

**Final Report of the Thirtieth  
Antarctic Treaty Consultative Meeting**



ANTARCTIC TREATY  
CONSULTATIVE MEETING

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of the Thirtieth  
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New Delhi, India  
30 April – 11 May 2007

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Secretariat of the Antarctic Treaty  
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## ACRONYMS AND ABBREVIATIONS

<b>ACAP</b>	Agreement on the Conservation of Albatrosses and Petrels
<b>ASMA</b>	Antarctic Specially Managed Area
<b>ASOC</b>	Antarctic and Southern Ocean Coalition
<b>ASPA</b>	Antarctic Specially Protected Area
<b>ATS</b>	Antarctic Treaty system or Antarctic Treaty Secretariat
<b>ATCM</b>	Antarctic Treaty Consultative Meeting
<b>ATCP</b>	Antarctic Treaty Consultative Party
<b>CAML</b>	Census of Antarctic Marine Life
<b>CCAMLR</b>	Convention on the Conservation of Antarctic Marine Living Resources and/or Commission for the Conservation of Antarctic Marine Living Resources
<b>CCAS</b>	Convention for the Conservation of Antarctic Seals
<b>CEE</b>	Comprehensive Environmental Evaluation
<b>CEP</b>	Committee for Environmental Protection
<b>COMNAP</b>	Council of Managers of National Antarctic Programmes
<b>EIA</b>	Environmental Impact Assessment
<b>HCA</b>	Hydrographic Committee on Antarctica
<b>HSM</b>	Historic Site and Monument
<b>IAATO</b>	International Association of Antarctica Tour Operators
<b>ICG</b>	Intersessional Contact Group
<b>ICSU</b>	International Council for Science
<b>IEE</b>	Initial Environmental Evaluation
<b>IHO</b>	International Hydrographic Organization
<b>IMO</b>	International Maritime Organization
<b>IOC</b>	Intergovernmental Oceanographic Commission.
<b>IP</b>	Information Paper
<b>IPCC</b>	Intergovernmental Panel on Climate Change
<b>IPY</b>	International Polar Year
<b>IPY-IPO</b>	IPY Programme Office
<b>IUCN</b>	International Union for Conservation of Nature and Natural Resources – The World Conservation Union
<b>IUU</b>	Illegal, Unregulated and Unreported
<b>RFMO</b>	Regional Fishery Management Organisation
<b>SATCM</b>	Special Antarctic Treaty Consultative Meeting
<b>SCALOP</b>	Standing Committee for Antarctic Logistics and Operations
<b>SCAR</b>	Scientific Committee on Antarctic Research
<b>SC-CCAMLR</b>	Scientific Committee of CCAMLR
<b>SPA</b>	Specially Protected Area
<b>SSSI</b>	Site of Special Scientific Interest
<b>UNEP</b>	United Nations Environment Programme
<b>WG</b>	Working Group
<b>WMO</b>	World Meteorological Organization
<b>WP</b>	Working Paper
<b>WTO</b>	World Tourism Organization
<b>WWF</b>	Worldwide Fund for Nature



# **PART I**

# **FINAL REPORT**



**Final Report of the Thirtieth  
Antarctic Treaty Consultative Meeting  
New Delhi, India, 30 April -11 May 2007**

- (1) Pursuant to Article IX of the Antarctic Treaty, Representatives of the Consultative Parties (Argentina, Australia, Belgium, Brazil, Bulgaria, Chile, China, Ecuador, Finland, France, Germany, India, Italy, Japan, the Republic of Korea, the Netherlands, New Zealand, Norway, Peru, Poland, the Russian Federation, South Africa, Spain, Sweden, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay) met in New Delhi from 30 April to 11 May 2007, for the purpose of exchanging information, holding consultations, and considering and recommending to their Governments measures in furtherance of the principles and objectives of the Treaty.
- (2) The Meeting was also attended by delegations from the following Contracting Parties to the Antarctic Treaty which are not Consultative Parties: Austria, Belarus, Canada, Colombia, the Czech Republic, Denmark, Greece, Romania, Switzerland and Venezuela. A delegation from Malaysia was present by invitation of ATCM XXIX to observe the Meeting.
- (3) In accordance with Rules 2 and 31 of the Rules of Procedure, Observers from the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), the Scientific Committee on Antarctic Research (SCAR), and the Council of Managers of National Antarctic Programs (COMNAP) attended the Meeting.
- (4) In accordance with Rule 39 of the Rules of Procedure, Experts from the following international organizations and non-governmental organizations were invited to attend the Meeting: the interim secretariat of the Agreement on the Conservation of Albatrosses and Petrels (ACAP), the Antarctic and Southern Ocean Coalition (ASOC), the International Association of Antarctica Tour Operators (IAATO), the International Hydrographic Organization (IHO), the International Maritime Organization (IMO), the Intergovernmental Oceanographic Commission (IOC), the International Programme Office for the International Polar Year (IPY-IPO), the International Union for the Conservation of Nature (IUCN), the World Tourism Organization (WTO), the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP).

- (5) The Host Country fulfilled its information requirements towards the Contracting Parties, Observers and Experts through Secretariat Circular Notes, letters and a website, which included both public and restricted areas.

### **Item 1: Opening of the Meeting**

- (6) In accordance with Rules 5 and 6 of the Rules of Procedure, Dr Rasik Ravindra, Head of the Delegation of India, opened the Meeting and proposed Professor U R Rao as Chair of ATCM XXX. The proposal was accepted. Professor Rao made an opening statement (Annex D, page 187 of this Report).
- (7) The Honourable Minister of Earth Sciences of India, Mr Kapil Sibal, made an opening address. In his address, the Minister drew the attention of the Delegations to the role played by the Antarctic Treaty in teaching us good governance and environmental stewardship in Antarctica, besides being a pre-cursor to the Space Treaty. The International Polar Year has brought countries together for the launch of a comprehensive science mission. The Minister pointed out that in the present scenario of globalization, where national barriers are fast disappearing, where time zones have shrunk, we must embark upon a new global enterprise, charting new areas of international collaboration in the true spirit of the Antarctic Treaty. He called upon the Antarctic Treaty Parties to cooperate in the scientific pursuit and evolve consensual scientific programmes endorsed by a mutuality of interest. He spelt out India's deep commitment to playing an active role in the domain of Antarctic science and logistics with the underpinning motto to preserve the pristine environment of the last frontier on earth. He also emphasised the need to give a fresh look at the growth of tourism in Antarctica, in the context of exploitation of the resources of this vast continent, as well as the imperative of protecting the Antarctic environment. The other issue which needs to be addressed, he said, is the importance of the polar region in the context of global Climate Change and its impact on our environment and human beings, going by the recent data and issues thrown up by the Inter-Governmental Panel on Climate Change. The text of the Minister's speech can be found in Annex D, page 189.

### **Item 2: Election of Officers and Creation of Working Groups**

- (8) Dr Valery Lytvynov, Head of the Delegation of Ukraine (host country of ATCM XXXI), was elected Vice-Chair. In accordance with Rule 7 of the Rules of Procedure, Mr Jan Huber, Executive Secretary of the Antarctic Treaty Secretariat, acted as Secretary to the Meeting. Mr Ajai Saxena, head of the Host Country Secretariat, acted as Deputy Secretary.
- (9) Three Working Groups were established:
  - Working Group on Legal and Institutional Affairs;
  - Working Group on Tourism and Non-Governmental Activities;
  - Working Group on Operational Matters.

- (10) The following Chairs of the Working Groups were elected:
- Legal and Institutional Affairs Working Group: Professor Olav Orheim of Norway;
- Tourism and Non-Governmental Activities Working Group: Mr Michel Trinquier of France;
- Operational Matters Working Group: Dr José Retamales of Chile.

### **Item 3: Adoption of the Agenda and Allocation of Items**

- (11) The following Agenda was adopted:
1. Opening of the Meeting.
  2. Election of Officers and creation of Working Groups.
  3. Adoption of the Agenda and Allocation of Items.
  4. Operation of the Antarctic Treaty System: Reports by Parties, Observers and Experts.
  5. Operation of the Antarctic Treaty System: General Matters.
  6. Operation of the Antarctic Treaty System: Review of the Secretariat's Situation.
  7. Report of the Committee for Environmental Protection.
  8. Liability: Implementation of Decision 1 (2005).
  9. Safety and Operations in Antarctica.
  10. The International Polar Year 2007-2008.
  11. Tourism and Non-Governmental Activities in the Antarctic Treaty Area.
  12. Inspections under the Antarctic Treaty and the Environmental Protocol.
  13. Science Issues, Particularly Scientific Cooperation and Facilitation.
  14. Operational Issues.
  15. Education Issues.
  16. Exchange of Information.
  17. Biological Prospecting in Antarctica.
  18. Preparation of the 31<sup>st</sup> Meeting.
  19. Any Other Business.
  20. Adoption of the Final Report.
- (12) The Meeting adopted the following allocation of agenda items:
- Plenary: Items 1, 2, 3, 4, 7, 18, 19 and 20
  - Legal and Institutional Working Group: Items 5, 6, 8 and 17
  - Tourism and Non-Governmental Activities Working Group: Item 11
  - Operational Matters Working Group: Items 9,10,12,13,14,15, and 16

- (13) The Meeting also decided to allocate draft instruments arising out of the work of the Committee for Environmental Protection to the Legal and Institutional Working Group for consideration of their legal and institutional aspects.

**Item 4: Operation of the Antarctic Treaty System: Reports by Parties, Observers and Experts**

- (14) Pursuant to Recommendation XIII-2, the Meeting received reports from:
- The United States Government as Depositary of the Antarctic Treaty;
  - The Australian Government as Depositary of the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR);
  - The United Kingdom Government as Depositary of the Convention for the Conservation of Antarctic Seals (CCAS);
  - The Australian Government as Depositary of the Agreement on the Conservation of Albatrosses and Petrels (ACAP);
  - The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR);
  - The Scientific Committee on Antarctic Research (SCAR);
  - The Council of Managers of National Antarctic Programs (COMNAP).

These reports are reproduced at Annex F.

- (15) In relation to Article III-2 of the Antarctic Treaty, the Meeting also received reports from:
- The Antarctic and Southern Ocean Coalition (ASOC);
  - The International Association of Antarctica Tour Operators (IAATO);
  - The International Hydrographical Organization (IHO);
  - The International Union for the Conservation of Nature (IUCN).

These reports are reproduced at Annex G.

- (16) The United States, in its capacity as Depositary, reported on the status of the Antarctic Treaty and the Protocol on Environmental Protection to the Antarctic Treaty (see Annex F, page 269). In the previous year, the Republic of Belarus had acceded to the Treaty. There are now forty-six Parties to the Treaty. There had been no accessions to the Environmental Protocol. Bulgaria, Chile, Finland, Greece, India, Japan and USA have provided notifications on the designation of Arbitrators for the Arbitral Tribunal under the Environmental Protocol. The United States urged Parties to approve Measures where action was needed to bring such Measures into effect.
- (17) The United Kingdom, as Depositary of CCAS, reported that there had been no new accessions to the Convention, and urged the Parties to CCAS to respect the deadline for submitting the required reports (see Annex F, page 283).
- (18) Australia, in its capacity as Depositary for CCAMLR, reported that since the 29<sup>th</sup> Antarctic Treaty Consultative Meeting the People's Republic of China had acceded

- to the Convention. Australia further advised the Antarctic Treaty Parties that since ATCM XXIX no new States had become members of the Commission for the Conservation of Antarctic Marine Living Resources (see Annex F, page 287).
- (19) In its capacity as the Depositary for ACAP, Australia reported that Argentina ratified the Agreement on 29 August 2006 and Norway acceded to the Agreement on 5 March 2007 (see Annex F, page 289).
- (20) The President of SCAR introduced its report (see Annex F, page 291) and informed the Meeting that through 2006, SCAR continued to focus on research in five main thematic areas: (i) the modern ocean-atmosphere-ice system; (ii) the evolution of climate over the past 34 million years since glaciation began; (iii) the response of life to change; (iv) preparations to study sub glacial lakes and their environs; and (v) the response of the Earth's outer atmosphere to the changing impact of the solar wind at both poles. SCAR's 29<sup>th</sup> meeting and the second Open Science Conference, hosted by the Australian Antarctic Division in Hobart in July 2006, attracted some 850 participants from 32 countries. Delegates elected three new members – Denmark, Portugal and the International Union for Quaternary Science (INQUA). Bulgaria and the Ukraine moved from Associate to Full membership. Planning had begun for SCAR's thirtieth meeting, which is scheduled to take place in 2008 in Russia, with the Open Science Conference in St Petersburg from July 8-11, and the Delegates meeting in Moscow from July 14-16. SCAR and IASC together will organise the 2008 Open Science Conference.
- (21) The Executive Secretary of CCAMLR introduced its report (see Annex F, page 311) and informed the Meeting that the Twenty-Fifth Meeting of CCAMLR was held in Hobart from 23 October to 3 November 2006. The most notable of the issues dealt with at that meeting included:
- CCAMLR fisheries in 2005/06;
  - Illegal, unreported and unregulated (IUU) fishing;
  - Ecosystem monitoring and management;
  - By-catch in long line and trawl fisheries;
  - Protected areas (including marine protected areas and bio regionalisation of the Southern Ocean), and
  - Cooperation with international organizations, particularly the ATCM.
- (22) Commenting on the CCAMLR report, some delegations stressed the challenge to not only CCAMLR but also the Antarctic Treaty system posed by the continuing occurrence of illegal, unreported and unregulated (IUU) fishing in the Southern Ocean.
- (23) Some delegations also noted that following ATCM Resolution 1 (2006), the ATCM should continue to reflect upon the contribution made by CCAMLR to the conservation and protection of the Antarctic environment through encouraging practical cooperation between the ATCM and CCAMLR.

- (24) The Representative of COMNAP introduced his report (see Annex F, page 321) and briefed the Meeting on the international coordination of hydrography in Antarctica aimed at safety of Antarctic ship operations. There was concern about the increasing number and size of vessels deployed in the Antarctic region sometimes without adequate charting to support their safe operation. COMNAP had convened a workshop on the topic "Waste Management in Antarctica", which had encouraged national operators to implement alternative and joint programmes on waste management. COMNAP also referred to its WP 35 *Guidelines and Recommendations for Energy Management*. The electronic information exchange system developed by ATCM with input from COMNAP will also be useful to the operators. COMNAP is also working on better coordination of search and rescue efforts by the operators. In this connection, COMNAP stressed the importance of accurate and unambiguous geo-referencing.
- (25) The representative of the IHO introduced its report (see Annex G, page 357), and informed the Meeting of the cooperation in hydrographic surveying and charting of Antarctic waters. The Hydrographic Committee on Antarctica (HCA) of the IHO had had its 6<sup>th</sup> Meeting at Punta Arenas, Chile in November 2006, and had made much progress. The IHO representative expressed concern, however, at the low rate of participation by the Treaty Parties in hydrographic activities. The IHO also suggested that the Meeting might wish to consider an IHO proposal for a seminar to be organised during the 31<sup>st</sup> ATCM to raise awareness on the importance of hydrographic activities in the Antarctic. The Meeting welcomed the IHO report. The UK echoed the conclusion which urged Parties to assign a high priority to hydrographic survey activities. The Meeting also welcomed the offer from the IHO to develop a seminar to be delivered at ATCM XXXI.
- (26) Commenting on the IHO report, and referring to its own report (see Annex F, page 291) SCAR noted that high quality bathymetric maps are needed not only for navigation but also for science. SCAR and the IHO are working together on an International Bathymetric Chart of the Southern Ocean. In recognizing how poorly the bathymetry of the Southern Ocean is known SCAR, together with the Scientific Committee on Ocean Research (SCOR), recommended that all countries using multibeam echo sounders on the Southern Ocean should plan ship tracks to ensure that gaps in bathymetric coverage are filled and that the data be submitted to the appropriate World Data Centre.
- (27) The representative of IAATO introduced its report for 2006-2007 (see Annex G, page 369). IAATO informed the Meeting that it now had 83 members active in different fields, and new applications are in progress. Despite two vessel incidents and the increase in tourists, vessels and aircraft operations the Antarctic season operated smoothly. IAATO Members continued to support established practices that have proven effective and that assure long term protection of the areas visited. All operators submitted Environmental Impact Assessments (Initial Environmental Evaluations or Preliminary Assessments) or operational documents as required by domestic legislation to their appropriate National authority. The increasing number of vessels made further development of the web-based IAATO Ship Scheduler

programme more needed than ever. This programme makes it possible to schedule site visits prior to the season, assure the presence of not more than one ship at one site at one time, and take into account the requirements of the thirty-two IAATO site guidelines and the twelve ATCM adopted site guidelines. IAATO also continues to develop its reporting systems and its data base which provides comprehensive statistical information about Antarctic tourism.

- (28) The representative of ASOC introduced its report (see Annex G, page 383). He noted that ASOC is looking for productive outcomes from the meeting, and that the region faces growing environmental challenges, with cumulative impacts from more activities. Global warming causes direct harm to the region, and regional and global action is needed. ASOC suggested that key subjects for discussion include how to achieve a "greener" IPY, regulating the rapid growth of tourism, mitigating acoustic impacts in the marine environment, creating marine protected areas, and using the Protocol's tools to protect species and sites. ASOC expressed its condolences regarding the Argentine vessel *Irizar*. While thanking ASOC, Argentina noted that subject to the context created by this situation it will proceed with the Argentine scientific activities as well as with the commitments made.
- (29) The Ambassador of Belarus informed the Meeting about the process of Belarus's accession to the Treaty and the steps Belarus is taking in setting up a national Antarctic research programme. Brief information on this subject was distributed among the participants in IP 130 *Brief Information on the Activities of Belarus in the Polar Regions*.

## **Item 5: Operation of the Antarctic Treaty System: General Matters**

### ***Review of Measures***

- (30) The United States of America introduced WP 2 *Open-Ended Intersessional Contact Group on Review of Measures: Area Protection and Management* and commented on the low level of participation in this ICG. The United States reminded delegations that ATCM XXIX had requested the United States to chair an open-ended e-mail contact group to review in detail all recommendations and measures related to area protection and management; propose which would be appropriate for citation in a resolution or decision on the subject; draft a proposed resolution or decision; and prepare a working paper on the subject for consideration by ATCM XXX.
- (31) The United States noted that it had circulated a paper in August 2006 analysing measures of a general nature on the subject of area protection and management relevant to Annex V of the Environmental Protocol. The United States noted that it had received no responses until just before the working paper deadline, and questioned whether there was sufficient support for this exercise. Delegations thanked the United States for its efforts and applauded the work to date. While some had not so far participated in the debate, this did not signify a lack of interest. Further work would be needed to take this issue forward. Japan, while supporting most of the conclusions reflected in the United States paper, raised questions relating to legal reasoning and

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the use of terminology. The United Kingdom noted that further discussion to secure the right terminology could help resolve this issue. The Meeting supported continuing work on this issue.

- (32) The United States chaired a contact group focusing on measures of a general nature on the subject of area protection and management. The Meeting adopted Decision 1 (2007) (see Annex B, page 135).
- (33) The United States stated that, as depositary government, it would review its practice in relation to these measures, including how to adapt its annual report to the Parties in the light of Decision 1 (2007).
- (34) The Secretariat introduced SP 9 *The Recommendations of the ATCM: Survey of Their Status* and SP 10 *Review of the Status of ATCM Recommendations on Environmental Issues*. The Meeting thanked the Secretariat for the significant work resulting in the two papers and noted that it had not had time to review these papers in detail.
- (35) The United Kingdom commented that measures on "Historic Sites and Monuments" should be treated as within the category of measures on "Area Protection and Management", which referred to the whole of Annex V. The Meeting agreed that this adjustment should be reflected in any further versions of SP 9 and SP 10.
- (36) Italy noted that the current wording in page 17, paragraph 6, of SP 10 which suggested some of the liability instruments were obsolete, was incorrect. Annex VI of the Protocol on Environmental Protection to the Antarctic Treaty did not cover all of the issues addressed by those instruments and Article 16 of the Protocol.
- (37) Italy also noted that Decision 3 (1998) and Resolution 5 (1999) could not be considered obsolete since such instruments did not concern the specific issues of liability arising from environmental emergencies, as in Annex VI, but addressed liability in general terms. The Executive Secretary agreed that the wording in SP 10 was mistaken as it had only reflected environmental issues.
- (38) With regard to the way forward on the review of the status of measures, the Meeting concluded that delegations should come to ATCM XXXI prepared to review the status of (1) measures concerning individual Antarctic Specially Protected Areas and Historic Sites and Monuments which were originally designated prior to the entry into force of Annex V to the Protocol on Environmental Protection to the Antarctic Treaty, with a view to considering the possibility of adopting a Decision or a Measure or Measures; and (2) measures of a general nature relating to other subject matter covered by the Protocol and its other Annexes, taking into account SP 10, with a view to adopting a Decision similar to Decision 1 (2007).

### ***Review of Annex II***

- (39) The Russian Federation presented WP 19 *On Review of Annex II to the Protocol on Environmental Protection to the Antarctic Treaty: Conservation of Antarctic Fauna and Flora*. The United Kingdom introduced IP 137 *Re-Issue of WP 44 (ATCM XXIX)*

*Review of Annex II of the Environmental Protocol.* The Meeting thanked the Russian Federation and the United Kingdom for their papers which served as a good starting point for discussion.

- (40) ASOC introduced IP 81 *Amendment or Modification of Annex II and the Implications for Further Annex Review* and suggested that this whole issue should be treated as a package rather than in parts.
- (41) Several delegations noted that the review of Annex II had continued for a long period and that the Meeting should aim at early closure. Many Parties expressed a strong desire to complete work on Annex II at this meeting. Other delegations noted that some technical aspects of Annex II could be improved, but negotiation and entry into force of revisions could take a long time and the benefit might be limited compared to other possible avenues of protection.
- (42) Some delegations indicated that they were not fully aware of the scientific background to the review. Other delegations emphasized that further scientific input was not needed and that what was required was a legal and policy perspective.
- (43) Some delegations stated that they reserved their position as to whether Annex II should be amended and wished to hear explanations of proposed amendments to Annex II. Other Parties referred to the CEP's justification for the proposed amendments, working through Annex II article by article (up to Article 4.3). Parties agreed to reflect on these presentations and return to the issue of Annex II at ATCM XXXI.

## **CCAMLR**

- (44) Referring to the report of the CCAMLR observer, the United Kingdom and Australia suggested a further discussion of CCAMLR's efforts to address IUU fishing and its impact on the Antarctic environment.
- (45) Australia, New Zealand and the United Kingdom introduced WP 45 rev 1 *Support for CCAMLR and Action to Combat Illegal, Unreported and Unregulated Fishing*, identifying IUU fishing in the Antarctic Treaty area as a huge threat and proposing a draft Resolution.
- (46) Argentina noted the complex questions arising from the concept of unregulated fishing. Many delegations, including the USA, Spain and Argentina expressed support for the draft Resolution. Spain and Chile stressed the importance of reinforcing international cooperation in regard to closing ports to IUU fishing vessels.
- (47) Consensus could not be reached on the adoption of a Resolution because a few delegations were concerned about the procedure involved. However, having considered items related to the work of the Commission for the Conservation of Antarctic Marine Living Resources and its cooperation with the ATCM, the Meeting:
  - Noted with appreciation the report of the CCAMLR observer at ATCM XXX and the priorities of CCAMLR's work, as described in this report,

including the high priority given by it to combating illegal, unreported and unregulated (IUU) fishing;

- Reaffirmed their support for the work of CCAMLR and, inter alia, its continued efforts aimed at eliminating IUU fishing expressed in Resolution 3 (1999), Resolution 2 (2000), Resolution 2 (2001), and Resolution 3 (2002);
- Recalled Resolution 1 (2006), which recommended that the ATCM regularly reflect upon the contribution made by CCAMLR to the Antarctic Treaty system in respect of the conservation and protection of the Antarctic environment;
- Reminded also that the objective of the Convention on the Conservation of Antarctic Marine Living Resources is the conservation of Antarctic living resources, which includes rational use;
- Noted that within the area of the above mentioned Convention, IUU fishing is considered to be a threat to the conservation status of species, ecosystems and habitats upon which those species and associated and dependent species depend;
- Welcomed the progress made by CCAMLR in reducing IUU fishing in the Convention Area, including through the use of the system of inspection, implementation of the catch documentation scheme and centralized vessel monitoring scheme, and closing ports to IUU vessels;
- Expressed their common understanding that the activities of CCAMLR as one of the integral elements of the Antarctic Treaty system, including those in the area of combating IUU fishing, are to be conducted in accordance with the purposes and principles of the Antarctic Treaty, including those referred to in its preamble.

- (48) Following the discussion on the items the Meeting recommended that all Parties to the Antarctic Treaty that are Parties to the Convention on the Conservation of Antarctic Marine Living Resources continue and strengthen their efforts to address IUU fishing in accordance with the conservation measures adopted by CCAMLR.

### ***Other Matters***

- (49) The United Kingdom presented WP 43 *Guidance for Working Papers on Area Protection and Management*. Parties applauded this initiative. As CEP X indicated that it would continue consideration of the details at ATCM XXXI, the Meeting encouraged Parties to use the guidance during the intersessional period on a trial basis, and provide comments to the United Kingdom to facilitate the submission of a revised version of the guidance to CEP XI.
- (50) The Russian Federation presented IP 65 *Concept and Structure of the Draft Federal Law of the Russian Federation "On regulating activities of the Russian citizens and legal entities in the Antarctic"*. The Meeting thanked the Russian Federation for this useful update on its legal process.
- (51) The Netherlands introduced WP 34 *Identification of Activities Covered by Article VII.5 of the Antarctic Treaty*. The paper envisaged a two-step process with a view to compiling an indicative list of the types of activities covered by Article VII.5 of the

Antarctic Treaty. As a first step, it proposed to request Parties to submit, on a voluntary basis, a list of the type of activities for which advance notice is given under Article VII.5 of the Antarctic Treaty. Some delegations expressed the view that, considering the workload imposed on the Parties by the proposal, the practical need and purpose of this exercise should be more clearly identified. Some delegations expressed the view that the identification of activities covered by Article VII.5 of the Antarctic Treaty could be useful, in particular for the implementation of Annex VI to the Protocol on Environmental Protection to the Antarctic Treaty on Liability Arising from Environmental Emergencies. It was suggested that Parties interested in this proposal pursue it in informal consultations on liability.

- (52) ASOC presented IP 84 *Strengthening the CEE Process*, describing it as an initial contribution to the longer term future scrutiny of Annex I to the Protocol on Environmental Protection to the Antarctic Treaty and criticizing the fact that no CEE had resulted in a proposal being cancelled. Some delegations commented that the quality of draft CEEs showed that their own national preparations in advance of presenting a CEE were rigorous, and this was a reason why many proposals did not require significant alteration.
- (53) The Executive Secretary introduced SP 6 *Manual for the Submission of Documents to the Antarctic Treaty Consultative Meeting and the Committee for Environmental Protection*. The Meeting thanked the Secretariat for its work on this paper, and noted that in its present form it was mind-numbingly technical and that, for some purposes, a simpler version would be more helpful. The Executive Secretary undertook to produce a simpler version more appropriate for those Working Papers that do not have illustrative material.
- (54) Chile introduced the subject of official translations of Antarctic place-names and the Meeting agreed that further examination was required to clarify the ATCM practice on this matter.
- (55) The Meeting decided to send a Message to stations in the Antarctic (see Annex I, page 401).

## **Item 6: Operation of the Antarctic Treaty System: Review of the Secretariat's Situation**

### ***2006/07 Activities***

- (56) The Executive Secretary introduced SP 2 *Antarctic Treaty Secretariat Report 2006/07* and gave a brief resume of each of the sections of the report. The Executive Secretary noted that due to the timing of the ATCM, the financial report should be considered as provisional as it had still to be audited.
- (57) Delegations complimented the Secretariat for the work during 2006/07 put into timely publication of the ATCM XXIX report, updating the websites, the electronic information exchange system, and the database of resolutions and decisions taken at ATCM. One delegation suggested, with support from the Meeting, that the section

on Secretariat travel should include a summary of the objectives for each period of travel and an assessment of whether these were met.

- (58) The Meeting thanked the Executive Secretary for the Provisional Financial Report and on the financial management of the Secretariat during 2006/07.

### ***Antarctic Treaty Handbook***

- (59) Some Parties questioned the invitation to academics to contribute to the Antarctic Treaty Handbook. The Executive Secretary explained that as none of the Secretariat were lawyers, such legal expertise had been sought from respected authoritative sources only for the purpose of completing the draft of introductory narratives. This appeared to be more expeditious than asking the 28 Consultative Parties to become involved in the drafting process, and the intention had always been to circulate it in draft to all ATCPs for review and approval.
- (60) The Meeting noted that the Handbook was the property and the responsibility of the Antarctic Treaty Consultative Parties, and for purposes of copyright could not be transferred. A version produced by the Secretariat would be perceived as – and should be – authoritative, with explanatory texts agreed by the Parties. It was noted that transfer to the Secretariat of responsibility for preparing the Handbook made this especially important, compared with the previous versions edited by the United Kingdom, Chile, and the United States. It was agreed that individuals assisting the Secretariat in preparing the Handbook would not receive credit as authors and would not be compensated.
- (61) The Meeting agreed that the updating of the Handbook should take as its starting point the Ninth Edition, produced by the United States, which had a concise factual introduction.
- (62) Chile reminded the Meeting of its handbook produced in 1991 in Spanish and suggested especially that its structure could be useful in assisting with the updating of the Handbook.
- (63) The Meeting instructed the Secretariat to proceed with production, and transmit the draft Handbook to the Consultative Parties with sufficient time for them to review it, provide comments, and indicate if they have any objection to its publication.

### ***Staffing Matters***

- (64) The Executive Secretary was asked for further clarification of the position of secretariat staff under Argentine labour and social welfare legislation, taking into account the Declaration received from the Argentine Ministry of Foreign Affairs. The Executive Secretary expanded on the written report and expressed his confidence that the issue of implementation would be successfully resolved shortly. At the same time he noted that Argentine authorities had been extremely helpful in this regard.

- (65) Argentina stated that every time the Executive Secretary had requested assistance this had been provided, consistent with the Declaration of the Argentine Republic on the Antarctic Treaty Secretariat (Annex H, Final Report of ATCM XXIX).
- (66) The Executive Secretary noted that the employment situation of the part-time employees would be regularized following approval of the Draft Secretariat Programme 2007/08 (see Paragraph 77 below) by the Meeting.
- (67) The Meeting noted that the current term of the Executive Secretary was due to expire in September 2008 and therefore needed to consider this issue. Noting the information from the Executive Secretary that he would be available for one further year, it was decided to re-appoint Mr Johannes Huber for an additional term of one year. The Meeting adopted Decision 2 (2007) to this effect (see Annex B, page 139).
- (68) The Meeting decided to consider developing procedures for the appointment of the next Executive Secretary at ATCM XXXI.

### ***Financial Matters***

- (69) The Meeting discussed the issue of the surplus accumulated up to 31 March 2006 (\$324,533) as mandated by Paragraph 7 of Decision 1 (2006) and the newly accumulated surplus from the year 2006/07 (\$58,600). The Meeting considered several options regarding the disposition of this total accumulated surplus of \$383,133. The Meeting also considered the rights of each Party under Financial Regulation 6.3 to request from the Secretariat a credit for its proportional share of a surplus.
- (70) From the perspective of good financial management, the Meeting agreed to treat the total amount of the surplus as income for the year 2008/09, and to reduce the variable part of the Parties' 2008/09 assessed contributions in proportion to their relative contributions to the budget over the past three years (2004/05, 2005/06, and 2006/07). The Meeting recognized that this was a one-off solution to exceptional circumstances resulting in a significant surplus during the formative years of the Secretariat.
- (71) Whilst agreeing to this, the United Kingdom, Spain and Sweden indicated that they had a strong preference that further time be made available to consider options to use the surplus for practical one-off initiatives which would benefit the Antarctic Treaty system. Further, these Parties noted that it may prove difficult in the future to secure investment for new initiatives from Parties if the surplus was used to reduce contributions in 2008/09.
- (72) The Executive Secretary introduced SP 4 rev 1 *Contributions to the Secretariat 2005 – 2008*. Some delegations noted that they had paid their contributions before the paper was issued and these had not been included. The Executive Secretary noted that contributions were recorded by the Secretariat as soon as the bank informed the Secretariat that these remittances had been received.
- (73) The Meeting welcomed the announcement by the Russian Federation that it had upgraded its financial contribution to level 'C'. The Executive Secretary noted that this would take effect from 2008/09.

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- (74) Parties noted the importance to them of receiving information containing details of the size of their financial contribution and the due date. The Executive Secretary reminded the Meeting of the provisions of Decision 2 (2003) and Decision 3 (2004), which provided that the Secretariat notifies all Parties of their assessed contributions before 1 January preceding the financial year in question. The Secretariat is ready to provide Parties with additional notification in any desired format or timing consistent with the provisions of the relevant Decisions.
- (75) Argentina introduced WP 44 *Appointment of External Auditor* and IP 141 *Supplemental information to WP 44 on the external audit of the Antarctic Treaty Secretariat*. The Meeting agreed with the recommendation to re-appoint the auditor and adopted Decision 3 (2007) to this effect (see Annex B, page 145).

### **2007/08 Activities and Budget**

- (76) The Executive Secretary introduced SP 3 *Draft Secretariat Programme 2007/08*. The Executive Secretary also noted that although the draft budget indicated an increase to cover inflation, the exchange rate between the Argentine Peso and the US Dollar had been fairly stable over the last three years and was not expected to change.
- (77) The Meeting took note of the provisional accounts for 2006/07 (Attachment to SP2). The Meeting approved Decision 4 (2007) containing the Secretariat's Programme and Budget for 2007/08, as revised during the Meeting (see Annex B, page 149).

### **Other Matters**

- (78) Belgium asked for an update on the current status of Measure 1 (2003). The Executive Secretary noted that 20 of 27 countries had approved it. The Meeting urged those Parties that had not yet approved Measure 1 (2003) to do so as soon as possible.
- (79) India suggested that the Secretariat produce guidelines for ATCM host countries, to improve coordination between a host country and the Secretariat. The Meeting supported this proposal, which would indicate clearly the respective responsibilities of the host country and the Secretariat, as well as listing the deadlines for submission of papers in advance of an ATCM.
- (80) Referring to Rule 26 of the Rules of Procedure, the Meeting noted the importance of having definitive versions of Measures adopted in accordance with the procedures of Article 6.1 and 8.2 of Annex V to the Protocol on Environmental Protection within sufficient time to implement them prior to their coming into force within 90 days. To this end, the Parties asked the Secretariat to ensure the texts as adopted were available on its website in all Treaty languages within seven days following the end of the ATCM. Parties then agreed to provide any additional corrections required within a further fourteen days. The Secretariat would ensure that these corrections were clearly marked in the texts posted to the ATS website for a further seven days for final comments. The definitive texts would then be confirmed and circulated by the Secretariat to all Parties.

- (81) The Executive Secretary presented SP 5 *Status of the Secretariat Archive of Final Reports*. The Executive Secretary asked Parties to scour their archives for old Final Reports for inclusion in the Secretariat Archive.

### **Item 7: Report of the Committee for Environmental Protection**

- (82) Dr Neil Gilbert, Chair of the Committee for Environmental Protection, introduced the report of CEP X (see Annex E, page 197). The CEP considered more papers than ever before: Thirty-two Working Papers, seventy-five Information Papers and four Secretariat Papers. The full list of the papers, listed under the CEP agenda items, can be found in Annex I to the CEP Report.

#### ***Operation of the CEP and Strategic Discussions on its Future (CEP Agenda Items 3 and 4)***

- (83) In order to deal more efficiently with its ever increasing work load, the Committee had considered a five year work plan, which had been prepared by an intersessional contact group. The CEP had agreed to endorse the plan on a provisional basis and to provide opportunity for further comment on it during the intersessional period. The provisional draft plan can be found in Appendix 1 of the CEP Report.
- (84) The Committee had addressed a proposal to establish a standing group to improve the intersessional process for reviewing management plans for protected and managed areas, and had agreed to establish an informal group on a trial basis to be convened by CEP Vice-chair Tania Brito (Brazil). The Committee had adopted proposed terms of reference and timelines, which can be found in Appendix 2 to the CEP Report.
- (85) After receiving a report by the Secretariat on the environmental sections of the Electronic Information Exchange System, the Committee had agreed to continue with the trials of the system during the intersessional period and had agreed that all Members should participate in populating the system with the required data.

#### ***Environmental Impact Assessment (CEP Agenda Item 6)***

- (86) The Committee had considered a draft CEE for a new Indian research base at Larsemann Hills and had concluded in its advice that the draft CEE meets the requirements of Annex I to the Environmental Protocol. The Meeting endorsed the advice, which can be found in Appendix 3 of the CEP Report. Australia congratulated India on the hard work that had gone into the CEE and expressed its desire to work together with all Parties operating in the Larsemann Hills region to make the ASMA a success. India thanked the other partners in the ASMA for their understanding and appreciation for the points raised by India in the process.
- (87) The Committee had considered an update on the drilling above Lake Vostok, noting that a Final CEE for water sampling of the lake will be presented at ATCM XXXI.

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- (88) On the question addressed to the Committee by the 29<sup>th</sup> ATCM, "whether the proposal to prevent ships carrying more than five hundred passengers from landing in Antarctica was an environmentally responsible and precautionary approach or whether they would recommend an alternative", the vast majority of the CEP members had endorsed the proposal to prevent ships carrying more than five hundred passengers from landing. However, the Committee recommended that more consistent and dedicated monitoring of tourism be undertaken to ensure that data and information are available to support such decision making. The Meeting addressed landings from large passenger vessels further under Agenda Item 11 below.
- (89) The Committee had considered options for strengthening the CEE process. It had decided to amend its guidelines on CEP handling of draft CEEs to make the establishment of an Intersessional Contact Group on the draft CEE automatic. The Committee also had agreed to ask the ATCM to consider allocating funds to allow for the translation of draft CEEs into the four Treaty languages.
- (90) Parties welcomed the Committee's decisions on strengthening the CEE process and were supportive of its proposal to translate draft CEEs into the four Treaty languages. Parties noted that translation of the draft CEEs should occur at the time of circulation of such documents, at least 120 days before the next CEP meeting. The budgetary consequences of translating the CEEs would have to be taken into account. Although the CEP Chair informed the Meeting that he was not aware of any planned CEEs for the coming year, China subsequently announced its plans in this regard (see below).
- (91) Consistent with discussion in the CEP about the benefits of Parties providing advance notification of activities that may be subject to a CEE, China informed the Meeting that it was considering establishing a new research station at Dome A. The new station would be a summer-only facility with the capacity of holding fifteen expeditioners. Following the required environmental assessment process, the construction might take place in either the 2008/09 or 2009/10 season. In accordance with Annex I of the Environmental Protocol, an environmental impact assessment would be undertaken for this proposed activity and China would notify Parties and the CEP at the earliest opportunity.

### ***Area Protection and Management (CEP Agenda Item 7)***

- (92) The Committee had considered new or revised draft management plans for three Antarctic Specially Managed Areas and seven Antarctic Specially Protected Areas. The Committee also had considered a proposal for one new Historic Site or Monument. Five management plans had been referred by the Committee for intersessional review.
- (93) The Meeting adopted Measure 1 (2007) containing the two revised management plans for ASPA 109 (Moe Island) and ASPA 129 (Rothera Point) referred to it by the Committee (see Annex A, page 57).
- (94) The Meeting also adopted Measure 2 (2007) instituting ASMA 5 (Amundsen-Scott South Pole Station) and 6 (Larsemann Hills) (see Annex A, page 75).

- (95) The Meeting also adopted Measure 3 (2007) adding the Monument to the Antarctic Treaty to the list of Historic Sites or Monuments (see Annex A, page 131).
- (96) On Site Guidelines for Visitors, the Meeting adopted Resolution 1 (2007) containing two new site guidelines for Brown Bluff and Snow Hill (see Annex C, page 171).

### ***Conservation of Antarctic Fauna and Flora (CEP Agenda Item 8)***

- (97) The Committee had had a substantial discussion on the issue of whether the southern giant petrel should be designated as a Specially Protected Species under Annex II to the Protocol, given the high degree of uncertainty over the status of the species. In order to prepare a better basis for decision-making on the issue, the Meeting adopted Resolution 2 (2007) (see Annex C, page 175). The Meeting encouraged Parties to make available existing relevant scientific data and results to SCAR for this purpose.
- (98) With reference to Paragraph 260 of the CEP Report, the Meeting noted the comment from Germany, in response to a question from SCAR, that the atypical strandings of giant squid mentioned in that paragraph, which had been reported by Spanish scientists, had taken place outside the Antarctic region.
- (99) On the basis of SCAR's advice, the Committee had agreed to retain the Ross seal on the list of Specially Protected Species under Annex II.

### ***Environmental Monitoring and Reporting (CEP Agenda Item 9)***

- (100) The Committee had agreed to add Climate Change as a sub-item under its agenda item on Environmental Monitoring and Reporting. Delegations welcomed this decision, which recognized the importance of the issue, and looked forward to further work by the Committee on this topic.

### ***Other Matters***

- (101) The Committee had considered a draft checklist for inspecting protected areas and had decided that the list would be resubmitted to CEP XI for further consideration.
- (102) The Committee had endorsed a set of guiding principles on best practice for energy use prepared by COMNAP.
- (103) The Committee had re-elected Dr Yves Frenot for a second term as first Vice-chair of the CEP. The Chair congratulated Dr Frenot on his re-election and congratulated Dr Neil Gilbert, Dr Frenot and second Vice-chair Tania Brito on a successful and productive CEP meeting.

### **Item 8: Liability: Implementation of Decision 1 (2005)**

- (104) The United Kingdom introduced IP 54 *Antarctic Liability: Domestic Implementation of Annex VI to the Environmental Protocol: Key Issues and Areas of Difficulty*, noting that the starting point was Decision 1 (2005). The United Kingdom noted that the

various issues included in the list had been contributed by experts from a wide range of Parties. It was not intended to constrain Parties in their interpretation of the Annex, but to facilitate exchange of ideas and experience among those involved in preparing legislation. There were several areas where experts could usefully pool information, for example about the availability of adequate affordable insurance cover. Many delegations expressed appreciation for this paper and thanked the United Kingdom, as it would be of great assistance in their respective paths towards ratification of Annex VI.

- (105) The delegations also warmly welcomed the assistance from Sweden, the first Party to approve Annex VI and to enact domestic legislation covering this issue, in helping them to understand the implications for their own future domestic legislation.
- (106) Delegates exchanged views on a number of the issues listed in IP 54, including: the meaning of "strict liability" in common law and civil law systems, and how to translate it into Spanish; the relevance of identifying activities covered by Article VII.5 of the Antarctic Treaty; the availability of suitable insurance cover; the extensive interface with various aspects of domestic legal systems, and the need of many Parties for coordination with a range of ministries and agencies.
- (107) In addition to the sixteen Parties who had announced this step at ATCM XXIX, India, Italy, Japan, Peru and South Africa all informed the Meeting that they had started their internal review process. The Meeting warmly welcomed this information.
- (108) The Meeting urged Parties to approve Annex VI as soon as possible and, to this end, agreed that it would be useful for experts to continue exchanging views and information informally. It was agreed that those interested in participating in any intersessional exchanges should ensure they were on the email address list of Annex VI experts maintained by the Secretariat.
- (109) The Meeting urged delegations to be prepared at ATCM XXXI to present information on their domestic implementation or work in progress, including any problems encountered.

### **Item 9: Safety and Operations in Antarctica**

- (110) Norway introduced WP 37 rev 1 *The M/S Nordkapp incident*, describing the grounding of the cruise vessel *M/S Nordkapp* which occurred on 30 January 2007 during passage of Neptune's Bellows, Deception Island.
- (111) Norway advised that the cause of the grounding was human error (faulty navigation). A spill of marine diesel oil (MGO) occurred during response action following the grounding. Although the grounding was extensive, and the damages sustained by the ship were large, the overall consequences for human safety were limited. No long term environmental impacts of the incident were observed.
- (112) Many Parties thanked Norway for its detailed report and highlighted the importance of keeping the national programmes and nearby stations informed during an incident and the need for feedback after the incident to better organise emergency planning.

Norway stressed appreciation to all Parties that provided assistance during and after the incident. Norway will work with Parties in the intersessional period as outlined in the Working Paper, on issues such as oil spill response equipment carried on vessels, and will report back to the next ATCM.

- (113) Chile presented IP 119 *Varamiento de buques en Isla Decepción y situación ocurrida con la M/S "Nordkapp"*, with information about assistance offered by Chile and other information. Chile also reported about the Argentine-Chilean Joint Naval Patrol, which operates during the austral summer providing assistance in the case of incidents in the Antarctic Peninsula region. Chile stressed concern about the possible occurrence of incidents similar to the *M/S Nordkapp* incident in the future. Spain pointed out another incident which took place on Deception Island during the same season with the grounding of the vessel *Lyubov Orlova*. Spain and Argentina suggested that in incidents similar to that of the *Nordkapp* and *Orlova* the nearest stations and/or vessels should be informed immediately in order to facilitate effective response.
- (114) IAATO was pleased to note assistance provided by Parties to the *M/S Nordkapp*. The Marine Committee of IAATO would make a detailed assessment of the incident at its Annual General Meeting in June this year. The assessment would focus on the lessons to be learnt, in particular for the prevention of and responses to incidents. IAATO supported the various parties that proposed an improved communication system and would be pleased to work with COMNAP to that end.
- (115) In response to a question posed by the Russian Federation, COMNAP noted that although it was possible to include information on the position of non-IAATO tourist vessels in its systems, it was unlikely that this information would be provided to COMNAP regularly. COMNAP also advised that it had plans for further expansion of the Ship Position Reporting System into a general voyage information system, including schedule information and a range of new parameters including information on doctors and helicopters on board. This work would be coordinated with IAATO and the two organizations' systems would interact and exchange information.
- (116) COMNAP introduced IP 50 *International Coordination of Hydrography in Antarctica: Significance to Safety of Antarctic Ship Operations*, mentioning that whilst there had been relatively few accidents in the Antarctic region, there was an increase in the number and size of vessels deploying into the region and pushing into sea areas where hydrographic surveys and charting are inadequate to support their safe operation.
- (117) COMNAP stressed that accurate charts are essential to the management of human activity. Since hydrographic activity was expensive and assets scarce, coordination of international efforts would be of the utmost importance. There was an urgent need to uphold, and where necessary clarify, responsibilities of both government and private sector operators. Top-level support would be required for the ongoing efforts of COMNAP, IAATO and the IHO HCA. Several Parties agreed that the work of this IHO HCA Committee was particularly important and that resources and funding should be provided to undertake hydrographic charting in Antarctica.

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- (118) The US noted the need to establish priorities among mapping efforts because of their cost and the scarcity of mapping assets.
- (119) Several Parties and SCAR stressed the relevance of hydrographic information in Antarctic activities and research.
- (120) COMNAP also presented IP 99 *Contingency Planning and Emergency Response*, noting that this was a work in progress on which the ATCM would be kept informed.
- (121) COMNAP highlighted that current systems were essentially structured around and supported by a range of international agreements in place. Safety in the Antarctic region was actively supported by the five Rescue Coordination Centres (RCCs) in South Africa, Australia, New Zealand, Chile and Argentina. The RCCs functioned well and it was noted that an effective way of supporting safety was to collaborate with and support the RCCs. COMNAP also highlighted the unique presence in the Antarctic Peninsula region every summer of the Combined Antarctic Naval Patrol of Argentina and Chile that provided dedicated rescue assets.
- (122) IP 118 *Seguridad en la aeronavegación en la península Antártica* (Chile) was not introduced and was taken as read. Argentina declared that due to time constraints this document could not be studied and it reserved its position.
- (123) France recalled that many international agreements and instruments were relevant to this question and suggested that an analysis of these international agreements and instruments would be very useful, in particular as input into COMNAP's ongoing work on the matter.

### **Item 10: The International Polar Year 2007-2008**

- (124) On behalf of SCAR and the IPY-IPO, Dr David Carlson introduced IP 73 *IPY Report for ATCM XXX* with some recent updates from IPY. Recalling the central themes from the Edinburgh Declaration on IPY, he then described IPY launch activities. In a 24-hour period on 1 March, many schools around the world conducted polar activities and then launched virtual balloons on a Google site that all could view. The IPO will work to expand the networks of schools and teachers to Africa, Asia, Russia and South America. The IPY web site functions as the information centre for IPY activities – it has already a report from this ATCM.
- (125) Dr Carlson showed the 228 IPY-endorsed projects at the start of IPY, and emphasized the international nature of these projects. In terms of IPY funding, he estimated, for the 2-year IPY period, existing science funds (annual polar research resources reprogrammed for IPY) at \$820 million and new science funds at \$430 million for a 2-year total of \$1.25 billion. He emphasized the need for approximately \$250 million of additional funds. Many parties plan new ships and new or refurbished Antarctic stations during IPY. Although it was difficult to estimate at this stage, the total amount of these infrastructure investments during IPY probably ran to several hundred millions of dollars.

- (126) Dr Carlson emphasized the urgency of plans for legacy activities, in particular for sustained observational capabilities in both polar regions and for networks of young scientists – the future generations of polar researchers. Finally, he described plans for IPY science conferences approximately every second year. There would be a mid-term IPY assessment conference as part of the SCAR/IASC Open Science Conference in July 2008 in St Petersburg, an early IPY science conference in June 2010 in Oslo, and the SCAR Open Science Conference in July 2010 in Buenos Aires. He noted that the IPY meeting in 2012 would address science and policy and invited the ATCM to consider its input to that meeting in due course. Dr Carlson noted that the Executive Secretary of the Antarctic Treaty Secretariat attended the ICSU-WMO Joint Committee as an observer.
- (127) Chile noted that although it might have omitted to inform IPY-IPO, it did however issue a declaration regarding this significant international event. Furthermore, Chile organised an IPY event on board of the Swedish ice-breaker *Oden* when she stopped in Punta Arenas on her way to Antarctica, and other activities mentioned in WP 41.
- (128) The United Kingdom thanked Dr Carlson for the IPY Report and noted the request by IPY for Parties to maintain and extend long term monitoring of change in all parts of the Antarctic and for Parties to cooperate with SCAR and other appropriate international bodies to create a coordinated Antarctic observing network.
- (129) The Meeting recalled that the CEP in its advice to the ATCM had encouraged the Parties to adopt a statement on this issue, perhaps by means of a Resolution.
- (130) The UK therefore proposed that the Meeting adopt a Resolution on long-term monitoring and sustained environmental observation in Antarctica. This was agreed and the Meeting adopted Resolution 3 (2007) (see Annex C, page 177).
- (131) Uruguay introduced IP 24 *Pasantías antárticas para el Año Polar Internacional*, describing their traineeship programme oriented to final year students, for them to conduct their thesis research at Base Artigas.
- (132) Argentina introduced IP 28 *Scientific Activities at the Argentine Antarctic Bases and International Polar Year* and offered their facilities for new projects from other Parties.
- (133) SCAR introduced IP 49 *Aliens in Antarctica* (Australia, SCAR), noting that the cooperation of Parties and of COMNAP was sought to facilitate the collection of samples from visitors to Antarctica and from cargoes, so as to identify the flux of spores, seeds and other propagules into the continent from elsewhere. COMNAP confirmed that it was working with the project and investigators to find how COMNAP and national Antarctic programmes could best support this project. SCAR noted that propagules may well have been introduced into Antarctica before Antarctic exploration began, as components of wind-blown dust. There was therefore merit in analysing dust in ice cores for pollen and the like, to establish a baseline for the non-human introduction of propagules.
- (134) The Russian Federation introduced IP 66 *Activities of Russia in Antarctica at the first stage of the International Polar Year (2007-2008)*, detailing that they started

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IPY activities in November 2006 during their 52<sup>nd</sup> expedition. Russia's IPY projects cover the Arctic and the Antarctic. They have also ten bipolar projects and twenty social projects. In March 2007, the Russian Federation successfully completed a joint Russian-German project studying the structure of the sediment layer of the Sea of Cooperation and of Prydz Bay from the Russian vessel Academic Alexander Karpinsky and the German vessel Polarstern.

- (135) ASOC introduced IP 86 rev 1 *The Human Footprint of the IPY 2007-2008 in Antarctica*, highlighting the large spatial extent of IPY activities in the Treaty area as part of ASOC's IPY endorsed project *Enhancing the Environmental Legacy of the IPY in Antarctica*.
- (136) Romania introduced IP 90 *Participation of Romanian Scientists in the International Polar Year 2007-2008*, with information on a series of projects covering areas such as: glaciology, limnology, pedology, biology, biodiversity, microbiology, medicine, biotechnology and others.
- (137) Japan introduced IP 106 *IPY 2007-2008 Launch in Japan*, commenting that the projects with Japanese participation include the following disciplines: upper atmosphere science (2 projects); atmosphere science (16); glaciology (16); permafrost studies (4); biology (10); geosciences (8); oceanography (9); marine biology (7); data management (4) and outreach activities (8). To celebrate the beginning of the IPY, Japan organised the International Symposium "Asian Collaboration in IPY 2007-2008" in Tokyo in March 2007.
- (138) The Netherlands introduced IP 142 *The International Polar Year in the Netherlands* and announced that the Netherlands participates in about thirty-six international endorsed IPY projects, including thirty-one science projects, one data project and four projects on education and outreach. Most of the science projects with active involvement by Dutch researchers focus on the Arctic region or both polar regions.
- (139) Spain introduced IP 143 *The Spanish Research Activities During IPY*, including twenty-five funded research projects at both poles, using national and international facilities, several cultural exhibitions, a short description of the Spanish infrastructures available during the IPY and planned research activities.
- (140) China congratulated all Parties for their good start to the IPY, and briefly introduced information about the Chinese IPY Program, which included the plan for PANDA (Prydz Bay, Amery Ice Shelf and Dome A Observatories), a plan for an Arctic scientific research expedition, a plan for international cooperation, and an education outreach data sharing plan.
- (141) Other Information Papers submitted under this Agenda Item included:
  - IP 76 *Australia in the International Polar Year (2007/08)* (Australia)
  - IP 87 *Marine Protected Areas – Steps Forward for the ATCM* (ASOC)

## Item 11: Tourism and Non-Governmental Activities in the Antarctic Treaty Area

- (142) The issues discussed under this agenda item were divided into the following broad categories:
- Overview of Antarctic Tourist Activity in the 2006/07 Season
  - Ships Carrying More than 500 Passengers
  - Management of Maritime Traffic
  - Use of Sites
  - Tourist Vessels Flagged to Non-Parties
  - Other Matters

### *Overview of Antarctic Tourist Activity in the 2006/07 Season*

- (143) IAATO introduced IP 121 *IAATO Overview of Antarctic Tourism 2006-2007 Antarctic Season*, giving the industry's comprehensive and detailed report of nearly all tourist activities in Antarctica. It noted that both IAATO and non-IAATO Antarctic tourism activities resulted in an estimated total of 37,506 tourists entering the Antarctic Treaty Area, a 14% increase in visits over the 2005/06 season. IAATO noted the importance of looking at the spread of activities in which tourists engaged.
- (144) IAATO drew attention to proposed plans for large ship activities in Antarctica being considered by tour operators organised from non-Parties to the Antarctic Treaty (and non-members of IAATO) which could operate outside the Antarctic Treaty system.
- (145) IAATO also requested Parties to ask operators to use the standard Post Visit Report Form for inclusion of data in the database of tourism statistics.
- (146) ASOC introduced IP 85 *Tourism and the Duty for ATCP Action*. The paper expressed ASOC's concerns about the accelerated rates of growth of tourism in Antarctica, in particular in the Antarctic Peninsula region. ASOC said that in its view the ATCPs had a duty to act to ensure appropriate and effective regulation of commercial tourism, in order to protect the environment of Antarctica and other values to which they are committed in the Environmental Protocol. ASOC identified three key areas for action and urged Parties to adopt appropriate measures aimed at: ending the use of very large cruise liners; preventing the establishment of tourism infrastructure ashore; and constraining the absolute scale of Antarctic tourism.
- (147) Norway presented WP 37 rev 1 *The M/S Nordkapp Incident* on the grounding of a Norwegian tourist vessel during passage of Neptune's Bellows, Deception Island, Antarctic Peninsula, in January 2007. The incident had no serious consequences for passengers and crew and the environmental consequences were limited. Norway reported that during transferring of ballast from damaged tanks, some oil contaminated water and fuel was released into the waters of Port Foster at Deception Island.
- (148) A number of IAATO tour operators and ships of the national programmes offered immediate assistance. The sister ship *M/S Nordnorge* evacuated all the passengers and the *Golden Princess* part of the crew. Norway was particularly grateful for the

assistance offered by the Spanish station *Gabriel de Castilla*, the Argentine Antarctic Programme and *HMS Endurance* (UK) which provided technical advice on the damage and on the use of maritime pollution equipment, as well as assistance for the evacuation of passengers.

- (149) Norway informed the Meeting that immediately after the incident, it gave the Antarctic Treaty Parties a series of information bulletins through the Antarctic Treaty Secretariat until they considered that the situation was under control.
- (150) Norway noted the main lessons learned from the incident which were related to types and use of response equipment, type of fuel used in Antarctic waters to reduce the consequences of an oil spill, preparation of passenger ships for SAR capabilities in remote areas, communication and cooperation during incidents, and issues related to information exchange by Treaty Parties.
- (151) Chile recommended that Parties read IP 119 *Grounding of Vessels on Deception Island and the M/S "Nordkapp" Incident* with information about assistance offered by Chile and other information. In relation to the possible installation of a facility for marine monitoring capabilities on Deception Island, Chile pointed out that this initiative will be analyzed within the framework of the existing Management Group of ASMA 4, Deception Island. Argentina expressed reservations on the content of this document.
- (152) A Party highlighted another incident in Deception Island in which the tourist vessel *Lyubov Orlova* ran aground and was towed away undamaged by the Spanish vessel *Las Palmas*.

### ***Ships Carrying More than 500 Passengers***

- (153) The US introduced WP 6 *Approaches to Tourism Policy*, which contained a number of concrete proposals for action on the issue of tourism, as well as a draft resolution for consideration by ATCPs. It first proposed, based on a UK proposal introduced in Edinburgh, to establish a policy to limit landings by ships carrying 500 passengers or more, and also proposed a non-binding statement of policy endorsing for use by all tour operators a series of regulations that have proven necessary and successful for IAATO. The US also outlined a proposal to seek advice from appropriate expert bodies regarding issues related to vessels and necessary maritime standards to ensure passenger safety and minimize potential adverse effects of maritime activities on the Antarctic environment.
- (154) In addition, the US encouraged Parties to take necessary steps to approve Measure 4 (2004) and for Parties to fulfil the provisions of the related Resolution 3 (2004) that was also adopted by the 27<sup>th</sup> ATCM at Cape Town. The US encouraged Parties and vessel operators to improve communications systems as a means for promoting safety of passengers and crew on tour and other vessels in Antarctica.
- (155) The US believed that it was important that the ATCM underscore the importance of the Protocol in regulating tourism and suggested that the ATCM call on all Parties to

implement their obligations fully, including through ensuring that sufficient resources are available for governmental oversight.

- (156) The Meeting noted that the CEP had considered the question directed to it by ATCM XXIX on whether a proposal to prevent ships carrying more than 500 passengers from landing passengers would be an environmentally sensitive and precautionary approach (see CEP X Final Report Paragraphs 94 – 103, Annex E, page 211). The vast majority of members concluded that they could support a precautionary approach as referred to by the ATCM and endorsed the proposal to prevent ships carrying more than 500 passengers from landing.
- (157) The Meeting also noted that there were other issues including safety of maritime navigation and potential adverse effects on the Antarctic environment.
- (158) Many delegations supported the proposal by the USA regarding a Resolution to discourage landings from ships carrying more than 500 passengers, although some delegations indicated their concern that this limitation would restrict the scope of the Protocol and that greater stress should be placed on the number of passengers actually landing rather than on the numbers carried on the vessel.
- (159) The discussion also addressed the proposal to limit the number of passengers landing at any one time, the appropriate ratio of guides to passengers on land, and having only one tourist vessel visit a site at a time. ASOC paper IP 79 *The Case Against Tourism Landings from Ships Carrying More than 500 Passengers* reviewed the arguments for prohibiting landings for ships carrying more than 500 passengers.
- (160) After lengthy discussion on all these aspects, Parties adopted Resolution 4 (2007) *Ship-based Tourism in the Antarctic Treaty Area* (see Annex C, page 179). Japan expressed the view that the phrase "consistent with their national law" in the Resolution be understood to mean "in accordance with their national law and regulations."
- (161) Whilst welcoming the Resolution, some Parties noted that many tour operators, specifically those who are members of IAATO, already voluntarily operate under these and other standards and that the ATCM should return to this issue in the future.
- (162) The Meeting also addressed the other issues in the United States proposal regarding a need for additional design, operational, and search and rescue guidelines; a possible need for special construction standards for large vessels; more stringent, regionally-specific navigational standards; and a general re-assessment of procedures whereby limited SAR resources can be employed to respond to potential maritime accidents.
- (163) The Meeting agreed to establish, with support from the Secretariat, an informal open-ended web-based Intersessional Contact Group (ICG) until ATCM XXXI to examine the issue of further steps to address passenger vessels in the Antarctic Treaty area. The Meeting recognized that the International Maritime Organization (IMO) is currently considering guidelines for ships operating in Arctic and Antarctic ice-covered waters. The Meeting urged Parties to engage their shipping experts. The work of the ICG is not intended to delay or duplicate the work of the IMO. The ICG will have the following terms of reference:

1. Endeavour to:
  - (a) develop a list and description of issues related to passenger vessels operating in the Antarctic Treaty area that deserve further review by bodies within the Antarctic Treaty system or by other expert bodies. Examples could include: (1) risk mitigation, such as (i) additional design and construction standards; (ii) operation and navigational standards; (iii) carriage and proper use of safety equipment; and (iv) vessel communications; and (2) search and rescue, such as (i) guidelines and (ii) assessment of procedures;
  - (b) identify specific questions or proposals for further discussion by the ATCM for possible presentation to relevant expert bodies; and
  - (c) suggest which expert bodies may be most appropriate to address the questions or proposals resulting from the ICG's work.
2. Relevant ATCM Observers and Experts will be invited to participate in the ICG.
3. Norway will act as the convenor of the ICG and will report to ATCM XXXI on the work of the ICG.

### ***Management of Maritime Traffic***

- (164) The United Kingdom introduced WP 23 *Safety Issues Relating to Passenger Vessels in Antarctic Waters*, covering a series of practical steps that the ATCM could take towards further enhancing the safety of passenger vessels in Antarctic waters through making the "pairing" element of the IMO guidelines mandatory, endorsing IAATO's ship scheduler and seeking ATCM adoption of a Decision to formalize the role of IAATO in delivering the management of maritime traffic in the Antarctic Peninsula region. The UK also suggested developing an ice-map for each austral month to identify areas where the sea ice was greater than 1/10<sup>th</sup> ice cover.
- (165) The Meeting welcomed the opportunity to discuss these important issues. However, some Parties questioned whether "pairing" of vessels or developing an ice-map was appropriate, and wanted more time to consider these issues further. While they acknowledged the work of IAATO, many Parties did not feel it appropriate to delegate the responsibility for regulating tourist maritime traffic in the Antarctic Peninsula area to the industry. The UK commented that the intention had not been to delegate the responsibility but rather to identify options to provide for a mechanism to deliver the terms of Parties' authorising or permitting requirements.
- (166) Some Parties thought that as COMNAP had an existing responsibility for coordinating national ship activity, it should also have a role in the management of tourist maritime traffic. COMNAP said its Ship Position Reporting System (SPRS) had been operational since 2001. It was an optional, voluntary system for exchange of information about national programme ship operations and capabilities. Its primary purpose was to facilitate collaboration between national programmes. Other Parties made reference to the important role of Rescue Coordination Centres (RCCs) with responsibility for search and rescue in the Treaty area.

- (167) COMNAP noted that the SPRS could not, and did not, constitute an operational alert and rescue system on which vessels should count in case of emergency. However it could make a very useful contribution to safety with all SPRS information made available to the five RCCs which cover the Antarctic region, as an additional source of information complementing all other national and international systems in place.
- (168) Some Parties suggested that operators might contribute their information to this system. IAATO noted that its system was specific to the activities of its members. They hoped that in the future a link could be established between the IAATO and COMNAP systems.

### ***Land-Based Tourism***

- (169) New Zealand introduced WP 13 *Environmental Impact of Tourism and Other Non-Governmental Activities in the Antarctic Treaty Area*. Recalling discussions on this issue at the ATCM XXIX, and in particular a proposal by IAATO that "the ATCM should endorse the concept that all tourism activity is guided by the principle that tourism should have no more than a minor or transitory impact on Antarctica", New Zealand stated that it was tabling this as a draft Resolution.
- (170) New Zealand recalled that the EIA procedures of Annex I to the Environmental Protocol apply to "any activities undertaken in the Antarctic Treaty area pursuant to scientific research programmes, tourism and all other governmental and non-governmental activities...". Therefore any proposed tourist activity which is likely to have more than a minor or transitory impact required preparation of a Comprehensive Environmental Evaluation (CEE).
- (171) New Zealand added that the adoption of such a Resolution would have the support of the majority of the Antarctic tourism industry, and would provide reassurance to members of the public and to the wider international community that the ATCM is alert to the risks posed by the rapid expansion and diversification of tourism and other non-governmental activities in Antarctica.
- (172) Some Parties expressed concern that the Resolution, as drafted, could conflict with the Environmental Protocol and its Annex I. Argentina noted that these did not make any distinction among tourist activities and that there was no evidence of adverse impact on the Antarctic environment arising from the two already existing government-run tourist infrastructures. Others noted that as a resolution was not mandatory there would be no conflict, and that the New Zealand proposal would help them to implement procedures established by the Protocol. Other Parties questioned whether the use of environmental impact assessment procedures under Annex I of the Protocol was an appropriate means to restrict or prohibit tourism-related activities.
- (173) Argentina reserved its right to install at any time interpretative centres for tourists with some lodging capacity in any of its bases.

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- (174) There was detailed discussion of the proposed draft Resolution attached to WP 13. Following further discussion the Meeting agreed a revised text, adopted as Resolution 5 (2007) (see Annex C, page 181).
- (175) While agreeing to adopt the Resolution, some Parties raised concerns about the adverse effects of land based infrastructure for tourism and non-governmental activities, and stated that the Meeting could have taken a more concrete decision on limiting possible future development of such infrastructure in Antarctica. These Parties considered the Resolution to be a valuable first step, but noted that Article 3, Paragraph 1 of the Protocol had a wider scope than the agreed Resolution.

### ***Tourist Vessels Flagged to Non-Parties***

- (176) New Zealand presented WP 14 *Tourist Vessels Flagged to Non-Parties; Implications for the Effectiveness of the Antarctic Treaty System*. New Zealand noted the significant proportion of tourist vessels operating in the Antarctic Treaty area that are not flagged to Antarctic Treaty Parties and identified some challenges that could arise from such vessels:
- in implementing some requirements of the Environmental Protocol such as requirements for environmental impact assessment, problems may arise since, according to Article 94 of UNCLOS, it is the flag state which has the duty to "effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag";
  - concerning emergency response action (Article 15 of the Protocol), there was no agreement to provide a response action in an emergency involving a non-Party vessel;
  - non-Party vessels were not obliged to submit to inspection procedures under Article VII of the Antarctic Treaty.
- (177) The Meeting agreed that this was an issue of considerable concern. One delegation noted that obligations derived from other international agreements should be fulfilled by all Parties, including non-Treaty Parties.
- (178) Parties were told that the statistics obtained in Ushuaia last austral summer comparing Party and non-Party tourist ships showed that 58% were from non-Parties and 42% from Parties.
- (179) One delegation noted that this showed that the Antarctic Treaty system had to work with other international organizations and that the ATCM should seek a way to ensure better cooperation with those organizations.
- (180) It was noted that many non-Party flagged ships had operators with offices in states Parties to the Treaty. It was also suggested that Parties should inform the passengers and operators of the disadvantages of travelling on non-Party flagged vessels which could operate outside Antarctic Treaty regulations.
- (181) New Zealand thanked Parties for their contributions to a useful debate on this topic. It noted that in its view in a real maritime emergency reliance on the obligations of

the organiser would likely not be sufficient because the responsibility for the vessel lay with the flag state.

- (182) The Meeting agreed to re-visit this matter at ATCM XXXI.
- (183) The delegation of Italy expressed its concern over the information provided by IAATO according to which a large vessel intends to land up to 1200 passengers in Antarctica. The tour operator was based in a state non-Party to the Treaty with offices in several states Parties to the Treaty.
- (184) As a result the Meeting decided to send a letter to the Government of Cyprus (see Annex H, page 397), the registration location of the tour company operating the vessel, informing it of the existing legal framework.
- (185) The Meeting urged Parties to follow up with company representatives based in their countries to convey the messages included in the letter.

### ***Other Matters***

- (186) Argentina rejected the incorrect references at this ATCM XXX made in, *inter alia*, documents, reports (for example IP 121 and IP 134 of IAATO), bibliography, other publications and presentations, as well as the incorrect use of foreign toponomy and incorrect reference made to ships flying an alleged flag and to alleged authorities not recognized by the Argentine Republic, all this, concerning the territorial status of the Malvinas (Falkland) Islands, South Georgia and the South Sandwich Islands and the surrounding waters, which are subject to a sovereignty dispute between Argentina and the United Kingdom. This dispute has been recognized by several international organizations. Argentina reaffirms that those islands and the surrounding waters are an integral part of the Argentine national territory.
- (187) In response, the United Kingdom stated that it had no doubt about its sovereignty of the Falkland Islands, South Georgia and South Sandwich Islands and their surrounding maritime areas. In that regard, the United Kingdom had no doubt about the right of the Government of the Falkland Islands to operate a shipping register for United Kingdom-flagged vessels.
- (188) Argentina rejected the declaration by the United Kingdom and reaffirmed its legal position.

### **Item 12: Inspections under the Antarctic Treaty and the Environmental Protocol**

- (189) Sweden introduced WP 16 *Report of the Antarctic Treaty inspections undertaken jointly by Sweden, France and New Zealand in accordance with Article VII of the Antarctic Treaty and Article 14 of the Protocol on Environmental Protection to the Antarctic Treaty*, which provided details of inspections carried out at Amundsen-Scott South Pole Station (USA) and Concordia (Italy-France).
- (190) In this context, Sweden noted that the inspection checklists provided a useful review tool for the stations monitoring their compliance with the Treaty and the Protocol.

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- (191) The report concluded that the two stations inspected, Amundsen-Scott South Pole Station and Concordia Station, both fulfill their obligations to the Treaty and the Protocol and that they are driven by science and the implementation of research programmes of the highest quality.
- (192) Many Parties welcomed the report by Sweden, France and New Zealand.
- (193) The United States introduced IP 10 *United States Report of Inspections*, in which it described its inspections of Rothera Research Station, General Bernardo O'Higgins Base, German Antarctic Receiving Station, Esperanza Base, Bellingshausen Station and Great Wall Station, and thanked Parties for the cooperation received from the stations visited. They stressed that the conclusions and recommendations of the report could be useful to other Parties, and for developing policies within the Antarctic Treaty system.
- (194) Many Parties thanked the United States for its report. Argentina and China noted that they had made comments on the US inspection report in the report of the CEP.
- (195) Several Parties stressed the importance of making all facilities available for inspection teams. Inspections are useful not only to improve the operations of those stations that are inspected but they also benefit the inspecting Parties, and are in full accordance with the spirit of the Antarctic Treaty. The amount of collaboration and the quality of science is what counts.
- (196) New Zealand referred Parties to the recent work of COMNAP in reviewing best practice for fuel handling and storage guidelines, which could assist in addressing some of the environmental issues identified in the United States inspection report.
- (197) The Russian Federation introduced WP 20 *Peculiarities of conducting inspections of infrastructure facilities of the Antarctic Programs*, and underlined that language is a very important issue when inspections are carried out. The Russian Federation urged inspection teams to have at least one person fluent in the language of the station inspected. It noted it was translating the Inspection Checklists into the four official languages of the Antarctic Treaty.
- (198) COMNAP confirmed that national programmes found inspections very helpful and useful. However, it stressed that inspections could only be truly helpful and useful if clear communication and full understanding was guaranteed and that this was best met by the inspection team including one person fluent in the local language used on the station inspected.
- (199) Many members agreed that the Inspection Checklists should be available in the language of the station.
- (200) The United States agreed that having clear communication between an inspection team and an inspected station or vessel is very important. It noted its view that there were no substantial language issues during its inspections.
- (201) ASOC thanked the countries involved for both inspection reports, noting their importance for transparency of the Antarctic Treaty system to the general public, as

well as for improving environmental protection by following up on earlier recommendations about oil containment, waste disposal and other matters.

- (202) Another Information Paper submitted under this Agenda Item was IP 122 *Antarctic Treaty Inspection Process for Tourist Vessels. Suggested Improvements* (IAATO).

### **Item 13: Science Issues, Particularly Scientific Cooperation and Facilitation**

- (203) Norway introduced WP 28 *Climate Changes*. The importance of the subject was acknowledged and it was noted that Climate Change had already been adopted as a sub item in the CEP Agenda Item 9 *Environmental Monitoring and Reporting*. However, after extensive consideration, the Meeting agreed to revise Agenda Item 13 to read as follows: *Science Issues, Including Climate-Related Research, Scientific Cooperation and Facilitation*.
- (204) ASOC supported Norway's proposal for a separate agenda item, noting that climate change is the biggest threat to the Antarctic, and urged the ATCM to take responsibility for the emissions from their programmes and logistics, which are not covered by the Kyoto Protocol. ASOC proposed establishing an inventory of emissions, taking steps to reduce those emissions, and creating an off-set programme for those emissions that could not be avoided, with the goal of making Antarctic science and logistics carbon-neutral.
- (205) Finland introduced IP 3 *Antarctic Research in Finland 1998–2005: International Evaluation*, stressing that although highlighting successes in Finland's Antarctic research, it was a very critical evaluation intended as advice for future activities. Several members congratulated Finland for being so transparent and highlighted the importance of the international evaluation of the Antarctic Programmes.
- (206) SCAR introduced IP 5 *State of the Antarctic and Southern Ocean Climate System (SASOCS)*, noting that it was now clear that the Antarctic climate since the last glacial maximum had been quite variable on millennial and finer scales, and that observations sustained over the long term were therefore essential to enable differentiation between natural and human-induced climate change. This realisation underpinned the proposal by the ICSU-WMO Joint Committee for the IPY that one of the IPY legacies should be sustainable observation systems.
- (207) SCAR listed the dramatic changes in climate that had occurred in the region, especially around the Antarctic Peninsula, where there was extraordinary warming, shrinkage of glaciers, shrinkage of sea ice, and the collapse of ice shelves. These changes were now believed to be driven by global warming, further evidence for which was the newly discovered tropospheric warming accompanied by stratospheric cooling over the Antarctic continent, and the warming of Southern Ocean waters.
- (208) SCAR noted that although the ice sheets played a critical role in controlling global sea level, it was not currently possible to effectively model the dynamic processes of ice sheet decay. SCAR therefore called on Parties to work closely with SCAR to facilitate improvements in ice sheet dynamic models so as to improve forecasts of sea level change.

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- (209) SCAR introduced IP 15 *Sub glacial Antarctic Lake Environments (SALE) in the IPY*, noting that these lakes seemed to be part of a complex, continent-wide hydrological system comprising interconnected lakes and streams. This system was one of the Earth's last great unexplored frontiers and could be expected to contain clues about fundamental earth and life processes. The latest SALE report was available through the SCAR web page ([www.scar.org](http://www.scar.org)).
- (210) SCAR noted that SALE was one of five major research projects detailed in *SCAR Report to XXX ATCM* (see Annex F, page 291), which included research on the modern climate system, Antarctic climate history, the evolution of biodiversity, and sun-Earth interactions. Key upcoming meetings included the International Antarctic Earth Sciences meeting (Santa Barbara, August 2007), the SCAR-IASC Open Science Conference (St Petersburg, July 2008), and the 10<sup>th</sup> International Antarctic Biology Symposium (Sapporo, 2009).
- (211) SCAR introduced IP 52 *The Sixth Continent Initiative*, noting that this addressed capacity building during the IPY by means of support for fellowships to undertake research on Antarctic bases or from Antarctic ships. SCAR asked Parties to identify potential candidates for the fellowship programme, which was co-sponsored by the International Polar Foundation (IPF), the United Nations Environment Programme (UNEP), and the International Antarctic Institute (IAI).
- (212) Ecuador introduced IP 16 *Ecuador's National Policy Proposal for Antarctica*, describing Ecuador's national objectives and specific policies for Antarctic activities.
- (213) The Republic of Korea introduced IP 44 *Collaborations with Other Parties in Science and Related Activities During 2006/2007*, including cooperation or joint projects together with Australia, Chile, China, Japan, Israel, Norway, the Russian Federation, Spain, Sweden and Uruguay. Korean international collaboration for scientific research would be highlighted during the period of IPY 2007-2008.
- (214) India introduced IP 58 *Studies in the Indian Sector of the Southern Ocean: India's initiative and future Plans*, providing details on the objectives of Indian expeditions to that region covering hydrodynamics, biological oceanography, chemical oceanography and geological oceanography. India also presented IP 60 *Scientific activities at Indian station Maitri and proposed new research base at Larsemann during 2006-2007 season*. India recognised the need for hydrographic surveys in Antarctica and informed the Meeting that data are being collected for uncharted areas in India Bay. Some data had also been collected from the Larsemann Hills area during the 2006 and 2007 expeditions.
- (215) The Russian Federation introduced IP 63 *Preliminary results of Russian expedition studies of the sub glacial Lake Vostok in 2006-2007*, with data on the progress made by the Russian Federation in its drilling programme at Vostok, and on the study of the characteristics of the sub-glacial Lake Vostok using ground penetrating radar and seismic probing.
- (216) Romania introduced IP 91 *Cooperation Research Opportunities in Larsemann Hills, East Antarctica*, stressing that Romania welcomed projects from other Parties to be

carried out in the Romanian scientific station Law-Racovita. It referred to the study of the host-virus relationship and biodiversity in Larsemann Hills ecosystems and their response to environmental changes.

- (217) New Zealand introduced IP 97 *International Polar Year Research: Project ANDRILL*, informing the Meeting that during the 2006/07 Antarctic season the ANDRILL science consortium of the United States, Italy, Germany and New Zealand national programmes extracted a core depth of 1,285 metres from the drill site on the McMurdo Ice Shelf, which forms the northwest corner of the Ross Ice Shelf. This was the deepest sedimentary drill core yet achieved in Antarctica and the first through an ice shelf site, combining hot water and sedimentary drill technology. Through this very successful collaborative programme, information on climate evolution over the last ten million years in Antarctica has been gained.
- (218) Japan introduced IP 104 *Japan's Antarctic Scientific Programs in 2006/07 - Selected Highlights*, including a new 3,035 m deep ice core at Dome Fuji Station and airborne atmospheric observations under international cooperation. Japan also introduced IP 107 *Asian Forum for Polar Sciences (AFoPS): Report of the Sixth Delegates Meeting, 2007*, which gave an account of the meeting in which nearly thirty members from China, India, Japan, Korea and Malaysia were present to exchange information on polar sciences and to discuss collaboration between Asian countries.
- (219) Australia introduced IP 32 *Census of Antarctic Marine Life (CAML)* (Australia, SCAR), noted the announcement made in Wellington by the New Zealand Government of a ship to participate in the Census, and further noted this as an excellent example of cooperation in IPY.
- (220) Other papers submitted under this agenda item were:
- WP 26 *The Application of IUCN Endangerment Criteria at the Regional Level of the Antarctic Treaty Area* (SCAR)
  - IP 12 *Science Supported by Antarctica New Zealand 2006/2007* (New Zealand)
  - IP 20 *Ukrainian Antarctic Research for the 2006-2007 Summer Season* (Ukraine)
  - IP 28 *Scientific Activities at the Argentine Antarctic Bases and International Polar Year Argentina* (Argentina)
  - IP 33 *Australian Research on the Assessment and Remediation of Contaminated Sites in Antarctica* (Australia)
  - IP 34 *On-site Assessment of Metal Contamination During Remediation of a Waste Disposal Site in Antarctica* (Australia)
  - IP 37 *Hull Fouling as a Source of Marine Invasion in the Antarctic* (SCAR)
  - IP 64 *Russian Scientific Studies of the Antarctic in 2006* (Russian Federation)
  - IP 68 *Investigación científica del Perú en el periodo 2006-2007 (Temporada de verano)* (Peru)
  - IP 77 *Australia's Antarctic Scientific Research Programme 2006/07* (Australia)
  - IP 82 rev 1 *The Antarctic and Climate Change* (ASOC)

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- IP 110 *Chile incrementa la investigación científica en la Base "O'Higgins"* (Chile)
- IP 130 *Brief information on the activities of The Republic of Belarus in the Polar Regions* (Belarus)
- IP 138 *Antarctica and climate change – implications for governance* (United Kingdom)

(221) A special lecture on "Climate Change" was organised by SCAR. The lecture, given by Professor Chris Rapley, President of SCAR and Director of the British Antarctic Survey, was very informative on global warming and climate change and the importance of Antarctic research in continuous monitoring of climate variations.

### Item 14: Operational Issues

- (222) Uruguay introduced WP 24 *Use of Ecodiesel in Antarctica - Experience at "Artigas Station"*, which described the use of biodiesel, an agro fuel of biological origin, and encouraged other Parties to conduct further studies and experiments with biodiesel during the Austral summer, with the purpose of contributing to a reduction in emissions in the Antarctic environment.
- (223) The Republic of Korea introduced IP 45 *Korea's First Ice Breaker* underscoring that the 7,000-ton vessel was currently under construction and scheduled to be completed by the end of 2009. The vessel was designed for operation in one-meter thick, multiple-year ice condition (KR PL 10) and it would be equipped with twin azimuth propulsion units driven by a diesel-electric propulsion plant. It will accommodate up to 85 persons, including 25 crew members. The vessel would be operated for scientific and logistic purposes in both Antarctic and Arctic waters.
- (224) India introduced IP 61 *Proposed New Polar Research Vessel (PRV) of India for Bi-Polar Expeditions and Southern Ocean Research*, which provided general information about the vessel. The vessel would be registered in India and would comply with all statutory and regulatory national and international requirements applicable at the time of construction and delivery. The design, construction and delivery were scheduled within the XI-Plan period of India, due to end on March 2012 or well before.
- (225) New Zealand presented IP 40 *Fire on Board the Japanese Whaling Vessel Nisshin Maru*, describing the *Nisshin Maru* incident based on information recorded by New Zealand's Rescue Coordination Centre. New Zealand noted that it received a number of requests for information from other Consultative Parties during the incident which it endeavoured to respond to as fully as possible on the basis of the information available at the time. New Zealand noted that it had remained in close contact with Japan throughout the incident and due to its concerns over the potential for a serious environmental emergency, had urged the vessel be removed from the Antarctic Treaty area as soon as possible. New Zealand also thanked the United States Antarctic Program for its readiness to assist.

- (226) Several Parties thanked New Zealand for the information provided. Japan thanked New Zealand and the United States for their work during the incident, and informed the Meeting that there were no oil spills or explosions during the incident. Japan also noted that it was investigating the cause of the fire to prevent such incidents recurring in the future.
- (227) ASOC noted that this was one of the most serious emergencies ever in the Antarctic which, in its view, could have resulted in a serious oil and chemical spill, raising in its mind serious questions for the ATCPs about how such an event should be dealt with in terms of emergency response and liability.
- (228) The United Kingdom stated it would like to be informed of the lessons that could be learnt from this incident at the next Meeting based on the results of the maritime inquiry being held by Japan.
- (229) Japan stated that it would not be constructive to further discuss the *Nisshin Maru* incident in the next Meeting because further discussion on this incident might lead to discussion on the whaling issue, on which Parties had differing views.
- (230) New Zealand stated that it had no intention of raising whaling activities in the ATCM, but remained concerned that the ATCM be able to address serious maritime incidents that occur in the Antarctic Treaty area.
- (231) The United States and the United Kingdom thanked New Zealand for their report.
- (232) After a brief introduction of its IP 48 *Mawson Station Wind Farm – Four Years of Operational Experience*, Australia reported considerable fuel savings as a result of its introduction of wind turbines. In answer to a question it noted that the wind farm has not caused any electromagnetic interference with scientific activities.
- (233) Australia introduced IP 78 *Australia's Antarctic Air Service 2006/07* and informed the Meeting that it would commence flying from Hobart to Casey in October/ November 2007, carrying up to 20 passengers and 4.5 tonnes of cargo and additional equipment. The journey would be around 4-5 hours. Australia thanked operators who helped in this regard and looked forward to collaboration with others.
- (234) Romania introduced IP 92 *Romanian Antarctic Activities in Law-Racovita Station*, describing their studies on psychrophilic micro-organism potential, pedobiology, biomedicine and other subjects. Romania also thanked Australia and China for their support during the 2005-2006 expedition.
- (235) Chile introduced IP 109 *Patrulla de Rescate en Base "O'Higgins"* on their rescue patrol on Base O'Higgins. Since 2004 this team has carried out a joint exercise with Argentina between the O'Higgins and Esperanza bases.
- (236) After a detailed presentation of its IP 120 *Report on an Aircraft Accident and Aircraft Removal During Dronning Maud Land Air Network Operations in Season 2006/2007* (Finland, Germany), Germany thanked the Parties and commercial operators involved for their support and highlighted the lessons learnt, including the need for solar panels for recharging communication equipment in the emergency equipment on board of the aircrafts. In its presentation of IP 100 *Accidents and Medical*

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*Evacuations within the German Antarctic Program during Season 2006/2007*, Germany emphasized that the success of the medical evacuation flight proved the effectiveness of the logistic cooperation within the Dronning Maud Land Air Network (DROMLAN).

- (237) In response to a question from New Zealand, Germany confirmed that the assigned Rescue Coordination Centre had not been asked to assist with the Basler BT-67 accident in the Muehlig-Hofmannfjella on 10 November 2006 nor with the medical evacuation flight from Neumayer station to Capetown on 23 January 2007.
- (238) Argentina presented IP 131 rev 1 *Status of the Argentine Icebreaker "Almirante Irizar"*, describing the accident that occurred on 10 April at approximately 42° 30' S in waters under Argentina's jurisdiction and the vessel's current condition. Currently, inquiries prescribed by Argentine law were being conducted, and damages to the vessel evaluated.
- (239) Bulgaria and COMNAP noted that the accident on the *Almirante Irizar* icebreaker was a painful blow, not only to the Argentinean Antarctic Programme but to many Antarctic Programmes. The *Almirante Irizar* had always given support to Antarctic programmes working in the area of the Antarctic Peninsula.
- (240) Another paper submitted under Agenda Item 14 was IP 113 *Pruebas de un sistema de radar FMCW en las cercanías de base O'Higgins, península Antártica* (Chile).

### Item 15: Education Issues

- (241) UNEP presented IP 35 *Global Outlook for Ice and Snow*. In order to raise awareness of the changes to the cryosphere and to highlight the consequences of these changes for the global community, UNEP was preparing a new assessment report *Global Outlook for Ice & Snow*. The report will provide an up-to-date, concise review of the state of the environment and the trends in ice and snow-covered regions of the world and will be launched on 5 June 2007 on World Environment Day (WED) in cities around the world.
- (242) The UK presented IP 135 *Consideration of Education and Outreach Issues by the Antarctic Treaty Consultative Meeting (ATCM)*. The UK acknowledged Chile's help in the translation of [www.discoveringantarctica.org.uk](http://www.discoveringantarctica.org.uk) (the UK's interactive website on Antarctica) into Spanish. The website was being further developed to include new sections about IPY. The UK gave a presentation of "Ice Station Antarctica", an interactive exhibition which challenged young people to survive the extreme conditions faced by scientists researching the frozen continent. The exhibition would be launched at the end of May 2007 at the Natural History Museum in London, and it would then tour internationally starting in Spain in May 2008.
- (243) The United Kingdom offered to host an International Workshop on Antarctic Educational Projects in 2007 or early 2008. The aim of the UK workshop would be to enable participants to learn more about a variety of the education and outreach projects being undertaken during IPY; examine whether projects might be linked to

maximise resources and overall impact; and consider how to support delivery of the IPY legacy. New Zealand offered to assist with this workshop. Several Parties welcomed the UK proposal and the United Kingdom agreed to take it forward during the intersessional period.

- (244) Japan presented IP 103 *The 50<sup>th</sup> Anniversary of the Japanese Antarctic Research Expedition*. In celebration of this anniversary several memorial events were held in 2006 and 2007. The National Science Museum in Tokyo hosted "The Antarctic Exhibition – A Continent of Wonder". The National Institute of Polar Research in Tokyo hosted the "Open Forum Antarctica" and conducted several outreach initiatives, including "Bring School Pupils Ideas to the Arctic and the Antarctic", an activity programme for school pupils.
- (245) Other information papers submitted under this agenda item included:
- IP 46 *A Korean Public Awareness Program 'Pole-to-Pole Korea'* (Republic of Korea)
  - IP 95 *60 años del primer vuelo antártico chileno y sus repercusiones 1947 – 2007* (Chile)
  - IP 101 *The International Polar Year 2007/08 in Germany. Education and Outreach* (Germany)
  - IP 116 *Information Outreach to Private One-off Non-Member Expeditions* (IAATO).

## Item 16: Exchange of Information

- (246) The Secretariat introduced SP 11 *Electronic Information Exchange System* and gave a demonstration on how the information exchange system would work, noting that the system needed to be tested for a year before transition from the current system. COMNAP and the ATCM were coordinating the development of their respective Electronic Information Exchange Systems (EIESs). An essential objective was that these systems should be able to exchange information between each other as appropriate, in particular to avoid duplication of data entry and to ensure consistency of information across systems. This would be an option that would be available on the system but it will be up to each Party to decide whether to use it or not.
- (247) Several Parties found the system very interesting and promising and asked different questions about how to operate with it. COMNAP gave a presentation on import/export mechanisms between the ATCM and COMNAP systems, which provided some answers. On the question of who could access this information it was stressed that presently the information was provided only to the Party concerned, on a trial basis. Later, if the ATCM agreed, the information could be made available to all Parties and to the public, in accordance with the information exchange requirements and Article 17 of the Environment Protocol.
- (248) Several Parties observed that the information provided by ATS and COMNAP was very useful.

## I. FINAL REPORT

- (249) France expressed the wish that the Electronic Information Exchange System should be kept flexible, in order to accommodate any new information that the Treaty System might require in the future.
- (250) The Meeting agreed, in line with the decision of CEP X, that the system should remain on a trial basis during the intersessional period and all Parties should participate and provide feedback.
- (251) COMNAP gave a presentation on WP 42 *Antarctic Information Exchange: Importance of Unambiguous and Consistent Geo-referencing*. It argued that geo-referencing was best achieved through associating information directly with relevant Antarctic geographic and administrative features whenever applicable, and by identifying each feature with a persistent, unique Antarctic identifier (AQ-UID). Effective, unambiguous and consistent geo-referencing was essential if countries were to share data.
- (252) COMNAP proposed to use two non-overlapping lists. One would be a master list of administrative features maintained as appropriate by the Antarctic Treaty Secretariat and Parties, and one a list of geographic features based on the existing SCAR Feature Catalogue and Composite Gazetteer of Antarctica. This would provide for a more effective exchange of Antarctic information and better input into management decision processes – with benefits in many areas including safety of life, international collaboration and environmental management.
- (253) While some Parties raised strong concerns, other Parties supported this approach and recognised its value.
- (254) The US noted that geo-referencing was relevant both to annual exchange of information and to national operators in their field operations. Different systems might be most appropriate for the different applications. Therefore, the national operators would need to assess the utility of the proposal before they adopted it for their operations.
- (255) COMNAP confirmed that the proposal contained in WP 42 related to the Electronic Exchange of Information System currently in place, and only to this system, and not to operations.
- (256) The Meeting noted that COMNAP would continue its work in liaison with the Antarctic Treaty Secretariat and SCAR, and would report back to ATCM XXXI.
- (257) Another Secretariat Paper submitted under this agenda item was: SP 12 *Information Exchange System: Survey of current practice*.

### **Item 17: Biological Prospecting in Antarctica**

- (258) The Netherlands presented WP 36 *Biological Prospecting in the Antarctic Treaty Area – Scoping for a Regulatory Framework*. The Netherlands noted that work was ongoing in other bodies and that it was important that biological prospecting be addressed by the ATCM.

- (259) UNEP introduced IP 67 *Biological Prospecting in Antarctica: Review, Update and Proposed Tool to Support a Way Forward*, providing an update of activities since the adoption of Resolution 7 (2005). Some delegations welcomed the proposal to develop a web-based database on biological prospecting, as proposed in IP 67, and looked forward to considering it.
- (260) Parties welcomed and applauded the work that went into the two papers. The Meeting confirmed its readiness to push forward with work on this topic.
- (261) Several delegations agreed with the Netherlands that the ATCM should not wait for the results of the work in other international forums but should take the lead on the question of biological prospecting in Antarctica. It was further noted that besides the international ongoing process on biological prospecting, the ATCM could deal with this topic itself.
- (262) After a lengthy discussion on how to proceed and terms of reference, the Meeting agreed to establish an informal open-ended web-based Intersessional Contact Group (ICG) working until ATCM XXXI to examine the issue of biological prospecting in the Antarctic Treaty area with the following terms of reference:
- a) the ICG will identify issues and current activities related to biological prospecting in the Antarctic Treaty area with a view to assisting the ATCM considering the matter, including, if appropriate, working modalities; and
  - b) Observers and Experts participating in ATCM XXX will be invited to send information to the ICG.
- (263) The Meeting welcomed the offer of the Netherlands to act as the convenor of the ICG and report at ATCM XXXI on the work of the ICG. It was agreed that the Secretariat would develop an interactive discussion forum and provide assistance to the ICG.

## **Item 18: Preparation of ATCM XXXI**

### ***a. Date and Place***

- (264) The Meeting welcomed the kind invitation of the Government of Ukraine to host ATCM XXXI in Kiev from 2-13 June 2008.
- (265) For future planning, the Meeting took note of the following likely timetable of upcoming ATCMs:
- 2008: Ukraine
  - 2009: United States of America
  - 2010: Uruguay
  - 2011: Argentina

***b. Invitation of International and Non-Governmental Organizations***

- (266) In accordance with established practice, the Meeting agreed that the following organizations having scientific or technical interest in Antarctica should be invited to send experts to attend ATCM XXXI: the interim secretariat of ACAP, ASOC, IAATO, IHO, IMO, IOC, the IPY International Programme Office, IUCN, UNEP, WMO and WTO.

***c. Invitation to Malaysia***

- (267) The Meeting decided to invite the Malaysian Government to send representatives to observe ATCM XXXI. The Chair reported on contact with the Delegation of Malaysia in the margins of ATCM XXX. The Consultative Parties welcomed Malaysia's continued interest in the Antarctic Treaty, and asked that Malaysia at the next meeting provide information on concrete steps it is taking to accede to the Treaty.

***d. Preparation of the Agenda for ATCM XXXI***

- (268) The Meeting approved the Preliminary Agenda for ATCM XXXI (see Annex J, page 405).

***e. The SCAR Lecture***

- (269) The Chair recalled the lecture given by Professor Chris Rapley on climate change (see Paragraph 221 above and Annex H, page 399). Taking into account the valuable series of lectures given on the occasion of ATCMs, the Meeting decided to invite SCAR to give another lecture on scientific issues relevant to ATCM XXXI.

**Item 19: Any Other Business**

- (270) There was no other business.

**Item 20: Adoption of the Final Report**

- (271) The Meeting adopted the Final Report of the Thirtieth Antarctic Treaty Consultative Meeting.
- (272) This was followed by closing remarks from the Chair of ATCM XXX, Professor U.R. Rao (see Annex D, page 191).
- (273) The Meeting was closed on 11 May 2007 following the special address by the Honourable Minister of External Affairs of India, Mr Pranab Mukherjee (see Annex D, page 195).