



VERBATIM RECORD OF THE 47th MEETING

Chairman: Mr. BAGBENI ADETO NZENGEYA (Zaire)

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**QUESTION OF ANTARCTICA: GENERAL DEBATE AND CONSIDERATION OF AND ACTION ON
DRAFT RESOLUTIONS (continued)**

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 70 (continued)

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

Mr. JACOBS (Antigua and Barbuda): The question before this Committee is one of vital importance to the entire international community. I have circulated a draft resolution the principles of which I firmly believe in. I am convinced that the approach that we should take in this matter should be one of negotiation and not one of confrontation. I have therefore decided to withdraw my draft resolution, but I wish to remind the Committee that I firmly believe in the principles enunciated in my draft resolution.

Mr. KIBIDI (Zaire) (interpretation from French): My delegation wishes to speak on agenda item 70, the question of Antarctica, to emphasize the importance we attach not only to the equitable division of responsibility between all States with regard to the activities and problems connected with Antarctica, but also to make it clear that it is essential that all States Members of the United Nations take part in the exploitation of the continent's resources.

For some years there has been a major controversy over the Antarctic Treaty, which concerns a region that, because of its geographical location, its nature and its scientific characteristics, is of prime importance for the planet's ecological balance. The Treaty, which came into being in 1959, initially had only 12 signatories. Today, after 27 years, it has 18 Consultative Parties and 12 non-Consultative Parties. The difference between the Consultative and the non-Consultative Parties is that the decision-making power belongs to the Consultative Parties.

The Treaty, which brings together a strange mixture of industrialized countries of differing ideologies, has so far functioned as a closed club, claiming that it is universal and that it is intended to promote the progress of all mankind. But those are only claims, which must be justified.

The supporters of the Treaty told us last year that it had had great successes; its achievements had included

"the preservation of peace and harmony in Antarctica for a quarter of a century; the establishment of Antarctica as an effective, functioning, nuclear-weapon-free zone; the prohibition of any measures of a military nature; the promotion and dissemination of important scientific research and co-operation in the interests of all mankind; the protection of the environment; and the promotion of active co-operation with international organizations." (A/C.1/41/PV.51, p. 12)

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If no one could in good faith challenge those results, the questions that must then be asked are why there still continues to be such a small number of signatory States, why there is discriminatory treatment, making some States Consultative Parties and others non-Consultative Parties, and why there are so many conditions based on criteria of technological performance, wealth and power. In reality, all of those are simply pretexts hiding the ambitions of a handful of States bent on sharing exclusively among themselves the wealth of Antarctica, in the way that the European Powers divided the wealth of the African continent in the last century.

The reality behind the high-flown phrases, which might move simple souls, is that there are ambitious projects to appropriate the mineral wealth to be found in Antarctica. The devising of a régime to deal with Antarctica's mineral resources is a good illustration of that.

It may therefore be said that the Treaty was created in order to serve the purposes of some industrialized States, and it is therefore easy to understand their refusal to participate in the voting on draft resolutions submitted by Member States during the last two sessions of the General Assembly. It is even easier to understand their desire to seek consensus at all costs, when they well know that that can be achieved only in certain defined circumstances.

The debates on Antarctica in the First Committee over the past two years have, unfortunately, perpetuated the division between States, particularly with regard to a possible Antarctica mineral resources régime that might take into account the interests of the international community as a whole and with regard to a moratorium on negotiations on establishing such a régime until all the members of the international community can participate fully in the negotiations, pursuant to General Assembly resolution 41/88 B. Nor has there been consensus on draft

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resolutions to exclude South Africa from participating in scientific activities in Antarctica and as a Consultative Party.

In the light of those fundamental differences, Zaire resolutely supports the ideas advocated by the majority of Member States, which call for the participation of the whole international community in negotiations on the mineral resources of the Antarctic and the unconditional exclusion of South Africa from the Treaty, in order to try to harmonize the views of the industrialized States parties to the Treaty and those of the other members of the international community.

Zaire believes that the participation of all States in the vote on the draft resolution on Antarctica would not only meet ethical and moral needs, but would also meet the legal obligations of all States deriving from their adherence to the United Nations Charter, one of whose fundamental principles is respect for human rights. Many countries draw a distinction between scientific and political activities. However, South Africa has made apartheid a guiding principle of its national policy towards the black people of that country. The United Nations has clearly expressed its disapproval of that abominable policy, which it regards as a crime against humanity, and South Africa has been suspended from taking part in the General Assembly's work. Those are sufficient grounds for calling on all Member States to regard South Africa as not being worthy to take part in any international scientific activity involving the United Nations. Any other action would simply be veiled complicity or hypocrisy.

Is there any need to recall the resolution of the Council of Ministers of the Organization of African Unity at its forty-sixth session, or the relevant paragraphs of the Political Declaration adopted at the Summit Conference of the non-aligned countries, held at Harare from 1 to 6 September 1986?

(Mr. Kibidi, Zaire)

One thing is quite clear - that Antarctica is the common heritage of mankind, and therefore no treaty, no group of States, can arrogate to itself the right to appropriate it, to the detriment of the vast majority of States making up our Organization.

Moreover, my delegation believes that the Secretary-General should receive from all Member States all the information he needs, in accordance with the provisions of the Charter, to provide objective information to all States about what is happening in the Antarctic.

Nevertheless, my delegation is pleased with the reports, documents A/42/586 and Corr.1 and A/42/587, submitted by the Secretary-General on this important issue, and we congratulate him on having made available to the international community a set of data that can give it valuable guidance in taking decisions involving the United Nations.

In conclusion, we reaffirm the role of the United Nations in harmonizing relations between States on the basis of the principles of peace and international economic and scientific co-operation, particularly with regard to Antarctica, the common heritage of mankind. We therefore hope that there will be consensus on all the draft resolutions.

Mr. MOYO (Zimbabwe): Mr. Chairman, my delegation has already had occasion to congratulate you on your election to the chairmanship of this important Committee. At this stage we wish to express our total satisfaction with the able manner in which you have guided our deliberations. Furthermore, we assure you of our continued co-operation in the business ahead.

(Mr. Moyo, Zimbabwe)

The question of Antarctica is an important one for my delegation, as it is, I am sure, for all the delegations represented here. However that may be, my delegation deems it important to reiterate at the outset the reasons why we regard the issue as pivotal for the future organization of international relations. Clearly, all delegations see the issues at stake differently, and it is their prerogative to do so.

Certain circles have witnessed the onward march of technology and from it have concluded that Antarctica's resources are about to become exploitable. Proceeding from that premise, they view the increased international interest in Antarctica as essentially the question of sharing Antarctic resources. This view is reinforced by the frantic efforts of the Antarctic Treaty Consultative Parties to elaborate a minerals régime for the region. In view of the fact that any of Antarctica's resources are likely to be raw materials that, for the third world, will probably depress commodity prices even further, this is an understandable concern. For my delegation, however, that concern, while important in itself, is secondary. To us, the question what is to be done with Antarctic resources is secondary to the question who has the competence to decide that question, who shall have the final say with regard to questions concerning Antarctica.

My delegation also regards the question of Antarctica as important because, the Antarctic Treaty notwithstanding, the region remains a potential arena for conflict. The Antarctic Treaty got off the ground not because it solved the burning questions about Antarctica, those relating to claims, sovereignty and resource exploitation, but because it expediently swept those questions under the carpet. It was the non-resolution of such sticky issues that made the Antarctic Treaty possible at all. Now, as technological advance brings the exploitation of Antarctic resources near, those hidden skeletons will be unearthed. Issues long hidden will come to the fore, and there is no indication that the Antarctic Treaty

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is well placed to solve them. We have been informed that the Antarctic Treaty may not be perfect but that it is the best we have - the only game in town, so to speak. The absence of open dispute among the Antarctic Treaty Consultative Parties on Antarctic issues has been cited as evidence of this. My delegation would submit that we do not know everything that occurs behind the closed doors of the meetings of the Consultative Parties, and what we do know is, for that matter, not a picture of perfect harmony.

Moreover, it also appears that two reasons having nothing to do with the efficacy of the Antarctic Treaty have contributed to what harmony does exist among the Consultative Parties. First, by ignoring contentious issues, the Treaty made possible a minimal functional harmony. With the onward march of history and the technological revolution, these essentially political questions will beg more and more stridently for answers. The second reason, in the view my delegation, is the beleaguered feeling of the Antarctic Treaty Consultative Parties because of our debates. The Consultative Parties feel compelled to hide their differences and to stick together precisely because the rest of the international community is knocking at their door demanding admittance to their exclusive club. It is not clear to my delegation that, if such adhesives were removed, the Consultative Parties would really form the harmonious club they would have us believe they do.

My delegation's quest for the internationalization or, if you like, the universalization, of the management of Antarctica is essentially a matter of principle. In our statement last year on this same issue, we made our point clear. We do not believe that the interests of all mankind are best served in Antarctica by making the management of the area the exclusive preserve of a few countries. We do not believe that international peace and harmony are best served by a Treaty that ignores pressing political questions and makes a virtue of trashing the essential premise on which international society is currently

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organized, which is the principle of the sovereign equality of States. We cannot accept in this day and age the principle of Big Brother, who treats us as children to be seen and not heard and who tells us that Big Brother knows best what is good for us. What is happening in Antarctica is not any form or process of international management, but an instance of joint colonialism more than a quarter century after the United Nations outlawed that practice. If it were a case of responsible international management, there would be no strident refusal in this Chamber to allow all other States to be heard on the issue, or even merely to allow the chief executive of the Organization, the single universal forum we have, to be present, representing the whole of mankind, at meetings of the Antarctic Treaty Consultative Parties.

My delegation is not saying that the Antarctic Treaty is without its merits. Certainly the provisions of article I of the Treaty enjoy immense sympathy in this Chamber. We all subscribe to the view that Antarctica should be forever used exclusively for peaceful purposes. We all appreciate the provisions that the continent should remain non-militarized and the actual evidence that this has, in fact, been the case. Yet those successes of the Treaty should not blind us to its shortcomings. The principle of universality that underpins the United Nations is not adhered to in this case. The qualifications for becoming a Party to the Treaty are so very far beyond the capabilities of the bulk of States as to be absurd. Moreover, they were arbitrarily drafted by the original States Parties with the intention of excluding the majority of States from the management of Antarctica.

For my delegation, the qualifications for becoming a Consultative Party to the Antarctic Treaty are not serious. We are told that the Antarctic environment is fragile. One of the consequences of that fragility is that the environment should not be burdened with too many stations and with scientists criss-crossing the landscape, digging and taking samples. Yet the requirement for qualifying for

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status as a Consultative Party calls for precisely such a development, encouraging the more than 150 States Members of this Organization to set up stations in Antarctica. Their views are to be heard and they are to be allowed to participate in the international management of the continent. This is inconsistent with the Treaty's other provisions on preserving the Antarctic environment and the region's ecology. It becomes clear that were all States to qualify under the present requirements, other grounds for the exclusion of the majority of States would have to be found, a task at which the present Consultative Parties have proved themselves singularly adept. Thus the present requirements for Consultative Party status must be seen for what they are - as disqualifying clauses to membership in an exclusive club.

The question of Antarctica is important to my delegation because of its unique definitional potential for the future of multilateralism. On the one hand, leaving it under the management of a handful of States would trash such fundamental principles of international organization as the principle of universality, the principle of the sovereign equality of States and the principle of global commons. That would create a basis for undermining the present order to a heretofore unknown degree.

On the other hand, Antarctica provides an arena for international co-operation that is also heretofore unknown. It is a matter of common knowledge that the States Parties to the Antarctic Treaty have not allowed events in Antarctica to be linked to any difficulties between them elsewhere. In war and in peace the Antarctic Treaty Consultative Parties have acted as one when it came to this issue. The extent and intensity of the scientific co-operation between them in the region is exemplary. With just a minor push, such co-operation can be broadened to include the entire international community. In its submission to the Secretary-General's study on the question of Antarctica, my Government mentioned

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this prospect. We noted the advisability not merely of national scientific expeditions which then exchange their findings but of joint expeditions by nationals of different countries. To say that that is impossible is to suffer from a lack of political imagination. The human will is indeed capable of greatness. The current co-operation between the scientists of the Consultative Parties is itself an indication of this. In any event, once the case for 150 different expeditions rampaging in Antarctica is seen to be untenable on environmental grounds, it seems that there is no alternative to this course in the long run, for, with the onward march of technology, we too shall get there. It would be much better were foresight to take pride of place over nationalism. Imagine what impact such co-operation in Antarctica could have on multilateralism elsewhere in the world.

Having said that, my delegation wishes to comment on the discussions we are having here in the First Committee. As with all international questions, this issue needs to be fully explored here. If we all saw the issue in the same way, there would be no need for further discussion. We would simply proceed to implement whatever it is that we agreed upon. That, however, is clearly not the case. What we expect, therefore, is merely mutual understanding and a genuine effort to see each other's point of view. That is the only basis on which genuine progress is possible.

(Mr. Moyo, Zimbabwe)

All of us know that, on this as on most other issues, the best way to proceed is by consensus. Those of us not represented in the Antarctic Treaty have made major efforts to proceed in this manner. However, just as it takes two to tango it takes two to compromise. Unfortunately, in recent years our choice seems to have been limited to either having no consensus at all or having a consensus about nothing. This is a very unfortunate development, which we sincerely hope will not be repeated this year.

Although we started from the strongly held view that Antarctica was the common heritage of mankind, we now ask merely for the absolute minimum - which we hope all members of the Committee will be able to support. We do not believe it is too much to ask that the Secretary-General be invited to meetings of the Antarctic Treaty Consultative Parties and the minerals régime negotiations. We do not believe it is too much to ask that the Antarctic Treaty Consultative Parties 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. We do not believe it is too much to ask that the apartheid régime of South Africa, whose practices the General Assembly has termed a crime against humanity, should be excluded from participation in meetings of the Antarctic Treaty Consultative Parties. Those are modest demands. We sincerely hope that the other side will reciprocate in a similar constructive spirit.

Mr. ADEYEMI (Nigeria): My delegation is distressed at the refusal of the Antarctic Treaty Consultative Parties to work towards the achievement of consensus on the whole question of Antarctica. I note from the Secretary-General's report in document A/42/586 and Corr.1 that the Treaty Parties base their participation in the deliberations on this subject on a precondition, namely, the principle of consensus. Regrettably, experiences in the course of negotiations at this session have shown that one concession has led only to demand for another by the Treaty

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Parties. We find it rather puzzling to comprehend a peculiar principle of consensus, which is invariably translated to mean concessions by only one side - by that I mean those outside the Treaty system. If there is a desire to underscore the consensus principle as the basis for the General Assembly's consideration of the question of Antarctica, it is only fair and proper that concessions on the question be made reciprocal. It is my hope that the Treaty Parties will demonstrate the spirit of give and take in subsequent consideration of and negotiations on this subject.

The international community has repeatedly questioned the rationale of the original 12 signatories which gave birth to the Antarctic Treaty Consultative Parties. For our part, my delegation upholds the "common heritage" concept on the subject of Antarctica. Consequently, my Government will continue to advocate co-operation with a view to working out arrangements acceptable to all Member States for placing the administration of Antarctica under an ad hoc committee of the United Nations, pending the establishment of a permanent body under United Nations auspices to administer the virgin continent. At this juncture it is only pertinent to sound a note of warning: unless the legitimate interest of the international community in the matter is respected, the administration of Antarctica cannot be free of conflict.

We submit that the current conditions for admission into the Treaty system are discriminatory. The two-tier structure of the Treaty Parties itself further complicates an already precarious and delicate arrangement for the administration of Antarctica by the Antarctic Treaty Consultative Parties. This is typified in the ongoing negotiations for a mineral régime for Antarctica. Besides the wide gaps between the claimant and non-claimant States, there are sharp divergences of views between the technologically developed members of the Antarctic Treaty Consultative Parties and its less developed or developing members - commonly

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referred to by some scholars of the Treaty system as the "LDCs amongst the ATCPs". Situations such as the aforementioned, which are a common feature in various administrative machineries of the Antarctic Treaty system, not only point up the deficiencies of the system but also amply vindicate the widespread demand for administration of the frigid continent by a designated United Nations body.

The proposed mineral régime for Antarctica is a subject of serious controversy. Beside the controversies reflected in my earlier comments, there is the very serious and fundamental question how the proposed régime will relate to the United Nations Conference on the Law of the Sea and the future International Sea-Bed Authority. The areas that constitute "various disputed zones" include the Antarctic Convergence, which comprises the outer zone of the Antarctic Treaty system; the Antarctic Continental shelf; and the Antarctic Treaty Area, on which lie the marine areas of Antarctica, which also include three groups of islands subject to conflicting claims of national sovereignty. My delegation has difficulty in understanding how the Antarctic Treaty Consultative Parties can lay claim to sea bed or ocean floor beyond the limits of national jurisdiction. It is our contention that the International Sea-Bed Authority's high-seas jurisdiction cannot be rejected by the Antarctic Treaty Consultative Parties.

The proposed mineral régime also contravenes the principle that Antarctica should be protected and preserved for the benefit of all mankind; its delicate ecosystem should be protected from any human destructive interference. Another argument in favour of the preservation of the frigid zone is the danger to which coastal inhabitants could be exposed as a result of human interference with the waters of Antarctica with their inevitable adverse impact on ocean currents world-wide. Indeed, the position of the Heads of State or Government of the Organization of African Unity is that:

(Mr. Adeyemi, Nigeria)

"Antarctica should continue for ever to be used exclusively for peaceful purposes and that it should not become the scene or object of international discord".

That further substantiates the widely accepted "world park option for Antarctica

Moreover, the proposed mineral régime is conspicuously devoid of any environmental protection body corresponding to the requirements of international environmental organizations. Consequently, there are no proposals for any environmental impact assessment. Identification and determination of appropriate protection measures for specific areas are similarly not being given any serious consideration by the Treaty Parties. The primary objective of the Antarctic Treaty Consultative Parties seems to be the economic benefits to be derived from drilling and mining Antarctica's rich mineral resources, without due cognizance of the hazardous impact on the ecosystem of the virgin continent. My delegation therefore lends support to the international call for the suspension of negotiations on the proposed mineral régime for Antarctica.

My delegation has repeatedly emphasized that racist South Africa's membership of the Antarctic Treaty Consultative Parties raises very serious political questions. The majority of the Members of this Organization have repeatedly condemned apartheid and advocated majority rule in South Africa.

(Mr. Adeyemi, Nigeria)

Since the suspension of apartheid South Africa from the United Nations, there have been mounting pressures at various national levels for the racist régime to renounce apartheid and establish a democratic government. The democratic future of South Africa is now a subject of serious debate. These are positive developments in the peaceful process to end apartheid. My delegation will therefore continue to ask why South Africa should be allowed continued participation in the meetings of the Consultative Parties if their participation in various United Nations forums has been declared repugnant and obviously undesirable in view of the present racial discrimination and apartheid in South Africa.

Resolutions 40/156 C of 16 December 1985 and 41/88 C of 4 December 1986 were specific on the continued participation of South Africa in the meetings of the Consultative Parties. Paragraph 2 of resolution 41/88 C, for example, appealed to the Treaty Parties "to take urgent measures to exclude the racist apartheid régime of South Africa from participation in the meetings of the Consultative Parties at the earliest possible date". From the information contained in document A/42/587, we note that South Africa is still being allowed to participate in the meetings of the Consultative Parties in blatant defiance of the wishes and valid aspirations of the entire international community.

My delegation is not aware of any theory or concept of selective democratic practices. It is difficult to understand how majority rule can be advocated for one set of people and not for others. Belief in democracy should be universal and not selective. Consequently, any form of connivance to perpetuate minority rule in South Africa should be viewed as a disservice to humanity. We similarly regard it as a calculated insult to the intelligence of States in my continent and of others in the progressive world.

(Mr. Adeyemi, Nigeria)

The various arguments of the Treaty Parties adduced in the above-mentioned report of the Secretary-General on this subject make interesting reading for anyone going through the document. The principle of universality in the United Nations does have obvious similarities to majority rule and can never be synonymous with minority rule or total exclusion of the majority of the population, as is the case in South Africa. Minority rule can never be synonymous with the theory of universality. The present status of South Africa in the Antarctic Treaty system, evidently a monstrosity within the system for obvious reasons, now needs to be redressed. We appeal once again to Member States, particularly those known to be champions of the cause of democracy, genuine freedom, peace, justice and equality, to support the international community in this regard.

Mr. JOSSE (Nepal): This is the fifth consecutive year that the General Assembly is giving consideration to the question of Antarctica. In the past two years consensus has eluded the General Assembly on its resolutions dealing with Antarctica. Further, while last year's debate on Antarctica in the First Committee was marked, unfortunately, by non-participation of the States Parties to the Antarctic Treaty, it took place against the background of the submission by the Secretary-General of a substantial study on the question of Antarctica pursuant to General Assembly resolution 40/156 of 16 December 1985. Another positive feature of the 1986 debate was the increase in the number of Antarctic Treaty Parties voting on the draft resolution to exclude the racist Pretoria régime from meetings of the Antarctic Treaty Consultative Parties, even while refusing to participate in the voting on the other two draft resolutions on Antarctica.

My delegation detects a distinctly disturbing ambience of retrogression on the part of the Antarctic Treaty Parties. This is evidenced by their reluctance to co-operate more fully and freely with the international community in providing

(Mr. Josse, Nepal)

information on matters relating to Antarctica. This is more than evident in their skeletal communication to the Secretary-General, contained in documents A/42/586 and A/42/587 of 30 September 1987, submitted pursuant to the relevant resolutions on Antarctica adopted last year. It is even more manifest in their negative attitude with respect to the minerals régime negotiations. In this context, I should like to recall that one important difference between the General Assembly resolutions on Antarctica of 1986 and 1985 is that the former included a call for a moratorium on the minerals régime negotiations "until such time as all members of the international community can participate fully in such negotiations". The answer to that reasonable appeal was, it seems, the injection of a new intensity and speeding-up of the negotiations.

Thus, apart from the two quiet rounds of Antarctic minerals régime negotiations in 1986, at Hobart and Tokyo respectively, another round was held this May at Montevideo. From international media reports, it would appear that another round is scheduled to be held at Wellington in May of next year, at which time such a minerals régime may be adopted. In any case, it is quite apparent that the whole effort of the Antarctic Treaty Consultative Parties is to present a fait accompli on a minerals régime before 1991, when there may be a review of the Antarctic Treaty.

Much the same thought comes to mind with respect to the delay in making available to the Secretary-General, for timely circulation to Member States, a report on the Fourteenth Antarctic Treaty Consultative Meeting held at Rio de Janeiro last month. From non-official sources, we are given to understand that that Meeting had been scheduled to consider, inter alia, the declassification of documents from the Fourth, Fifth, Sixth and Seventh Antarctic Treaty Consultative Meetings, as well as improvements in making available current information on Antarctic Treaty system developments to the United Nations system.

(Mr. Josse, Nepal)

It is clear from what I have stated, and from the debate on this item in 1986, that the Antarctic Treaty Consultative Parties are not prepared to allow universal participation in the emergent minerals régime. This is, of course, because they do not accept that Antarctica - the last frontier on earth - should be treated as the common heritage of mankind.

(Mr. Josse, Nepal)

Yet it is crystal clear that no other approach can be considered acceptable if the Antarctic is not to become the scene or object of international discord. My delegation is aware that while article IV of the Antarctic Treaty reserves both claimant and non-claimant positions on Antarctica, the crucial question of sovereignty has not been solved but only held in abeyance. In other words, the possibility of Antarctica's becoming the scene or object of such discord has hardly been permanently defused.

So far as my delegation is concerned, we cannot accept the suggestion that a principle applied so enthusiastically and universally in negotiations leading to the United Nations Convention on the Law of the Sea and to the outer space Treaty should not be applied to Antarctica, the world's seventh continent and the largest one not permanently inhabited.

This is also implicit in the report of the World Commission on Environment and Development, introduced in the General Assembly not long ago by Her Excellency Mrs. Gro Harlem Brundtland, Prime Minister of Norway, which classifies Antarctica, together with the oceans and outer space, as a common concern of mankind. Thus, although the Commission did not make a judgement on the status of Antarctica, since that was outside its terms of reference, it stated in its report that

"During the forthcoming period of change, the challenge is to ensure that Antarctica is managed in the interests of all humankind, in a manner that conserves its unique environment, preserves its value for scientific research, and retains its character as a demilitarized, non-nuclear zone of peace."

(A/42/427, chapter 10, para. 83)

In the view of my delegation, the management of Antarctica in the interest of all mankind obviously is possible only if the principle of the common heritage of mankind is observed. Given the acknowledged role of Antarctica in global

(Mr. Josse, Nepal)

atmospheric and oceanic circulation and world climate, is it legitimate to deny that the "common heritage of mankind" principle should apply in Antarctica, just as it does with respect to our oceans and to outer space?

The answer, we believe, was provided by His Excellency Mr. Maumoon Abdul Gayoom, President of the Maldives, who in his recent moving address to the General Assembly pointed to the cause-and-effect relationship between the depletion of the stratospheric ozone layer and the rise in the earth's temperature, leading in turn to greater melting of polar ice-caps and to a rise in world sea level. Given the established depletion of the ozone layer over Antarctica, the so-called ozone hole, it is clear that the fate of the Maldives too is environmentally linked with Antarctica. For, as President Gayoom reminded us, a mean sea-level rise of only two metres would suffice virtually to submerge his entire country of 1,190 islands. That, of course, is only one example of how what is happening in or around the Antarctic, or what may happen there in the future, can affect even countries far away from that continent.

My delegation is therefore even more convinced than ever before that there should be a moratorium on minerals-régime negotiations until such time as all members of the international community can participate fully in such negotiations, and especially in the evaluation of the impact of the exploration for and exploitation of Antarctic minerals on the world's oceans and climate.

Accordingly, my delegation reiterates its unqualified support for the relevant paragraphs of the Political Declaration adopted at the eighth non-aligned summit Conference, held at Harare last year, and of the 1985 declaration of the Organization of African Unity summit, stating that Antarctica is the common heritage of mankind.

(Mr. Josse, Nepal)

My delegation would like to reiterate also that there are some positive elements in the Antarctic Treaty system. We are most appreciative of the fact that it has achieved the denuclearization and demilitarization of a large strategic land-mass the question of sovereignty over which remains unresolved. We are conscious that it has assisted in the promotion of scientific co-operation and research in some areas, including that of the continent's fragile ecosystem and flora and fauna. While aware of an expansion in the system's membership since its establishment in 1959, we cannot applaud the fact that under criteria established by its original 12 founding members, most States Members of the United Nations, including Nepal, would be denied participation in its decision-making process.

That is all the more unacceptable because the racist régime of Pretoria continues to be an Antarctic Treaty Consultative Party. We therefore call once again for the exclusion of that hated régime from Antarctic Treaty Consultative Meetings.

My delegation also urges once again that, in keeping with the interest of all mankind in Antarctica, the United Nations should be made the repository of all relevant information on Antarctica and that, to that end, the Secretary-General should have a greater role, or an institutionalized role.

My delegation has traditionally had high regard for consensus on questions as important as that of Antarctica. While we are prepared to contribute towards that end, we cannot compromise on the fundamental concept of Antarctica as the common heritage of mankind, or on the need for the expulsion of the racist Pretoria régime from the Antarctic Treaty system.

Mr. DJOKIC (Yugoslavia): The question of Antarctica has been considered by our Organization for a number of years, which proves its importance and the the interest of States Members of the United Nations in participating on an equal footing in the consideration of all aspects of the problem and in the quest for appropriate solutions. The importance of the question was also pointed out by the Foreign Ministers of non-aligned countries at their recent meeting at New York, when they reiterated once again

"the significance of Antarctica to the international community in terms, inter alia, of international peace and security, economy, environment, scientific research and meteorology, and the recognized interest of mankind as a whole in Antarctica." (A/42/681, para. 97)

My delegation would like to emphasize again at this time that all countries have a legitimate right to participate in the consideration of all questions that are of global importance for the international community. The question of Antarctica is certainly one of these, because of its significance for the environment, climate, science and, potentially, the world economy.

(Mr. Djokic, Yugoslavia)

The importance of the Antarctic Treaty is denied by no one. The provisions that, inter alia, envisage that Antarctica shall be used for peaceful purposes only and that any measures of a military nature there shall be prohibited are as extremely important now as they were when the Treaty was adopted. Equally important are the provisions relating to the need to preserve the exceptionally sensitive ecological system in Antarctica and to ensure the use of Antarctica exclusively for peaceful purposes. It is therefore beyond any question that all the values of the Antarctic Treaty should be preserved and the provisions on the régime contained therein strictly complied with.

At the time of its adoption the Antarctic Treaty did not, nor could it, envisage and determine the framework for all forms of possible co-operation on the continent. This is particularly true of the exploitation of natural riches. The area is full of possibilities for developing broad international co-operation in which all countries, within the limits of their possibilities, should participate on a footing of equality.

The fact that, from the legal point of view, Antarctica is res communis omnium clearly means that there are no property rights on it accepted as such by the international community.

The Antarctic Treaty Consultative Parties continue to discuss actively among themselves the legal régime on the exploration and exploitation of mineral resources of Antarctica. These negotiations involve a relatively small number of countries. It is hard to accept that only the parties to one treaty can, and should, make agreements on such important questions as that of Antarctica, since a significant part of the international community is thus denied the possibility of participating in the elaboration of the future legal régime in this important area.

(Mr. Djokic, Yugoslavia)

Yugoslavia considers that the United Nations provides an appropriate framework for reaching agreement on the régime for the exploitation of minerals in Antarctica, and that such agreements should be sought, regardless of whether there exist real possibilities at present to proceed towards exploitation of the natural resources of the continent.

We therefore do not concur with the opinion that the very consideration in the United Nations of these and other issues concerning Antarctica would represent a violation of the established system on the continent. The real basis for compromise and co-operation cannot be bias and exclusiveness. Respect for the interest of other parties is indispensable, since it is only on a generally acceptable basis that satisfactory solutions can be found.

Yugoslavia is in favour of having the United Nations kept fully and regularly informed of all activities on Antarctica. In this regard, we have noted certain positive signs, reflected in a greater readiness on the part of States Parties to the Treaty to forward information on some of their activities. At the same time, however, it is obvious that they maintain their selective approach. We consider that all countries that are not parties to the Treaty should be kept abreast of all aspects of the ongoing activities and co-operation in Antarctica of the States Parties to the Treaty, particularly their negotiations on the mineral régime. We also consider that the United Nations should be the place to which all information on possible exploitation of the natural riches of Antarctica will converge, where it will be analysed and from where it will be made available to all interested users.

In this context, the Secretary-General's report (A/42/586 and Corr.1) is a useful document, which should provide a better insight into the activities related to Antarctica.

(Mr. Djokic, Yugoslavia)

This session gives us yet another opportunity to conduct an open and constructive dialogue with a view to achieving an agreement by all countries on the promotion of co-operation in Antarctica and, ipso facto, on the reaffirmation of all the positive elements of the current régime. This should not be perceived as detrimental to anybody's interests, least of all the interests of the States Parties to the Antarctic Treaty. In the long run, our common interest is to create a basis for the establishment of closer co-operation between the system created by the Treaty and the United Nations system, for this is the best way to ensure further strengthening of comprehensive international co-operation in Antarctica and full respect for the legitimate rights of all countries.

Mr. KIILU (Kenya): I wish first to express our appreciation to the Secretary-General for his updated report on the question of Antarctica contained in A/42/586 and Corr.1. The report is a solid foundation upon which this year's debate can be conducted on an agreeable basis for the achievement of a genuine common understanding of the issues related to the question of Antarctica.

For several years since the thirty-eighth session of the General Assembly, when this question was first inscribed on its agenda, a number of delegations, including my own, have addressed themselves to the scope of obligations and undertakings assumed in the 1959 Antarctic Treaty, which designated the area south of 60 degrees south latitude exclusively for peaceful purposes. It is widely recognized that the Treaty, among other things, prohibits any measures of a military nature and imposes a ban on nuclear explosions, whatever their nature, and a ban on the disposal of radioactive waste material, thus giving the region an appreciably important demilitarized status. The arms-control purpose of the Treaty, closely linked with the other objectives, truly establishes a foundation for international co-operation in scientific investigation in Antarctica, for

(Mr. Kiilu, Kenya)

protection of its unique environment and for averting discord over territorial claims.

The central issues that need to be debated exhaustively are the non-democratic nature of the decision-making system for Antarctica and the negotiation of a universalized mechanism that would enable all nations to share in the benefits to be derived from Antarctica, both now and in the future.

Perhaps before I address myself to the two issues I should state that my country recognizes the contribution which the Treaty makes to the encouragement of scientific co-operation in studies ranging from the impact of environmental change on mankind to research on sea-bed minerals, which has been enormous notwithstanding the fact that it has been carried out through the guarded courtesy of the Antarctic Treaty nations.

The non-democratic nature of the decision-making system for Antarctica explains many issues. It is evident that the Treaty has an extremely bad record with regard to its capacity to attract new members. Since 1959 there have been only 32 signatories, of which 18 are European nations, 6 Asian nations and 6 Latin American nations, together with the United States of America and racist South Africa. Membership with consultative status is restricted to the rich nations, those with the capacity to undertake scientific expeditions in the region. Thus the Treaty maintains a two-tier membership system of Consultative Parties and non-Consultative Parties. The Consultative Parties, as the Treaty core, reserve to themselves the right to determine policies, while the rest remain peripheral to the system.

(Mr. Kiilu, Kenya)

Even the right to suggest a review mechanism can be exercised only by the Consultative Parties. This two-tier membership is extremely discriminatory and promises no gain to new signatories. As the present régime has this weakness, there is a need for the international community to address itself to the issue in order to give it a universal character. In the meantime, pending consultations, my delegation supports the proposal that the Treaty Parties should be called upon to invite the Secretary-General or his representative to all meetings of the Treaty Parties, including Consultative meetings, and to the mineral régime negotiations. We also support the proposed international legal régime for Antarctica, in which all States Members of the United Nations will be represented, as is the case with the International Sea-bed Authority, with its enterprise system.

Regarding the working out of an acceptable arrangement to universalize the distribution of benefits accrued from Antarctic resources, several factors must be recognized. First, Antarctica is mankind's last remaining treasure-trove apart from deep-sea resources. With regard to deep-sea resources, the concept of the common heritage of mankind has received enormous international support, but it remains unacceptable in the case of Antarctica. Secondly, since Antarctica is the coldest, highest and most wind-blown continent, containing 90 per cent of the world's ice and 2 per cent of the world's fresh water, any significant disturbance of its fragile ecosystem would upset the delicate balance of the world's weather patterns. The impact of Antarctica on world ecology is a matter of concern to the whole world. It has also been established that any uncontrollable exploitation of krill, which forms a vital link in the protein-rich food-chain system in the area, could be hazardous to the world.

Of immediate concern to the world is Antarctica's potentially inexhaustible resources, including hydrocarbons, coal, uranium and base metals. At present,

(Mr. Kiilu, Kenya)

there is an underlying current of disbelief or skepticism with regard to the technical or economic feasibility of exploitation in Antarctica and a need for more stringently evaluated economic guidelines agreed upon by the entire international community. Perhaps, recognizing the collective responsibility for the protection of the environment in view of the question of exploitation and exploration rights, the club members will be persuaded to negotiate with the rest of the world community a treaty on the regulation of all activities on the continent of Antarctica.

Finally, my delegation regrets that the racist apartheid régime of South Africa has continued to participate in the meetings of the Consultative Parties to the Antarctic Treaty, despite various appeals and resolutions calling for the exclusion of that obnoxious régime from such meetings. We find it difficult to comprehend the reluctance of the Consultative Parties to its expulsion, when it is so apparent that the interest of the racist régime of South Africa in Antarctica is due to its propinquity, enhancing its situation with the United Nations, from which it has been suspended. In this connection my delegation would wish to reiterate its appeal to the Consultative Parties to take urgent measures to exclude the racist apartheid régime of South Africa from participation in the meetings of the Consultative Parties at the earliest possible date.

The CHAIRMAN: We have just heard the last speaker on the list for this morning's meeting. Before adjourning the meeting, I would like to inform the Committee that the following delegations are scheduled to speak at this afternoon's meeting: Morocco, Cameroon, Bangladesh, Indonesia, Australia (who will speak on behalf of the New York Group of the Antarctic Treaty Parties), Bhutan, Trinidad and Tobago, Malaysia and Zambia.

(The Chairman)

I would like also to inform you that once the list of speakers for this afternoon's meeting is exhausted, the Committee will proceed to take action on the draft resolutions that have been submitted under item 70.

The meeting rose at 11.35 a.m.