect of which application⁶ for exploration and development may **be lodged**.

Thirdly, **minerals** exploration and **development** in Antarctica, if it take⁶ place, will **be strictly** controlled ⁶⁰ **at** to protect the environment.

If mineral⁶ exploration and **development should** occur, there are detailed compliance **provisions**. Regulatory committee⁶ will strictly monitor **activities** in area⁶ identified for **possible** mineral exploration and **development**. There are stringent inspection **provisions**. Mineral resource **activities** will **be restricted or** prohibited in part⁶ of Antarctica **of special sensitivity**. Anyone undertaking mineral **resource activities** will **be** under an unqualified obligation to clean up any damage to the Antarctic **environment arising from** that activity, and to pay **compensation** in the event **that restoration is not possible**.

Further **activities** may be suspended if they **cause** or threaten **to cause serious** harm to **the environment** and **are subject** to cancellation if they cannot **be adjusted** to avoid **such** harm.

Those provisions were intended **not** primarily to **exact penalties** after any damage to the **Antarctic environment** has occurred. Their main aim **is** to deter damage to the environment from occurring in the first place.

(Mr. Costello, Australia)

Fourthly, the Mineral 8 Convention perpetuates the **fundamental principle** of the **Antarctic Treaty system** that the **Antarctic** should be an area **consecrated** to **peaceful** activity. The Convention provides for a **comprehensive system** for the **peaceful settlement of disputes**.

Fifthly, reference has been made in **this debate** to the **question of** qualification *for membership* in the Antarctic Mineral Resource **Commission** that will be **established** under the Convention. The **Minerals** Convention is **open** to any party to the Antarctic Treaty, which **itself is** open to all Member **States of our Organization**. **Membership of the Commission** is not **static**. Parties to the Convention may become members of the **Commission** if they **meet** criteria **similar** to **those of the Treaty itself**.

In **summary**, the Antarctic **Minerals** Convention **has** been **designed** to protect the Antarctic **environment** to the maximum extent **possible** and to **ensure** that any permitted mineral **activity takes place** on the **basis of** non-discriminatory **access** and in a **manner** that does not **cause** conflict or discord. Having identified the gap in the Antarctic Treaty **system** concerning minerals activity and the need for an **environmental** protection **régime** should minerals activity ever occur, the Treaty **parties** have moved to fill it with a Convention that **fully** protects the interests of humanity in the preservation of the environment and **peace of** the Antarctic and that **is** fully consistent with the principles **of** the United Nations.

The Treaty parties find it difficult to understand and accept that their conscientious effort should have exposed them **to** the criticism which **has been** made in this debate.

I will not repeat in detail here the other general points **about** the Treaty system that were made **by my** predecessor, Ambassador Woolcott, in previous debates on this **issue**, but I should **like** briefly to update them.

(Mr. Costello, Australia)

We have pointed before to the **extensive** information **that** the Treaty **parties** have provided to the United **Nations** on their **activities**. **Most** recently, **New Zealand** has provided to the **Secretary-General** the **Final Act** and **Final Report** of the **Fourth** Special Antarctic Treaty **Consultative** Meeting **at which** the Antarctic Mineral Convention **was** adopted. The Statement of the Chairman to the **Minerals** Convention Negotiations about the **conclusion** of the Convention has been circulated as a United Nations document.

The Treaty **parties** will **continue** to keep the United Nations informed of their **deliberations**.

The **minerals** Convention continues **its** practice of **co-operation** with the United Nations. It **provides** for extensive co-operation with international **organizations**. The Convention **provides** that the Antarctic Mineral Resources **Commission** shall co-operate with the United Nations **and its relevant specialized agencies**. The Convention **specifically provides for opportunities** for international organizations to **express** views on the **scientific**, technical and **environmental aspects** of Antarctic mineral **resources activities**. The **Advisory Committee** **is** to give advance notice of **its meetings** for that purpose.

Reference has been made in **this** debate to the role of **non-governmental** organizations in the **bodies** set up by the Convention.

The Convention **provides** that the **Commission** may, **as** appropriate, give observer **status** in the **Commission** **as** well **as** in **its** Scientific, Technical and Environment **Advisory Committee** to relevant international organizations, **specifically** including **non-governmental** organizations.

Previously, we have sought to correct the impression that has been **raised** again in this debate that the Antarctic Treaty **is** in **some way** biased **against** the interests of the developing countries. That **is** not the **case**.

(Mr. Costello, Australia)

The **Minerals Convention emphasizes** the interertr of **developing countries**. In the Preamble and a number of **Articles, specific** recognition **is** given to the interertr **of** developing **countries**. It • n8ure8 that there are **opportunities** for **developing** **countrier** to participate in mineral8 **activities** and guarantee8 developing **oountry** **participation** in **regulatory** **activities** **established** under the Convention. In addition, the Convention cannot **even enter** into force **unless** five **of** the 16 **parties** to **it** are developing **countrier** that **are** *Antarctic Treaty* **Conrultative** **Parties**. That **is**, five of the **six** developing **countrier** that **are** **Consultative** **Parties** to the **Treaty** **muot** accede to the Convention **before** it can enter into **force**.

In addition, the Convention provide8 for effective **participation** of developing **countrier** in the **institutions** to **be** created by the **Minerals** Convention, a8 well **as** for their participation in the mineral8 **activities** **themselves** **should** they ever **occur**.

Much ha8 been **said** at the current **session** of the **General** **Assembly** about global **changes** in the **environment**. **Nothing** did **more** to alert humanity to the effects it could be having on that **environment** than the dircovery of the hole in the ozone layer. That **discovery** **was** made **as** a **result** of 30 years' **research** in the **Antarctic** by an individual **nstion** **State**.

A8 a **result** of that dircovery **and** of other threatened change6 to our **environment**, humanity **is** coming **round**, somewhat haltingly **perhaps**, to a belief that it ought **to** predict **possible** **environmental** **effects** **before** anbarking on action that might **adversely** **af** **fect** the environment. The **Antarctic** **Minerals** Convention is the **first** international **treaty** to **make** **mandatory** the **exercise** of such environmental predictive **foreright**. **Again**, the **Antarctic** **Treaty** **system** **has** led the **way** and **it** **ill** **becomes** **some** in our **Organization** to call into **queetion** such **exmplary** care for • **nvironment** **matter8** **as** **har** **been** **shown** by the **Antarctic** **Treaty** **Parties**.

(Mr. Costello, Australia)

We will shortly be voting on draft resolution A/C.1/43/L.82.

Once again, consensus on this issue has evaded Members of the United Nations. We remain at all times willing to seek consensus. But the essential thrust of the draft resolution is unacceptable to the Treaty parties. We cannot accept its implied premise that there is something wrong with the Antarctic Treaty system and that it requires renegotiation. The United Nations system and the Antarctic Treaty system are both systems with their own validity. Once that is recognized, there is no reason why co-operative working relationships should not be further developed to the benefit of both systems.

I repeat the concluding words of my predecessor, Ambassador Woolcott, in last year's debate. Neither the vote nor the adoption of the resolution will in our opinion serve humanity's interest in Antarctica nor affect the continued effective operation of the Antarctic Treaty. That can only be done on the basis of international unity which takes into account the achievements and continuing success of the Antarctic Treaty system.

Mr .SUTRESNA (Indonesia) : five years ago, when the question of Antarctica was first added to the agenda of the First Committee, a number of delegations pronounced themselves on a subject which had previously remained essentially beyond world public attention and interest. Consideration of the item and the debate that ensued rightly focused our attention on the political, juridical, economic and scientific importance of the region and on its wide-ranging and complex **ramif ications** for mankind as a whole. They also evoked an appreciation of the **Antarctic** Treaty system as a unique mechanism for regulating and promoting scientific **co-operation**, resource conservation and environmental protection. Member States readily acknowledged the importance of preserving the values of the Treaty while protecting in perpetuity the larger interests of the international community. As a result, a general consensus has emerged on the need to avert strife and conflict over claims of sovereignty **on** the continent, to preserve Antarctica's **denuclearized** and demilitarized status, to protect its fragile ecosystem from man-made hazards and to ensure that its exploration and exploitation will be consistent with the principles and purposes of the Charter.

However, as we delved further into this issue, there emerged divergences of views and the recognition that in its future development this huge and barely explored continent posed a number of unresolved problems and contained the seeds of potential international discord. It became clear that the present Treaty contained either ambiguities or inherent deficiencies in its structure, scope and decision-making procedures, which have cast doubt on its efficacy in resolving those emerging problems in a manner equitable for the interests of all mankind. Thus, serious misgivings were expressed about the fact that the Treaty conferred special rights and privileges on the Consultative Parties and about its inherently selective and exclusivist nature, as well as about such questions as

(Mr. Sutresna, Indonesia)

accountability, equity and the relationship between the Antarctic Treaty system and the United Nations.

Equally disturbing was the **posture** adopted by the Antarctic Treaty Consultative Parties of remaining ambiguous on the question of the interrelationship between the United Nations Convention on the Law of the Sea and the Antarctic Treaty concerning any future exploitation of resources in the southern ocean.

Compounding all this is the widely held perception that the **régime** as now constituted cannot accommodate the interests and concerns of nations that are not Consultative Parties. Indeed, States that are not Antarctic Treaty Consultative Parties have rarely been allowed to play a meaningful role in the region's institutions, which raises questions about safeguarding the larger interests of mankind.

Nowhere is this more pronounced than in the negotiations on the establishment of a minerals **régime**. Indeed, the exclusion of the vast majority of States from that endeavour justifiably caused **serious** misgivings as to the conduct and aims of the Consultative Parties. Our **skepticism** was all the greater in the face of the assertion by Antarctic Treaty Consultative Parties **that** such a **régime** was of little consequences allegedly because the mineral **deposits** were few and because, in any event, their extraction was technologically unfeasible for now. That, **however**, was not corroborated by the unseemly haste with which the negotiations were concluded last June, presenting us with a fait accompli.

Although paying lip-service to the interests of the international community as a whole and to taking account of the special situation of developing countries, the Convention on mineral resources appears to reject the principle of equitable sharing of resources for all mankind. Mineral activities will be conducted within

(Mr. Sutresna, Indonesia)

the framework of the **Antarctic Treaty, and only** members of the "club" will be **allowed** to engage in exploration, which rejects **the** participation and involvement of all developing **countries. Exclusion of States not Antarctic Treaty Consultative Parties** from the **institutions** of the **régime** for mineral **resources is** unacceptable to **us, as it is** to a large majority of **nations.**

It **is** ironic that a part of the world often **regarded as** a model for **international co-operation** may turn into a **source** of international friction. We **therefore regret** the decision by the **Consultative Parties to spurn** the **General Assembly's** call for a moratorium on the negotiations until **such time as** all members of the international **community** could participate effectively in the **elaboration** of a **régime.** Such **actions** are incompatible with the **wishes** expressed by the international community, and **constitute a major obstacle** to a **consensus** decision.

Another area of potential contention is the question of the **relationship** between the United Nations Convention on the Law **of the Sea, to which more** than 150 **nations are** signatories, and the **Antarctic Treaty, as regards sovereignty, jurisdiction and** dispute settlement, **as well as** the role of the International Sea-Bed Authority in **any** future exploitation of **resources in** the marine **areas** of Antarctica. **As** an archipelagic **State,** Indonesia attaches importance to the **sanctity of** the Convention, and will **oppose** attempts to superimpose the Antarctic Treaty **on** any of its **provisions, so that** would erode the authority and inviolability of the Convention **as a whole.** In that context, some of the **areas** that need elaboration and clarification are the **delineation** of **respective** jurisdictions, the clarification of legal principles involved, and the **question at what point** the **jurisdiction of** the Treaty over maritime **resources** ends and that of the Sea-Bed Authority begins.

With regard to **the deterioration** of the **atmosphere over Antarctica, satellite observations** have confirmed that the ozone layer over that continent plunges to

(Mr. Sutresna, Indonesia)

dangerously low levels for about a month every year, ridding off a frantic search for a scientific explanation. That phenomenon has become more pronounced in recent years, causing serious concern among scientists, who believe that the Earth's protective layer of ozone is being destroyed more quickly, with potentially disastrous consequences. Measures that may be taken by the Antarctic Treaty nations cannot ensure co-ordinated international action to protect the atmosphere and avert the risks for life on Earth. In fact, an international conference, held at Montreal last year, was able to reach only a limited agreement to freeze and eventually reduce the use of a certain category of chemicals: chlorofluorocarbons.

My delegation regards participation by the outlaw racist régime of South Africa as a Consultative Party to the Antarctic Treaty as utterly repugnant and calls for South Africa's exclusion from the meetings of Treaty parties.

In those circumstances, there is an imperative need to strengthen the provisions of the Antarctic Treaty in a manner that would be more equitable with respect to the concerns and interests of all States. This is all the more urgent at a time when the Antarctic régime is at a crossroads.

Given those overriding considerations, the fundamental questions to be answered are these: How can the vast majority of States play a meaningful role in Antarctic activities and fulfil the conditions for becoming Antarctic Treaty Consultative Parties without paying the prohibitively high price, which requires substantial scientific programmes and investments to establish a research station on the continent? What are the practical modalities for wider global participation in decision-making on such activities? How can we ensure that the Antarctic Treaty system is in fact operating for the benefit of all mankind, and thereby preserve the stability of the region?

(Mr. Sutresna, Indonesia)

The answers we fashion to those questions will carry with them far-reaching implications, not only for the region but also beyond it. Indeed, the dynamic processes under way in the region call for innovative approaches to overcoming the challenges to our shared objectives in Antarctica.

(Mr. Sutresna, Indonesia)

If our goal is the democratization of the Treaty through greater international co-operation in its functioning, it is essential that we seek viable answers to these core issues. With a view to contributing to our deliberations, my delegation would like to advance some suggestions whose implementation would enhance and safeguard the collective interests of all States in the further exploration and exploitation of Antarctica.

First, non-consultative parties should be accorded a genuine role in decision-making within the framework of the present arrangements. This would increase confidence in the Treaty and thereby strengthen the system as a whole.

Secondly, the Antarctic Treaty Consultative Parties should seek the participation of all relevant United Nations specialized agencies and non-governmental organizations in order to encourage their input and to draw upon their expertise. This is particularly relevant with regard to environmental, meteorological and other scientific research, which is increasingly turning to global, interdisciplinary studies requiring co-ordination with international organizations and institutions engaged in similar activities in other parts of the globe. In fact, there is a compelling need for an organic link between those organizations and the activities of the Antarctic Treaty Consultative Parties.

Thirdly, scientists from developing countries should be provided with opportunities to participate in research programmes, including the sharing of expertise as regards specialized equipment and logistical support in setting up their Antarctic programmes. This would go a long way towards removing the aura of exclusivity surrounding the present activities.

Fourthly, a non-exclusive, nondiscriminatory and internationally acceptable régime for mineral and other resources should be established. This would provide for an equitable management and sharing of benefits for all mankind, and ensure the maintenance of peace and security in the region.

(Mr. Sutrisna, Indonesia)

Firstly, the United Nations should be allowed to assume its irreplaceable role as the unique multilateral framework for dealing with the complex issues attendant upon the Antarctic. The proposal to invite the Secretary-General to all meetings of the Treaty Parties should be viewed in this context.

My delegation believes that the implementation of those proposals would enhance the credibility of the Antarctic Treaty and the oft-repeated profession of its members that it is indeed an open and transparent system. So far, the Antarctic Treaty Consultative Parties have not shown themselves ready to address purposefully the misgivings and concerns of the non-Treaty nations. We therefore hope that they will seriously reassess their policies and contribute towards strengthening the system so as to render it accountable and hence acceptable to the community of nations.

It is self-evident that flexibility on the part of the Antarctic Treaty Consultative Parties will be a sine qua non for broad international co-operation and thereby ensure the future stability of Antarctica. Such a manifestation should provide tangible proof of their intention to reach consensus, which has eluded us during the past three sessions. Consequently, in expressing our support for draft resolution A/C.1/43/L.82, we urge the Consultative Parties to reconsider their position and to respond positively to the legitimate interests of the international community.

Mr. KOTEVS KI (Yugoslavia): Since we first began to consider the question of Antarctica many delegations have voiced their opinion on various aspects of this important issue. The very fact that it is being considered in our Organization is proof of its global nature. My delegation is deeply convinced that, since Antarctica is significant for the world at large, the interests of the entire international community in it, and the realization and protection of those interests, can best be achieved through the United Nations.

(Mr. Kotevski, Yugoslavia)

The imperative of the present-day world is the strengthening of international co-operation. On the one hand, we must preserve the achievements made so far and build future action upon them. On the other hand, we must seek to achieve a joint approach to all the challenges we face and search for solutions acceptable to all. On this basis, Yugoslavia considers that the validity of the Antarctic Treaty - the system established in 1959 - is of particular importance, even though it is the product of a smaller number of countries. The provision that Antarctica shall be used for peaceful purposes only and that any measures of a military nature there shall be prohibited is also exceptionally important. In addition, efforts to preserve the exceptionally sensitive ecological system in Antarctica should be supported, as should other provisions that permit its use exclusively for peaceful purposes. In our view, no action by the international community should result in weakening the existing agreements, which have so far withstood the test of time.

However, important aspects of co-operation in Antarctica, such as the question of natural resources, have not been included in the agreement. The fact that the Antarctic Treaty has left aside the question of territorial sovereignty - that is, from the legal point of view, Antarctica is res communis omnium - clearly indicates that there is no international legal basis for the exploitation of natural resources by individual States or groups of States.

In this context it is important to point out that numerous resolutions of the General Assembly, particularly those adopted at the last two sessions, emphasize, inter alia, the need for full information to be given to the Secretary-General by the Antarctic Treaty Consultative Parties on all aspects relating to Antarctica. The resolutions also call for participation by the Secretary-General or his representative in the meetings of the Consultative Parties, including negotiations on a mineral régime, and Antarctic Treaty Consultative Parties are requested to

(Mr. Kotevski, Yugoslavia)

impose a moratorium on negotiations to establish this régime. Unfortunately, there has been no adequate **reaction to these requests** made by the **vast** majority of the **members of the General Assembly**.

Moreover, not only have Antarctic Treaty Consultative Parties not responded to the **requests of the international community, but they have proceeded to adopt, in June this year, without broader consultations, the Convention on the Regulation of Antarctic Mineral Resource Activities.**

In our opinion, **such a régime should** have been elaborated within the United Nations, no matter when the **use of natural resources** would be **possible** - all the more **so since Antarctica is** invaluable for **the whole world, considering its** exceptionally **great influence on the climate, its abundant flora and fauna and its** mineral **resources.** In **this context,** we point out the conclusion of the recent Conference of Foreign **Ministers** of Non-Aligned Countries, held in **Nicosia.** The **Ministers considered that**

"this development could make more difficult efforts at a **consensus on this issue** at the United Nations General Assembly and expressed the hope that all **States** would resume **co-operation** on and participation in the United Nations General Assembly debate on **this** item, with the purpose of coming to an understanding on all **aspects** concerning Antarctica within the framework of the United Nations **General Assembly".** (A/43/667, p. 51, **para. 183**)

We cannot accept exclusiveness in the treatment of **these issues.** Such an approach cannot be interpreted as other than discrimination in the international community, which **is** thereby denied the legitimate right to **consider** and participate in the elaboration of the future legal **régime** which **is** important and of interest to the entire international **community.** The latest practice - the Treaty governing the Moon and outer **space** and, particularly, the Convention on the Law of the Sea - has

(Mr. Kotevski, Yugoslavia)

shown that **on** questions **of common** interest we must **seek** solutions **acceptable** to all **countries**.

My delegation therefore believes that in considering **this very** sensitive **and complex subject** we must make further efforts **to** deepen the **constructive** dialogue within the United **Nations** aimed at promoting co-operation in **Antarctica** and at consolidating all positive **aspects** of the present **régime** and bridging the **existing** differences. **Nobody** should feel threatened by that - least of all the Antarctic Treaty **Consultative Parties** - since **our** interest is not **divisiveness, but, rather,** the establishment of a point of **convergence** and **the** promotion **of closer co-operation** between the system **established** by the Antarctic Treaty on the one hand and the United Nations on the other, in accordance with the **long-term** interests **of** the international community **as** a whole.

The CHAIRMAN: This afternoon **we** shall hear the remt **of** the speakers on **this** item **and** then take action on draft resolutions **A/C.1/43/L.82** and **A/C. 1/43/L. 83**.

The meeting rose at 11.50 a.m.