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BRUXELLES

Doc. 17/FINAL
June 13th 1964
Original: French

REPORT OF THE THIRD ANTARCTIC TREATY CONSULTATIVE

MEETING

1. In accordance with the provisions of Article IX of the Antarctic Treaty, the representatives of the Contracting Parties (Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, South Africa, the Union of Soviet Socialist Republics the United Kingdom of Great Britain and Northern Ireland, and the United States of America) met in Brussels on June 2nd 1964 for the purpose of discussing and recommending to their Governments measures in furtherance of the principles and objectives of the Treaty.
2. His Excellency the Viscount OBERT de THIEUSIES, Ambassador, was appointed by the Government of the Kingdom of Belgium to act as Temporary Chairman of the Meeting until the Meeting elected its Chairman.
3. The meeting was formally opened by His Excellency Mr. Théo LEFEVRE, Prime Minister of Belgium.
4. His Excellency Viscount OBERT de THIEUSIES was then elected Chairman of the Meeting and Mr. Marcel HOULLEZ Secretary of Embassy was appointed Secretary General. Mr. Jean DE BREUCKER of the Ministry of Foreign Affairs was appointed Assistant Secretary General.
5. Opening addresses were delivered by the Leaders of all Delegations.

6. The Meeting then adopted the following Agenda;
- 1) Protection of fauna and flora.
 - 2) Telecommunications: results of the meeting on telecommunications held in accordance with the Antarctic Treaty (Washington June 24th - 28th 1963).
 - 3) Proposal by the World Meteorological Organization to set up a Standing Committee of the Congress on meteorology in the Antarctic.
 - 4) Quiet Sun Year.
 - 5) Complementary particulars relating to Recommendation I-VI (information on the facilities for the landing of aircraft).
 - 6) Notification of refuges that are unoccupied but which could be used by an expedition in difficulty, and report on the condition of such refuges after use.
 - 7) Questions concerning meetings of specialists.
 - 8) Application of Article IX, paragraph 2 of the Antarctic Treaty.
 - 9) Relations with other organizations.
 - 10) Symposium on Logistics.
 - 11) Place and date of the next Meeting.
 - 12) Any other business.
 - 13) Adoption of the Final Report of the Meeting.

7. The Meeting discussed in Plenary Session and Plenary Committee all the items on the Agenda and set up Working Groups to facilitate examination of items 1, 2, 3, 6, 7, 8, and 10 of the Agenda. All delegations participated when they so desired in the work of these Groups.

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8. The Opening and Closing Plenary Sessions were held in public. All other sessions were held in private.

9. The Meeting agreed unanimously to adopt the following recommendations:

III - I

INFORMATION ON FACILITIES
FOR THE LANDING OF AIRCRAFT

The Representatives, taking into account Recommendation I-VI (8) of the First Consultative Meeting, recommend to their Governments that they exchange, within the framework of Recommendation I-VI (8), information on airfield facilities in the Antarctic Treaty Area. This information should include particulars of location, operating conditions and limitations, radio aids to navigation, facilities for radio communications and instrument landing, and be in detail sufficient to enable an aircraft to make a safe landing.

III - II

NOTIFICATION OF UNOCCUPIED REFUGES

1. The Representatives recommend to their governments that they should exchange through diplomatic channels, before the end of November each year, lists of all unoccupied buildings, huts or caches (hereinafter referred to as refuges) maintained by them in the Treaty Area in a condition suitable for use in emergencies. c

2. Such lists should include:

- i) The name and position of each refuge.
- ii) A description of its location.
- iii) The date on which it was established.
- iv) The approximate date on which it was last examined.
- v) An estimate of the available accommodation, facilities, food, fuel and supplies of other kinds.

Any changes should be reported before the end of June of the following year.

3. The Representatives further recommend that Governments whose expeditions use any refuge should report as rapidly as possible on any such use. Such Governments should also furnish an estimate of the amount of supplies which remain and a report about the condition of the refuge after use; in addition they should:

- (a) Ensure that supplies available at these refuges are used only under emergency conditions.
- (b) To the extent possible, and as early as possible, replenish the supplies consumed and inform the authorities who maintain the refuge of the action taken.

III - III

LOGISTICS

In view of the Recommendations by the First and Second Consultative Meetings (I-VII and II-V) concerning logistics;

. Taking into consideration the Logistic Symposium which took place at Boulder, Colorado, U.S.A., in August 1962 under the auspices of the Scientific Committee on Antarctic Research (SCAR), and the Report on this Symposium published in 1963;

The Representatives recommend to their Governments that the organization, agenda, date and place for the inter-governmental meeting of experts, on the present state of knowledge about useful aspects of logistic activities in the Antarctic to which the above recommendations refer, be considered during the preparatory meetings for the Fourth Consultative Meeting.

III - IV

THE NEXT MEETING

The Representatives recommend to their Governments that they accept the offer of the Chilean Delegation to hold the Fourth Consultative Meeting under Article IX of the Antarctic Treaty, in Santiago, Chile.

This Meeting shall take place at a date which will be agreed upon by the participating Governments .

III - V

TELECOMMUNICATIONS

The Representatives, noting that experts met in an Antarctic Treaty Meeting on Telecommunications in Washington from 24th - 28th June, 1963, following upon Recommendations I - XI and II - III of the First and Second Consultative Meetings, and in accordance with Recommendation II - IX, recommend to their Governments that they take the necessary steps to approve and implement as soon as practicable those recommendations of the Telecommunications Meeting which they find themselves able to approve, taking into consideration (a) and (b) below.

The Representatives, pointing out the useful and important work effected by the Telecommunications Meeting at Washington, recommend to their Governments that they:

(a) Continue their consultations with a view to effecting further improvement in coordinating telecommunications activities.

(b) During the Preparatory Meetings for the next Consultative Meeting, examine the results of the Recommendations made by the Washington Telecommunications Meeting, and consider measures to improve Antarctic radio communications in the future.

III - VI

QUESTIONS CONCERNING MEETINGS OF

SPECIALISTS

The Representatives, recognizing the importance of the problem raised during the examination of Item 7 (that is, the Item entitled "Questions concerning Meetings of Specialists"), recommend their Governments to examine this question attentively before the Fourth Consultative Meeting and to consider including it on the Agenda of that Meeting.

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III - VIIACCEPTANCE OF APPROVED RECOMMENDATIONS.

Since the Recommendations approved by the Contracting Parties entitled to participate in meetings held in accordance with Article IX of the Antarctic Treaty are so much a part of the overall structure of cooperation established by the Treaty, the Representatives recommend to their Governments that any new Contracting Party entitled to participate in such meetings should be urged to accept these recommendations and to inform other Contracting Parties of its intention to apply and be bound by them.

The Representatives recommend further that their Governments agree that existing Contracting Parties and any new Contracting Parties other than those entitled to participate in meetings held in accordance with Article IX of the Treaty be invited to consider accepting these recommendations and to inform other Contracting Parties of their intention to apply and be bound by them.

III - VIIIAGREED MEASURES FOR THE CONSERVATION OF ANTARCTIC FAUNA AND FLORA

The Representatives, taking into consideration Article IX of the Antarctic Treaty, and recalling Recommendation I - VIII of the First Consultative Meeting and Recommendation II - II

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of the Second Consultative Meeting, recommend to their governments that they approve as soon as possible and implement without delay the annexed "Agreed Measures for the Conservation of Antarctic Fauna and Flora".

PREAMBLE

The Governments participating in the Third Consultative Meeting under Article IX of the Antarctic Treaty,

Desiring to implement the principles and purposes of the Antarctic Treaty;

Recognising the scientific importance of the study of Antarctic fauna and flora, their adaptation to their rigorous environment, and their interrelationship with that environment;

Considering the unique nature of these fauna and flora, their circumpolar range, and particularly their defencelessness and susceptibility to extermination;

Desiring by further international collaboration within the framework of the Antarctic Treaty to promote and achieve the objectives of protection, scientific study, and rational use of these fauna and flora; and

Having particular regard to the conservation principles developed by the Scientific Committee on Antarctic Research (SCAR) of the International Council of Scientific Unions;

Hereby consider the Treaty Area as a Special Conservation Area and have agreed on the following measures:

ARTICLE I

1. These Agreed Measures shall apply to the same area to which the Antarctic Treaty is applicable (hereinafter referred to as the Treaty Area) namely the area south of 60° South Latitude, including all ice shelves.
2. However, nothing in these Agreed Measures shall prejudice or in any way affect the rights, or the exercise of the rights, of any State under international law with regard to the high seas within the Treaty Area, or restrict the implementation of the provisions of the Antarctic Treaty with respect to inspection.
3. The Annexes to these Agreed Measures shall form an integral part thereof, and all references to the Agreed Measures shall be considered to include the Annexes.

ARTICLE II

For the purposes of these Agreed Measures:

- (a) "Native mammal" means any member, at any stage of its life cycle, of any species belonging to the Class Mammalia indigenous to the Antarctic or occurring there through natural agencies of dispersal, excepting whales.
- (b) "Native bird" means any member, at any stage of its life cycle (including eggs), of any species of the Class Aves indigenous to the Antarctic or occurring there through natural agencies of dispersal.
- (c) "Native Plant" means any kind of vegetation at any stage of its life cycle (including seeds), indigenous to the Antarctic or occurring there through natural agencies of dispersal.

(d) "Appropriate authority" means any person authorised by a Participating Government to issue permits under these Agreed Measures.

(e) "Permit" means a formal permission in writing issued by an appropriate authority.

(f) "Participating Government" means any Government for which these Agreed Measures have become effective in accordance with Article XIII of these Agreed Measures.

ARTICLE III

Each Participating Government shall take appropriate action to carry out these Agreed Measures.

ARTICLE IV

The Participating Governments shall prepare and circulate to members of expeditions and stations information to ensure understanding and observance of the provisions of these Agreed Measures, setting forth in particular prohibited activities, and providing lists of specially protected species and specially protected areas.

ARTICLE V

The provisions of these Agreed Measures shall not apply in cases of extreme emergency involving possible loss of human life or involving the safety of ships or aircraft.

ARTICLE VI

1. Each Participating Government shall prohibit within the Treaty Area the killing, wounding, capturing or molesting of any native mammal or native bird, or any attempt at any such act, except in accordance with a permit.

2. Such permits shall be drawn in terms as specific as possible and issued only for the following purposes:

- (a) to provide indispensable food for men or dogs in the Treaty Area in limited quantities, and in conformity with the purposes and principles of these Agreed Measures;
- (b) to provide specimens for scientific study or scientific information;
- (c) to provide specimens for museums, zoological gardens, or other educational or cultural institutions or uses.

3. Permits for Specially Protected Areas shall be issued only in accordance with the provisions of Article VIII.

4. Participating Governments shall limit the issue of such permits so as to ensure as far as possible that:

- (a) no more native mammals or birds are killed or taken in any year than can normally be replaced by natural reproduction in the following breeding season;
- (b) the variety of species and the balance of the natural ecological systems existing within the Treaty Area are maintained.

5. The species of native mammals and birds listed in Annex A of these Measures shall be designated "Specially Protected Species", and shall be accorded special protection by Participating Governments.

6. A Participating Government shall not authorise an appropriate authority to issue a permit with respect to a Specially Protected Species except in accordance with paragraph 7 of this Article.

7. A permit may be issued under this Article with respect to a Specially Protected Species, provided that:

- (a) it is issued for a compelling scientific purpose, and
- (b) the actions permitted thereunder will not jeopardise the existing natural ecological system or the survival of that species.

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ARTICLE VII

1. Each Participating Government shall take appropriate measures to minimize harmful interference within the Treaty Area with the normal living conditions of any native mammal or bird, or any attempt at such harmful interference, except as permitted under Article VI.

2. The following acts and activities shall be considered as harmful interference:

(a) allowing dogs to run free,

(b) flying helicopters or other aircraft in a manner which would unnecessarily disturb bird and seal concentrations, or landing close to such concentrations (e.g. within 200 metres),

(c) driving vehicles unnecessarily close to concentrations of birds and seals (e.g. within 200 metres),

(d) use of explosives close to concentrations of birds and seals,

(e) discharge of firearms close to bird and seal concentrations (e.g. within 300 metres),

(f) any disturbance of bird and seal colonies during the breeding period by persistent attention from persons on foot.

However, the above activities, with the exception of those mentioned in (a) and (e) may be permitted to the minimum extent necessary for the establishment, supply and operation of stations.

3. Each Participating Government shall take all reasonable steps towards the alleviation of pollution of the waters adjacent to the coast and ice shelves.

ARTICLE VIII

1. The areas of outstanding scientific interest listed in Annex B shall be designated "Specially Protected Areas" and shall be accorded special protection by the Participating Governments in order to preserve their unique natural ecological system.
2. In addition to the prohibitions and measures of protection dealt with in other Articles of these Agreed Measures, the Participating Governments shall in Specially Protected Areas further prohibit:
 - (a) the collection of any native plant, except in accordance with a permit;
 - (b) the driving of any vehicle.
3. A permit issued under Article VI shall not have effect within a Specially Protected Area except in accordance with paragraph 4 of the present Article.
4. A permit shall have effect within a Specially Protected Area provided that:
 - (a) it was issued for a compelling scientific purpose which cannot be served elsewhere; and
 - (b) the actions permitted thereunder will not jeopardise the natural ecological system existing in that Area.

ARTICLE IX

1. Each Participating Government shall prohibit the bringing into the Treaty Area of any species of animal or plant not indigenous to that Area, except in accordance with a permit.
2. Permits under paragraph 1 of this Article shall be drawn in terms as specific as possible and shall be issued to allow

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the importation only of the animals and plants listed in Annex C. When any such animal or plant might cause harmful interference with the natural system if left unsupervised within the Treaty Area, such permits shall require that it be kept under controlled conditions and, after it has served its purpose, it shall be removed from the Treaty Area or destroyed.

3. Nothing in paragraphs 1 and 2 of this Article shall apply to the importation of food into the Treaty Area so long as animals and plants used for this purpose are kept under controlled conditions.

4. Each Participating Government undertakes to ensure that all reasonable precautions shall be taken to prevent the accidental introduction of parasites and diseases into the Treaty Area. In particular, the precautions listed in Annex D shall be taken.

ARTICLE X

Each Participating Government undertakes to exert appropriate efforts, consistent with the Charter of the United Nations, to the end that no one engages in any activity in the Treaty Area contrary to the principles or purposes of these Agreed Measures.

ARTICLE XI

Each Participating Government whose expeditions use ships sailing under flags of nationalities other than its own

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shall, as far as feasible, arrange with the owners of such ships that the crews of these ships observe these Agreed Measures.

ARTICLE XII

1. The Participating Governments may make such arrangements as may be necessary for the discussion of such matters as:
 - (a) the collection and exchange of records (including records of permits) and statistics concerning the numbers of each species of native mammal and bird killed or captured annually in the Treaty Area;
 - (b) the **obtaining** and exchange of information as to the status of native mammals and birds in the Treaty Area, and the extent to which any species needs protection;
 - (c) the number of native mammals or birds which should be permitted to be harvested for food, scientific study, or other uses in the various regions;
 - (d) the establishment of a common form in which this information shall be submitted by Participating Governments in accordance with paragraph 2 of this Article.
2. Each Participating Government shall inform the other Governments in writing before the end of November of each year of the steps taken and information collected in the preceding period of July 1 to June 30 relating to the implementation of these Agreed Measures. Governments exchanging

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information under paragraph 5 of Article VII of the Antarctic Treaty may at the same time transmit the information relating to the implementation of these Agreed Measures.

ARTICLE XIII

1. After the receipt by the Government designated in Recommendation I-XIV (5) of notification of approval by all Governments whose representatives are entitled to participate in meetings provided for under Article IX of the Antarctic Treaty, these Agreed Measures shall become effective for those Governments.

2. Thereafter any other Contracting Party to the Antarctic Treaty may, in consonance with the purposes of Recommendation III - VII, accept these Agreed Measures by notifying the designated Government of its intention to apply the Agreed Measures and to be bound by them. The Agreed Measures shall become effecting with regard to such Governments on the date of receipt of such notification.

3. The designated Government shall inform the Governments referred to in paragraph 1 of this Article of each notification of approval, the effective date of these Agreed Measures and of each notification of acceptance. The designated Government shall also inform any Government which has accepted these Agreed Measures of each subsequent notification of acceptance.

ARTICLE XIV

1. These Agreed Measures may be amended at any time by unanimous agreement of the Governments whose Representatives are entitled to participate in meetings under Article IX of the Antarctic Treaty.

2. The Annexes, in particular, may be amended as necessary through diplomatic channels.

3. An amendment proposed through diplomatic channels shall be submitted in writing to the designated Government... which shall communicate it to the Governments referred to in paragraph 1. of the present Article for approval; at the same time, it shall be communicated to the other Participating Governments.

4. Any amendment shall become effective on the date on which notifications of approval have been received by the designated Government... from all of the Governments referred to in paragraph 1. of this Article.

5. The designated Government... shall notify those same Governments of the date of receipt of each approval communicated to it and the date on which the amendment will become effective for them.

6. Such amendment shall become effective on that same date for all other Participating Governments, except those which before the expiry of two months after that date notify the designated Government... that they do not accept it.

ANNEXES TO THESE AGREED MEASURES

ANNEX A

Specially protected species

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ANNEX B

Specially protected areas

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ANNEX C

Importation of animals and plants

The following animals and plants may be imported into the Treaty Area in accordance with permits issued under Article IX (2) of these Agreed Measures:

- (a) sledge dogs,
- (b) domestic animals and plants,
- (c) laboratory animals and plants.

ANNEX D

Precautions to prevent accidental introduction of parasites and diseases into the Treaty Area

The following precautions shall be taken:

1. Dogs: All dogs imported into the Treaty Area shall be inoculated against the following diseases:
 - (a) distemper;
 - (b) contagious canine hepatitis;
 - (c) rabies;
 - (d) leptospirosis (L. canicola and L. icterohaemorrhagicae).

Each dog shall be inoculated at least two months before the time of its arrival in the Treaty Area.

- 2. Poultry: Notwithstanding the provisions of Article IX (3) of these Agreed Measures, no living poultry shall be brought into the Treaty Area after July 1, 1966.

RECOMMENDATION III - IX

Interim Guide Lines for Conservation of Fauna and Flora

The Representatives recommend to their Governments that until such time as the Agreed Measures on the Conservation of Antarctic Fauna and Flora may become effective in accordance with Article IX of the Antarctic Treaty, these Agreed Measures as far as feasible be considered as guide lines in this interim period.

RECOMMENDATION III - X

Interest of SCAR in the Conservation of Antarctic Fauna and Flora

Recognizing the initiative already taken by the Scientific Committee on Antarctic Research (SCAR) on matters relating to the conservation of Antarctic fauna and flora, and considering its role as defined in Recommendation I - IV, the Representatives recommend to their governments that they encourage SCAR to continue its interest in those matters and to prepare reports from time to time on this subject, and especially at this time on the matters that it considers should be listed in the Annexes of the Agreed Measures for the Conservation of Antarctic Fauna and Flora.

III - XI

PELAGIC SEALING AND THE
TAKING OF FAUNA ON PACK ICE

The Representatives, at the time of adopting the Agreed Measures on the Conservation of Fauna and Flora,

1. Considering that appropriate voluntary regulation of pelagic sealing or the taking of fauna on pack ice is of great importance for the fulfilment of the purposes and principles of these Measures;
2. Recommend to their Governments that this matter be considered further by them on as broad a basis as practicable in preparing for the Fourth Consultative Meeting at Santiago, Chile, with a view to its inclusion on the Agenda for the Fourth Consultative Meeting;
3. Recommend to their Governments that when ships of their nationality engage in pelagic sealing or the taking of fauna on pack ice south of 60° South Latitude, each Government voluntarily regulate these activities to ensure the survival of any species being taken and to ensure that the natural ecological system is not seriously disturbed.