The Deadline Approaches
If You Can’t Get it Perfect, Don’t Sign it

With just a few days before the self-imposed 2 June deadline for the completion of the negotiations for the Convention, all reports indicate that the deadline itself now takes precedence over the proper imperative of this conference - environmental protection.

A "get it done at any price" mentality appears to have overtaken many delegations. This is a deplorable approach when deciding the future of the last virgin continent on earth. The mandate for the negotiation requires that "...protection of the unique Antarctic environment and of its dependent ecosystems should be a basic consideration." This is inconsistent with the approach that is being taken in these last few days.

If the negotiations require more time, then so be it. It is totally unacceptable to compromise the Antarctic environment even further because the "timetable" deems it necessary. Further, as ECO pointed out in its previous issue, there is no disgrace in admitting that the proposed solution is too hard, and that alternative solutions should be considered.

EMPHASIS SHIFT

ECO understands that, in the face of continuing problems of agreement across a broad range of issues, there is considerable pressure for a significant shift in emphasis from "acceptable compromise" to "tolerable acceptance". This is a "lowest common denominator approach" - a "package deal" in which important issues are left vague and ambiguous or quite unresolved. The stage is then set for subsequent wrangling over protocols or later legal-political arguments over interpretations.

Railroading the Convention through will inevitably compromise the Antarctic environment. It will leave the parties to the Convention uneasy about their own positions, and the "sloppiness" of hasty drafting will mean each Party will interpret the Convention to suit its own prejudices. It could also mean that there is a risk of the agreement falling apart - with no opportunity to review it for ten years. The wider public will see the result merely as a testament to the power of mining interests, bureaucratic inertia and airline timetables.

MUST BE RIGHT

If the Convention is to have any kind of credibility, it must be right, indisputably clear, and not just done. Since, on the basis of the negotiations so far, this is extremely unlikely, states should refrain from making an agreement on 2 June, and immediate steps should be taken to consider the alternatives.

ECO would, of course, prefer a commitment to a World Park or the proposals along those lines put forward by Chile or Australia for an Antarctic Treaty Park or Conservation Convention. Surely, a serious debate of such alternatives deserves at least as much time as a "tolerable acceptance" convention.
ECO Lexicon
Thus Spake the Delegates

As usual, ECO has had its ear to the ground and has come up with a few examples of delegate-speak:

"We want to protect the fragile environment AND have a workable regime"

"We recognise the importance of the environment but are willing to compromise on liability"

"...but is restoration necessary?"

"Protection of the environment...we are not at all sure that this has been achieved"

opinions on the draft and proceedings

"This is an inspiring international legal instrument!" (must have been an inspired delegate)

"We want the limitation on acts of terrorism removed" (Hao could they say such a thing?)

"The management scheme is like an iceberg - most of it is hidden" (perhaps it should be towed to Australia?)

"Thank you for inviting us" (It was nice of you to come!)

"Participation seems to have undergone paralysis" (send for Dr Andersen and Nurse Scully!)

"The Commission should have more functions" (Hope we are invited!)

"We have severe reservations about the internal accommodations" (ECO thinks the hotel should be informed)

Where is Remedial Work?
Restoration Alone is Not Enough

ECO has already expressed its views about the changes to the liability provisions in the Draft Convention. However, there is also an important difference between remedial action and restoration, both of which seem unpopular concepts in some quarters of the negotiations.

Removal of the environment is the process whereby the damage can be completely rehabilitated, and the environment returned to the status quo ante.

Remedial action may be taken when it may not be possible to restore the environment, but which may make it less likely that such an accident might happen again.

By analogy, if a cliff falls down, it is unlikely to be possible to restore it. However, it may be possible to do remedial action which will prevent a similar occurrence in future.

It is essential that the remedial action be required, and further, that the present attacks on the concept of restoration cease.