

Considering conflict in Antarctica

In a resource-driven world, where emerging non-state actors are exerting real influence over international affairs, the politics surrounding Antarctica, the largest land area of disputed sovereignty, which has witnessed no violent conflict between states, eludes simple explanation.

Background

Since 1945, there have been several diplomatic texts and international legal agreements that appear to constrain the behavior of states. Antarctica is a peculiar case in international relations because tensions clearly existed as the two major superpowers after World War II, the US and the USSR, both began to show interest in the territory. However, after years of discussion on how to manage Antarctica, which was influenced by the scientific community, 12 states (Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, South Africa, the USSR, the UK, and the US) drafted and signed the 1959 Antarctica Treaty, which entered force in 1961. The preamble states that "Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord."

In 1972, the first international agreement specifically regarding Antarctic resources, the Convention on the Conservation of Antarctic Seals, was signed to regulate seal harvesting if such an industry were to develop. The Convention for the Conservation of Antarctic Marine Living Resources was signed in 1980. The Convention on the Regulation of Antarctic Mineral Resource Activities was drafted in 1988 and, if ratified, would have created a regime to manage mineral exploitation on the continent. However, it was abandoned in favor of the Antarctic Environmental Protocol, which was drafted in 1991, and entered force in 1998. This piece of international law bans mineral exploration of all kinds until 2048 (unless amended by unanimous agreement, see Antarctic Environmental Protocol, Article 25). The text does not mention what 'mineral exploration' is exactly, perhaps because much the geological field work could be considered 'mineral exploration'. This concept may best be explained through an analysis of what and how scientific studies are allowed to work on the continent. Article III in the original Treaty is informative for beginning to describe the process and expectations:

Article III

1. In order to promote international cooperation in scientific investigation in Antarctica, as provided for in Article II of the present Treaty, the Contracting Parties agree that, to the greatest extent feasible and practicable:

- a. information regarding plans for scientific programs in Antarctica shall be exchanged to permit maximum economy of and efficiency of operations;
- b. scientific personnel shall be exchanged in Antarctica between expeditions and stations;
- c. scientific observations and results from Antarctica shall be exchanged and made freely available.

CRISIS – SECURITY COUNCIL

Indeed, perhaps because of Antarctica's uniquely harsh climate and the small community of Antarctic scientists who constantly oversee scientific activity, the conditions allow for relatively simple monitoring of this Protocol (though further research, perhaps interviews of Antarctic scientists, may provide robust support for this claim). Treaty Parties conduct inspections as well and, in 2001, a secretariat for the Treaty system was established in Buenos Aires.

The Antarctic Treaty regime, which includes accompanying Antarctic protocols and conventions, continues to guide state practice and perpetuate the diplomatic stalemate over sovereign rights. Many states continue scientific operations and some examples of cooperation can be found. Rescue missions, for example, often see military personnel cooperate and equipment shared. Because so few military personnel are actually on the continent, if conflict were to break out, major military action would likely occur in the air or at sea, rather than land. In such a scenario, states would likely need to bring in greater military force to project their power over another state. The small number of civilian-scientists could quite easily be removed to limit civilian casualties. However, one may also envision scientists taking the form of human shields to force militaries to think twice about their aggression. Regardless, military action, particularly prolonged action, in the region would serve to dangerously affect an already fragile ecosystem.

The 'Question of Antarctica' in the United Nations (UN) has been on-going since 1983. Numerous resolutions have been passed by the UN General Assembly. These moves, initially led by the Malaysian government in the 1980s, whose involvement has "often been interpreted as a personal preoccupation of [Prime Minister] Mahathir", drew attention to the Antarctica Treaty System and the exclusive nature of its members to managing the continent. As a result, diplomatic disagreements became more visible, increasingly discussed, and more politically sensitive. The topic remains on the UN agenda, to be visited every three years. As Barrett argues, the clear and efficient means of exploiting Antarctic resources may keep disagreements at a low level. Still, so long as the question remains open and consistently appears on the UN agenda, political space for involvement may arise.

Source: *ICE Case Study 215, May 2007*

Crisis Scenario:

The New York Times revealed last month that a team of scientists from Belgium, during a routine geological survey, have uncovered a vast deposit of oil. First estimates seem to indicate that this deposit may match in size and quality Saudi Arabian and Kuwaiti deposits combined. Since then, the diplomatic world has been in turmoil, and exacerbated tensions have flared!

In this vindictive climate, the Political Committee of the United Nations convenes to attempt to examine calls for a revision of the Antarctica Treaty, and set guidelines for the future exploitation of this resource.

Source: *ICE Case Study 215, May 2007*