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QUESTION OF ANTARCTICA

Letter dated 13 November 1986 from the Permanent Representative of
Australia to the United Nations addressed to the Secretary-General

I have the honour to attach herewith a copy of a statement made by the Chairman of the ninth session of the Special Consultative Meeting on Antarctic Mineral Resources at the conclusion of the Meeting's work on 12 November 1986.

I have the honour further to request that this letter and its attachment be circulated as a document of the General Assembly under agenda item 66, "Question of Antarctica".

Yours sincerely,

(Signed) Richard WOOLCOTT

Annex

NINTH SESSION OF THE SPECIAL CONSULTATIVE MEETING ON ANTARCTIC
MINERAL RESOURCES, TOKYO, 27 OCTOBER-12 NOVEMBER 1986

Press release by the Chairman

The ninth session of the Special Consultative Meeting on Antarctic Mineral Resources concluded its work on 12 November. The Chairman, Mr. Chris Beeby of New Zealand, on behalf of all the participants, extended warm thanks to the Government of Japan as host for the meeting.

Mr. Beeby recalled that the negotiations had begun in 1982. He stressed that the momentum for the agreement had come not from a desire to open Antarctica up for mining - quite the reverse. "There are currently no binding legal controls on mineral activities in Antarctica", he said. "While there is no certainty that anyone will ever want to look for minerals there, that risk is one that the Antarctic Treaty countries are not prepared to take. The reason for this negotiation is therefore to ensure that if mineral activities in the Antarctic ever do take place, they are regulated in an acceptable manner and do not threaten either the peace and stability that the Antarctic Treaty has maintained or present unacceptable risks to the Antarctic environment." "The important point to note about this agreement", said Mr. Beeby, "is that it will prohibit mining in Antarctica unless a judgement is made in the future by the institutions to be established that the environment will be adequately protected".

Mr. Beeby also drew attention to the fact that the Antarctic Treaty countries were negotiating an open régime. Any State that accepted the Antarctic Treaty - which was itself an open agreement - could join and all would be entitled to participate in mineral resource activities in accordance with the Convention.

Mr. Beeby explained that the negotiations had reached a very detailed stage and that the bulk of the work was being conducted in working groups. One - chaired by Mr. Rolf Andersen of Norway - was charged with examining a number of the practical elements of the régime. A major purpose was to structure the provisions in such a way as best to ensure that the environmental principles, which were at the heart of the régime, would be given full effect in practice. The work of the group at the Tokyo meeting had included the vital role that would be played by an independent advisory committee of scientific, technical and environmental experts, as well as procedures to ensure that the advisory committee received sufficient information to do its job properly.

Discussion of another set of issues was convened by Ruediger Wolfrum of the Federal Republic of Germany. They included provisions for monitoring and inspection, compliance and enforcement, dispute settlement and liability for any damage caused.

Informal discussion had also continued, under Mr. Beeby's chairmanship, on the key institutional issues, such as decision-making, the composition and functions of the various organs to be set up once the régime was concluded and the nature of

provisions designed to encourage broad participation in any mining that might be deemed to be acceptable in the future. "These issues, which involve balancing some important and strongly held positions, are very complex", said Mr. Beeby, "but we can certainly now say that the work on these issues at Tokyo has taken us closer to the point of agreement".

Mr. Beeby paid a tribute to the contribution to the meeting made by the States that are not consultative parties. "We have all benefited from the opening up of these negotiations", he said. "The fact is that any State can now play an effective and constructive role in discussions on Antarctic matters simply by acceding to the Antarctic Treaty. The fact that a large number of States have done this is welcome".

In conclusion, Mr. Beeby indicated that the meeting had warmly accepted the invitation of the Government of Uruguay to hold the tenth session in Uruguay from 11 to 20 May 1987.
