

ANTARCTIC TREATY
SPECIAL CONSULTATIVE MEETING

ДОГОВОР ОБ АНТАРКТИКЕ
СПЕЦИАЛЬНОЕ КОНСУЛЬТАТИВНОЕ СОВЕЩАНИЕ



CANBERRA

00115
TRAITÉ SUR L'ANTARCTIQUE
REUNION CONSULTATIVE SPECIALE

TRATADO ANTARTICO
REUNION CONSULTIVA ESPECIAL

Agenda Item 6

ANT/SCM/30
Date: 14 March 1978
Original: English

Draft Rules of Procedure for a Decisive Conference

(Submitted by the Secretariat)

DRAFT RULES OF PROCEDURERepresentation

1. Each participant shall be represented by a delegation composed of a Representative and such Alternate Representatives, Advisers and other persons as each participant may deem necessary. Their names shall be communicated to the host Government prior to the opening of the Conference.

2. The order of precedence of the delegations shall be in accordance with the alphabet in the language of the host Government.

Officers

3. A representative of the host Government shall be the Temporary Chairman of the Conference and shall preside until the Conference elects a Chairman.

4. At its inaugural session, the Conference shall elect a Chairman. The other Representatives shall serve as Vice-Chairmen of the Conference in order of precedence. The Chairman normally shall preside at all plenary sessions. If he is absent from any session or part thereof, the Vice-Chairmen, rotating on the basis of the order of precedence as established by Rule 2, shall preside during each such session.

Secretariat

5. The Secretary-General shall be appointed by the Conference on the proposal of the Chairman. The Secretary-General shall be responsible for providing secretarial services, and shall carry out such other tasks as the Conference may require or direct.

6. The Conference, to facilitate its work, may establish such committees as it may deem necessary for the performance of its functions, defining their terms of reference.

7. The committees shall operate under the Rules of Procedure of the Conference, except where they are inapplicable

8. Working groups may be established by the Conference or its committees.

Conduct of Business

9. A quorum shall be constituted by two-thirds of the Representatives participating in the Conference.

10. The Chairman shall exercise the powers of his office in accordance with customary practice. He shall see to the observance of the Rules of Procedure and the maintenance of proper order. The Chairman, in the exercise of his functions, remains under the authority of the Conference.

11. No Representative may address the Conference without having previously obtained the permission of the Chairman. The Chairman shall call upon speakers in the order in which they signify their desire to speak. The Chairman may call a speaker to order if his remarks are not relevant to the subject under discussion.

12. A Representative may at any time take a point of order and the point of order shall be decided immediately by the Chairman in accordance with the Rules of Procedure. A Representative may appeal against the ruling of the Chairman. The appeal shall be put to a vote immediately, and the Chairman's ruling shall stand unless over-ruled by a majority of the Representatives present and voting. A Representative taking a point of order shall not speak on the substance of the matter under discussion. A point of order taken during voting may concern only the conduct of the vote.

13. The Conference may limit the time to be allotted to each speaker and the number of times he may speak on any subject. When debate is thus limited and a Representative has spoken his allotted time, the Chairman shall call him to order without delay.

14. During the discussion of any matter, a Representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two Representatives may speak in favour of, and two against, the motion, after which the motion shall be put to the vote immediately. The Chairman may limit the time to be allowed to speakers under this rule.

15. A Representative may at any time move the closure of the debate on the item under discussion. In addition to the proposer of the motion, two Representatives may speak in favour of, and two against, the motion, after which the motion shall be put to the vote immediately. If the Conference is in favour of the closure, the Chairman shall declare the closure of the debate. The Chairman may limit the time to be allowed to speakers under this rule.

16. A Representative may at any time move the suspension or the adjournment of the Conference. Such motions shall not be debated, but shall be put to the vote immediately. The Chairman may limit the time to be allowed to the speaker moving the suspension or adjournment of the Conference.

17. Subject to Rule 12, the following motions shall have precedence in the following order over all other proposals or motions before the Conference:

- (a) to suspend the Conference;
- (b) to adjourn the Conference;
- (c) to adjourn the debate on the item under discussion;
- (d) for the closure of the debate on the item under discussion.

18. (a) Each delegation shall have one vote. A delegation shall not represent and vote for another delegation.

(b) Decisions on matters of substance shall be taken [with the consent of all the participants]. The question whether a matter is one of substance shall be treated as a matter of substance.

(c) All other decisions, if not taken by consensus, shall be taken by simple majority of the participants present and voting.

Languages

19. English, French, Russian and Spanish shall be the official languages of the Conference.

20. Any Representative may speak in a language other than the official languages. However, in such cases he shall provide for interpretation into one of the official languages.

Amendments

21. These Rules of Procedure may be amended by the Conference, in accordance with the procedure for taking decisions on matters of substance set out in Rule 18.

ADDRESS BY THE MINISTER OF FOREIGN AFFAIRS, VICE-ADMIRAL
OSCAR A. MONTES AT THE OPENING SESSION

It is sufficient to look at a map of the world to realize that the Argentine Republic is a country that is marked by its Antarctic destiny, towards which it is propelled by geographic and geopolitical reasons that cannot be gainsaid.

Its continental territory stretches decidedly towards the southern-most part of the American hemisphere, which is the nearest to the Antarctic, to which its islands extend without any break in continuity in the Antarctic peninsula, which has similar morphological features to those of the Andes mountain range.

Bearing in mind this geographic proximity, it is not strange that my country, since the dawn of its independence has been concerned with Antarctic activities and all that takes place on its icy mantle.

Argentina's presence there goes back to the early days of Criollo seal hunters, which, according to historic records, began in the second decade of the nineteenth century.

They set sail from the port of Buenos Aires and went to the Shetland islands in search of their prey.

The secrecy that shrouded their activities owing to reasons of trade caused the discovery of those islands to remain unknown for a long time and then to be attributed to other navigators.

Those that are recorded in the chronicles of the day were at times merely following in the wake of our seal hunters.

On the other hand, 74 years have already gone by since Argentina began its permanent occupation of the Antarctic, with the establishment of a base on the South Orkney islands on 22 February 1904.

For forty years Argentina was the only permanent occupant of Antarctica and its men, ever since those early days, have withstood the rigour of that desolate continent with courage and sacrifice, a fact that gives genuine proof of the interest with which my country has always looked upon those territories.

That is to say, Argentina's presence in Antarctica goes back well over seventy years, something of which we are extremely proud.

During that time, its activities in the area have been important and uninterrupted, both in ratifying its presence and consequent rights, and in its unceasing scientific work and combined efforts for the preservation of the Antarctic environment.

The year 1959 was a new and important milestone in the evolution of the historic process of Antarctica and, as was only natural, Argentina has likewise been intimately associated with the process that began that year.

The Washington conference ended with the adoption of the Antarctic Treaty, which marks the efforts of all the interested countries in preserving the area for peaceful purposes and, in particular, for carrying out scientific research.

A harmonious system of mutual cooperation was thus created, wherein the consultative parties have extended and exchanged their knowledge, and their men of science have participated reciprocally in numerous increasingly complex and advanced programmes.

The climate of concord and mutual support which has led to the considerable advances made has been a salient feature of the tasks developed during the nearly 20 years since the Antarctic Treaty entered into force.

But a new stage is now beginning, following the requirements of the present historic moment.

Indeed, the world of today faces acute needs which, in vast regions of the world, pose a grave problem of survival owing to the scarcity if not the exhaustion of natural resources.

This circumstance has befallen owing to an often irresponsible use of the riches of our planet.

Without falling into a neo-Malthusian attitude, already abandoned by those who created it, there is no doubt that the countries meeting here, whose responsibility in the preservation of one of the most important protein reserves in the world has been acknowledged by the international community, cannot remain indifferent to the situation.

But, although this spirit leads us to accept the fact that we must enter into a new phase that comprises the use of Antarctica's living resources, we are meeting here mainly to prevent this use from becoming an abuse.

The fundamental significance of our meeting is not to open a door to financial activities in Antarctica but, as stated in the text that is to be the centre of our debate, to take care that the activities that are about to commence shall not injure the delicate Antarctic ecosystem.

We are sure that all the consultative parties in the Antarctic Treaty share our concern and our views and that they are aware that the Antarctic and sub-Antarctic waters constitute a reserve of proteins for mankind and,

consequently, determine the need for an appropriate regime tending basically to their conservation.

Furthermore, the most outstanding features of that regime were already noted at the Ninth Consultative Meeting held in London last year.

At the Canberra session, which we are continuing here today, the first agreements on the subject were reached and, despite the different positions adopted by the delegations, it was most encouraging to reach a beginning of agreement on the text for the rules of procedure prepared by the Chairman of that meeting.

However, it is undeniable that the text submitted to the governments for consideration must now be very carefully examined in order to accomplish the delicate task of evolving a final draft that will take into account the viewpoints and interests of the participating countries and conciliate conflicting positions as fully as possible.

Consequently, we are afforded another opportunity to give one more proof of the spirit of cooperation that is one of the basic principles of the Antarctic Treaty, in open and responsible negotiations, designed to achieve solutions that are satisfactory to all the consultative parties.

In this respect, I can already give the assurance that my delegation will strive for that cooperation.

The future regime for the conservation of living resources will represent effective progress towards a major goal in this area, namely, the necessary preservation and protection not only of the Antarctic ecosystem but also of those that are dependent on it.

The factors of geographical proximity to which I have referred, make it even more imperative for us Argentines to advance in this area quickly and firmly, without forgetting our country's traditional position as regards the defence of its rights in the Antarctic.

Undoubtedly, in addition to scientific and technical aspects, the meeting will have to examine essential juridical and political questions.

It would be desirable that the regimen agreed upon should not alter the balance established by the Antarctic Treaty and maintained with so much effort for almost twenty years.

Argentina, one of the countries claiming sovereign rights, feels that the formula of conciliation of conflicting positions on which the system maintained since 1959 was based, should be embodied in the new convention in the form of provisions that contemplate the interests of all the consultative parties.

The regime to be established here cannot disregard that formula; in other words, it cannot ignore the political facts of Antarctica, including the permanent presence and action of some of the consultative parties there.

The instrument to be devised here represents a fundamental chapter in our mutual cooperation in terms of the consultative parties' responsibilities in Antarctica.

The adoption of appropriate measures for the conservation of living marine resources in Antarctica, before they suffer the depredation that has been the lot of other species in those waters, will effectively show the world that the countries here represented have been capable of fulfilling their responsibility with specific action.

And they are doing so without delays, following the road of understanding, progress and moderation in this most special moment regarding Antarctica -which somebody has already termed historical- and reiterating their firm decision to apply also in this area the principles and objectives embodied in the Antarctic Treaty.

The task begun in February of this year in the city of Canberra is I repeat, difficult and complex, but we approach it with confidence and hope that this two week meeting in Buenos Aires will serve to perfect the draft convention and produce the regime we all wish.

If we succeed, we shall give the international community a further proof of our ability to work in close collaboration to find sound and responsible solutions to the fundamental issues arising in connection with the complex problem of contemporary Antarctica.

If we fail to fulfil this responsibility, we shall be leaving a gap.

According to the rules of nature that are equally valid in juridical and political life, that gap, if not filled by us, will undoubtedly be filled by others, since a responsibility that is not met is in fact delegated.

Gentlemen, I cordially welcome each and all of you on behalf of the government and the people of Argentina.

I have the great honour of inaugurating the deliberations of this continuation of the Second Special Consultative Meeting of the Antarctic Treaty and express my best wishes for success in the task for which you have today gathered in the city of Buenos Aires.

Doc./T.A./6

STATEMENT BY THE ALTERNATE REPRESENTATIVE OF AUSTRALIA,
Mr. H.W. BULLOCK, AUSTRALIAN AMBASSADOR IN ARGENTINA

It is with great pleasure that I take the floor to congratulate you on your assumption of the office of Chairman of the resumed session of this Special Antarctic Treaty Consultative Meeting. It is particularly appropriate that, as the representative of the country which was host to the first session of this Special Consultative Meeting. I should be among the first to welcome your election to preside over this resumed session. Mr. Chairman I am confident that under your guidance we will be able to proceed to a resolution of the issues that confront us in establishing a regime acceptable to all our Governments for the conservation of the marine living resources of Antarctica.

Mr. Chairman, it is especially appropriate that Argentina, as a country of the Southern Hemisphere with long traditions and deep ties with Antarctica, should be the host to this meeting of the Antarctic Treaty Consultative Parties. Australia and Argentina share that sense of commitment to the Antarctic which is felt in a particular degree by countries located close to the antarctic continent. In a sense the involvement of the countries of the Southern Hemisphere in Antarctica transcends the particular resource issues which are the subject of our present meeting and embraces a special concern for developments in an area which forms an important part of our regional environment. We think that there could have been no better choice than this splendid city for this resumed session of the Special Consultative Meeting.

At the outset of this meeting it is timely to recall the reasons which led us at the Ninth Consultative Meeting to embark upon the formidable task we now have before us. These reasons were expressed in Recommendation Nine-Two IX (2) from that Meeting. In the preamble to that recommendation we jointly recognized the urgency of ensuring that the marine living resources in the Antarctic Treaty Area and adjacent waters are protected by the establishment of sound conservation measures which will prevent overfishing and protect the integrity of the Antarctic ecosystem. Our concern about the proper conservation of these resources and the need to provide a sound scientific base for their conservation, led to recommendations on such things as basic principles for the collection and exchange of scientific information, some interim guidelines, and elements which we would need to take into account in the elaboration of a draft definitive regime. As in the preamble, we also included amongst these elements the fact that the regime should provide for the effective conservation of the marine living resources of the Antarctic ecosystem as a whole. In order to do that we recognized that the regime would need to cover whatever areas might prove necessary for the effective conservation of species of the Antarctic ecosystem.

Mr. Chairman, I have no doubt that all of us present today are aware of the urgency of the tasks which confront us. We are all familiar with the devastating results which have followed uncontrolled harvesting, not least of the whale populations. This Meeting provides us with an opportunity to build on the significant progress that was made at the

Canberra Meeting and to develop a viable regime for the conservation of the living resources of Antarctica. The Antarctic Treaty Consultative Parties have a commendable record of past achievement in relation to the living resources of the region. But we must all recognize that the present situation presents us with a strong challenge. It is our responsibility, as the Parties who have demonstrated our particular interest in Antarctica, to prove to the world that we are capable of meeting that challenge.

Mr. Chairman, we all recognize that there are formidable difficulties which we must resolve if agreement is to be reached on the draft of a Convention on the Conservation of the marine living resources of Antarctica. Similar difficulties have been encountered before and have been overcome. The Antarctic Treaty itself represented a unique solution to the unique problems which confronted the Parties in finding ways to the further international co-operation consistent with the preservation of important national interests. The task which confronts this meeting will be to find equally ingenious solutions under which the principles of the Antarctic Treaty can be applied to the marine living resources of the Antarctica without discrimination against the position of any Party. This will require creative initiatives and flexible responses from us all. But it is essential that the Antarctic Treaty Parties should rise to the challenge. If we fail in this task the international community may feel impelled to seek answers in other forums.

If we fail to rise to the challenge which we set ourselves in London, and to which we applied ourselves in Canberra, we will have failed in our responsibilities as custodians of the Antarctic continent, its marine living species and its environment. We are confident, Mr. Chairman, that in placing ourselves in your hands we have the best insurance that we will not fail.