

Antarctic policy: defining the past, shaping the future



WARWICK BARNES

Policy initiatives over the past 25 years have had far-reaching effects and include the recently adopted Agreement on the Conservation of Albatrosses and Petrels. The ACAP aims to achieve and maintain favourable conservation status for defined albatross and petrel species, such as this Southern Giant Petrel.

Policy work may seem somewhat esoteric and far-removed from the day-to-day problems faced by Antarctic expeditioners in the depths of winter. But it is relevant! If we look at the Antarctic policy environment — that *melange* of cloistered negotiations, discreet diplomacy, international law and traditions, that sets the framework for managing activities in Antarctica — we can see significant growth and increasing sophistication in our approach to Antarctica.

Over the past 25 years the way we do business in Antarctica has changed considerably, due to evolving policy and political contexts, rapid gains in technology, improved access to the Antarctic, and revised science priorities. Some changes have been so subtle we hardly recognise them. Other changes have had dramatic and far-reaching effects.

In the 1970s we essentially had no mechanism for controlling access to fisheries in the Southern Ocean. The level of knowledge about the Antarctic marine ecosystem, which we understood to be critical, was scant. In 1980 the Antarctic Treaty parties established the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) to provide a framework for effective management of fish, krill and other valuable resources. Since then, CCAMLR has become a world-leading and essentially unchallenged cooperative regime for managing a vast part of the world's oceans. In addition, it pioneered a whole-of-ecosystem approach to fisheries management, rather than a single-species approach.

CCAMLR has adapted well to recent changes in the fishing industry, with the implementation of a catch documentation scheme and improved controls on vessels, among other pioneering responses to illegal, unregulated and unreported fishing in the Southern Ocean. Australia's engagement with CCAMLR has driven our interest in marine ecosystem research, without which informed resource management decisions could not be made. The legacy for us is

wider acceptance of the ecosystem approach to fisheries management and a scientific and logistic focus in Antarctica, which is now as much off-shore as on land.

The resources debate continued throughout the 1980s, focusing on mining, and intense effort was put into negotiating an Antarctic minerals convention. Agreement to the text triggered a landmark debate about whether mining should have a place in Antarctica's future. Treaty negotiations turned towards an environmental regime that prohibited Antarctic mining and established comprehensive and legally binding rules to protect the environment. The Madrid Protocol, as it is now known, designated Antarctica as a natural reserve, devoted to peace and science. It put in place environmental principles applying to all activities in Antarctica and, among other things, required prior environmental evaluation of all activities. The Protocol has had far-reaching effects; not only does it regulate every Antarctic activity, it provides a cooperative mechanism for dealing with future environmental management issues. On a global scale its impact has been significant — we have provided environmental protection for an entire continent. This has permanently changed our attitude to a place that, perhaps, we were beginning to take for granted.

Resources debates within the Treaty saw a significant growth in the number of nations becoming Party to the Treaty and its associated agreements. Increased Treaty membership — from 20 in 1980 to 45 in 2006 — underlines the solid recognition of the Treaty as the best mechanism for managing the region.

Over the last 25 years Antarctic science has had a direct impact on global policy issues, such as ozone depletion and climate change. There have been parallel policy developments affecting the Antarctic region and our approach to it in other international regimes. These include initiatives in the International Whaling Commission, the Law of the Sea, and

the recently adopted Agreement on the Conservation of Albatrosses and Petrels. These complement, and in some cases work in close conjunction with, developments within the Antarctic Treaty system.

Within the Treaty system there is an ongoing evolution of the management arrangements for Antarctica. For example, recent developments relate to the management of tourism, which continues to be the fastest growing industry in the region. There have also been numerous developments in environmental law, including new rules on liability for environmental damage, and a substantial extension of the protected area system in Antarctica. Many of these developments build on the Madrid Protocol, and all contribute to the growing sophistication of international law applying to the Antarctic. They are founded on the cooperation made possible by the Antarctic Treaty, which remains at the core.

These developments do not 'just happen'. They are done for a reason, and they are achieved through negotiation. Obviously these developments did not occur because of the Australian Antarctic Division's move to Tasmania 25 years ago. However, the move signalled an invigorated national commitment to the Antarctic, which manifested itself in many ways — including making Australia's mark in policy outcomes. It also signalled the concentration of effort on Australia's Antarctic 'industry' in one place — Hobart — which has become a global centre of excellence. This has benefited Hobart as much as it has paid national dividends. Such policy activity underpins the Government goal for the Antarctic programme of maintaining the Antarctic Treaty system and enhancing Australia's influence in it.

It is difficult to predict where we will be in another 25 years. The policy advisers of today are shaping the future; looking at options available to us and helping decision-makers make the right choices for Antarctica's future and our future engagement with the region.

Deliberations in a Treaty meeting may seem remote from expedition life, and physically they are. But in terms of our purpose and approach in Antarctica, policy continues very much to define our presence. Even in the depths of winter.

—ANDREW JACKSON

Manager, Antarctic and International Policy, AAD

Antarctic Treaty parties established the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) in 1980 (with its headquarters in Hobart), to provide a framework for effective conservation and management of fish, krill and other valuable resources. Successive Australian Government commitments to protecting Antarctica and supporting agreements like CCAMLR, has resulted in the AAD developing significant capacity and expertise in marine policy and ecosystem research.



SIMON MORGAN