Averting the Battle for Antarctica

By Doaa Abdel-Motaal

A battle for Antarctica? Surely there will be none. After all, when is Antarctica ever in the news? We only hear about the continent when a portion of its ice shelf collapses into the sea and the media concludes it has found the latest evidence of global warming—evidence of the failure of nation states to collaborate in protecting our global commons. More recently, Antarctica was in the news when parties to another treaty with a long acronym, the Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR), agreed to establish a marine sanctuary in a portion of the Southern Ocean. There, by contrast, the media was quick to conclude that, in fact, international collaboration to limit fishing and protect the world’s oceans was finally succeeding.

The infrequent and inconsistent reporting on Antarctica fails to place individual developments in a holistic narrative of what is happening on the continent. Antarctica has been a commercial and political battleground ever since its discovery, with silent competition for its resources still in full swing. If not carefully managed, the “Question of Antarctica,” as the United Nations has called it, could once again burst onto the international stage. Antarctica’s political and environmental future hangs in balance.

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Antarctica is governed by the Antarctic Treaty System (ATS) which grew out of a core treaty concluded in 1959 among a small group of nations. The core treaty initially only included the seven countries that had laid a territorial claim in Antarctica and a few others that had either been involved in its discovery and exploration, or had played a major role in the International Geophysical Year of 1957-1958, an effort to promote scientific cooperation and standardization between the East and West.

Under the terms of the Antarctic Treaty, signatories agreed to demilitarize the continent, to freeze all territorial claims, and to dedicate Antarctica to peace and scientific research. They established an expensive entry ticket into their exclusive club: consultative party status, which confers decision-making powers on its holder, is obtainable only upon demonstration of “substantial scientific research activity.” This term has been defined as the establishment of a scientific research
station in Antarctica, or the dispatch of a scientific expedition. Today only twenty-nine countries enjoy this status, though many more have interests and opinions on the continent. Far from settling the “Question of Antarctica,” the Antarctic Treaty simply gave it cover.

PHASE ONE OF THE BATTLE FOR ANTARCTICA

Little known to the world is that several commercial and political battles have already been fought for Antarctica. The first was a commercial one—a race for its marine resources—which drove some of these resources to near exhaustion. The second was the race for territorial claims amid great power rivalry.

Fishig was at the origin of Antarctica’s discovery. Amongst its first conquerors were sealers and whalers; American sealer Nathaniel Palmer was one of the first to lay eyes on the Antarctic Peninsula in 1820. The world owes these early explorers a fair debt of gratitude for Antarctica’s mapping. But the arrival of fishermen also gradually depleted some of the most precious living resources of the Southern Ocean, leading to the establishment of the International Whaling Commission in 1946 and the Convention for the Conservation of Antarctic Seals in 1972.

A political battle for Antarctica followed on the heels of this commercial expansion. In the first half of the twentieth century, Argentina, the United Kingdom, New Zealand, France, Norway, Australia, and Chile each laid territorial claims in Antarctica. They made these claims in the absence of an orderly process to divide up the continent, instead resorting to unilateral declarations in national legislation or international statements by high-level government officials. In fact, it was land grabbing in Antarctica that drove President Eisenhower to lead the negotiations for a collective management system for the continent. At the time, the phrase “the internationalization of Antarctica,” was very much à la mode in political circles.

The United States’ main concerns at the time were that the Soviet Union would make a territorial claim and that Antarctica would become an extension of the Cold War battlefield. Amid such a dangerous and expensive claims race, the UN would likely be asked to step in to ensure peace. Under that scenario, territorial claimants and the then superpowers would have seen their leverage on Antarctica’s governance reduced.

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On the ground in Antarctica, countries had begun to tear down each other’s flags, destroy each other’s scientific stations, send rival expeditions to the same locations, and even take each other to the International Court of Justice to contest the scope of territorial claims. The Antarctic Treaty only became possible thanks to an ingenious Chilean proposal which would not require that countries abandon their claims, but simply freeze them. The supposed dedication of the continent to peace and science was, both literally and figuratively, achieved against the backdrop of a frozen battlefield.

THE SILENT BATTLE FOR ANTARCTICA HAPPENING NOW

Contrary to the popular perception that Antarctica has become a scientific, conflict-free playground, the battle for the seventh continent actually became more pronounced after conclusion of the Antarctic Treaty. The agreement created a veneer of cooperations while setting off aggressive nationalist instincts. These expressed themselves in multiple ways, right down to a fight over the creation and hosting of the treaty’s Secretariat. In 1961, South Africa offered to host the Secretariat, but both Argentina and Chile immediately rejected the idea. Years later, Argentina would offer to host, with its proposal immediately met by two rival claims by the United Kingdom and Chile. A Secretariat for the treaty was only established in 2004 in Buenos Aires, some four decades after the signing of the treaty. The United Kingdom may have compromised mainly to ease lingering tensions with Argentina over the Falklands War. Nothing demonstrates more forcefully the magnitude of the battle for Antarctica than the failed negotiations over mining. In the 1980s, parties to the Antarctic Treaty started negotiating a regime to govern the mineral exploitation of the continent. Their logic was that it would be far easier to reach an accord before rather than after the discovery of significant minerals. The parties spent nearly a decade negotiating an immensely complicated accord that spanned ninety-eight pages and sixty-seven articles, and whose every provision would protect the right of ‘claimant states’. Despite these efforts, the agreement was ultimately shelved. The most widely cited reason for its failure was environmentalists’ resistance to the opening of Antarctica to mining. In fact, Greenpeace had established the first non-scientific, ideological research base on the continent in 1988 to protest.

Those close to the negotiations, however, knew that there were other reasons at play. Prime amongst them was the fear that states would lose their territorial claims in Antarctica if others were to be allowed to mine on their portion of the continent. Hence the repeated references to the rights of ‘claimant states’ throughout the draft convention. In fact, Australia, which claims 42 percent of the Antarctic, had stubbornly argued that claimant states should have an automatic right to royalties and taxes from mining, but failed to convince non-claimants with an equal interest in the continent’s riches. Second was the concern that unfair competition for Antarctica’s resources could ensue if mining companies arrived heavily subsidized...
by their sponsoring states. The fact that neither the General Agreement on Tariff and Trade (GATT) nor any similar instrument applied to Antarctica added to this concern.

On November 21, 1988, a confidential letter from Australian Treasurer Paul Keating to other senior ministers was leaked by the *Sydney Morning Herald*, revealing the much deeper concerns that some politicians harbored.21

The Treasurers, Mr. Keating, has warned other senior ministers that Australia risks losing sovereignty over its Antarctic territories if it ratifies an international agreement on minerals exploitation, open for signature this week. In a confidential letter to several colleagues, including the Ministry of Foreign Affairs, Senator Evans, Mr. Keating says the signing of the Antarctic Minerals Convention “would concede our economic claims over Antarctica for virtually nothing.” Mr. Keating writes that claimant nations, like Australia, might not obtain the revenue it believes it should earn from the harvest of resources. “I believe we must be prepared to stand alone if necessary on this issue,” he writes. Secondly, Mr. Keating rejects as ‘completely unsatisfactory’ a loophole which could allow the superpowers to subsidize unprofitable mining operations for strategic purposes. There would be no recourse if the Australian mining industry was adversely affected.

Third, and perhaps most serious, was the UN’s objection to the regime. In fact, as parties to the Antarctic Treaty began negotiating a mining accord, countries such as Malaysia and India insisted that the “Question of Antarctica” be placed on the agenda of the UN, where it would remain for over two decades.22 They objected to allowing an exclusive club of nations to monopolize the resources of the seventh continent, arguing instead that it should form part of the common heritage of mankind. At their behest, the UN General Assembly issued repeated resolutions calling for a moratorium on the negotiation of a mining regime until such a time as the entire international community could participate. They called on the UN to establish an international scientific research station in Antarctica and for the UN Secretary-General to visit the continent. No such station was ever established, and no Secretary-General visited the continent until 2007.23 However, tension between the UN and the ATS only eased after the ATS camp gradually expanded to include some of the bigger UN powers such as India and China. But the mining regime still failed.

Of course, all this was happening some twenty to thirty years after the Antarctic Treaty had supposedly brought a decisive and conclusive peace to the continent. The minerals regime was replaced by an environment protocol that banned mining on the continent until 2048.24 Despite its time limit, the ban nevertheless served to camouflage the risks to Antarctica’s environment. Environmental activists began to retreat from the continent and non-governmental organizations that had previously been extremely vocal on Antarctic affairs gradually redirected their efforts to other parts of the globe.25 Antarctica was left without a witness to the environmental mismanagement that would ensue.
Despite the freezing of territorial claims under the Antarctic Treaty, territorial claimants, without exception, continued to assert a right to a 200-mile Exclusive Economic Zone (EEZ) off their Antarctic claims. Under the United Nations Convention on the Law of the Sea, EEZs can only be declared in territorial waters but this did not stop the claimant states. They also tested the limits of the Antarctic Treaty by making continental shelf extension claims to the Commission on the Limits of the Continental Shelf. In 2004, Australia made a claim so huge that the United States, Russia, Germany, Japan, India, and the Netherlands all felt compelled to express formal objections.

Moreover, while most of us still think of Antarctica as unoccupied, the continent is covered with scientific research stations. According to the Council of Managers of National Antarctic Programs, Antarctica currently hosts a total of eighty-two such stations belonging to twenty-nine consultative parties, eighteen of which have multiple stations. The Antarctic Peninsula, which is only a day’s sea travel away from the southern tip of South America, is particularly dense in research stations since it represents the easiest way to establish a foothold on the continent. Continent-wide, the Asian states are the most recent entrants in Antarctica, with China opening its fifth research station, and India and Korea already opened several.

In fact, however, the rush to cover the continent in supposed scientific research outposts is most easily explained as a rush to declare rights to Antarctica, its soil, and its mineral riches. Many Antarctic stations appear primarily aimed at meeting the requirement for ATS consultative party status. They house very few personnel and very little ongoing scientific research. In reaction, a well-known Antarctic scholar asked sarcastically why the world has succeeded in building an international space station but not an international research base in Antarctica. Some developing country scholars are even calling for the ‘decolonization’ of Antarctica.

Furthermore, on a supposedly unoccupied continent, many Consultative Parties to the Antarctic Treaty have place name commissions, or other official bodies, that continually attach place names to parts of the land mass. Based on the statistics of the Standing Committee on Antarctic Geographic Information, which compiles the place names sent to it by national name committees, the United States has named 13,192 sites on the continent, the United Kingdom 4,971, Russia 4,008, and Argentina 2,545, with other countries quickly catching up. Newcomer China has so far named 359 places, South Korea 27, and India 21. Overall, just twenty-two countries have assigned a total of 37,510 place names to the continent.

Perhaps even more curious are the two civilian settlements deliberately established on the Antarctic Peninsula and the South Shetland Islands by Argentina and Chile, to which the world seems to have paid little notice. In 1978, some seventeen years after the Antarctic Treaty took effect, the Argentine military junta experimented with a civilian settlement to reinforce its Antarctic territorial claim, flying eight
to ten families to their Esperanza base on the peninsula. The first person to be born in Antarctica was Emilio Marcos Palma on January 7, 1978—and he became an overnight hero in Argentina. Chile responded by orchestrating the birth in 1984 of Juan Pablo Camocho at the Chilean Frei Montalva base on the South Shetland Islands of Antarctica.

Both settlements remain active and have grown since their establishment. No regulation yet exists that might stop others from cropping up, especially as Antarctica’s climate continues to warm. The Antarctic Treaty is unfortunately silent on human habitation—an issue negotiators did not foresee. Considering the rush for scientific research bases, the two civilian settlements, and the mining ban that is to be revisited in 2048, the continent’s political future looks increasingly uncertain. In fact, the quest for sovereignty in Antarctica has never ceased, with countries regularly flying their political leaders to the continent, issuing Antarctic stamps, producing maps, and carefully recording the details of their every voyage of discovery.

**ANTARCTICA’S ENVIRONMENTAL FUTURE HANGS IN THE BALANCE**

Various forms of economic activities are gaining ground in Antarctica. Take tourism, for example, which has undergone exponential growth in recent years and is barely regulated by the Antarctic Treaty. In 2013–2014, nearly 28,000 tourists made landings on the continent, 30 percent of whom were American, 15 percent Australian, and 11 percent Chinese. This represents a doubling since 2000. Or take bioprospecting—the exploitation of Antarctica’s living biological resources. The discovery and commercialization of new products based on Antarctica’s biological riches is starting to flourish, similarly under limited treaty regulation.

Fishing activity continues to expand around the continent. In fact, the term ‘illegal, underreported, and unregulated’ fishing was first coined in the Antarctic to describe the plight of the Southern Ocean. The world was quick to declare CCAMLR a success when, at the end of October 2016, after five years of negotiations, twenty-four countries and the European Union unanimously agreed to create the world’s biggest marine protected area (MPA) in Antarctica’s Ross Sea. But the famed MPA was carved around fishing interests. Iselin Bank, which is the Ross Sea’s main fishing ground for the lucrative Antarctic toothfish, and considered the most important ecological hotspot for seabirds and other wildlife, is not protected in the new reserve. Furthermore, about half of the sanctuary was already protected under other CCAMLR rules, with the MPA in that portion simply capturing the status quo. Clearly the MPA is better than nothing, but the widespread claim that it has succeeded in protecting Antarctica’s waters, is grossly exaggerated.

In fact, it is not only the Southern Ocean that is suffering from poor environmental governance but Antarctica as a whole. On a continent with no indigenous habitants, where we are told there is no major commercial activity, and where mining is banned, it is highly surprising that parties to the Antarctic Treaty would have only designated to ten families to their Esperanza base on the peninsula. The first person to be born in Antarctica was Emilio Marcos Palma on January 7, 1978—and he became an overnight hero in Argentina. Chile responded by orchestrating the birth in 1984 of Juan Pablo Camocho at the Chilean Frei Montalva base on the South Shetland Islands of Antarctica.

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1.5 percent of the continent’s ice-free territory as a protected area. This statistic alone makes Antarctica the world’s least environmentally protected continent. In neighboring Australia, for example, 18 percent of the country has been declared a protected area. If the race for Antarctica continues to accelerate amid such limited governance, its fragile environment will be in serious peril.

TRIGGERS FOR A BIGGER BATTLE

So, will there be a bigger battle for Antarctica? The continent’s warming climate is likely to make its resources more accessible and its landmass potentially habitable. On March 24, 2015, a temperature of positive 17.5 degrees Celsius was recorded at Esperanza weather station on the northern tip of the Antarctic Peninsula, setting a record for the highest temperature ever recorded on the continent. Antarctica’s climate experts cannot ascertain whether these changes are due to increased greenhouse gas concentrations since weather stations were only established on the continent in the 1950s. What is clear, however, is that the Antarctic Peninsula in particular is warming. As Antarctica warms and starts to become more habitable, many other parts of the globe will become increasingly uninhabitable. This could increase the pressure to develop and exploit the seventh continent.

In addition, technological progress is steadily increasing our ability to access and inhabit Antarctica. In November 2015, the Australian Antarctic Division and Royal Australian Air Force flew a C-17A Globemaster to Antarctica. The aircraft covered 3,450 kilometers in just over five hours carrying 12,340 kilograms of cargo and equipment, making it the largest aircraft to have reached the Wilkins Aerodrome on the western side of the continent. Opened in 2009, Belgium’s Princess Elizabeth Station, which represents state-of-the-art architecture in Antarctica, has successfully harnessed the power of wind and sun to achieve near-full energy autonomy. Similarly, some research stations in Antarctica are now growing their own food.

Clearly the race for Antarctica is about to intensify and the world must prepare itself. It could be triggered by the rise of even bigger human settlements or the extraction of minerals before or after 2048. If such a conflict occurs, it will be one of the most complex and truly international contests for habitable space and mineral resources of modern times. It will be a battle in which an entire continent will be up for grabs and which will take place against the complex history of the ATS and the unresolved “Question of Antarctica.” Peace in Antarctica is fragile at best.

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Doaa Abdel-Motaal was Deputy Chief of Staff of the World Trade Organization (WTO) in Switzerland, and advisor to the head of the organization on environmental issues and climate change. She was also Chief of Staff of the United Nations for International Fund for Agricultural Development (IFAD) in Italy. In 2015 and 2016 she travelled across Antarctica and the Arctic in a research sabbatical on the polar regions. *Antarctica: The Battle for the Seventh Continent* is her most recent book.
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ENDNOTES


4. Ibid.


6. Ibid.

7. Ibid.


9. See Report of the Secretary General, endnote 5.

10. See Hanesian, endnote 5.


12. Ibid.


18. Ban Ki Moon became the first UN Secretary General to visit the continent.


23. See Abdel-Motaal, endnote 15.
28. See, for example, the Australian Antarctic Division Place Names Committee; http://www. aadc.gov.au/law-and-treaty/antarctic-place-names.
32. See website of the International Association of Antarctic Tour Operators (IAATO), https://iaato.org/home.