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Chairman: Mr. ALATAS (Indonesia)

CONTENTS

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

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The meeting was called to order at 4 p.m.

AGENDA ITEM 70 (continued)

QUESTION OF ANTARCTICA: GENERAL DEBATE AND CONSIDERATION OF AND ACTION UPON DRAFT RESOLUTION(S) (A/C.1/40/12)

Mr. STROMHOLM (Sweden): When my delegation made a statement in the Committee last year on the question of Antarctica, Sweden spoke as a new party to the Antarctic Treaty. Our decision to accede to the Antarctic Treaty was based on the long scientific tradition in Sweden with regard to polar and Antarctic research. Our accession was also motivated by our wish to support the basic principles of the Antarctic Treaty as well as the results which have been achieved so far through international co-operation within the framework of that Treaty.

During last year's debate my delegation had the opportunity to dwell at some length upon the importance of the Antarctic Treaty system - that is, the Treaty itself as well as the other special agreements relating to Antarctica, such as the 1980 Convention on the Conservation of Antarctic Marine Living Resources, to which Sweden is also a party.

I do not intend to repeat all our views with regard to the Treaty system, for they have not changed. Let me, however, reaffirm that Sweden believes that the Antarctic Treaty of 1959 must be preserved and upheld. The Treaty is an interesting feature in international relations. For 25 years it has functioned well in practice and has efficiently kept under control potential conflicts in the area.

When the international community has a Treaty of this kind, a Treaty that safeguards important principles of international law and promotes international co-operation, it is something we should be careful not to upset. To our mind - and it is important not to forget this in the debate - the Treaty serves as a kind of

(Mr. Stromholm, Sweden)

guarantee, as long as it is allowed to stay in force, that the continent will not be the object of international discord.

My delegation wishes to underline the fundamental importance of article IV of the Treaty, which maintains a very delicate legal and political balance. It is difficult to see what could substitute for that fundamental balance.

My delegation has listened with great attention to the arguments advanced by various delegations. In our view, it is essential that some of the very important elements pertaining to the Antarctic continent are not overlooked. We believe it is important to have more openness in the Treaty system, and we have been advocating that from within the Treaty system as well. It would, in our opinion, be detrimental to the peace and stability of the Antarctic and even the South Atlantic region if the Treaty system were to be weakened. In the long run such a development would destroy the very fundamental principles of international law that now prevail in that area - the demilitarization and the nuclear-free status of the continent. Likewise, the continent is open to free scientific research, and on-site inspections are permitted. There are, therefore, many important positive elements that we could lose if the existence of the Treaty system were put into question.

Having said that, my delegation once again underlines the importance of adjusting the Treaty system to new conditions. The Antarctic Treaty is open to all Members of the United Nations. We express our hope that more of them, including developing countries, will see the merits of joining the Antarctic Treaty system. We believe that a wider circle of member nations would improve the whole Treaty system and, further, would also meet the concerns expressed here by many delegations.

My country has not been a party to the Treaty for very long, but we believe that it is vital to state that even as a non-consultative party to the Treaty a

(Mr. Stromholm, Sweden)

State can exercise considerable influence in the development of its system. The non-consultative parties are now participating regularly as observers in the regular and special meetings of the Consultative Parties. In our view, the role of observer is becoming more and more important, and we believe, therefore, that other States should consider the possibility of acceding to the Treaty.

Sweden has followed with great attention the negotiations on the mineral resources régime of Antarctica. Since my Government has taken a great interest in the preservation of the human environment, it is only natural that questions touching upon the potential future exploitation of Antarctica are important to us. We therefore advocate a very strict environmental control mechanism to be incorporated in the future mineral resources régime. We also favour a system of openness as regards these issues. External environmental expertise should have a direct link not only to a possible mineral resources régime, but also to the Antarctic Treaty system as a whole. However, it is important to underline that exploitation of mineral resources is something for the very distant future, if ever. In our view it is vital to tackle this complex issue well in advance, thereby preventing the question from creating further causes for conflict.

My delegation looks with a good deal of understanding and sympathy upon some of the arguments advanced in this debate regarding the legitimate interest of the developing countries in the elaboration of a mineral resources régime. We are satisfied that this very important issue is also seriously debated within the Antarctic Treaty system.

When my country spoke at the Thirteenth Antarctic Treaty Consultative Meeting in Brussels in October this year it stated that it was time for Sweden to reactivate its Antarctic scientific efforts. Apart from the fact that the Antarctic issue is important from a political as well as a legal point of view, with clear implications for the relationship between the developed and the developing world, it is the wish of the scientific community of my country, with

(Mr. Stromholm, Sweden)

its longstanding abilities in polar research, to increase the Antarctic part of Sweden's polar research activities in such a way as eventually to bring Sweden up to the level of a Consultative Party.

In the Antarctic Treaty system Sweden intends to work for the maintenance of the existing balance within the fundamental Treaty system, on the one hand, and, on the other, for the establishment of a modus vivendi of confidence with other parties, whether States with interests in Antarctica or organizations dedicated to the protection of the global and polar environment.

Mr. PAWLAK (Poland): Since I am speaking for the first time in the First Committee, Mr. Chairman, I wish to congratulate you on your appointment and offer you my best wishes in fulfilling your functions.

My delegation wishes to offer only brief comments on Antarctica at the present session. We share the view of many speakers that over the past two years discussion on Antarctica within the United Nations has been both extensive and exhaustive, so that there is no call for unnecessary repetition.

First, let me emphasize my delegation's strong conviction that the existence of the Antarctic Treaty system for over a quarter of the century has proved its full compliance with the principles and purposes of the Charter. It has preserved an important area of our globe exclusively for peaceful co-operation, prohibiting there any undertaking of a military nature, such as the establishment of bases and fortifications, the carrying out of military manoeuvres and tests of any types of weapons. Nuclear explosions have been prohibited expressis verbis. Consequently, the Antarctic Treaty has created an effective - and so far the only - zone of peace in the world covering a whole continent. It is in itself one of the greatest achievements of international co-operation in modern times, based on a multilateral treaty.

(Mr. Pawlak, Poland)

Secondly, the Antarctic Treaty freezes territorial claims, thus putting aside previous rivalries threatening the future of the continent and representing a serious danger to international peace and security.

Thirdly, the Treaty is open to all nations. It has clearly demonstrated its capacity to accommodate the interests of all States which have acceded to it. Since the Treaty came into force the number of parties to it has increased from 12 to 32.

(Mr. Pawlak, Poland)

Since 1977, Poland, Brazil, India, the Federal Republic of Germany, China and Uruguay, have obtained consultative status; that is the best evidence that the Treaty's provisions making it an open legal instrument are being implemented in practice in international relations.

It was decided too that all parties to the Antarctic Treaty may attend consultative meetings and may similarly attend the current negotiations devoted to the elaboration of principles to govern future exploration and exploitation of Antarctic mineral resources. Finally, at the Thirteenth Antarctic Treaty Consultative Meeting, held at Brussels in October this year, observer status was permanently accorded to non-consultative parties.

In practice, that means that all members of the Treaty can exert influence on the decision-making process.

The problem of access to information on Antarctic activities too can be easily resolved, even by small countries. By becoming members of the Antarctic Treaty they can follow those activities and can influence decisions, thus ensuring that their interests are duly taken into account. In addition, as the Brussels meeting has clearly shown, there are certainly further possibilities for providing detailed information on Antarctica to all States, including non-participants in the Treaty.

The Commission established under the 1980 Convention on the Conservation of Antarctic Living Marine Resources has been operating successfully within the framework of the Antarctic Treaty system. Poland ratified the Convention in 1983. The main purpose of the Convention and the Commission is to take necessary measures for the conservation of living resources by imposing specific regulations safeguarding the ecological system and preventing changes in the marine ecosystem. Poland takes an active part in the work of the Commission.

(Mr. Pawlak, Poland)

We attach great importance also to the negotiations on future exploration and exploitation of Antarctic mineral resources. The negotiations are aimed at protecting the fragile Antarctic environment and at establishing legal regulations which would ban wild, uncontrolled exploitation and ensure a fair opportunity for all States to participate in future minerals activities. The Antarctic's raw-materials capacity, although not yet explored, could provide a valuable mineral reserve for the future. That is why a treaty-making process should be carried out now to prepare a legal basis in that field for the future.

My country attaches great importance to the implementation of the Antarctic Treaty and contributes to it in accordance to its resources and possibilities. Specifically, Poland is successfully carrying out a scientific research programme at its Arctowski and Dobrowolski stations. Polish Antarctic studies have long been internationally known. We maintain a broad exchange of scientific data with many countries participating in Antarctic research. A number of foreign scientists have been working together with Polish colleagues at those stations.

We are convinced that the Antarctic Treaty system has proved to be a remarkably successful, practical and dynamic arrangement. Every effort should be made to preserve and maintain that system rather than revising it or replacing it with some other arrangement. Furthermore, we are convinced that in the future there will be continued possibilities for further evolution within the framework of the present system, especially when more States have acceded to the Treaty.

I wish therefore to express my delegation's strong opposition to any attempt to undermine or weaken the Antarctic Treaty system or to hinder the political and legal balance and the harmonious co-operation in that area. In particular, revision of the existing legal régime would create a real danger of Antarctica

(Mr. Pawlak, Poland)

being involved in the arms race which looms over the rest of the Earth.

Furthermore, territorial claims would be revived and new ones could possibly be made, thus increasing dangerous tension in international relations.

In that context, we do not believe that the concept of common heritage can be considered as relevant to Antarctica. That continent is no longer a legal vacuum. It has been explored and studied in the interest of all mankind. It is the subject of an international system in perfect conformity with the norms and principles of international law. Nor do we consider that it is desirable to create any international mechanism to deal with Antarctica within the framework of the United Nations. Such a mechanism or body would in fact constitute a new, competing political forum which might attempt to replace the Treaty rights and obligations of sovereign States, thus threatening the proper functioning of the Antarctic Treaty system. At the same time, we are in favour of a broad and constructive international exchange of views and information on the basis of the Antarctic Treaty. We are also in favour of a further expansion of international knowledge and understanding of problems concerning that important continent.

My delegation is of the opinion that the norms of the Antarctic Treaty and their implementation benefit the entire international community. We are fully convinced that all States Members of the United Nations which have not yet become parties to the Antarctic Treaty will do so, and begin to participate in scientific research and peaceful co-operation on Antarctic territory.

Mr. BENNOUNA (Morocco) (interpretation from French): The question of Antarctica, which has been on our Committee's agenda since 1983, should bring the international community together, not divide it. There is unanimity on the need to protect that continent from disputes and conflicts over sovereignty and from the arms race, to safeguard its ecosystem from any damage, and to develop Antarctic scientific research activities in the best interest of mankind as a whole. If we

(Mr. Bennouna, Morocco)

speak of Antarctica as the common heritage of mankind it is in order to emphasize the interest of all mankind in creating a space for peaceful democratic co-operation free from all confrontations of sovereignty or power which could damage the Earth's environment as a whole.

That was the spirit of the Washington Antarctic Treaty of 1 December 1959, in the preamble of which the parties stated that they were convinced

"that a treaty ensuring the use of Antarctica for peaceful purposes only and the continuance of international harmony in Antarctica will further the purposes and principles embodied in the Charter of the United Nations".

(Mr. Bennouna, Morocco)

My delegation is fully aware of the essential positive contribution made by that international instrument in increasing knowledge about the Antarctic and effectively protecting the natural environment of the continent. But we have to note that, after nearly 25 years, the legal régime governing Antarctica must be adapted to take into account both technological developments and the increase in the number of States not parties to the Washington Treaty but interested in the subject.

Technological developments have led States parties to be concerned more and more insistently and directly about the exploitation of the resources of the continent, a subject which is not mentioned, even implicitly, in the 1959 Treaty. Clearly, such an extension, ratione materiae, of the Treaty cannot but be of concern to the international community, which is working for the establishment of just and equitable international economic relations subject to respect for the balance of our planet's ecosystem.

In paragraph 4 of recommendation IX-1, adopted at their 1976 meeting held at Paris, the Consultative Parties stated as a principle that

"on the question of mineral resources, they should not prejudice the interests in the Antarctic of mankind as a whole".

We feel that those interests should be taken into account - a process that should begin by periodically informing the great majority of States, not parties to the Treaty, about developments and activities connected with the Treaty. The non-aligned summit meeting held at New Delhi in March 1983 accordingly advocated preparation of a comprehensive United Nations study on the question.

My delegation takes this opportunity to congratulate the Secretary-General on the important study contained in his report and believes that it would be useful to supplement it as time goes by and to make good some of its gaps. On the subject of

(Mr. Bennouna, Morocco)

mineral resources, for example, the report states merely that "No official reports have been published on the deliberations" (A/39/583 (Part I), para. 317). My delegation is convinced that exhaustive and precise information would clear the air, clarify ambiguities and lay the basis for frank and constructive relations between our Organization and the parties to the Treaty.

To be sure, it has been stressed here that every State is free to accede to the 1959 Treaty and can thus act from the inside to make its voice heard. But we would note in that connection that the matter is not so simple, owing to the specifics of the text, which has established a veritable "contractual aristocracy". Management of the Treaty has been entrusted to a relatively closed club consisting of the original parties and of those subsequent parties whom the former judged worthy of joining them on the basis of their having, under article IX, demonstrated their interest in Antarctica by conducting substantial scientific research there, such as the establishment of a scientific station or the despatch of an expedition. No one would deny that many States would be hard pressed to pass that qualifying test. But that does not prevent them from showing legitimate interest in the research work under say and in the management of the land and maritime resources of Antarctica.

As I emphasized earlier, the question of Antarctica is one that should be the subject of consensus within this Organization. My delegation will make every effort to that end. We are convinced that it is in the interest of all Member States to reconcile the Washington Treaty system - which has proven its effectiveness and utility - with the concerns of the great majority of States which are not parties to it but which wish to be associated with it if only on the basis of regular and complete information.

Mr. KUNDA (Zambia): We are meeting at a time of heightened international interest in the Antarctic continent. The reawakening of international interest in Antarctica was given full meaning and was crystalized at the seventh non-aligned summit conference, held at New Delhi in 1983, when the Heads of State or Government resolved inter alia to bring the issue before the United Nations.

My delegation has had occasion to peruse the Secretary-General's study, which was issued on the eve of last year's First Committee debate on Antarctica. The study poignantly brings home to us all the fact that the question of Antarctica is a matter of mounting interest to the contemporary international community as a whole. That underscores the belief of the non-aligned countries in the imperative need to expand international co-operation in the area of Antarctica.

Accusations have been made in this Committee that those advocating the idea of bringing the administration of Antarctica under the auspices of the United Nations want to undermine the Antarctic Treaty, which has served the international community so well for the past 25 years. Nothing could be further from the truth. It should be recalled that, when the Heads of State or Government of the non-aligned countries decided to bring the question of Antarctica before the United Nations, they expressed their conviction that, in the interest of all mankind, Antarctica should continue forever to be used exclusively for peaceful purposes, that it should not become the scene or object of international discord, and that it should be accessible to all nations. They agreed further that the exploration of the area and the exploitation of its resources should be carried out for the benefit of all mankind and in a manner consistent with the protection of the environment of Antarctica.

(Mr. Kunda, Zambia)

Additionally, we have called for the removal of the inequalities inherent in the Antarctic Treaty system in relation to the membership and decision-making process, which make it an exclusive club. I am inclined to ask: "Could the removal of inequalities ever undermine the Treaty?" We think not. On the contrary, we believe that the perpetuation of inequalities could seriously undermine it.

Furthermore, my delegation has gone on record in support of the demilitarization and denuclearization of Antarctica. In this regard, we support the prohibition of nuclear test explosions of any kind, as well as any radioactive waste disposal. We have said that these are important measures incorporated in the Treaty to preserve and conserve Antarctica and all the resources there.

We have also stated in the past that the exploitation of the resources of Antarctica is one that falls within the purview of international concern. We have maintained that the participation of all States in determining the type of régime which should be charged with the decision-making function relative to Antarctica's growing importance in world affairs should be made to reflect the increasing importance attached to Antarctica. In this connection, we wish to state that the management, exploration and use of Antarctica should be conducted in accordance with the purposes and principles of the United Nations Charter, to which we all subscribe, and in the interests of maintaining international peace and security and promoting co-operation for the benefit of all mankind.

That approach embodies guiding principles which cannot in any way undermine the Antarctic Treaty. It is designed to strengthen the present Antarctic régime for the benefit of all mankind. With that in mind, I wish to reiterate Zambia's position in regard to three areas of concern in relation to the Antarctic continent and its environs.

(Mr. Kunda, Zambia)

The first area of immediate concern to my delegation relates to the mineral régime in the Antarctica. Ever since Antarctica was again brought to the attention of the General Assembly in 1983, there have been frantic meetings of the Antarctic Treaty Consultative Parties with a view to designing a mineral régime to govern the exploitation of the mineral resources of Antarctica. Negotiations on the matter have been going on behind closed doors, with no account whatsoever being taken of the views of non-member States or non-governmental organizations. By this régime, Treaty Powers will reserve exploitation of the resources to themselves alone, thereby setting up a system that perpetuates the status quo. That means that only countries which are technologically advanced and financially sound enough to undertake mineral exploitation in Antarctica will benefit from it, at the expense of the majority of States, which are the economically and financially disadvantaged third world countries. These negotiations should be suspended until such time as an equitable solution to the question of mineral exploitation has been found.

In our view, any exploitation and development of Antarctica's resources should be undertaken on the basis of equitable principles governing access and distribution. That calls for the declaration of Antarctica as a common area. The concept of a common area brings me to the second area of concern to my delegation - the question of declaring Antarctica a common heritage of mankind.

Zambia's support for the application of the common heritage principle is based on the belief that the Antarctic Treaty recognizes no claims of exclusive right to Antarctic resources. If anything, the Treaty rightly establishes the principles of common governance and access, thus laying the requisite foundation for the principle that Antarctic resources belong to mankind in general. The exploitation of Antarctic resources therefore needs an international administrative machinery larger than the current one posited by the Antarctic Treaty. The United Nations

(Mr. Kunda, Zambia)

is better suited than any other international institution to accomplish such a momentous undertaking.

We also support the idea of common heritage in pursuance of one of the resolutions adopted by the Organization of African Unity (OAU) Council of Ministers meeting in Addis Ababa in July this year, which declared Antarctica to be the common heritage of mankind. It also called upon all Member States of the OAU to take appropriate steps at this session of the General Assembly to seek recognition of Antarctica as the common heritage of mankind.

The declaration of Antarctica as a common heritage of mankind would also resolve the hitherto nagging problem of sovereignty. It is common knowledge, for example, that under article IV of the Antarctic Treaty territorial claims have been held in abeyance, with both claimants and non-claimants agreeing to disagree over the question of sovereignty. We believe that without a common heritage principle these claims and counter-claims could be frozen in perpetuity. If the United Nations were to administer Antarctica as a common heritage of mankind, any claims and counter-claims about sovereignty would automatically be discharged.

A common heritage approach would also go a long way to meet the desire of the overwhelming majority of members of the international community and non-governmental organizations for the democratization of the decision-making process of the Antarctic Treaty régime, which is currently confined to 18 Antarctic Treaty Consultative Parties only, which would thus diminish the exclusive club character of the Antarctic Treaty Consultative Party system.

Furthermore, the common heritage approach has already been adopted in regard to the 1967 Treaty on outer space. The same approach was also adopted to the Moon in 1979 and to the law of the sea in 1982. Its application to Antarctica would do no more than to increase the number of common heritage enterprises.

(Mr. Kunda, Zambia)

My delegation's third area of concern relates to racist South Africa. Since Monday last, when this debate on Antarctica began, I have listened with a lively sense of disbelief to statements by some representatives of States that are members of the Antarctic Treaty system, who have elucidated at great length the virtues of retaining racist South Africa's membership of the Antarctic Treaty system. On deeper reflection, I have consoled myself with the realization that those are very typical statements, coming as they do from some of apartheid South Africa's apologists in the United Nations system.

I shall reiterate within the context of this agenda item what my delegation has repeatedly stated on racist South Africa, which is that racist South Africa is an international outcast because it practises the odious system of apartheid, which is not only an affront to humanity but an evil system that poses a terminal threat to international peace and security. As such, it should be excluded from participation in the Antarctic Treaty system at the earliest possible date as long as it continues to practise apartheid. Any such impassioned apologies on behalf of racist South Africa such as we have heard since Monday only serve to embolden that obnoxious régime's commitment to apartheid and intransigence. That support serves apartheid. But it is also a manifestation of a benign indifference to the aspirations of the peoples of southern Africa in particular, and Africa in general, to rid themselves of the heinous and anachronistic system of apartheid.

Mr. SIMPSON (Ghana): Compared with many of the other items on the Committee's agenda, the question of Antarctica is relatively new. It first appeared on the agenda at the thirty-eighth session, when it was agreed by consensus to request the Secretary-General to prepare a comprehensive study on all aspects of Antarctica, taking fully into account the Antarctic Treaty system and other relevant factors.

The study, which was duly submitted and circulated at the thirty-ninth session, has undoubtedly been carefully examined over the past year by Governments of Member States, including mine. It can indeed be said with justification that, thanks to the study, widespread interest has been generated in the question of Antarctica, which only a year ago had appeared remote and rather forbidding.

The first evidence of that growing interest in, and inquisitiveness about, Antarctica was, of course, the resolution adopted by the Heads of State of the Organization of African Unity (OAU) at their meeting in Addis Ababa last July. After reaffirming their conviction that, in the interest of all mankind, 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, they declared Antarctica to be the common heritage of mankind and called upon all States members of the Organization of African Unity to take appropriate steps at the forthcoming fortieth session of the United Nations General Assembly to seek recognition of Antarctica as the common heritage of mankind.

A second and even more recent demonstration of the widespread interest in Antarctica is to be found in the Declaration adopted by the Foreign Ministers of the Non-Aligned Movement, meeting in September in Luanda. That document also reaffirmed that Antarctica should continue for ever to be used exclusively for peaceful purposes, should not become the scene or object of international discord

(Mr. Simpson, Ghana)

and should be accessible to all nations.

The Luanda Declaration further expressed the conviction that the interest of the international community in the continent could be enhanced by keeping the United Nations fully informed of developments in Antarctica, and noted that the General Assembly should remain seized of the question of Antarctica.

I have drawn attention to the positions adopted recently by the OAU and the Non-Aligned Movement on Antarctica in order to dispel a number of the erroneous impressions that have been created about the intentions of those of us who consider the Antarctic Treaty system outmoded and overdue for change.

The impression has been given by the Consultative Parties that making the Antarctic accessible to all nations would somehow lead to its militarization and nuclearization. For instance, speaking in this Committee on 16 October, the Permanent Representative of New Zealand, Mr. David McDowell, said of the Antarctic Treaty:

"We will vigorously defend that Treaty not only because of the nuclear-free and demilitarized zone it established but also because for 25 years it has guaranteed the stability of the region to our south. It is a system which is in place. It is a system which works." (A/C.1/40/PV.5, p. 43)

That is particularly ironic, because it is among the Consultative Parties that the major nuclear-weapon Powers and some of the most militarily significant nations are concentrated. Much as it is to their credit that Antarctica has been kept nuclear-free and demilitarized, the Consultative Parties should not create unfounded fears just for the purpose of keeping the vast majority of the international community out of the continent. In what possible way can countries like mine, which have no nuclear capability, disturb the Antarctic as a nuclear-free zone?

(Mr. Simpson, Ghana)

As I have already indicated, both the OAU and the Non-Aligned Movement, representing a significant proportion of the Member States of the United Nations, have indeed made it clear that they wish to see Antarctica continue for ever to be used exclusively for peaceful purposes and not become the object of international discord. It is rather the continued determination of the Consultative Parties to keep the Antarctic Treaty system exclusive and unduly restrictive in its membership that might turn the continent into an object of international discord, contrary to the basic principles of the Antarctic Treaty itself and to the purposes and objectives of peaceful international co-operation enshrined in the Charter.

The Consultative Parties also claim that the Antarctic Treaty system is a system that works. No one disputes that, but so did colonialism, and we could just as well have left it in place because it worked - and still does in Namibia. Our contention, however, is that a system that works so well, to the exclusion of the vast majority of the members of the international community, is seriously flawed. It is also patently unjust and indefensible. Antarctica, after all, represents about one-tenth of the surface of the globe. It is of major ecological, environmental and scientific significance to the entire world. Its rich marine and mineral resources also make it an area of potentially great economic importance for the world as a whole. Antarctica should therefore, by any standard, belong to the common heritage of mankind.

(Mr. Simpson, Ghana)

We are particularly concerned that adequate measures should be taken under United Nations auspices to ensure that all Antarctica's resources, including its mineral resources, are managed and exploited for the benefit of all mankind, and not just for the exclusive benefit of a small group of countries. We would, in this regard, consider as null and void any minerals régime negotiated outside the framework of the United Nations.

The Consultative Parties claim that Member States of the United Nations are free to join the Antarctic Treaty system simply by acceding to the Treaty. But they are silent on the fact that this has no practical meaning for the vast majority of developing countries, which have neither the financial resource nor the skilled manpower to undertake any significant scientific research in the Antarctic to qualify them for accession. That apart, even those States that have gone to the trouble of acceding to the Treaty have been accorded no more than second-class status. Until two years ago the non-consultative parties were begrudged even observer status at meetings of the self-appointed Consultative Parties. It is therefore largely inaccurate to present the Antarctic Treaty as open and freely accessible to all nations.

The truth of the matter is that the Treaty lacks the universality of membership which alone would ensure that issues of global concern, such as the protection of the fragile ecosystem and negotiations for a minerals régime, command the widest possible international participation. The Consultative Parties would, of course, prefer not to have any such "meddling".

It is our conviction, however, that the only reasonable, equitable and effective way of improving the management of Antarctica is to establish a meaningful relationship between the Antarctic Treaty system and the United Nations system.

(Mr. Simpson, Ghana)

If indeed they have nothing to hide from the rest of the world, the Consultative Parties should allow far freer circulation and availability of documents and information to the United Nations system than they have so far. We cannot see anything detrimental to the Treaty system in that. On the contrary we believe that such transparency - to borrow one of the favourite words of the First Committee - over all new developments in the Antarctic and the Treaty system itself should result in increased support by, and co-operation of, the United Nations and the relevant specialized agencies.

The best interests of all mankind, to which the Antarctic Treaty itself is devoted, can only be better served by the closest possible association with the United Nations system. The present situation of blissful isolation and exclusiveness in which the Consultative Parties have wilfully locked themselves serves no one's interest. It is a negation of the multilateral co-operative efforts to which the United Nations has devoted its energies over the past 40 years.

Those of us who are members of the OAU are mandated by our continental organization to work towards bringing Antarctica into the régime of the common heritage of mankind. It is our intention and sincere desire to pursue this goal, not through confrontation, but through open dialogue and discussion with all Member States - particularly the Consultative Parties - in this and other forums. My delegation therefore regrets to note that some delegations are making a curious demand that this democratic process of discussion and exchange of views on matters of concern and importance to all of us should end with this session of the General Assembly.

(Mr. Simpson, Ghana)

We cannot agree to such an abrupt and inconclusive curtailment of our consideration of the question of Antarctica. We would remind those who hope to get away with such paternalistic and authoritarian tactics not to forget their own cherished democratic tradition of resolving differences and disputes through frank and open debate. We would also remind them of the decision of the Non-Aligned Movement that the General Assembly should continue to be seized of the question of Antarctica. The issue will not go away simply by attempting to stop its being debated in this Committee. My delegation believes that, far from removing the item from our agenda, we have reach the time to set up a machinery within the United Nations accessible to all Member States to undertake an in-depth examination of the complex issues that have emerged from our discussion of Antarctica this year and in the two previous years. We believe that an ad hoc Committee would be best suited to the task.

My delegation is not in the least convinced by the apologia on behalf of South Africa by certain delegations which none the less profess their opposition to the abhorrent and evil system of apartheid. We are unable to reconcile the peaceful purposes and achievements of the Antarctic Treaty with the aggressive behaviour of the racist Pretoria régime of South Africa. The cowardly act of aggression committed against Botswana by the racist Pretoria régime only last June should remind us of the nature of the régime we are dealing with, if a reminder were needed. Neither need we remind anyone that even now the apartheid South African régime is in occupation of Angolan territory and militarily supporting Savimbi's rebels in their vain attempt to overthrow the legitimate Government of Angola. Nor is it a secret to anyone here that South Africa is still illegally controlling Namibia and refusing to comply with Security Council resolution 435 (1978).

(Mr. Simpson, Ghana)

We are, of course, aware of the opposition of some Member States, parties to the Antarctic Treaty, to the imposition of mandatory sanctions against the apartheid régime. But one would have hoped that a definite move by the Consultative Parties to expel South Africa from the Antarctic Treaty would be made this year, since such a measure would only be as symbolic as the mild selective sanctions already agreed to in the Security Council and other international forums.

(Mr. Simpson, Ghana)

We would be disappointed, although not surprised, if at the end of this debate we did not get a commitment from the Parties to the Antarctic Treaty - some of whose non-consultative parties hold impeccable credentials in the Non-Aligned Movement - to expel South Africa. In that event, we would respectfully invite the non-consultative parties who belong to the Non-Aligned Movement to reflect on the contradictions staring them in the face and to respond in accordance with their conscience and principles.

Mr. KABANDA (Rwanda) (interpretation from French): For the third year in a row the First Committee is considering the question of Antarctica.

This matter was raised by Malaysia at the Seventh Conference of Heads of State or Government of Non-Aligned Countries at New Delhi, and it has aroused a genuine interest that is beginning to gain momentum, even though all delegations do not have the same point of view with regard to what is at stake.

To judge by the nature and variety of the activities being engaged in under the Antarctic Treaty by several developed countries in the southernmost portion of the globe, I would say that the importance of the subject is obvious. It must therefore be considered with the greatest attention.

A rapid perusal of the Antarctic Treaty has given me some notion of the nature of the activities being carried out in Antarctica: according to the preamble and first article of the Treaty, those activities are exclusively for peaceful purposes. In this connection the Treaty is thus in keeping with the wishes of African and other members of the Non-Aligned Movement. The preamble contains the following language:

"Recognizing 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 ...

(Mr. Kabanda, Rwanda)

"Convinced also that a treaty ensuring the use of Antarctica for peaceful purposes only and the continuance of international harmony in Antarctica will further the purposes and principles embodied in the Charter of the United Nations ...

"Article 1: Antarctica shall be used for peaceful purposes only. There shall be prohibited, inter alia, any measures of a military nature, such as the establishment of military bases and fortifications, the carrying out of military manoeuvres, as well as the testing of any type of weapons."

That is the way the Treaty begins. But later on the text provides for any case of dispute to be settled by consultation among the Parties with a view to reaching a mutually acceptable solution, and that any dispute not so resolved shall be referred to the International Court of Justice. Speaking objectively, one cannot disagree with those principles.

My delegation wonders, therefore, the motives for the very reserved - if not negative - reception the Parties to the Antarctic treaty have accorded the simple and logical proposal of the Organization of African Unity (OAU) and the countries members of the Non-Aligned Movement that Antarctica should be considered as the common heritage of mankind and exploited or protected as such.

Of course, we know that the Antarctic contains rich mineral, marine and other resources, resources that should not be appropriated by anyone. The land and marine flora and fauna - in short, the entire ecosystem of the region - must be preserved. I am gratified to note that the Treaty Parties have already made provision for regulations regarding tourism, the preservation of nature and natural resources. I am also pleased to see that a legal group is drawing up principles governing responsibility for any damage caused as a result of exploitation of mineral resources or to the environment. We cannot be against such a conservation measure.

(Mr. Kabanda, Rwanda)

We are not asking the Treaty Parties to give up their ongoing activities, since the Treaty guarantees that those activities are being carried out for peaceful purposes. We are not asking them to rescind their Treaty but, rather, to make it more open, creating an international régime within the framework of the United Nations - an Organization where the aspirations and concerns of all mankind are expressed. It is for those reasons that Antarctica should be placed under the interim administration of the United Nations pending an international instrument establishing an international régime for that region acceptable to everyone.

True, this proposal will meet with resistance from certain Antarctic Treaty parties, for those countries consider the initiative of the countries members of the OAU and the Non-Aligned Movement as an attempt to overturn the established order. It is not our intention to construct any other edifice on the ruins of the Antarctic Treaty's accomplishments but, rather, to set up a régime that could dispel suspicion and concern and that would promote an open international co-operation.

The path towards such a régime will, it is true, be a long one, but we have now entered upon it, and we must persevere until we arrive at a solution satisfactory to all.

When we speak of an open régime based on justice, we do not overlook the demands of fairness: thus, we recognize the legitimate rights of the countries that are investing money in scientific research or for the protection of the flora and fauna of the region. Those countries should not feel that their interests are being threatened.

We do not believe that the non-parties to the Treaty should be excluded from the benefits of the information being garnered, because the right to information is a basic human right. Nor should such States be excluded from the benefits to be derived from studies or experiments currently in progress or to be carried out in the future.

(Mr. Kabanda, Rwanda)

Certain countries Parties to the Treaty maintain that the debate on the Antarctic serves no purpose, that third-party countries are indeed able to become associated with the Treaty - which, in their own words, provides for no more than a consultative mechanism.

If the explorations and studies that have been going on for years in the Antarctic did not interest them, they would obviously not pursue them. Other Treaty Parties seem to be trying to minimize the significance of Antarctic resources. Why, in that case, should they be spending such vast sums of money? No doubt, it is only to satisfy their thirst for adventure. We know, however, that in the past two centuries the thirst for adventure led brave men all the way to the discovery - an unexpected discovery, no doubt - of Africa and the Americas; and that is how the era of colonization began on those continents.

Certain countries are already - we have even heard it said here - advancing a certain claim to sovereignty over areas of the Antarctic. And their rights remain intact, at least according to the first paragraph of article 4 of the Treaty. But what will be the status of those claims when the Treaty expires?

I should like, if I may, to share an experience gained in this very Committee. In the second half of the 1960s, when two ambassadors from developing countries raised in this room the question of the sea-bed, certain conservative countries were outraged because the Ambassadors of Malta and Ceylon - now Sri Lanka - had dared say that the sea-bed and ocean floor contained economic resources that should not be appropriated by any country or group of countries with the necessary marine technology for exploiting such resources.

Thanks to the insistence and tenacity of those two Ambassadors, who were joined by others as the importance of the question became evident, it was finally understood that a great deal was at stake. The debate grew until it gave birth to

(Mr. Kabanda, Rwanda)

the Treaty on the Law of the Sea, a Treaty some have described as the most important international document of the twentieth century. That was a chain events I experienced at first hand in this very Committee.

Today, we know that the clear-cut definition of the geostationary orbit, the orbit in which the majority of space devices operate, is a question that is still being tentatively raised, as is the question of the Antarctic we are now considering. I have no doubt, however, that in some more or less distant future the geostationary orbit and Antarctica, today regions reserved for certain developed countries, will be subject to regulations that will enable each of our countries - the entire international community, in fact - to benefit from them.

Mr. GOERNER (German Democratic Republic): Our delegation has closely followed the current debate on the question of Antarctica here in the First Committee. In the light of the discussion we deem it appropriate to outline the position of the German Democratic Republic on this important issue, notably on the Antarctic Treaty system.

The German Democratic Republic shares the view of quite a number of States that it is imperative to preserve Antarctica forever as a zone of peace and constructive co-operation among States with different social orders, both in the interest and for the benefit of mankind. The whole of the sixth continent and its adjacent islands and waters are demilitarized and free of any kind of weapons, including nuclear weapons and other weapons of mass destruction. Any activities of a military character, including weapons tests, are prohibited. In this region each and every State at any time may send inspection teams in order to observe activities undertaken by another State in any area of Antarctica.

Antarctica is open to all States for free scientific research. The results obtained through such research are made available to all States. The German Democratic Republic also makes use of such opportunities. For more than two decades

(Mr. Goerner, German
Democratic Republic)

scientists of the German Democratic Republic have done research in the South Polar region, for instance on environmental problems and on matters relating to meteorology, biology, geodesy and cartography.

There is good reason for stating that the peaceful co-operation of States in Antarctica testifies to the vitality of the principles of peaceful coexistence and, indeed, that it provides an example States should follow in the conduct of their relations in the other parts of our globe as well.

In this connection it should be stressed that the Antarctic Treaty of 1959 provides the legal basis and guidelines for such fruitful intergovernmental co-operation in the South Polar region. The German Democratic Republic has been a Party to the Antarctic Treaty since 1974.

The Antarctic Treaty is fully consonant with the purposes and principles enshrined in the United Nations Charter. The Treaty ensures that Antarctica will remain free of international tensions and conflicts and, specifically, that it will not become involved in the arms competition. The Treaty also freezes the territorial claims of some Treaty Parties with regard to areas of the sixth continent and thus precludes the emergence of disputes over the status of Antarctica.

Further, this significant Treaty is in harmony with the principle of universality since it is open to accession by all States regardless of their share in the exploration of Antarctica. We are of the opinion that the Antarctic Treaty system guarantees the requisite flexibility for meeting new challenges and dealing with new circumstances.

In recent years a number of agreements have been concluded that complement the Antarctic Treaty system and provide an appropriate régime for new areas of co-operation in the South Polar region. Particularly noteworthy in that respect is

(Mr. Goerner, German
Democratic Republic)

the 1980 Convention on the Conservation of Antarctic Marine Living Resources. That Convention, to which the German Democratic Republic is a party, has already proved its worth in practice.

The equitable co-operation of all Contracting Parties under that Convention ensures both the appropriate use of the living resources of the South Polar region on the basis of equality and the effective protection of the Antarctic fauna in the interest of the whole of mankind.

Furthermore, the mechanism of regular consultative meetings envisaged in the Antarctic Treaty ensures that information on new findings are exchanged and that important problems and developments concerning Antarctica that are of mutual interest are discussed. In this connection our delegation attaches great importance to the efforts made by the Consultative Parties to the Treaty with a view to a wider participation of all Contracting Parties in measures to implement the Treaty.

(Mr. Goerner, German
Democratic Republic)

Our delegation therefore welcomes as steps in the right direction the decision of the Consultative Parties to invite non-consultative parties to participate as observers in their regular sessions and to take part in the ongoing negotiations on a régime concerning mineral resources. That decision, as well as the measures envisaged for the Consultative Parties to improve information on the Antarctic Treaty system and on their activities within the framework of the Treaty, will contribute to widening the knowledge of the Antarctic Treaty and to reducing any reservations that still exist vis-à-vis the Treaty system.

The progress achieved in further developing co-operation within the Treaty system gives us reason to hope that a democratic Antarctic mineral-resources régime will also be elaborated to enable all interested States to participate in Antarctic mineral-resource activities on the basis of equality.

In view of the fact that the Antarctic Treaty system has stood the test of time, our delegation strongly opposes any moves aimed at a revision of the Treaty. Any such moves would entail the danger that everything achieved so far might be destroyed, that Antarctica might become involved in the arms race and that territorial claims might be revived or new ones emerge.

The German Democratic Republic shares the view of many States that the concept of the common heritage of mankind is not applicable to Antarctica because there is already an international legal system concerning that region that provides for the peaceful and equitable co-operation of States and is open to accession by all States. In this context I should also like to refer to my country's comments of 12 June of last year addressed to the United Nations Secretary-General and published in document A/39/583 (Part II).

Our delegation also strongly objects to the establishment of any additional mechanisms for discussing problems related to Antarctica. In light of the fact

(Mr. Goerner, German
Democratic Republic)

that there is an effective Treaty system in existence to ensure equitable co-operation in Antarctica among all interested States that is fully consistent with the purposes and principles enshrined in the United Nations Charter and that is also suited to meet the requirements of the future, the setting up of any further bodies to discuss the question of Antarctica would be superfluous and, in our opinion, even harmful.

In conclusion our delegation would like to reaffirm that it regards the Antarctic Treaty as a decisive instrument for preserving peace and for ensuring free scientific co-operation on the sixth continent. The German Democratic Republic will therefore continue to do everything in its power and to support every initiative to maintain and consolidate the Antarctic Treaty system.

Mr. WISNOEMOERTI (Indonesia): For the third consecutive year this Committee is engaged in a full-scale debate on the question of Antarctica. A valuable contribution has been made to the factual extent and scope of this ongoing debate by the Secretary-General's study, which was circulated last year pursuant to General Assembly resolution 38/77. In addition, the countries members of the Non-Aligned Movement and of the Organization of African Unity (OAU) have taken important decisions relevant to the question of Antarctica. The Foreign Ministers of Non-Aligned Countries, in the Declaration adopted at their meeting in Luanda last September, stated that the interests of the international community could be enhanced by keeping the United Nations fully informed on developments in Antarctica which should be accessible to all nations and noted that the General Assembly should remain seized of the question of Antarctica, while, for its part, the OAU at its summit meeting last July called upon the United Nations to recognize Antarctica as the common heritage of mankind. In the process, the volume of information on Antarctica has thus been increased. It cannot be said, however, that the degree

(Mr. Wisnoemoerti, Indonesia)

of mutual understanding and convergence of views on the issue has been correspondingly enhanced.

Both the Parties and the non-parties to the Antarctic Treaty system ostensibly concur on the ultimate goal of ensuring the widest possible international co-operation in the management and use of Antarctica exclusively for peaceful purposes and in the interest of all mankind in a way that would promote scientific research and protect the continent's vulnerable environment as well as preserve its demilitarized and denuclearized status. Yet, in the efforts to attain that common goal, the Parties to the Antarctic Treaty system, especially the Consultative Parties, appear adamant in their resistance to any involvement by members of the international community non-parties to the Treaty through the only universal forum to which all of us, especially at this commemorative session, have rededicated our resolve to support and strengthen.

At the two prior sessions my delegation expressed its views on the Treaty and acknowledged its merits. Now, 25 years after the entry into force of the Treaty, the achievements in the fields of science, environmental protection and disarmament have been commendable. Scientific research in the areas of geophysics, meteorology, glaciology and biology, among others, has advanced significantly. The continent's pristine ecosystem has been preserved. The Treaty constitutes an important disarmament agreement, the first of its kind to be concluded since 1945. It has for the time being frozen sovereignty and territorial claims. Hence, in the areas of its competence the Treaty has proved its effectiveness.

Without doubt, no Member would question the importance of the need to ensure that Antarctica will continue to be used exclusively for peaceful purposes and not become an arena for international contention and controversy. At the same time, we are not oblivious to the shortcomings and ambiguities, for there is a host of unresolved issues that the present Treaty system does not effectively address.

(Mr. Wisnoemoerti, Indonesia)

Indeed, the Secretary-General's study has demonstrated that the Treaty is deficient in protecting and contributing to the interests of the international community at large, especially in the area of the exploration and exploitation of the resources of the region.

In the context of those considerations our concern cannot but be heightened by the confidentiality that continues to surround the ongoing negotiations on a régime for mineral resources. Rightly or wrongly, there is a pervasive sense of apprehension when deposits of scarce resources that are beyond national jurisdiction are placed outside the decision-making ambit of the international community. The situation is even further compounded by the fact that the Treaty itself does not deal with the question of mineral resources and, consequently, does not foresee the exploration, exploitation and equitable sharing of benefits derived therefrom.

(Mr. Wisnoemoerti, Indonesia)

The Consultative Parties have maintained that any Member of the United Nations, simply by acceding to the Antarctic Treaty, is automatically entitled to participate in regular consultative meetings of the parties and in special consultative meetings on Antarctic mineral resources. However, as many delegations have pointed out, accession to the Treaty does not confer equal status and is in fact discriminatory owing to the distinction between acceding parties and Consultative Parties in the realm of Treaty maintenance, management and decision-making. Hence the reluctance of States to become signatories, with all the obligations that entails, while at the same time they are excluded from any meaningful role, is understandable.

Those deficiencies, as well as other aspects, were taken up either ambiguously or not at all in the study by the Secretary-General. Among the issues that should have been included are, inter alia: regulations governing renewable and non-renewable natural resources; the problems of jurisdiction relevant to such things as exploration and exploitation of those resources; the impact of the Convention on the Law of the Sea on the southern ocean; the means for making scientific information available to all interested States; and the broadening of international co-operation and participation. In addition, such aspects as the question of equality of signatories, the record of adherence to existing agreements and rules of procedure, the status of the unclaimed sector, jurisdiction over resources in the Antarctic continental shelf, and the role of specialized agencies and intergovernmental and non-governmental organizations should also be included. There is therefore a need to elaborate further and update the study.

Yet another aspect concerns the participation of the racist régime of South Africa in the Antarctic Treaty system, which has created an anomaly, especially in the light of the long-standing universal condemnation and ostracism of the racist Pretoria régime because of its abhorrent policy of apartheid.

(Mr. Wisnoemoerti, Indonesia)

Let me now address myself briefly to the question of the legal status of Antarctica. It has been asserted on many occasions by some delegations that Antarctica is not a res nullius - or no-man's land - since there are existing national claims and a legal régime, the Antarctic Treaty. My delegation has serious doubts about the validity of such assertions. National claims not recognized by the international community definitely cannot replace an international legal régime. Claimed areas of Antarctica must therefore not be viewed as areas under national jurisdiction.

Meanwhile, the Treaty does not address the question of legal status. As is made clear in its article IV, the Treaty does not purport to confer sovereignty or jurisdiction upon its parties. On the basis of that premise, it is untenable to assert that the utilization of about one tenth of the surface of the globe must be left to the discretion of a limited number of States, regardless of their positive contributions made at considerable cost and effort. We believe that the commitment made with regard to mineral resources by the Consultative Parties at their Ninth Consultative Meeting, held at London in 1977 - that in dealing with this question they should not prejudice the interests of all mankind - should be given the broadest possible application and the fullest meaning as a principle governing all aspects of the Parties' activities in Antarctica.

Clearly, the case for greater involvement by our Organization in unravelling these complex issues and in seeking equitable solutions and arrangements is self-evident. Such a process would allow for a thorough examination and clarification of those issues, which would in turn remove misperceptions and bridge the differing positions of Member States. My delegation is more than ever convinced that the international community has a right - indeed, an obligation - to maintain and deepen its long-term commitment to ensuring that the last great frontier on Earth be managed on the basis of international co-operation and in the

(Mr. Wisnoemoerti, Indonesia)

interest of all mankind. At the same time, we continue to believe that those objectives would be more effectively reached through a common effort in an ad hoc committee to be set up at an appropriate time. We deeply regret that such an effort, more structured and better focused, continues to be viewed by some delegations as a threat to the Antarctic Treaty system and thus, at least for the time being, as not facilitating the promotion of a broad consensus on this issue.

The Antarctic Treaty is at a crossroads. By recognizing the legitimacy of the international community's concerns and interests, and by harmonizing our actions for the benefit of all mankind, we can further advance the objectives of the Treaty and at the same time make its system equitable, thereby promoting its wider acceptability and, thus, its longevity. Ultimately, our solemn obligation is to ensure that Antarctica remains forever a conduit for international co-operation in this interdependent world.

Let me conclude by expressing the hope that our deliberations on this issue will lead to common understanding and to a consensus decision.

Mr. DJIENA-WEMBOU (Cameroon) (interpretation from French): The Government of the Republic of Cameroon attaches special importance to the question of Antarctica, in keeping with the increased interest of the international community in this subject over the past two years as seen in the various bodies of our Organization and in regional organizations such as the Organization of African Unity, which, in one of its resolutions, declared the Antarctic to be the common heritage of mankind. That principle was reaffirmed two months ago at Luanda by the Minister for Foreign Affairs of non-aligned countries, who adopted a resolution in the same spirit.

(Mr. Djiena-Wembou, Cameroon)

In the view of my Government, the Antarctic should be considered as a zone whose rational use could benefit the entire human race, in accordance of appropriate international arrangements within the framework of the United Nations. In that way, the question could be resolved through a more open and better balanced instrument, by the terms of which the continent would truly become the common heritage of mankind.

My delegation has listened with attention to earlier statements on this subject, particularly the assertion by some delegations that the Antarctic Treaty in its present form is an effective instrument which should not to be modified or amended. It is our view that the Treaty is of vital importance only to the States Parties to it; it is hard to believe that their determination to invite accession to the Treaty in its present form without taking account of developments in the international situation over the past decades truly reflects a desire to serve the interests of the international community, rather than those of a small group of States.

(Mr. Djiena-Wembou, Cameroon)

Cameroon believes that all the protagonists in the international arena should accept contemporary realities and the changes they entail. That is why we hold the view that an effective instrument for the preservation of peace and security and the strengthening of international co-operation with regard to the Antarctic should be produced in compliance with the relevant provisions of the United Nations Charter to prevent conflicts of interest or ideology being allowed to spread to that continent. My Government also notes with satisfaction that the Treaty clearly states that the Antarctic can be used only for peaceful purposes and should remain free from all military activities.

It should also be stressed that the provisions of the Treaty relating to the protection of the ecological environment of the Antarctic are important and warrant the support of my delegation. Nevertheless we remain very much concerned by two aspects of the Treaty: the intention of the Consultative Parties to operate selectively and exclusively in the Antarctic, and the actual participation of the racist régime of South Africa in consultative meetings.

In the view of my Government the Antarctic Treaty should be considered an international arrangement, an important one of course, but not one that should be allowed to prejudge the ultimate status of the zone. We believe that all activities on the Antarctic continent should be conducted in such a way as to benefit the entire international community. That is why all nations should be able to participate in any decision-making process that affects that continent. That also explains my delegation's support for the overwhelming majority of States that ardently hope for an evaluation of the Antarctic question within the framework of the United Nations - in the light, of course, of the principles of the Charter relating to the preservation of international peace, security and development and co-operation among peoples.

(Mr. Djiena-Wembou, Cameroon)

If they were taken within the framework of the United Nations, all the selective current arrangements would lapse and all Member States would then be able to organize truly international and more just co-operation, making it possible to bring about an equitable distribution of resources deriving from activities conducted jointly within the framework of a régime in which the Antarctic would be considered the common heritage of mankind. Only such a régime would in fact serve the interests of the whole international community. My delegation's appeal for such a régime is nothing new. As early as in 1975 the President of the third United Nations Conference on the Law of the Sea, the late lamented Ambassador Shirley Amerasinghe declared that

"There are still areas of this planet where opportunities remain for constructive and peaceful co-operation on the part of the international community for the common good of all rather than for the benefit of a few. Such an area is the Antarctic continent: ... there can be no doubt that there are vast possibilities for a new initiative that would redound to the benefit of all mankind." (A/PV.2380, pp. 13-15)

He concluded by saying that the Antarctic was a region in which ideas and concepts of international co-operation and equitable distribution of the resources of the world, which were generally acknowledged, could find ample scope for application. We very much hope that this régime of the common heritage of mankind, which has practically become an accepted norm of international law, will be applied to the Antarctic, with all that that entails.

It is important that the Consultative Parties understand that the major concern of the developing countries is not to undermine a Treaty to which they are not parties but to make of the Antarctic a zone of peace free from the arms race in which the community of States can conduct scientific and economic activities beneficial to all and not just to one group. We are somewhat surprised by the

(Mr. Djiena-Wembou, Cameroon)

position of the Consultative Parties to the Treaty who share a long tradition of democracy but seem to want to prevent any dialogue on this delicate subject while we are told that the United Nations is the appropriate framework for dialogue and international concertation in other spheres.

My delegation is very much concerned by certain statements made here according to which certain developing countries, parties to the Treaty in one way or another, would see to the interests of other third-world countries that are not Parties or even associate consultative members. The Cameroon Government wishes firmly to state that the interests of the international community as a whole with regard to the Antarctic, including those of the developing countries, cannot be properly protected except within the framework of the United Nations, to which all sovereign nations belong, and which remains the most appropriate international machinery available to members of the international community for the taking of joint decisions.

We very much hope that some of the States I have mentioned, which are distinguished members of the Non-Aligned Group, and whose conduct has been so praiseworthy within that Movement, will in good conscience be able to reconcile their activities within the Movement and their being Parties to the Treaty.

In the current circumstances Cameroon cannot really understand why certain Consultative Parties to the Treaty continue to tolerate the participation of the racist régime of South Africa in their meetings. No juridical quibbling can convince my delegation or justify such an attitude on the part of States which in other circumstances claim to oppose racism and apartheid. In one way or another the States Parties to this Treaty must face the facts of the day and take into account Africa's firm position against apartheid as well as the relevant decisions of the Organization of African Unity and our Organization against apartheid, against that system and against South Africa's nuclear activities.

(Mr. Djiena-Wembou, Cameroon)

Not only does Cameroon consider it is wrong - given the presence of that régime, not to mention the other weaknesses I have mentioned - to ask the members of the Organization of African Unity to become parties to the Treaty; we would also urgently appeal to the interested States to expel the apartheid régime from their midst.

It was with particular interest that my delegation welcomed the Secretary-General's report on the Antarctic. It is a remarkable study, although there has been no development as to the link one might have seen between the Antarctic Treaty and the United Nations Convention on the Law of the Sea, which is one of the greatest achievements of the United Nations to date.

We have also taken note of the views expressed by Member States pursuant to General Assembly resolution 38/77 of 15 December 1984. In this regard we think that at present we have sufficient information to permit the establishment of institutional machinery for the examination and evaluation of studies on the question of the Antarctic. Such machinery, which remains to be established, would enable our Organization to follow the question more easily and would facilitate the establishment of basic principles in order to give real substance to notions of solidarity and international co-operation on the Antarctic and would ultimately make possible an equitable international régime under the auspices of the United Nations. That would demonstrate the legitimacy of our Organization while strengthening trust among its Members as well as their faith in its principles, goals and objectives.

The CHAIRMAN: We have heard the last speaker for this afternoon.

However, the representative of New Zealand wishes to speak in exercise of the right of reply. I call upon him.

Mr. MANSFIELD (New Zealand): I should like to respond to the statement by the representative of Ghana, in which he quoted a statement made by my Permanent Representative in the general debate in the First Committee in which he noted that we would be vigorously defending the Antarctic Treaty not only because of the nuclear-free and demilitarized zone it established but also because for 25 years it had guaranteed the stability of the region to our south.

The representative of Ghana said he found it surprising or ironic that we should be defending the Antarctic Treaty because, as we understood him, it is a Treaty that contains all the nuclear Powers, while the nuclear Powers represent the only threat to peace and countries outside the Treaty could not represent a threat to the peace of the region.

(Mr. Mansfield, New Zealand)

I think perhaps the representative of Ghana has misunderstood the point we and others have been trying to make - that it is one of the fundamental virtues of the Treaty, as we see it, that it does include all the nuclear Powers. In our eyes that is important because it means that they are bound by the rules of the Treaty; they may not take their arms to Antarctica; they may not test their weapons in Antarctica; and in fact all they may do in Antarctica is to conduct scientific research, showing respect for the environment.

For our part, we wish we could say that there were many other international arms control agreements that were accepted by all the nuclear Powers. Certainly we believe that the Treaty is definitely open to others, and, as I said in my statement, we would encourage as many other countries as possible to join it. We think that the Treaty would thereby be strengthened and the commitment to peace and security in our region would definitely be strengthened.

As I said in my statement, as we see it treaties and agreements are very difficult to achieve, especially those which promote peace and security and affect significant measures in the field of arms control and disarmament, and we hope that other small States will understand why we in particular are concerned to preserve and strengthen the Treaty.

The meeting rose at 5.55 p.m.