



ALAN HEMMINGS

Crabeater seals hauled out on a decaying iceberg. The 10-12 million crabeater seals (which feed directly on krill) are the largest population of large wild mammals left on earth.

previous condition. Should restoration not be possible there may be a case for financial or other penalties.

Decent liability provisions are the "teeth" of the new regime. No judicial system devoid of penalties would have any credibility. Similarly, until this element is built into the Environmental Protocol it is not worth the paper it is written on.

But it is not liability that officials and their governments want to tackle next. Remarkably, they are content to leave even discussion of what may be required until the next Treaty meeting in November.

Their perennial bogey is tourism, or perhaps it is non-governmental expeditions – they never quite seem to know. In New Zealand, environmental groups have argued for the past two years that the best way of addressing any impacts of tourism is through rigorous regulations applying to all human activities. Bear in mind that every environmental horror story that has come out of Antarctica has been due to government-supported expeditions, not tourists.

The protocol does apply to all activities, and provides the basis for regulating tourism. What we need now are not

further discriminatory rules for some visitors to Antarctica, but urgent work on the liability provisions and development of a strong Committee for Environmental Protection. These are the steps necessary to turn the protocol into something which really makes a difference in Antarctica. The protocol will not have legal effect until every consultative party has ratified it. This entails each state passing domestic legislation to make the protocol binding upon its own citizens. For some states – for example the United States, where the Senate must ratify any foreign treaty – this will take several years. The joker in the pack, unfortunately, remains the possibility that one or more states will decide not to ratify the protocol. What happens in regard to the states of the former Soviet Union is unclear. Even if Russia alone inherits the USSR's consultative party status, ratification of an Antarctic protocol may not have any great priority there at present.

In New Zealand, the process could be finished by the end of the year if the Government gives the legislation some priority. One way to expedite the process is to re-introduce the Protected Areas (Prohibition on Mining) Bill, drawn up by the previous Labour Government.



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Weddell seals are the most "Antarctic" of all seals, giving birth on the fast ice in the winter. They maintain access holes in the ice with their teeth.

What you can do

THE TWO PRIORITIES for New Zealand in 1992 must be domestic ratification of the protocol and leadership in the negotiation of the Annex on Liability. Please write to your MP and to the Ministers of Conservation, Environment and External Relations or the Prime Minister, calling on them to support the passage of the Protected Areas Bill and to direct their officials to begin work on liability rules as a matter of urgency. The Antarctic and Southern Ocean Coalition, of which Forest and Bird is a member, also needs your financial support. Donations towards the costs of protecting Antarctica may be sent to ASOC(NZ), PO Box 11-057, Wellington.