TIDES OF CHANGE

The pendulum of history appears to be swinging against a minerals future for the Antarctic. Although there are not yet "a thousand points of light" along the path to a permanent mining ban, enough light is being shed to show the way forward.

As each country begins to go through the formal processes required to ratify the Minerals Convention, decisions made by a small number of bureaucrats behind closed doors are being reversed by politicians who are more in touch with what their people want. Not insignificantly, those politicians also are having to come to terms with other global environmental questions, such as ozone depletion and global warming. The interconnections between these global issues and the future of Antarctica are becoming more clear.

Belgium

Belgian politicians are strongly opposed to the Minerals Convention. Foreign Minister Mark Eyskens announced in the Senate on June 30th that the Government considers the Convention to be "dangerous" and stated that it is "totally inappropriate" to ratify it. He indicated support for giving Antarctica the status of a world nature reserve, and urged other governments to find a positive and original solution to achieve the permanent protection of Antarctica.

On the same day, the Belgian Parliament unanimously passed a bill prohibiting Belgian nationals and corporations from engaging in any prospecting or mining activities in Antarctica. This bill was initiated in Parliament in June 1988, only days after negotiations on the Minerals Convention were concluded in Wellington.

ECO warmly welcomes Belgium's decision, and applauds the Belgian delegation's active part in promoting World Park status for Antarctica at this ATCM.

Italy

On September 28th, the Italian Parliament unanimously passed a motion committing the Italian Government "Not to sign or ratify the Minerals Convention, and instead supporting and promoting, in international fora, the proposal for the creation of a World Park in Antarctica."

During the debate, the anti-ratification motion was fully supported by the Undersecretary of Foreign Affairs, Mr. Vitalone, who stated: "Australia's and France's decision not to sign the Minerals Convention represents a veto to the entry into force of this Convention." He questioned the utility of signing the Convention, and said, "The Government thus supports the motion presented and fully shares its contents." He informed the Parliament that the Italian delegation will actively support the World Park option at this ATCM.

United Kingdom

In July the UK Government sought Parliamentary approval to ratify the Minerals Convention. Although the Antarctic Minerals Bill has now become an Act of Parliament, the Bill did not receive...
unanimous support in the House of Commons. The opposition Labour Party opposes the Convention and any commercial mining activity in Antarctica. George Foulkes, Opposition spokesperson on Foreign and Commonwealth affairs, condemned the Minerals Convention as shortsighted in light of current global environmental developments, such as the greenhouse effect. "There is a ground-swell of opinion growing for the Australian initiative and we believe Britain should support it", he said, promising to support creation of an "international wilderness reserve".

ECO notes that the Labour Party is now ahead in national opinion polls. Environment issues are expected to feature prominently in the next general election.

United States

On September 26 Senator Albert Gore, chairman of a Senate Subcommittee on Science, Technology and Space, committed himself to lead the fight to protect the Antarctic in the US. Following a press conference, Gore introduced a joint resolution to the Senate calling for full protection of the Antarctic and the extension of the current moratorium on minerals activities. The resolution followed several meetings between Gore and environmental leaders.

Gore stated that his resolution seeks "the negotiation of a new agreement to ban commercial mining or oil operations in the Antarctic." He cited the Antarctic's global significance, the ozone hole and greenhouse effect, and recent oils spills as reasons for his position. The resolution has bipartisan support, and would send a message to the Administration on the sense of the Senate.

Other branches of the government are also voicing concern about the Administration's present pro-CRAMRA position. Ratification procedures have been deferred indefinitely following requests by the Council on Environmental Quality and the Environmental Protection Agency for a review of US Antarctic policy and interests prior to submission of the Convention to the Senate. The State Department has been requested to write a Legislative Environmental Impact Assessment, which is required by the National Environmental Policy Act. In addition, it appears that the Administration will have to complete a draft of proposed implementing legislation prior to submitting the Convention for ratification, a long process that requires approval of all agencies in the Antarctic Policy Group.

A number of key agencies have not yet formally commented on the Minerals Convention. These include the National Oceanic and Atmospheric Administration (NOAA) and the National Science Foundation (NSF). Peter Wilkniss, Director of Polar Programs for the NSF, commented at a Senate hearing chaired by Senator Gore that he fears CRAMRA could have an adverse impact on the freedom of scientific investigation protected by the Antarctic Treaty, and it is known that NOAA has concerns about CRAMRA. Secretary of the Interior Manuel Lujan, whose agency oversees US domestic mining policy, recently acknowledged his agreement with Jacques Couteau that environmental protection is the top priority in the Antarctic. Lujan views CRAMRA as "dead for all practical purposes."

FRG

All of the German ministries concerned with CRAMRA have decided that the question of whether to sign the Convention should be decided by the Cabinet. A so-called "objective" account of the pros and cons of CRAMRA is being circulated. It is unclear when the Cabinet will consider the question. At the same time, two committees of the Bundestag are considering the World Park motion of the Green Party. It is likely that all opposition parties will support a ban on mining in the Antarctic and the negotiation of a comprehensive environmental protection convention.

France

A special public hearing on the problems posed by development activities in Antarctica was held in September. Twenty-two witnesses presented testimony to the Parliamentary Office on Evaluation of Technology and Science, which was asked by the National Assembly to conduct the study. The report objects that the Assembly has not had a proper role in the development of the Minerals Convention, and notes that all possible solutions should be explored other than the Minerals Convention. It expresses grave concern about the impacts of minerals activities on the Antarctic environment and important scientific research.
A NEW WASTE DISPOSAL CODE

One of the major issues to be resolved at this ATCM is the draft SCAR report on Waste Disposal. Major changes in the thinking of delegations have occurred during the last few years. ECO commends the Parties for agreeing to reduce contaminants to the minimum extent practicable, and congratulates SCAR for the work done thus far. But there are major difficulties with the proposed new Code of Conduct that deserve priority attention now.

The principal difficulty is to what extent the obligations will be legally binding. ECO urges that all of the qualifying phrases, such as "where appropriate" and "wherever practical" be deleted, so that the obligations have the force of mandatory regulations. Such references occur in draft Recommendations 2(b), 4, 10, 14, 18, 19, 22, 23, 26, 27 and 28. Which farsighted state will make this proposal? ASOC has circulated an Information Paper to all delegations, "A New Code of Conduct on Waste Disposal", which contains detailed recommendations for improvements in the draft Code.

ECO has serious difficulty with the emphasis on incineration as a preferred method. We note that there is no independent verification of the data on which SCAR bases this suggestion. A comprehensive waste audit has never been carried out for Antarctica, which would reveal the content and quantities of wastes that might be incinerated and what the by-products would be. Incinerators are unlikely to be fitted with exhaust gas scrubbers and precipitators. Emissions of toxic chemicals to the atmosphere will be inevitable, including heavy metals and dioxins, which are persistent and bioaccumulative. The effects of these chemicals in the Antarctic are unknown. ECO calls attention of delegates to Greenpeace Technical Note 10, "Waste Disposal in the Antarctic: The Case Against Incineration".

A NEW PROTECTED AREA CATEGORY

It is essential that a new type of Protected Area be created within the Antarctic Treaty System. The existing categories -- Specially Protected Areas and Sites of Special Scientific Interest -- are far too restricted in size and rationale. This appears to be commonly accepted.

The concept of an Antarctic Protected Area has been discussed during the past few years. According to SCAR, this could be used to accomplish a wide variety of "zoning" tasks, including protection of large areas for their wilderness and habitat values. For the first time it would be possible to develop sophisticated management plans for all uses in a particular region, thereby creating a rudimentary regulatory framework that could, in fact, control human activities. Marine areas could be protected properly, either alone or in conjunction with land areas.

Governments were encouraged to bring forward examples of management plans for particular areas that could be protected under the new category. At the Preparatory Meeting, papers were prepared and are being discussed, for the area around Palmer Station, Signy Island, Ross Island, and the Vestfold Hills. ECO congratulates those governments taking these steps, and urges that a Recommendation establishing APAs be agreed at this ATCM.

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FOE RESOLUTION

The following Resolution was unanimously agreed by representatives of the 38 member groups of Friends of the Earth:

FRIENDS OF THE EARTH INTERNATIONAL, at its 1989 Annual General Meeting in Washington, D.C., calls on the Antarctic Treaty Parties not to ratify the Convention on the Regulation of Antarctic Mineral Resource Activities. Instead, we support the negotiation of a comprehensive Environmental Protection Convention for Antarctica and a permanent ban on mining, which will maintain the region as a wilderness reserve or Antarctic Treaty Park.

ATCP STATUS

ECO congratulates the three newest Consultative Parties, Finland, Peru and the Republic of Korea, which are carrying out valuable scientific work. We look forward to working closely with them.

We are disturbed, however, at the refusal so far to accord the Netherlands Consultative status. Questions have been raised about the Dutch not having built a base, and in their cooperative research program being carried out with the FRG. No one has cast any aspersions on the quality of the Dutch scientific research.

In ECO’s view, the Dutch decision not to build a base is an extremely responsible, given the reality of overcrowding. Likewise, the decision to cooperate internationally in carrying out research means that better use is being made of existing facilities, and increases the likelihood of excellent science being done. This is a test of the Antarctic Treaty System, with profound implications for the future. The Antarctic Treaty does not require the building of a base or the mounting of an "independent" research program as criteria for full membership. ECO urges the ATCPs to invite the Netherlands to be a Consultative Party. This provides an opportunity to articulate criteria for the future that lead to efficient use of facilities and that will maximize international scientific cooperation.

The result of the hearing was a statement that the Minerals Convention is "outdated" and a recommendation that France pass a law prohibiting French nationals and companies from carrying out all mining activities, as an interim solution. The Report recommends that a new convention be elaborated that promotes the protection of the environment from all sources of pollution. It is being circulated to all Senators and members of the Assembly.