



ALAN HEMMINGS

*Adelie penguins float on the cleanest seas in the world. However, they still need the commitment of the world's environmental organisations.*

The protocol has some weaknesses. It leaves individual states as the final judges of their own activities in most situations. Although the Committee for Environmental Protection may evolve into a stronger body, on paper at least it looks pretty weak. It is not the Antarctic environmental protection agency we had hoped for.

Once the protocol has entered into force it cannot, for all intents and purposes, be reviewed for 50 years. However, after 50 years any nation can call for a review conference to consider, for example, lifting the mining ban. The US insisted on weakening the review process agreed in Madrid in April 1991, which required agreement of *all* consultative parties before any modification to the protocol could occur. Now, if the 26 consultative states have not ratified a future mining regime within three years, a state can simply give two years' notice and walk out of the protocol. It can then mine in Antarctica outside any controls by the Antarctic Treaty system.