UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

FIRST COMMITTEE
41st meeting
held on
Tuesday, 20 November 1990
at 10 a.m.
New York

VERBATIM RECORD OF THE 41st MEETING

Chairman: Mr. Rana (Nepal)

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Distr. GENERAL
A/C.1/45/PV.41
26 November 1990
ENGLISH

90-63250 3249V (E)

The meeting was called to order at 10.50 a.m.

AGENDA ITEM 67 (continued)

QUBSTION OF ANTARCTICA: GENERAL DEBATE, CONSIDERATION OF AND ACTION ON DRAFT RESOLUTIONS

Mr. JAYASINGHE (Sri Lanka): My delegation fully endorses the statement made by the representative of **Malaysia,** who is the co-ordinator of the group of non-aligned countries which submitted the draft resolutions on the question of Antarctica.

In addition to what has already been stated, **my** delegation wishes to submit a few comments reiterating its basic views on this important question. Our fundamental concerns are based on two premises, namely the principle involved in the question of Antarctica and the practical difficulties occasioned by the present arrangement for the management of Antarctica. The principle we would like to uphold in the management of Antarctica is the principle of universality. The commitment to this principle is prompted by the firm belief that Antarctica remains a territory where no particular legitimate territorial rights have been conferred **on** any individual State by the community of nations.

The practical difficulties concern us since the activities in Antarctica will have repercussions not only on that continent but on the entire globe. On both these counts we firmly believe 'that the governing of Antarctica should **be** the inalienable right of the international community as a whole. The principle of universality is well entrenched and respected in the practice of international relations. **In** particular, we in the United Nations are the custodians and the promoters of this cardinal principle. It is not necessary for my delegation to go into lengthy detail to prove to this Committee the importance of adherence to this principle,

(Mr. Jayasinghe, Sri Lanka)

The other aspects of my delegation's concerns are the adverse effects on the global environment that have been identified as a result of the increased human activities on that continent. Disposal of various chemicals, toxic gas and other refuse, changes in the climatic conditions, disturbances caused to the natural habitat, over fishing and mushrooming of research stations are some of the activities that aro threatening the fragile balanoe of Antarctica in an alarming way. Once this balance is disturbed, the repercussions have terribly adverse effects on other parts of the globe. This aspect wan dealt with very eloquently by the representative of Malaysia in his statement.

In spite of the repeated requests of an overwhelming majority of Member States, the Parties to tha Antarctic Treaty have failed to take any meaningful steps to remove borne of the built-in drawbacks of the Treaty with a view to putting an end to its exclusivity. If the parties are genuine in their desire to broaden the base of the management of Antarctica, they should take appropriate action to eliminate the provisions that have closed the door to a majority of Member States. To encourage gradual progress towards this end, the sponsors and those Member States that rupported the draft resolution on the question of Antarctica proposed a series of measurer. For instance, there draft resolutions called for inviting the Secretary-General of the United Nations or his representatives to the meetings of the Treaty Parties. It was alsu suggested that the Secretary-General of the United Nations be made the depositary of activities relating to Antarctica. However, the Treaty Parties have failed so far to accede to there requests, thus reaffirming their reluctance to broaden the bare of the management of Antarctica. In this forum they continue to'decline to participate in an exchange of views, which is a matter of greet regret.

(Mr. Jayasinghe, Sri Lanka)

We welcome the proposal of Australia and France to declare Antarctica a wilderness park, which would minimise the risk Of threatening the safety of this fragile continent through the undertaking Of mining and Other activities. This proposal, prompted by the discovery that the convention on mining in Antarctica has several flaws, is a typical example of the ill effects of the exclusive management of Antarctica.

As members of the Committee are aware, the decision to establish the minerals régime was taken in defiance of the overwhelming view of the international community that the Parties should refrain from adopting such a régime. If the international community as a whole had been involved in this decision, my delegation is confident that such a decision would never have been taken. However, we are glad that some Treaty Parties themselves have discovered the inadvisability of such a project. The democratisation of the management of Antarctica is the key to avoiding such ill-conceived projects in the future.

My delegation would also like, at this stage, to offer a few comments on draft resolution A/C.1/45/L.64, on the question on Antarctica, the prime purpose of which is to exert continued pressure on South Africa, in the hope that it will eventually abandon the abhorrent policy of apartheid. Here again, irrespective of repeated requests by a large number of States, we have not succeeded. My delegation is aware that in recent months the South African régime has taken some encouraging steps, suggesting that it may eventually agree to dismantle apartheid in South Africa. However, these measures are still far short of the expectations of the majority of the South African people and of the international community as a whole. The discriminatory policy of apartheid remains very much in place. As long as this discrimination continue8 to shock the civilized world we have to work resolutely towards dismantling it. With this in mind we are requesting the

(M t .)

Antarctic Treaty Parties to take urgent measures to exclude the racist régime of South Africa from participation in the meetings of thr Consultative Parties at the earliest possible date.

We are working in a new international ryrtem, where the actors *are* more and more inclined to uphold reason and to co-operate with each other in an impartial manner on the basis of justice and fairness. We can only *strengthen* this system *by* barring our actions on merit and moral convictions. As in the case of many other issuer before us, if that yardstick is applied in the care *of* the question of Antarctica, it is my delegation's belief that the two draft resolutions *before us* will be adopted by consensus in the First Committee and pave the way *for* the establishment of a truly international management system for dealing with Antarctica - a ryrtem which takes into aacourt the collective interests of the international community, from which *mankind* will benefit immensely,

M r . (Nepal)I wish to state that my delegation associates itself fully with the detailed statement made by the representative of Malaysia in the First Committee on this item yesterday.

At its forty-fourth session the General Assembly once again *failed,* for the fourth time in succession, to reach a consensus on the question of Antarctica. The debate on the item war alro once again marked by the non-participation of States parties to the Antarctic Treaty ryrtem. Despite this lacuna, the debate last *year* focused *on* the concern over the protection of the *fragile* environment and atmosphere of Antarctica.

(Mr. Sharma, Nepal)

There is today a growing awareness of the climate and ecosystem. The continent of Antarctica is serving as a crucial area in our continuing efforts to understand such phenomena as global warming and the ozone layer. Scientists and enviroamentalists have stressed the vital obligation to protect the natural environment of Antarctica and its associated and dependent ecosystem. They have produced convincing arguments that Antarctica should be preserved from development as the last continent that has not been substantially altered by human activities.

The adverse impact of the limited but uaco-ordinated human activities to date oa the Antarctic environment has been well documented. It is therefore uaderstaadable that the adoption in 1988 of the Convention oa the Regulation of Antarctic Mineral Resources Activities in open disregard of a General Assembly appeal for a moratorium oa a mineral régime aroused deep apprehension.

Paced with an almost global outcry over the prospect of mineral activities in Antarctica, the Antarctic Treaty Consultative Parties have taken pains to argue that the Convention does not open the continent to uaregulated mining and development of oil resources. They also point out that it does not presume that mining or oil extraction will definitely take place. The Consultative Parties also argue that the Coaveatioa is a landmark in the evolution of environmental law sad that its environmental provisions are uaique in their vigour and coatent.

These arguments have, however, failed to coaviace scientists and enviroamentalists. Indeed, there is today an almost uaiversal consensus that implementation of the Coaveation will encourage a destructive development of Antarctica. According to a recent story in The New York Times, Will Martia, Director of the Wildaerness Society's Antarctica Project, believes that the exploitation of the Antarctic's mineral wealth will produce catastrophic damage to its environment from facilities, towns, roads, airstrips, waste disposal facilities and spills.

(Mr. Sharma, Nepal)

During the debate on this item last year, my delegation expressed regret at the apparent fait accompli presented by the Consultative Parties in adopting the Convention. We are, however, encouraged to note that *several* of the Antarctic Treaty Consultative Parties are now having serious second thoughts on the wisdom of bringing the *Convention* into force. We in particular welcome the announcements in this regard by Australia, Belgium, France, Germany, India, Italy *and* New Zealand. *We* weloome the initiative8 taken by Australia and *France* for a comprehensive environmental convention including the designation of Antarctica as a "natural reserve/land of science". We sincerely hope that the special session of the Antarctic Treaty Consultative Parties meeting in Santiago will give serious consideration to the proposal made by the Foreign Minister of Australia in his statement in the General Assembly this year for the establishment of a far-sighted, comprehensive environmental protection régime to guarantee, *once* and for all, the permanence of Antarctica's uniquely fragile and irreplaceable *environment.*

The withdrawal of rupport for the Convention by some Consultative Parties has hopefully made this agreement a dead letter. The Congress of the United States has also thrown its weight behind this important move by adopting two Bills opposing ratification of the *agreement.* This will go a long way in promoting international efforts to preserve Antarctica as a global ecological commons.

My delegation regrets the rejection by the Consultative Parties of the call to declare Antarctica the common heritage of mankind, as the international community har rightly done in the case of oceans *and* outer space. Such a step has the full endorsement of the Non-Aligned Movement and the Organisation of African Unity, The pivotal influence of Antarctica on the world climate and *in* influencing oceanic current and atmosphere is now well known. We cannot. accept that the activities of a privileged few should set in motion irreversible and adverse climatic changes

(Mr. Sharma, Nepal)

affecting the whole world. Only by designating Antarctica as the common heritage of mankind can the world climate be considered as part of mankind's common heritage. We are happy that the issue is an important part of the process preparatory to the 1992 World Conference on Environment and Development.

It is unfortunate that, despite the numerous resolutions of the General Assembly, the Consultative Parties cc-tinue to treat Antarctica as the exclusive privilege of a few. We regret that the Consultative Parties have also continued to ignore the wishes of the overwhelming majority of Member States of the United Nations by refusing to invite the Secretary-General or his representative to meetings of the Consultative Parties, including the special session now under way in Santiago. As the organization with almost universal membership, it is only logical that the United Nations should be a party to any activity on Antarctica.

My delegation also finds it completely unacceptable that the racist minority régime of South Africa should continue to he granted Antartic Treaty Consultative Party status. We reiterate our call for the immediate expulsion of South Africa from Antarctic Treaty consultative meetings, which would reflect the universal rejection of the ahorrent policy of apartheid.

My delegation wishes to place on record its appreciation of the several positive features of the Antarctic Treaty. We support the setting aside by the Treaty of the differences among States over the existence of territorial sovereignty in Antarctica. The Treaty has made Antarctica the world's first nuclear-weapon-free zone. It guarantees freedom of scientific research in the continent, prohibits all military activities and nuclear explosioas, and the dumping of radioactive wastes there. The Treaty System also includes major agreements to conserve and protect the environment and living species in Antarctica. The seed is to expand the system by making it universal and by making

(Mr. Sharma, Nepal)

the United Nations the repository of all information on Antarctica. As President Gorbachev said in his address to the Global Forum on Environment and Development for Survival in January this year,

"Our grandchildren will never forgive us if we fail to preserve this phenomenal ecological system".

We also welcome President Gorbachev's announcement that the Soviet Union stands ready to join the programme for creating a life support system for Antarctica, a nature preserve that belongs to the world and is our common laboratory.

Mr. SAVUA (Fiji): The evolutionary progress we have seen in the attempts by the Antarctic Treaty Consultative Parties to heed international concerns about the protection of Antarctica should be commended. While it is still too early to note these moves being manifested in greater congeniality and co-operation, the outlook appears promising. The symbiotic dependency that mankind has with Antarctica is now so well researched and documented that the preservation of the continent is critical for the survival of future generations. Yet despite these shifts in understanding and awareness, we have yet to witness a substantial thaw in attitudes that can result in harmonising the two schools of thought vis-à-vis the Antarctic Treaty with the United Nations system.

At this session of the General Assembly, the Secretary-General's report contained in two documents (A/45/458 and A/45/459) cover a mere four pages and expound on the views of the Antarctic Treaty Parties with respect to the Secretary-General's note of 19 March 1990. May we again note that they are conspicuous by their brevity.

(Mr. Savua, Fiji)

The invitation contained in the report for States Members of the United Nations to participate in research work by acceding to the Antarctic Treaty would have been laudable if it were not for the fact that participation is accompanied by tha obligation substantially to contribute financially or in kind, an obligation most Members of the Organization would not be able to meet irrespective of how many ways they can reschedule and rearrange their financial priorities. Hence the Antarctic Treaty is discriminatory, as it places a divisive line between consultative and non-consultative parties of the Treaty membership. While we accept the principle that one must be prepared to pay one's way, we also believe that it should be possible to devise a system of r-presentation and consultation that is fairer, less exclusive and more democratic than the existing one.

My delegation rupportn the argument that the best way the Antarctic Treaty can serve the hopes and safeguard the interest8 of all nations is for *it to* be placed under the United Nation8 system. Only in this way can the last *virgin* continent on Earth be protected by the combined goodwill *of* all peoples, instead of being tied to the dictates of the 25 Antarctic Treaty Consultative Parties. The General Assembly's annually reiterated call on the Antarctic Treaty Consultative Parties to invite the Secretary-General or his representative to their meetings is in our viow a means by which the proceedings can be disseminated as broadly as possible by *an* internationally credible office. We again join others in expressing regret that no such invitation has been extended.

One of the current major concerns facing Antarctica is the dilemma as to whether it should become an internationally protected world park or be opened for commercial exploitation, albeit at a future time. The welcome change of heart by Australia and France to depart from past policy and instead transform the continent into a world park should receive wide support. Such a park should be protected by

(Mr. Savua, Fiji)

a convention on environmental safeguards, which would regulate all aspects of human activity and forbid the exploitation of Antarctica's natural resources of oil and minerals.

While the view may be held that a pollution-free Antarctica is wanted together with a useful Antarctica, this can only hold true if the usefulness excludes exploitation. The threats to the Antarctic environment even now are of a magnitude that has caused considerable alarm to non-Treaty States and other environmental organisations. These threats were set out in some detail by the representative of Malaysia in his statement yesterday. To this we would like to add that, despite the safeguards imposed by a minerals convention and an accompanied moratorium, we have yet to be convinced that any form of exploitation, be it exploratory or otherwise, will not pollute or affect the fragile ecosystem of Antarctica, just as we have yet to be convinced that you can make an omelette without breaking an egg.

At present, we are told that there is only an iaformal gentlemen's agreement among Treaty members to refrain from exploration. It then follows that having a set of rules like the minerals convention is better than no rules at all. We believe that this is all the more reason why the Antarctic Treaty should be placed under the United Nations system, where truants can be faced with world-wide condemnation instead of an apology for breaching a set of agreements for an exclusive group of privileged members. We hope that when the thirtieth anniversary of the coming into force of the Antarctic Treaty is reached on 23 June 1991, a consultative party will deem it appropriate to call for a review to discuss the growing international concern for the continent and perhaps accede to the calls of the majority and make participation and consultation less prohibitive and exclusive.

The ecosystem and future of Fiji and other small low-lying South Pacific and Indian Ocean island nations is inextricably linked to that of Antarctica, We would

(Mr. Savua, Fiji)

be one of the first to he affected by any Significant change in the Antarctic environment. Cur concerns regarding global warming and the rise in sea-level and the dangers of not bringing ozone-depleting chemicals under control have often been mentioned in many international forums. The declaration of the South Pacific nuclear-weapon-free zone was a means of extending the Antarctic nuclear-weapon-free zone to its contiguous neighbours. It is our earnest hope that the plight of the highly ecologically vulnerable island States in the Pacific and Indian Oceans can be taken into account.

In their note to the Secretary-General contained in document A/45/459, the Antarctic Treaty Parties state:

> "The Antarctic Treaty Parties are aware of the need for concerted international action to protect the Antarctic environment from external environmental disturbances which could accelerate serious global environmental change. " (A/45/459, para. 4)

While we wish to applaud this statement, it is also our hope that this awareness is not expressed in isolation to satisfy the few, but is, rather, accompanied by an obligation to be held accountable to an increasingly wider circle that would embrace the whole of mankind.

The meetina rose at 11.15 a.m.