

ICE

Antarctic Defence Coalition

May 16 1980 Number 5

CONSPIRACY

THERE ARE GOOD REASONS TO BELIEVE THAT THE *LIVING RESOURCES*' CONVENTION IS

BEING USED AS A REGIME TO KEEP THE REST OF THE WORLD AWAY FROM *MINERALS*.

"... the Antarctic Treaty powers collectively would have no legal power to promulgate guidelines which would be binding on non-Treaty Parties."

"... the Antarctic Treaty preserves the high seas rights south of 60°S. Non-member countries need not recognise or be bound by any management regime established by the Treaty partners."

These statements are not extracts of press releases distributed by upset environmentalists or distressed social internationalists. The statements are from papers produced by the Interdepartmental Committee on Antarctica and the Department of Primary Industry. (Both Australia)

All of the treaty partners are aware of these facts and that the regime they are spending so much money and time upon has no legal validity, indeed when the decision was made to set up a 'regime' (London 1977) the question was asked as to whether or not a convention was necessary.

So why do they continue to tear their own and each others hair out producing a regime that has no legal authority and, technically, no power?

Why do they exclude countries from the deliberations, when, if they were to produce a *real* conservation document, it would seem to be desirable to include all countries interested in the area?

Why are they producing a document which is neither a conservation standard nor a fisheries treaty nor something in between?

Because they are producing a document of exclusion.

MINERALS

When reading the report of the ninth meeting of the Antarctic Treaty signatories an emphasis on the possibilities of minerals exploration and exploitation is obvious (50 per cent of their report is devoted to it), yet the states chose to investigate the possibilities of a Living resources 'regime'.

Perhaps there was, at the time, a serious desire to control and maintain the Antarctic environment. However, we believe that things changed quickly and that now this regime, the Convention for the Conservation of Marine Living Resources, is actually *The minerals regime*.

We believe that there is (at a very minimum) circumstantial evidence to indicate that the much vaunted 'moratorium' on minerals exploration and exploitation was not only never taken seriously but that there were

countries already spending many, many millions on exploration at the time and that they have also continued to spend incredible amounts of money on it.

We believe that if some states are not already in the process of exploiting they are very close to it. For this reason, instead of going about formulating a relatively simple 'fisheries' treaty, the states have found themselves in the position of having to make an urgent decision on excluding the rest of the world from the Antarctic area.

Before going into the evidence, we quote from a now deceased Australian Government Department E.H.C.D. (1977): "Any proposal under the Treaty for the establishment of such a (minerals) regime will lead to increased pressure for internationalisation from non-Treaty States, particularly the less developed countries, so they can share the resources. *The standing of a joint exploitation regime at international law would be most uncertain.*"

THE WEALTH!

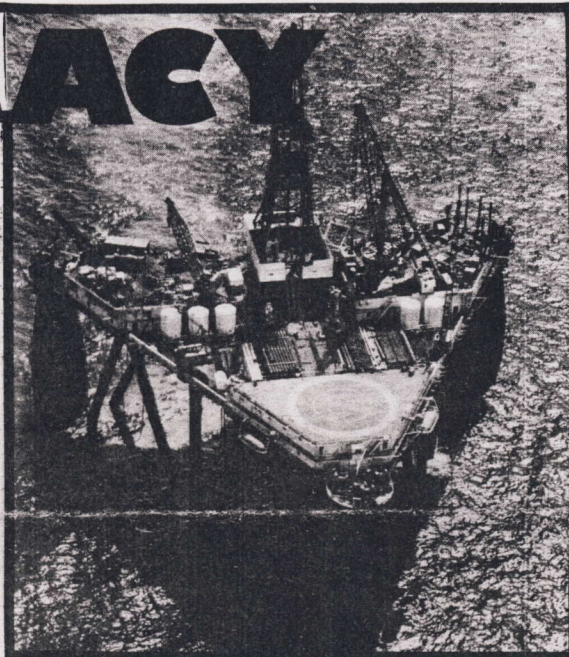
In the mid-seventies the US Navy announced that an oil-field, larger than the gigantic Alaskan North Slope discovery existed off Marie Byrd Land. At about the same time the Russian's excitedly announced that they had found 'a mountain of iron ore'. Uranium was allegedly found, as well as gold, copper, other minerals and even diamonds.

Geologists stated that, because of Antarctica's historical geological relationship to other mineral rich areas of the world the likelihood of finding similar deposits in Antarctica was very high.

In 1977, Australia's Minister for Science, Senator Webster returned from Antarctica with the news that an European consortium were spending \$100 million in a search for oil off New Zealand's Antarctic 'territory'. Senator Webster was, apparently, admonished for his statement and we all laughed. But, although the man is not renowned for his wisdom he is certainly not blind.

A newspaper report at the time said: "Senator Webster said he had been told that a European consortium was using the most advanced exploration techniques in its search for oil and that drilling was in progress in international waters within 160 kilometres off New Zealand territory."

"He said that he had been unaware of this operation before his visit to this area, but it is known that the United



States and the Soviet Union have been deeply involved in this type of work."

Until around this time, many claims and assessments on Antarctic wealth were made. Then they stopped and silence or denials took their place.

But the opening of new bases on the Antarctic continent has increased rapidly.

This year West Germany announced that it would be establishing a base on the coast of the Weddell Sea. (Where oil is believed to exist and about which the West German's made no secret of intent. They are going to test equipment 'for future oil exploration'.)

Russia has also opened a new base. On Marie Byrd Land. 'Russkaya' is on the coast too.

But taken by themselves these facts are significant but inadequate. It is when put into the context of the world situation, the Antarctic treaty and the present convention that things become suspicious.

The production of a living 'resources' conservation regime would appear to be very simple given its limited legal power. In fact the states recognised this simplicity in '77 when they decided to establish it. They assumed that it would be concluded by the end of 1978 and that, probably, all states fishing in the Antarctic would be involved. It is now the middle of 1980 and the countries are still arguing.

There are other reasons why the establishment of this regime should pose no problem.

1. The cost of Krill exploitation would be beyond the capabilities of most countries so those states wanting membership would not amount to many.

ALSO....

KRILL WHO CAN AFFORD IT?

If Japan was to catch krill in an equal quantity to its fish catch it would use 3,500,000 tonnes of fuel annually to get it. See page 3 for details.

SRI LANKAN INTRIGUE

Australian connived with other countries to stop Sri Lanka bringing up Antarctica in the U.N. Page 2 gives the texts of some confidential cablegrams which tell the story.

ANTARCTIC TERRITORY - 'A HANGOVER FROM A DISCREDITED COLONIAL ERA?'

Officially, Australia's Antarctic Territorial claim is incontestable. Confidential papers tell a different story. Page 4



Continued page 3

SRI LANKA INTRIGUE

(Our comment not needed)

TO.
RR CANBERRA/2226

6.8.75

FM. BUENOS AIRES/REF O.BA2247
CONFIDENTIAL

ANTARCTICA - SRI LANKAN INITIATIVE

BELTRAMINO (UNDER-SECRETARY, MFA) CALLED ME IN 5 AUGUST TO DISCUSS CABLE FROM ARGENTINE AMBASSADOR DESMARAS IN CANBERRA. MINISTRY HERE WAS 'DISCONCERTED' THAT, AFTER SUSPENDING ITS OWN PLANNED ACTION (O.BA2247) PENDING FURTHER ADVICE FROM US ABOUT SRI LANKAN DECISION, DESMARAS REPORTED THAT AUSTRALIA HAD IT IN MIND TO DISCUSS THE QUESTION AT COMING EVENSEN GROUP MEETING IN GENEVA.

WHEN BELTRAMINO REREAD DESMARAS'S TELEGRAM, I SAID IT SEEMED TO ME THAT YOUR IDEA MIGHT BE ONLY THAT TREATY PARTNERS SHOULD DISCUSS QUESTION AMONG THEMSELVES IN GENEVA (PRESUMABLY AFTER SRI LANKAN DECISION ON INSCRIPTION WAS KNOWN).

2. BELTRAMINO SAID THAT ARGENTINA WOULD BE OPPOSED TO DISCUSSION OF ANTARCTICA WITHIN EVENSEN GROUP AS A WHOLE. ANTARCTIC QUESTION WAS QUITE SEPARATE FROM TYPE OF LAW OF THE SEA STUDIES TO BE MADE BY GROUP. DISCUSSION BY ENTIRE GROUP WOULD LEAD TO LEGAL ARGUMENTS AND NOT BE HELPFUL TO US. (IT WOULD ALSO BE HARD TO ARRANGE SUITABLE ARGENTINE REPRESENTATION IF ANTARCTICA WERE TO BE DISCUSSED IN OR AT TIME OF EVENSEN GROUP MEETING). BELTRAMINO REITERATED ARGENTINE VIEW THAT CONSULTATIONS SHOULD PREFERABLY TAKE PLACE IN NEW YORK. IF ITEM WERE INSCRIBED DEBATE THERE WOULD HAVE TO HANDLE QUESTION.

3. BELTRAMINO AND BLANCO (ANTARCTIC AFFAIRS) THOUGHT THAT THERE WOULD BE CONSIDERABLE VALUE IN EARLY AND DISCREET CONSULTATIONS BETWEEN TREATY PARTY DELEGATIONS IN NEW YORK. THEY NOW ALL KNEW OF POSSIBLE INITIATIVE. EVEN NOW THEY COULD GIVE PRELIMINARY THOUGHT TO ACTION NECESSARY IF ITEM WERE INSCRIBED. DATES OF EVENSEN GROUP MEETING WERE VERY LATE IF YOU HAD IT IN MIND THAT THAT SHOULD BE THE FIRST MEETING OF TREATY PARTNERS AFTER SRI-LANKAN DECISION WAS TAKEN POSSIBLY IN MID-AUGUST. IN GENERAL ARGENTINE AIM IS TO PREVENT ANY WIDER DISCUSSION OF QUESTION AND PARTICULARLY IN FORUMS WHICH ARE NOT STRICTLY RELEVANT. COOPERATION BETWEEN TREATY PARTNERS TO HEAD OFF DISCUSSION IN SUCH FORUMS WOULD BE MOST EFFECTIVE IF WE DID JOINT CONTINGENCY THINKING IN NEW YORK NOW. (SUCH COOPERATION HAD BEEN SUCCESSFUL IN PAST). PARTNERS SHOULD MAINLY CONCENTRATE THEIR EFFORTS ON HANDLING UNGA ITEM IF INSCRIBED.

... DUNN

TO.
RR COLOMBO/2247

12.8.75

FM. CANBERRA/REF.O.O.L1394
CONFIDENTIAL

ANTARCTICA: POSSIBLE SRI LANKAN INITIATIVE IN GENERAL ASSEMBLY

WE REMAIN CONSCIOUS OF THE DANGERS OF MAKING TOO MUCH OF THIS SUBJECT IN COLOMBO BUT NOW CONSIDER THAT BECAUSE PINTO'S APPARENT IGNORANCE OF ANTARCTICA (O.BU1341 REFERS) CARRIES THE DANGER OF HIS PRESENTATION TO HIS PRIME MINISTER BEING BASED ON FALSE ASSUMPTIONS. WE SHOULD MAKE SURE THAT THE SRI LANKAN GOVERNMENT IS MADE AWARE OF THE RELEVANT FACTS.

WE WOULD LIKE YOU TO APPROACH SRI LANKAN AUTHORITIES AT AN APPROPRIATE LEVEL TO TRY AND ASCERTAIN THEIR OFFICIAL ATTITUDE TO PINTO'S PROPOSAL. YOU SHOULD EXPRESS OUR CONCERN AT THE POSSIBILITY THAT THE SRI LANKAN GOVERNMENT MAY BE PROPOSING TO INSCRIBE AN ITEM ON 30 GENERAL ASSEMBLY AGENDA CALLING FOR THE INTERNATIONALISATION OF ANTARCTICA OR OF THE UNCLAIMED PART OR/OF THE SEABED RESOURCES ONLY AND USING THE FOLLOWING POINTS MAKE IT CLEAR TO THE SRI LANKANS THAT AUSTRALIA WOULD REGRET ANY DECISION ON THEIR PART TO INSCRIBE AN ITEM THIS YEAR.

A) INTERNATIONALISATION WOULD INVOLVE SUPERSESSION OF THE ANTARCTIC TREATY WHICH HAS PROVIDED THE FRAME WORK FOR A UNIQUE LEVEL OF EFFECTIVE COOPERATION IN SCIENCE AND IN THE PROTECTION OF THE ENVIRONMENT. THE TREATY, A SIGNIFICANT LAND-MARK IN POST-WAR INTERNATIONAL RELATIONS, HAS ALSO BEEN SUCCESSFUL IN CREATING A DEMILITARISED AND NUCLEAR-FREE ZONE AWAY FROM SUPER-POWER RIVALRIES.

B) A PROPOSAL FOR INTERNATIONALISATION OR INDEED ANY OPENING UP OF THE SUBJECT OF ANTARCTICA TO GENERAL DISCUSSION IN THE UNGA WOULD, BY INTRODUCING NEW ELEMENTS AND REVIVING CLASHES OF INTEREST NOW HELD IN ABEYANCE UNDER THE ANTARCTIC TREATY, DIMINISH OR EVEN DESTROY THE CHANCES OF REACHING AGREEMENT IN THE LAW OF THE SEA CONFERENCE, AND HAVE AN UNSETTLING EFFECT ON INTERNATIONAL RELATIONS GENERALLY.

C) THE RESOURCES OF THE ANTARCTIC ARE PROBABLY GREAT BUT THEY ARE ALSO EXTREMELY INACCESSIBLE, AND APART FROM WHALING AND FISHING, EXTRACTION OF RESOURCES SUCH AS MINERALS IS NOT LIKELY TO BECOME A PRACTICAL PROPOSITION FOR MANY YEARS IF EVER. AUSTRALIA IS VERY FAMILIAR WITH CONDITIONS IN ANTARCTICA AND HAS EVERY REASON TO BE CONFIDENT ABOUT THE TRUTH OF THIS JUDGMENT. (YOU COULD INCLUDE FURTHER POINTS FROM BRENNAN'S TELEGRAM O.BU1341) WE WOULD THEREFORE FIND IT DIFFICULT TO AGREE THAT A REASONED CASE COULD BE MADE OUT THAT THE MATTER URGENTLY REQUIRED UNITED NATIONS CONSIDERATION THIS YEAR.

TO.
RR CANBERRA/2255

13.8.75

FM. BUENOS AIRES/FILE 221/5/11/1 REF O.BA2247
CONFIDENTIAL

ANTARCTICA - SRI LANKAN INITIATIVE

IN AN INFORMAL CONVERSATION 11 AUGUST, BLANCO (ANTARCTIC AFFAIRS, MFA) SAID THAT FOLLOWING 'UNFRUITFUL' BRITISH APPROACH TO AMERASINGHE, ARGENTINA WAS MORE THAN EVER CONVINCED OF NEED FOR RAPID ACTION TO HEAD OFF FURTHER DEVELOPMENT OF SRI LANKAN INITIATIVE. JUDGING FROM WHAT THEY UNDERSTOOD TO BE AMERASINGHE'S ATTITUDE THERE APPEARED REAL DANGER THAT WHAT MIGHT ORIGINALLY HAVE BEEN A PERSONAL IDEA OF PINTO WOULD BECOME AN OFFICIAL INITIATIVE

2. BLANCO REITERATED ARGENTINE BELIEF THAT CONSULTATIONS SHOULD TAKE PLACE IN NEW YORK. IT COULD BE TOO LATE TO WAIT FOR INFORMAL DISCUSSIONS BETWEEN THE PARTIES ATTENDING THE EVENSEN MEETING, OR TO WAIT UNTIL IT WAS KNOWN THAT INSCRIPTION WAS PROPOSED.

3. BLANCO SAID ARGENTINA FULLY SUPPORTED BRITISH PROPOSAL TO SPEAK IN COLOMBO. (WE WERE NOT AWARE THAT BRITISH HAD YET DECIDED TO SPEAK BUT HAVE SINCE SEEN COLOMBO'S O.C.L 1394). HE THOUGHT THE RISK THAT TALKING OFFICIALLY IN COLOMBO COULD FURTHER ENCOURAGE THE INITIATIVE WAS OUTWEIGHED BY THE NEED FOR RAPID DIRECT ACTION ESPECIALLY AS A 'MOMENTUM' SEEMED TO BE DEVELOPING IN ANY CASE. POINTING OUT THAT ARGENTINA DID NOT HAVE REPRESENTATION IN COLOMBO HE ASKED WHETHER AUSTRALIA MIGHT BE PREPARED TO SPEAK THERE AS WELL. WE DID NOT MENTION OUR DEPARTMENTAL ATTITUDE BUT, DRAWING ON O.CH25 1987, SAID THE POSSIBILITY SEEMED TO HAVE BEEN CONSIDERED IN THE CONTEXT OF A GENERAL REVIEW OF TACTICAL POSSIBILITIES. DECISIONS ON FUTURE TACTICS WOULD PRESUMABLY INVOLVE CONSIDERATION OF ATTITUDES EXPRESSED IN NEW YORK. WE HOPED THERE COULD BE A CONSENSUS ON TACTICS.

4. IN THE LIGHT OF AMERASINGHE'S COMMENTS BLANCO SAW LITTLE HOPE OF SUCCESS IN ARGUMENTS BASED ON POSSIBLE JEOPARDY TO LAW OF THE SEA CONFERENCE. HE THOUGHT THAT MIGHT AT BEST ONLY DELAY MATTERS TEMPORARILY. HE WAS, HOWEVER, ATTRACTED BY THE IDEA OF STRESSING THE ANTARCTIC TREATY'S SUCCESS IN DEMILITARISATION, ECOLOGICAL PROTECTION ETC. WHICH WE SUGGESTED (ON BASIS OF O.BU1331) AS A FURTHER POSSIBLE ARGUMENT.

5. BLANCO ALSO TOLD US (STRESSING ITS CONFIDENTIALITY AND ASKING THAT WE DID NOT REVEAL SOURCE) THAT ARGENTINA HAD HEARD FROM A 'SENSITIVE SOURCE' THAT BRAZIL MIGHT HAVE BEEN ENCOURAGING PINTO THROUGH ONE OF THEIR PEOPLE IN GENEVA. HE ASKED WHETHER WE HAD HEARD ANYTHING OF THIS: WHICH WE HAD NOT. IT WAS POSSIBLE THAT IN VIEW OF THE DIFFICULTIES THEY WOULD HAVE IN SECURING A SATISFACTORY UNILATERAL STAKE IN THE CONTINENT, BRAZIL COULD WELL HAVE CONSIDERED ITS BEST OPPORTUNITY FOR INVOLVEMENT SAY IN INTERNATIONALISATION. SUCH AN ATTITUDE COULD ENCOURAGE URUGUAY AND PERU TO SUPPORT THE INITIATIVE ALSO. (BLANCO CONFIRMED THAT THIS COULD MAKE IT VERY DIFFICULT FOR ARGENTINA AND CHILE TO CARRY THE LATIN GROUP IN EVENT OF PROPOSED INSCRIPTION).

6. WE ARE UNABLE TO ASSESS WHETHER THERE IS ANYTHING IN THE IDEA OF BRAZILIAN INVOLVEMENT OR WHETHER IT IS JUST A FURTHER MANIFESTATION OF ARGENTINA'S OBSSESSIVE CONCERN ABOUT BRAZIL. EITHER WAY IT COULD PRESENT A FURTHER COMPLICATION, GIVING ADDED AND IMPORTANT WEIGHT TO PINTO'S INITIATIVE, OR AT LEAST COMPLICATING THE ARGENTINE APPROACH TO A MATTER WHERE CONSENSUS WILL BE IMPORTANT. THIS MIGHT BE OF INTEREST TO YOU AS BACKGROUND. IT WOULD SEEM FROM THERE THAT EVEN TO TRY TO CONFIRM BRAZILIAN INTEREST COULD RISK FURTHER DEVELOPMENT OF THE INITIATIVE.

TO.
PP CANBERRA/4934

11.3.77

FM GENEVA
CONFIDENTIAL

ANTARCTIC - UN STUDY OF RESOURCES

ZEGERS, WHO WILL BE LEADING CHILEAN DELEGATION AT LONDON MEETING DREW OUR ATTENTION THIS MORNING TO A PAPER ON WHICH NOW EXISTS IN A DRAFT PREPARED IN U.N. SECRETARIAT ON 'MARINE RESOURCES IN ANTARCTICA'. IT HAS BEEN WRITTEN IN RESPONSE TO 'A REQUEST' MADE BY ONE DELEGATION (SRI LANKA) IN THE COURSE OF DEBATE IN THE 59TH SESSION OF ECOSOC ON 14 JULY 1975 (POLICY AND PROGRAMME CO-ORDINATION COMMITTEE, E/AC24/SR.55/581, SUMMARY RECORD OF SR 563RD MEETING ON PAGES 72 - 73).

2. IN ITSELF THE DOCUMENT IS A SIMPLE INFORMATIVE PAPER ON ANTARCTIC RESOURCES, INCLUDING MAINLAND RESOURCES, AND CONTAIN NO 'LEGAL OBSERVATIONS'. BUT ZEGERS SEES IT AS AN UNACCEPTABLE INTRUSION BY THE U.N. SECRETARIAT AND THE U.N. ITSELF INTO ANTARCTIC MATTERS. HE EMPHASIZES THAT NO DECISION WAS TAKEN BY ECOSOC TO FORMALISE THE REQUEST TO THE SECRETARIAT AND THAT THIS IS IN EFFECT A POT-STIRRING INITIATIVE TO WHICH THE ANTARCTIC POWERS SHOULD PUT A STOP. ZEGERS POINTS OUT THAT THE 'DEEP SEA' BED-QUESTION AROSE FIRST IN THE U.N. FOLLOWING AN ECOSOC STUDY WHICH LED TO THE PARDO INITIATIVE.

3. ZEGERS HAS CONSULTED U.N. OFFICIAL RESPONSIBLE FOR THE TEXT (LEVY, COASTAL RESOURCES SECTION OF ECONOMIC DIVISION) WHO SAYS THAT THE DOCUMENT WILL HAVE TO GO FORWARD FOR PUBLICATION AT THE END OF THIS MONTH UNLESS IT IS SUPPRESSED BEFORE THEN. LEVY CANNOT SUPPRESS IT ON HIS OWN AUTHORITY BUT IS WILLING TO CONVEY TO THE U.N. UNDER SECRETARY GENERAL ANY REPRESENTATION TO THAT EFFECT.

4. ZEGERS BELIEVES THAT AN INITIATIVE SHOULD BE TAKEN TOMORROW MORNING, 11 MARCH SO AS TO CATCH LEVY WHILE HE IS STILL HERE IN GENEVA, AND THAT THIS COURSE IS PREFERABLE TO A DIRECT APPROACH TO THE UNDER SECRETARY GENERAL BY MY HEADS OF MISSION - EVEN THOUGH THERE IS A POSSIBILITY THAT SUCH A HIGH LEVEL APPROACH MAY YET NEED TO BE MADE.

5. WE SEE ADVANTAGE IN KEEPING ANTARCTICA OUT OF ECOSOC. AND ARE INCLINED THEREFORE TO ACCEPT THE INVITATION OF ZEGERS TO BE ASSOCIATED WITH REPRESENTATIONS TO LEVY AT THIS STAGE. OUR ONLY RESERVATION IS THE POSSIBILITY THAT IN DUE COURSE SRI LANKA WILL ASK WHETHER A REPORT HAS BEEN PREPARED AND WILL BE TOLD THAT THE ANTARCTIC STATES HAVE OBJECTED. BUT THE IMPLICATIONS OF THIS ANSWER WHETHER SIGNIFICANT OR INSIGNIFICANT ARE, WE BELIEVE, INHERENT IN OUR GENERAL POSITION ON ANTARCTICA, REGARDLESS OF THE CONTEXT IN WHICH IT IS MANIFESTED. WE PROPOSE, THEREFORE, UNLESS WE HEAR FROM YOU OTHERWISE BY FRIDAY 9000 GENEVA TIME TO JOIN IN THE ZEGERS DEMARCHE. HE HAS ALSO ASKED ARGENTINA, FRANCE, NEW ZEALAND AND BRITAIN.

2. There exist within the treaty, countries with great antagonisms toward each other, yet they co-exist reasonably well. There should not be too many problems with any other countries if they were all to work on the same co-operative basis. (Remember no-one can legally be excluded from the Antarctic area. No country would have to join.)

3. If the conservation or environmental standards were to work it would be in the Treaty states interests to have all countries involved and most countries would be happy to join because of the technological and scientific information to which they would have access.

Yet the major stumbling blocks toward a 'convention' are in the realms of international access to the area. Of the countries extremely interested in Antarctica: Italy, Netherlands, Brazil, Taiwan, North and South Korea, Portugal and others, only the two technological giants, East and West Germany have been asked to participate. And these countries have expressed a predilection toward finding minerals.

A draft convention, also has some seemingly innocuous clauses in it pertaining to who can be involved. But, when it is considered that it requires all convention countries to agree to a country becoming involved and a country, once excluded will not be permitted to fish in the Antarctic, the convention becomes sinister.

WHY SECRECY?

There are several reasons we can put forward as to why this regime is a front for minerals exploitation. We set out the most obvious.

The cost factor in any mining venture is the criteria for exploitation. The technology for Antarctic oil-drilling is known to exist but in all probability it is extremely expensive. However, given the intransigence of the OPEC states in pricing crude oil and the aggressiveness of Iran in their dealings with the 'west' there is a high degree of probability that Antarctic oil could be exploited profitably.

Providing: the oil producing states are unaware that the field is being developed. If they were aware of such a development they could (and would) easily flood the market with cheap oil, thus reducing, or removing the

profitability of Antarctic oil for perhaps, the life of their own oil reserves. Such a situation could easily have dire financial consequences for the Antarctic states involved.

And remember, if the states were to establish a minerals regime the whole world would know about it and see themselves as affected by it.

Point two. The life expectancy of world oil reserves is now measured in very few years. No-one can imagine that the 'super powers' would allow, possibly vast, reserves of polar oil to be left untapped. Nor can it be imagined that (this time) they would allow upstart little nations to gain control of it. (Why do Russia, the United States and Japan simply refuse point blank to recognise the claims of the insignificant, New Zealand, Australia, China and Argentina etc, instead of claiming their own territory? Because they do not want to see another Arab bloc situation where 'vital' needed oil supplies' can be withheld from them. None of them would dare claim the whole territory and its surrounding waters so it is to their advantage to have no state claim any.)

Point three. Time is running out for Antarctic exploration and exploitation. If the countries were to wait the ten, twenty or fifty years for the 'appropriate' technology to be developed for Antarctic conditions there could easily be a gap between the running out of known reserves and the exploitation of those in the Antarctic. Such a 'gap' could be ruinous.

In this article we have only been talking about oil, but there is also a possibility that other minerals or resources are also being appropriated or will be very soon.

CONCLUSIONS

The 'convention' at present being finalised is too restrictive to be even considered a fisheries treaty much less a conservation document. So what is it and why have the states had so much difficulty? We believe that it is because they are using it as a 'cover' for minerals exploitation.

We feel that although the evidence is only circumstantial there is a case to answer. We also feel that this view of a conspiracy can be strengthened by reading the 'draft' convention in this light.

SENATOR TELLS OF \$100m OIL SEARCH



Antarctic feared for resource

By ARTHUR GRAY

The Government is expected to seek urgent action to head off a threatened rush on resources in the Antarctic.

This follows statements this week in Melbourne by the Minister for Science, Senator Webster, that European countries were spending \$100 million in the search for oil off New Zealand's Antarctic territory.

Senator Webster has just completed a visit to New Zealand and the Australian, American and New Zealand bases in the Antarctic.

A government source said in Canberra last night that Senator Webster's comments "realised Australia's worst

fears": a rush to commercially exploit the area.

Another source said that some government departments, especially Foreign Affairs, in Canberra would be "far from pleased now that Senator Webster has blown the gaff on the Antarctic situation".

It has been known for some time that vast areas of the Antarctic are commercially viable, particularly in coal and fish.

The Soviet Union has found large areas of extractable coal which can be won for at least six months of the year.

The Taiwanese have had research vessels in the area and are expected to take a large

quantity of fish coming years.

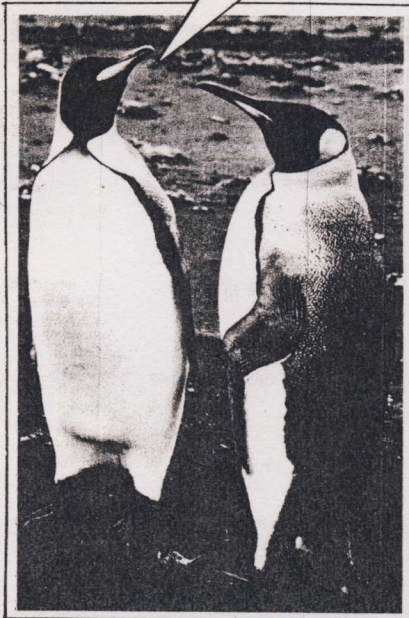
Senator Webster has been told that a consortium was using advanced exploration techniques in its progress in the waters within 100 miles of New Zealand.

He said that he was unaware of it before his visit to the States and that he has been derided for this type of wo

"The theory of oil being established" authority said

The Meeting..Che's View

There have never been so few scientists and so many legal, political, military and ambassadorial junketeers in one place for a meeting on 'conservation' in the whole history of planned environmental destruction.



krill

WHO CAN AFFORD TO CATCH KRILL?

For years the supporters of krill harvesting have justified their propositions by saying that it could be the food for the poor but they have never come up with any estimate of the cost.

Working with (Australian) Fisheries division and FAO and UNDP figures (1977) we have come up with some estimates. Krill does not come cheap.

For a start we estimated that the cost of harvesting just one million tonnes of krill is more than \$(A) 400 million and requires 340,000 tonnes of fuel. The cost of building the fleet to harvest the one million tonnes would be in the vicinity of \$(A) 4000 million

If Japan wanted to harvest an equal amount of krill to it's annual fish catch it would require an initial outlay of \$(A) 42,400 million and would

cost \$(A)4,240 million annually using more than 3.5 million tonnes of fuel.

AND, if the alleged 100 million tons of krill available annually was to be taken the fuel used would be in excess of 33.5 million tonnes.

In estimating these figures we have been extremely conservative and the cost, both in capital and fuel is probably far greater, and remember, we are using 1977 costing.

(*These figures are based on a trawler taking 1500 tonnes of krill in an eleven week season. The Fisheries division uses an estimated cost of \$10 million per trawler and annual cost of 7.5 to 8 million dollars for fuel, wages and depreciation on a fleet of seven catchers and one mother ship per season.)

(**Paper F75/495 & 'The Harvesting of Krill'. FAO/UNDP 1977).

CLAIMS 'HANGOVER'

AUSTRALIA'S CLAIM 'A HANGOVER FROM A DISCREDITED COLONIAL ERA'?

Australia, has never lost an opportunity to vindicate its Antarctic territorial claim. From the issuing of postage stamps to the assertion in international forums, the proclamation is made with a cocky self assurance. As New Zealand put it in a cabinet submission (Confidential 1977) Australia is one of the 'extreme claimants.' However, in government departments the same cockiness does not exist.

In this article 'ICE' presents excerpts from confidential documents which were leaked to the Antarctic Defence Coalition late in 1979.

"... Australia's title to the AAT is specifically recognised only by Britain, New Zealand, France and Norway. Developing countries are likely to argue that all claims to territorial sovereignty in Antarctica are "hangovers" from a discredited colonial era. They will say that the declaration by the United Nations General Assembly of the resources of the deep seabed as "the common heritage of mankind" is an appropriate precedent for the Antarctic. Pressure on our claim will also come from the industrialised countries with the most advanced technology who have the capacity to exploit Antarctic resources. The United States, the USSR and Japan take the view that Antarctica belongs to no one and is open to exploitation by all. Faced with these pressures, the Antarctic claimants are in a relatively weak position.

'Australian Policy in The Antarctic'. Produced by 11 Departments for the Minister for Foreign Affairs, Andrew Peacock. 1977 (Confidential).

"While the tendency of international law to grant title to settling States over the hinterland or areas contiguous to settlements was being firmly rejected by the turn of the century, there is some reason to believe it may still be a factor when considering large inhospitable regions inland from actual settlements. Eastern Greenland case). However, it would still be arguable whether or not Australian bases in the AAT could be termed settlements."

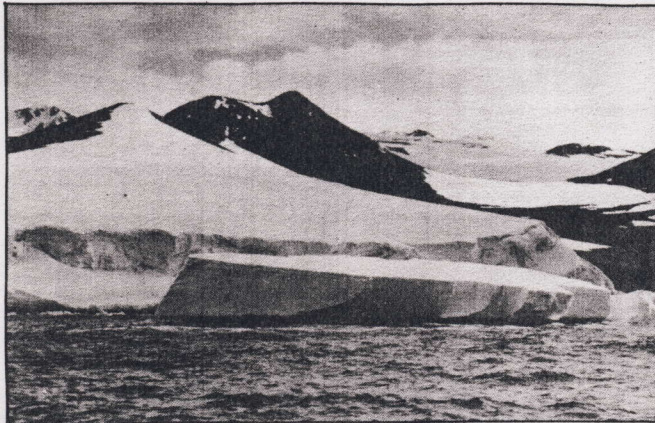
"There is historical evidence of Australia's early interest in the AAT followed by continuous activity. While the evidence should constitute an obstacle to a State challenging our Antarctic claim, on traditional legal grounds, we could by no means be certain that a challenge before the ICJ would result in our favour.

'Australia's Claim in International Law' Interdepartmental Committee on Antarctica. 1977 (Confidential)

"The only way in which to test the legal validity of Australia's claim would be proceedings in the International Court of Justice."

"At present Australia has few, if any, defence capabilities which might be drawn upon in enforcing its claims to sovereignty in Antarctica."

"As indicated above the making of firm and irrevocable choices between the available options is not at present opportune. A matter of immediate concern, however, is that if



World park or battlefield?

Australia's title to the AAT and the possible economic benefits which may flow from it are to be retained, nothing should be done in the meantime which would in political or legal terms prejudice either Australia's option to retain its beneficial interest to the full or to dispose of this interest as it chooses. But the potential challenges ahead suggest that in the near future Australia will need to give much closer consideration to its available options in Antarctica and to the measures which will be required to maintain Australian interests."

'Antarctica' Interdepartmental Committee on Antarctica. (P) 1976 (Confidential)

"Although Australian sovereignty is already open to challenge in the court and we might do better to be bold than defensive, it would on balance be against our interests to have the court pronounce on our sovereignty. An adverse judgment is quite possible, and it would be difficult to regard our sovereignty as other than extinguished if the court pronounced it to be so. Furthermore the U.S. and USSR would probably not be joined in the case and might refuse to accept even an advisory judgment affirming Australian sovereignty. Thus, resort to the court has an unprofitable look for Australia.

'Australian Sovereignty Working Paper. Department of Foreign Affairs 1975. (Confidential).

"... that sovereignty is an end in itself, is at best unconvincing. It is open to challenge on pragmatic grounds. We do not expend national resources for ownership in itself, but for the benefits it confers in the future. This is an especially significant argument when a claim is not incontestable, when our ability to uphold it in practice is doubtful, or when reaping the benefits might not depend on sovereignty, or when the cost of maintaining it becomes significant. All of these conditions apply in some degree to the Australian Antarctic Territory, (AAT) To argue that sovereignty, is an end in itself would weaken the case for sovereignty, and weaken and divert the case for our activities in support of it. Sovereignty merely sets the seal on our endeavours.

Comment on the Foreign Affairs Working Paper. Department of Science 1975 (Confidential).

"... to continue in the assertion of Australian sovereignty over the AAT and to build up from that the claim to the adjacent 200 mile economic zone. Pursuit of this course would have to be genuine and vigorous. It would need to consist of something more than the increasingly stale, merely vocal reassertion of rights which are not backed up by major practical action; something more than mere stonewalling. (The inactive option is, of course, available, but it would inevitably lead to the effective erosion of Australia's position, with no political gain.)"

"Another adverse feature of the continued assertion of Australian sovereignty is that once the step is taken of insisting upon sovereignty in the resource situation, logic will demand that that position be maintained. Nothing is gained if, once international opprobrium is attracted, Australia then changes her position. The commitment to the protection of sovereignty will be continuous and could be a long-term source of irritation and expense."

Draft, by the Legal Advisor, Fisheries Division, Department of Primary Industry 1977.

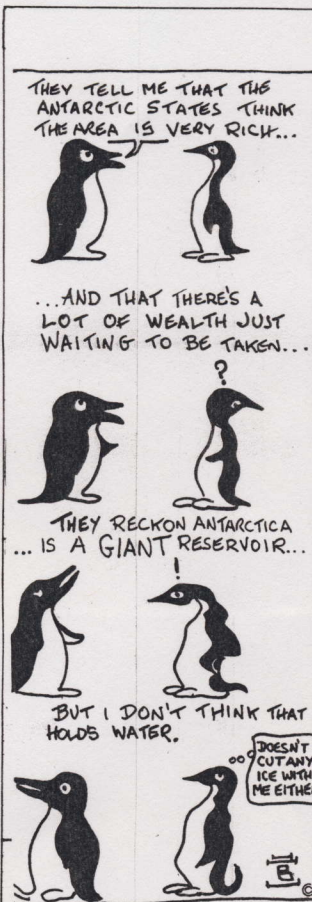
As these quotes amply demonstrate it is widely accepted, confidentially, that the legal validity of the so called 'Australian Antarctic Territory' (AAT) is, at the least, questionable.

It is also important to realize that the area claimed is unlikely to accrue much wealth for Australia despite the rumours of its potential riches which include exploitation of marine life or the licencing to other countries for such harvesting; exploitation of mineral resources (including oil, they say, although oil has not as yet been found in the 'AAT' they say); use of fresh water from icebergs towed to southern Australia (the feasibility of this is dubious); preserving food in the ice of the AAT (which on a cost benefit analysis is uneconomic); scientific research and so on. None of these activities would accumulate much in the way of economic returns and if they did Australia would not benefit because the claim would be successfully challenged.

Why then does the Australian government continue to assert its claim?

The answer seems to lie, basically, in indecision. The government for now has decided not to decide - to maintain the status quo and keep its options open. But with the increasing likelihood of the claim causing antagonism, both inside and outside the treaty, the necessity for increasing expenditure and perhaps eventually of establishing some form of military surveillance and with the inevitability of losing the claim under challenge it seems ludicrous to maintain the facade of confidence in the claim.

Surely, if the interests of this beautiful and pristine area were to be considered, the best option would be to proclaim the 'territory' a park and natural reserve and the heritage of all people and to hand over its control and regulation (with this understanding) to the international community through the United Nations.



ICE

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