



Can the Antarctic Treaty protect one of the world's last great wildernesses from climate change?

ABC Radio National / By [Sarah Scopelianos](#) for [Counterpoint](#)

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Despite being extremely remote, Antarctica is facing many challenges exacerbated by human activity. (*Supplied: Rodolfo Werner*)

It's one of the world's last great wildernesses. Antarctica, the world's southernmost continent, is known for its penguins, polar expeditions and icy beauty.

But it's not quite as pristine as the brochures would like everyone to believe. Environmentalists say the region is facing multiple pressures from climate change, increased tourism and countries jostling for strategic positions.

And all that protects this majestic area is a single treaty, negotiated more than six decades ago.

So is the Antarctic Treaty robust enough to protect the 'Great White Continent'? Does it need to be updated? Or is it working as it should be?

Why have a treaty?

At its heart, the Antarctic Treaty is about keeping the peace.

Most land claims over Antarctica were made before World War II.



Countries have always been interested in staking a claim on parts of Antarctica. (*Supplied: Antarctic Climate and Ecosystems CRC*)

After the war, there was a renewed focus on polar research and something was needed to reduce the potential for conflict over Antarctica, says international law expert Donald Rothwell.

By the 1950s, seven nations — Argentina, Australia, Chile, France, New Zealand, Norway, and the United Kingdom — had claimed territorial sovereignty over areas of Antarctica.

And many others, including the United States and the Soviet Union, had been exploring the area.

"The treaty's genius was that it actually stopped those sovereignty and territorial disputes in the 50s, and during a critical period in the Cold War," Professor Rotherwell, from Australian National University, tells [ABC RN's Counterpoint](#).

The treaty was signed in 1959 by 12 nations including Australia, United States and USSR and came into force on June 23, 1961.



Australia never relinquished its Antarctic Territory, which includes three research bases. (*Supplied: Australian Antarctic Division*)

While the treaty effectively neutralised territorial claims, Australia never relinquished the Australian Antarctic Territory, although this isn't recognised by many other nations.

The 5.9 million square kilometre area, equivalent to 80 per cent of the size of Australia, is about 42 per cent of the continent. And Australia has three research bases: Casey, Davis and Mawson.

Interestingly, the only piece of unclaimed land on Earth is in West Antarctica. The 1.6 million square kilometre section of icy terrain and glaciers, known as Marie Byrd Land, remains unclaimed due to its remoteness and lack of resources.

What's in the treaty?

The treaty bans military activities, nuclear testing and the disposal of radioactive waste in the region. It outlines a vision for peace and freedom of scientific research with nations cooperating and exchanging research plans and personnel.

There are also provisions for nations to inspect each other's ships, stations and equipment. Over the past 60 years, Australia has conducted 10 inspections in Antarctica — the most recent included visiting two facilities run by China and stops at bases run by Germany, Russia, Korea and Belarus last year.

Checks are usually to verify compliance with the environmental and non-militarisation principles of the treaty and to ensure scientific research is taking place.



Before the pandemic, there was an influx of tourists keen to spot Antarctica's wildlife.

(Supplied: Rodolfo Werner)

Membership to the treaty has grown over time, with any member of the United Nations eligible to sign on. It now has 54 signatories but only 29 countries — either original signatories or those who are conducting substantial research on the continent — have voting rights to decide the continent's future, protection and enforcement of rules.

Decisions require consensus between the 29 nations.

Professor Rothwell says, by all standards the treaty is "very old".

"It has never been amended or modified [but] it's certainly been expanded."

He says that, in addition to the original treaty, there is a patchwork of agreements and protocols on issues like mining, management of protected areas, the environment, tourism, fishing and preservation of historical sites, which make up the Antarctic Treaty System.

"There's always been a bit of a question mark over it, in terms of whether it will remain good as a treaty regime into the future, given emerging geopolitical tensions," he says.

What are its successes?

Antarctic and Southern Ocean Coalition executive director Claire Christian says the treaty's mission to "permanently demilitarise an entire continent was a huge accomplishment".

"It was also quite important that the original signatories prioritised scientific research rather than economic exploitation," she says.

Christian says the addition of the Madrid Protocol in 1991 "refocussed" the treaty on environmental protection by banning mineral extraction. It also requires Antarctic Treaty parties to undertake environmental protection measures including environmental impact assessments and protected areas.

In some ways, Christian says, the protocol and the treaty are still "revolutionary" by prioritising environmental protection and international cooperation rather than national interests.



The Madrid Protocol refocussed the treaty on environmental protection, particularly for the region's unique biodiversity. (*Supplied: Rodolfo Werner*)

How is Antarctica faring?

Antarctic campaigner Alistair Allan, who has visited the region five times with the Sea Shepherd Conservation Society, says this part of the world faces serious challenges.

Climate change is the "absolute biggest threat" to the region. Allan, from the Bob Brown Foundation, points out that the 29 countries with voting rights over Antarctica are among the world's greatest emitters of greenhouse gases.



Alistair Allan wants more nations to have a say in the future of Antarctica. (*Supplied: Alistair Allan*)

He believes these countries could make a real difference to the future of Antarctica — and the world.

He's calling for a "stronger shared care for the Antarctic environment" and for countries to make "real changes back at home".

Tourism is also a growing concern in the region. Before the coronavirus pandemic, there was a surge in cashed-up visitors all keen to explore the continent.

"When they wrote the treaty, that wasn't even a thing. There was no anticipation for the biggest industry in Antarctica to be tourism," Allan says.

Increased visitors put further pressure on the ecosystem with more ship and aircraft movement, more people on the ground exploring sensitive areas like penguin rookeries and the potential for invasive species to be introduced.

"Every little activity by itself doesn't necessarily harm the environment," Allan says, but adds that it all has a cumulative impact.



Climate change and increased human activity are just some of the challenges Antarctica faces. (*Supplied: Rodolfo Werner*)

Is the treaty working?

It depends on who you ask.

Professor Rothwell says at face value the treaty is achieving its aim.

"It's not only holding the peace but it's keeping scientific research going, which has always been critical on the continent," he says.

"The scientific research has evolved to have an increasing focus on climate change, so you can't say that the research is not relevant and contemporary and focussed."

Allan isn't so sure. He describes an atmosphere akin to a "moon race" between countries "jostling for territory" by proposing large infrastructure projects.

For instance, Australia has plans to build a 2.7 kilometre concrete airstrip to receive planes all year round.

Allan says the project near Davis Station is an example of a country trying to shore up its territorial claim.

"Due to climate change, the ice runway in summer is actually melting and they can't land the planes ... but the real reason is about huge strategic imperatives," he says.

What needs to be fixed?

Both Allan and Christian agree the treaty's core is solid but there are weaknesses.

"There are plenty of scientists and government officials who understand what needs to be done [to protect the region] and have good ideas for implementing it but they are too often blocked by one or two countries," Christian says.

Enforcement of the rules is another issue.

For instance, when South Korean and Russian fishing vessels were caught fishing illegally in the area, they avoided the consequences after their respective countries couldn't agree on how to enforce the regulations.

Allan says there needs to be stricter regulations and more countries involved in making decisions.

"The foundation is strong in terms of no-military, cooperation, natural reserve, peace and science ...

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What it needs now is stricter control regulation and potentially also bringing more people into that conversation.

"At the moment, it is still the 29 voting countries that primarily get to choose what happens and there's not much say from the rest of the world.

"What happens in Antarctica affects all of us."