



General Assembly

Distr.
GENERAL

Vol. III

A/39/583 (Part II)/Corr.1
3 December 1984

ORIGINAL: ENGLISH

Thirty-ninth session
Agenda item 66

QUESTION OF ANTARCTICA

Study requested under General Assembly resolution 38/77

Report of the Secretary-General

PART TWO

Views of States

Volume III

Corrigendum

At the request of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland, pages 97 to 99 of document A/39/583 (Part II), volume III, should be replaced by the text set forth below.

49. UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

[Original: English]

[30 May 1984]

1. The Government of the United Kingdom has given careful consideration to the Secretary-General's request made pursuant to General Assembly resolution 38/77 of 15 December 1984, which was adopted by consensus. It is pleased to reiterate its willingness to lend its full co-operation to the Secretariat in the task laid upon it by resolution 38/77, as has already been conveyed to the Secretary-General by the Permanent Representative of Australia to the United Nations acting on behalf of the Consultative Parties to the Antarctic Treaty. 1/ The Government of the United Kingdom is conscious of the careful distinction made in the drafting of resolution

38/77 between its paragraph 2 and paragraph 3. It considers this distinction to be both politically and logically sound, and stands ready to respond in the same spirit of co-operation to any subsequent requests of a more specific or detailed character that the Secretary-General might wish to make in the light of progress in the preparation of the study.

I. THE STUDY

2. At the present preliminary stage, the criteria for determining the contents of a comprehensive, factual and objective study on all aspects of Antarctica, as requested by the General Assembly are not yet established. The onus for deciding what material should be offered to be taken into account in the preparation of such a study therefore lies to a large extent with those States that have substantial quantities of primary factual information at their disposal. The magnitude of the burden increases in proportion to the length of time a State has been actively involved in Antarctica, and the nature and scope of the activities undertaken or regulated by it there.

3. The United Kingdom was the first State to become involved in Antarctica with the voyage of Captain Cook in 1772-1775. British expeditions were the first to circumnavigate the globe in high southern latitudes; they established that the Antarctic continent, if such existed, was a frozen waste and dispelled the then current myth of a temperate inhabited land. The United Kingdom shared with Russia the achievement of first discovering the Antarctic continent (1820), was the first to proclaim possession of Antarctic lands, was the first to undertake the regulation of Antarctic activity by means of the application of territorial sovereign rights, was the first to undertake large-scale scientific research in Antarctica and has carried on organized multidisciplinary research longer than any other State on a continuous basis (since 1925 with a four-year gap during the Second World War).

4. Thus the information available to the United Kingdom that is or could be germane to the proposed study is, indeed, massive, and the need for selection is all the more necessary. No one person or even a small group of people have at their fingertips all the knowledge and information that is required. The preparation of the United Kingdom's response to the Secretariat necessitates the co-ordination of the efforts and expertise of a large number of people, some of whom are not in the Government service. Against that background the first step of the United Kingdom authorities, in responding to the Secretary-General's letter of 8 February 1984 has been to develop an expanded framework, set out below, for the preparation of its contribution. The completed contribution will be made available to the Secretary-General at the earliest opportunity, but this is unlikely to be before 1 June. 2/

II. EXPANDED FRAMEWORK FOR THE UNITED KINGDOM CONTRIBUTION

5. The United Kingdom's contribution is to be in three parts:

A. Supply of published material relevant to the scientific, legal, political and resource aspects of the study;

B. Factual information specially collated for the purposes of the United Kingdom's contribution to the study, covering:

- I. The physical setting;
 - II. History;
 - III. Scientific research in Antarctica;
 - IV. The resources of Antarctica;
 - V. The economics of Antarctic resource exploitation;
 - VI. The Antarctic environment;
 - VII. The Antarctic Treaty system;
- C. United Kingdom views based on A and B.

A. Published material

6. The following categories of published material are to be provided to the United Nations Secretariat:

(1) A chronological list of Antarctic expeditions and historical events (this work is in preparation, covering the activities of all nations during the period A.D. 650 to 1983-1984, consisting of about 2,000 entries and relevant indices);

(2) British scientific publications (by example, discovery investigation reports, British Antarctic Survey Scientific Reports and Bulletin) depending on availability;

(3) British legal documentation (for example, constitutional documents relating to the British Antarctic Territory, published diplomatic correspondence relevant to the territorial dispute between the United Kingdom, Argentina and Chile);

(4) British documentation relevant to the Antarctic Treaty system (for example the United Kingdom Government White papers).

7. The chronological list referred to in subparagraph (1) above will provide a historical framework for the published material referred to above and for the appreciation of where British activities, over the years, fit into the general scheme of Antarctic activities on a continent-wide basis.

B. Factual information specially collated for the purposes of the United Kingdom's contribution to the study

8. General Assembly resolution 38/77 calls for a comprehensive, factual and objective study on all aspects of Antarctica. There can be many views as to what should be included in the study to fulfil that term of reference. Against the background of the vast amount of material that is available, a degree of selection at the national level is unavoidable. For this purpose, appropriate experts are being asked to contribute to a factual compilation describing what Antarctica is, what has happened there, what its resources are, what are the possibilities of exploitation, environmental constraints, and the relevant administrative background. It will concentrate on British contributions and British activities. At the same time, it should help in the process of building up a comprehensive, factual background against which future policy decisions over Antarctica can be judged in a reasonable manner. This factual compilation is being organized under the chapter headings I to VII described below.

I. The physical setting

9. Any appreciation of Antarctica, from whatever standpoint must be firmly grounded in the physical realities of the continent, its off-lying islands and the seas surrounding it. Recognition of the isolation of Antarctica, its hostile environment and the constraints it places on human activity are essential prerequisites to an understanding of what has happened there and what the future of Antarctica may be. The description of the physical setting will be broken down as follows:

1. Physical geography:

- (a) Setting of the Antarctic in the world as a whole; palaeogeography;
- (b) Climatology and weather;
- (c) The oceans south of the Antarctic convergence:
 - (i) Water masses;
 - (ii) Circulation;
 - (iii) The major embayments, Weddell and Ross seas;
 - (iv) Sea ice distribution and icebergs;
- (d) Antarctic glaciology; a three dimensional description of the Antarctic ice sheet;
- (e) Ice free areas:
 - (i) Coastal;
 - (ii) Nunataks.

2. Geology:

- (a) Palaeogeology: break-up of Gondwanaland;
- (b) Known geology of continent and islands;
- (c) Inferred sub-glacial geology;
- (d) Known and inferred geology of continental margin.

II. History

10. Early activities in Antarctica were characterized by strong competitiveness which, in turn, gave rise to political tensions. The claim of the Antarctic Treaty system to recognition as a valuable contribution to world peace lies in its demonstrated capacity to replace such tensions with international co-operation while allowing for and channelling international competitiveness into fruitful paths. That this should have happened was against the political odds at the time and an understanding of it requires that the history of Antarctic events be told in some detail. The history of the Antarctic and, more specifically, the part played by Britain in it, will be broken down as follows:

1. History of exploration:

- (a) Myths to 1916;
- (b) Inter-war years;
- (c) 1943-1958;
- (d) The International Geophysical Year (IGY);
- (e) 1959 to present.

2. History of exploitation:

- (a) The sealers, late eighteenth century to 1830;
- (b) Sealing and whaling, late nineteenth century to 1929;
- (c) Palagic whaling, 1926 to present;
- (d) Recent developments, post 1969, finfish and krill.

3. Political history:

- (a) Late eighteenth and nineteenth centuries;
- (b) Assertions of territorial sovereignty;

- (c) Sovereignty disputes;
- (d) Attempted solutions to the "Antarctic problem":
 - (i) Tripartite naval declarations;
 - (ii) International arbitration;
 - (iii) Condominium proposal;
- (e) Gestation of IGY; gentleman's agreement on sovereignty;
- (f) Lead-in to Antarctic Conference, 1959;
- (g) Negotiation of Antarctic Treaty;
- (h) Development of Antarctic Treaty system, 1961 to present:
 - (i) Antarctic Treaty recommendations;
 - (ii) Other agreements.

III. Scientific research in Antarctica

11. Even from early days, scientists have traditionally taken an attitude towards the polar regions, both Arctic and Antarctic, which emphasized co-operation rather than competition. The first and second International Polar Years (1882-1883 and 1932-1933, respectively) provide evidence for the polar regions being looked upon by scientists as areas where scientific investigation presupposed the development of international co-operation. In these first two Polar Years, the objective was to achieve some understanding of the characteristics of the polar regions in their own right. Not until the planning of the third Polar Year in the early 1950s did it become apparent that what was needed was not only a study of the polar regions for their own sake but the integration of that study into a study of the planet as a whole. Thus did the third Polar Year become the International Geophysical Year of 1957-1958.

12. Out of the IGY came some indication of the value of Antarctic studies to an understanding of global processes as a whole as well as a treaty régime which encouraged the further pursuit of those studies on the basis of international co-operation. Since then scientific co-operation has been the hallmark of the Antarctic as a field of human endeavour. A much deeper understanding has been achieved of the importance of Antarctic studies to an understanding of global processes and to what is happening elsewhere in the world. Since the increase of scientific knowledge has been by far the predominating influence in Antarctica over the last quarter-century, it commands a place of some prominence in national contributions to the United Nations study.

13. In an important sense it is necessary to view Antarctic science as a whole. For such a wide view, it is necessary to turn to the International Council of Scientific Unions and its Scientific Committee on Antarctic Research for an overview and it is understood that such an approach has been made. This section of the United Kingdom's factual contribution will describe general scientific fields only in so far as it is necessary for the understanding of the British contribution. This chapter will deal with the state of knowledge about Antarctica prior to the increase in scientific effort brought about by the IGY; the advances in knowledge over the last 30 years of scientific co-operation; the future outlook for research and the contribution of Antarctic research to our understanding of global processes, of Antarctic resources and of measures for their protection and conservation.

IV. The resources of Antarctica

14. It is one of the characteristic beliefs about relatively unknown areas that great riches await the entrepreneurial exploiter. An important part of this study must be to show, within the limits of present knowledge, what the resources of Antarctica are and what they might be expected to be. This chapter will be broken down as follows:

1. Living resources of Antarctica:

The overwhelming ecological characteristic of the Antarctic is the abundance of individuals of each species rather than the abundance and diversity of species present. Fur seals were the first to be exploited in large numbers in the early years of the nineteenth century. The exploitation of whales followed in the first half of the twentieth century. In both cases, vast numbers were taken, beyond the capacity of the populations to sustain. Following the virtual demise of the whaling industry, it was speculated that the surplus of krill available following the enormous reduction of the whale predators on krill would be enough to double, if not treble, the world's total fish catch. In view of the early history of over-exploitation "boom and bust", such speculations were looked on with some alarm by scientists and administrators of Antarctic Treaty Consultative Parties (their reaction is considered in chapter VI (2)). More especially was this so because of the official position krill has in the Antarctic marine food web. This section will deal with the following resources and their positions in the Antarctic marine ecosystem:

- (a) Whales;
- (b) Seals;
- (c) Finfish;
- (d) Krill;
- (e) Birds;
- (f) Squid.

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2. Mineral resources of Antarctica:

This is bound to be a speculative chapter. No minerals which could be properly classed as resources have been discovered:

- (a) Hard rock prospects;
- (b) Petroleum prospects.

3. Other resources:

- (a) Fresh water, icebergs;
- (b) The wilderness value of Antarctica, tourism.

V. The economics of Antarctic resources exploitation

15. This chapter, too, is bound to be speculative, especially regarding mineral resources. But it is as well that what views there are should be put on record. The record of the exploitation of seal and whale resources in the nineteenth and twentieth centuries is one of over-exploitation leading to the demise of the industry. The sort of question which this chapter will attempt to address in relation to living resources is: How far the economics of exploitation are constrained by the limited catching season, by technological problems and by marketing problems? In relation to mineral resources, an attempt will be made to look into the question of whether it is reasonable to expect Antarctic minerals ever to be exploited and the economics of exploitation, were it ever to occur.

VI. The Antarctic environment

16. The Antarctic environment is often looked upon as being pristine, fragile and capable of being catastrophically disrupted. The purpose of this chapter is to look into how far such perceptions may be true and the adequacy of measures already adopted under the Antarctic Treaty system to deal with the real threats. The chapter will be broken down as follows:

- (1) The nature and extent of the perceived threats to the environment;
- (2) Conservation and environmental protection measures adopted under the Antarctic Treaty system;
- (3) Reality of the perceived threats and the adequacy of adopted measures to meet them.

VII. The Antarctic Treaty system

17. In preparing the study, the Secretary-General is called upon to take "fully into account the Antarctic Treaty system". It is therefore necessary, in the view of the United Kingdom, that the Secretary-General should have available to him a factual account of the system about which misconceptions abound. This chapter will be broken down as follows:

- (1) Nature of the Antarctic Treaty system;
- (2) Rights and obligations of States under the system;
- (3) Benefits deriving from the system;
- (4) Relationship of the Antarctic Treaty system to the international system as a whole.

III. PRELIMINARY VIEWS OF THE GOVERNMENT OF THE UNITED KINGDOM

18. The Government of the United Kingdom takes the view that, in principle, the part that should be played in a factual and objective study by the views of States arises out of their relationship to the objective facts provided. The United Kingdom would wish to review in due course the sum total of its factual contribution in response to the Secretary-General's request before determining its definitive views for the purposes of paragraph 2 of General Assembly resolution 38/77. It therefore reserves the right to revert to this matter at a later stage. It might nevertheless be helpful for the Secretary-General to have even at this preliminary stage an indication of the general approach of the United Kingdom to the question of Antarctica. These preliminary views should be read in conjunction with the United Kingdom statement delivered at the 44th meeting of the First Committee of the General Assembly on 29 November 1983, a copy of which is attached. 2/

19. In expressing these views the United Kingdom starts from certain indisputable facts:

- (a) The United Kingdom, together with six other States, asserts rights of territorial sovereignty in Antarctica;
- (b) The territorial claims of two of these six States overlap the area over which the United Kingdom asserts its sovereignty;
- (c) Certain other States, including the United States of America and the Union of Soviet Socialist Republics, which became active in Antarctica on a continuing basis in preparation for the International Geophysical Year, contend that they have a basis of claim to territorial sovereignty in Antarctica, and/or do not recognize any other State's right of or claim or basis of claim to territorial sovereignty in Antarctica;

(d) The Antarctic Treaty was specifically designed to provide a framework within which these sources of potential international discord could be peacefully managed while still allowing the States concerned to engage in legitimate and peaceful uses of Antarctica.

20. In this context, and in the light of the debates on the "Question of Antarctica" at the thirty-eighth session of the General Assembly, ^{3/} the United Kingdom wishes to lay stress on certain essential factors related to the Antarctic Treaty system (that is to say, the Antarctic Treaty and the series of international agreements and decisions based on it which have been enacted since the Treaty's entry into force). These factors are as follows:

(a) All of the international instruments in question are based upon the fundamental object and purpose of the Antarctic Treaty, namely "that it is in the interest of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord". The Antarctic Treaty itself, and the Antarctic Treaty system as a whole, consists primarily of obligations, which have been voluntarily assumed by the parties to the various instruments in order to achieve the fulfilment of this fundamental object and purpose;

(b) It is not the purpose of the Antarctic Treaty system to purport to confer rights on States parties. Such rights as the instruments in question do create are in principle limited to what is necessary to ensure that the objectives of the Antarctic Treaty are achieved and operate only as between the parties: a clear example is the unique rights of mutual inspection provided for in article VII of the Antarctic Treaty;

(c) The Antarctic Treaty system has had remarkable success in achieving the voluntary inclusion within its ranks of all States that sponsor or conduct substantial activities in Antarctica, with a consequent enhancement of the practical effectiveness of the system of management of Antarctic activities created under the Antarctic Treaty; evidence for this can readily be seen in the agreed results of discussions and negotiations within the Antarctic Treaty system, which are always made publicly available;

(d) There can be no certainty that the sources of international discord mentioned above would not be revived and reasserted if the effectiveness of the Antarctic Treaty were seen to be prejudiced.

21. In the circumstances, it is understandable that the Government of the United Kingdom takes the view that the Antarctic Treaty system is in perfect harmony with the purposes and principles of the Charter of the United Nations. In fact, the Antarctic Treaty system constitutes a remarkably successful exercise in putting the ideals of the Charter into practical effect. Therefore, the United Kingdom neither sees any justification for suggestions that the Antarctic Treaty system needs to be replaced, nor would it consider itself under any obligation either under the Charter of the United Nations or under general international law to assent to any proposed replacement of the present Antarctic Treaty system.

Notes

1/ United Nations, Treaty Series, vol. 402, No. 5778.

2/ The supplementary information will be available for consultation upon request addressed to the Office of the Under-Secretary-General for Political and Security Council Affairs of the Secretariat.

3/ Official Records of the General Assembly, Thirty-eighth Session, First Committee, 42nd to 46th meetings.
