

tively placed outside the convention. This article reads: "The present Convention shall not apply to any warship, naval auxiliary or **any other ship owned or operated by a state** and used, for the time being, only on government non-commercial service" [emphasis added]. Since most ships operating in the Antarctic are "owned or operated by a state" this clause critically weakens the convention in Antarctica.

If this is the situation when the only legitimate activity is science, the prospects seem altogether bleaker for Antarctica if we allow minerals exploitation to go ahead.

Since 1982, the states involved in the Antarctic Treaty have been negotiating a regime to allow minerals exploitation in Antarctica, and New Zealand has played a leading part in this effort through the chairmanship of Chris Beeby of the Ministry of External Relations and Trade (MERT). The resulting convention, the Convention for the Regulation of Antarctic Mineral Resource Activities (CRAMRA), has been roundly condemned by just about

States and the Soviet Union. To complicate this further, the United States and the Soviet Union reserve the right to make their own claims.

A way out of this impasse was found in the 1959 Antarctic Treaty, which, to use the usual expression, "froze" all claims and activities which might enhance or reduce any such claims, for the duration of the Treaty. This was achieved by substantially limiting military activity in Antarctica, by free access to all parts of the continent at all times, and by the development of science as the one legitimate activity in the area. By comparison with other parts of the world, this regime has been fairly successful. It has, however, left unresolved the underlying problem – sovereignty. And this takes us back to the minerals convention. Exploration and exploitation of minerals resources in Antarctica, whether it occurred now, in ten years time or 30 years time, would be enormously expensive. No oil company, or hard rock mining corporation, is going to invest the billions of dollars perhaps

France and Australia effectively scuppers the Convention as currently envisaged. These countries have proposed some sort of World Park or Antarctic Treaty Park status instead, the option advocated for so long by Green-

Bottom: For this Weddell seal and her pup, born in the depths of the winter, the problems lie not with the rigours of the environment, but with our plans for the Antarctic. Photo: Alan Hemmings. Top: Garbage at McMurdo. There is no reason why waste cannot be removed from Antarctica, but countries are unwilling to do so. Photo: Simon Towle



every environmental organisation in the world, most of the household names in the international environment movement (Sir Peter Scott, Jacques Cousteau, David Bellamy, etc) and a substantial part of the scientific community familiar with the continent and its seas. In April, these voices were joined by the French government and in May by the Australians, both of whom announced that they would not ratify the convention because it would not secure adequate protection for the Antarctic environment.

Scramble for Resources

Essentially, and notwithstanding MERT statements to the contrary, CRAMRA is a minerals exploitation document, and far from regulating an inevitable "scramble" for resources, it actually causes that scramble. To understand why this is the case, we need to consider the political circumstances of the continent. Antarctica is in a curious limbo, politically. Seven countries (Argentina, Australia, Chile, France, New Zealand, Norway and the United Kingdom) claim sectors of the continent, and three of these (Argentina, Chile and UK) overlap. Nobody else recognises these claims, and importantly, this includes both the United

over many years required to find those minerals unless they can be sure that they are going to reap the financial rewards. The last thing Shell will want is to spend eight years and \$20 billion finding a commercial oil reserve only to find Exxon, Phillips Petroleum or Petrobras plugging in alongside them just when it looks lucrative. The oil companies want secure and preclusive property rights to a particular area before they will consider exploitation. So, the negotiation of a regime which allows exactly this allotment of secure property rights facilitates the very thing it purports to control – minerals exploitation – with the inevitable pollution and degradation of the Antarctic environment.

Convention Effectively Scuppered

Nonetheless, the Convention was largely completed in Wellington in June 1988 (important protocols, too hard for resolution then have still to be sorted out) and is open for signing until November 1989. In order for the Convention to come into force, all seven countries laying claims to parts of Antarctica, plus the United States and the Soviet Union, must sign. Thus, the rejection of CRAMRA by

peace, the Antarctic and Southern Ocean Coalition and a host of others concerned for the preservation of the Antarctic. Australia has proposed that the Antarctic Treaty partners proceed to negotiate an Antarctic Conservation Convention.

Ironically, and as we have been often reminded by MERT over the past few years, New Zealand itself advocated World Park status for Antarctica back in 1975. According to Chris Beeby, that option was not greeted with much interest at the time and the parties to the Antarctic Treaty decided instead to develop a regime which would allow exploitation.

A week may be a long time in politics; 14 years is an eternity in international politics. The facts are that we are now in a different world to the oil-shocked mid-seventies, the many and various environmental threats to our planet are finally dawning on us and the "green" voter has become a potent force. New Zealand now finds itself backing the wrong horse. When even the French are concerned that the Antarctic environment is at risk, surely New Zealand, of all countries, needs to reassess its position.

For those of us concerned to secure the