

Chairman’s Report from Antarctic Treaty Meeting of Experts on Tourism and Non-governmental Activities in Antarctica

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Chairman's executive Summary with advice for actions

The Antarctic Treaty Meeting of Experts on Tourism and non-governmental activities (ATME) was attended by 57 representatives of 21 Antarctic Treaty Parties, and seven invited experts from five organisations. It started at the Polar Environmental Centre in Tromsø on 22 March and continued on the Hurtigruten express steamer along the Norwegian coast from Tromsø to Trondheim from 23-25 March 2004. The ATME was convened in accordance with Decision 5 of ATCM XXVI, which requested the meeting to examine the following topics:

- Monitoring, cumulative impact and Environmental Impact Assessment;
- Safety and self-sufficiency, including search and rescue and insurance;
- Jurisdiction, industry self-regulation, and an analysis of the existing legal framework and identification of gaps;
- Guidelines;
- Adventure (extreme) tourism and government sponsored tourism;
- Co-ordination amongst national operators.

In addition Decision 5 requested the Inter-sessional Contact Group on a database on tourism and non-governmental activity to provide an update to the ATME.

Altogether 26 papers were submitted to the ATME and presented in plenary on the first day of the meeting. The wide-ranging contents of these papers were a major reason for the considerable progress that the ATME was able to make on the various issues. The work during the rest of the ATME was organised partly in working groups, partly in plenary. The complete text of the report was agreed in the final plenary.

The following summarizes the findings of the Meeting and the advice for actions for the Antarctic Treaty Consultative Parties to consider.

Monitoring, cumulative impact and Environmental Impact Assessment

It was agreed that the CEP should address the issue of monitoring and provide the ATCM with recommendations for the coordinated monitoring of activities in Antarctica including the establishment of a consistent methodology and central data collection process.

Argentina noted the difficulties of applying the Environmental Protocol's provisions on environmental impact assessments in the case of tourist activities, and undertook to develop this issue further.

Safety and self-sufficiency, including search and rescue and insurance;

The Meeting agreed on the need of insurance for non-governmental expeditions and to the principle that all ATCPs should require proof of adequate insurance for such expeditions. It therefore recommended that the Parties at XXVII ATCM should discuss and agree to a mechanism that will require non-governmental expeditions to provide evidence that they have both obtained sufficient insurance to meet the costs of search and rescue and medical care and evacuation from Antarctica, and the necessary contractual agreement for back-up and contingency support before the proposed activity may proceed.

There was general agreement on the need for requirements regarding ice classification and experience of crew, but not consensus on how these matters might be taken forward. Because it may take a long time to get Antarctic shipping guidelines adopted by the IMO it was suggested that the ATCM should consider adopting a decision to ensure implementation by the ATCPs in the meantime. Because a spill of heavy fuel will lead to more serious environmental damage than lighter fuels it was further suggested that the ATCPs should consider recommending the use of lighter fuel oil for all cruise vessels in Antarctica.

Jurisdiction, industry self-regulation, and an analysis of the existing legal framework and identification of gaps

The Meeting agreed that within the ATS there is the need to consider further the question of a regulatory framework for tourism and non-governmental activities in Antarctica. It further agreed that there is merit in a strong industry association to ensure high standards amongst its members. It was stressed, however, that establishing the regulatory basis for the industry was the primary responsibility of the State Parties.

The Meeting agreed that an industry accreditation scheme is an interesting and useful way forward to ensure consistent standards of operation between tour operators, and therefore recommended that this issue be further discussed and elaborated at ATCM XXVII. The Meeting recognized that there are several unsolved issues that would need to be taken into account in further discussions on accreditation. Australia was tasked to elaborate on the issue of accreditation and report to ATCM XXVII.

The Meeting recommended that the ATCM establish a framework that can form the basis for having observers onboard tourist vessels. In this regard two possible approaches were identified: either establishing an ATS observation scheme or relying instead on a national ATCP initiated observer scheme. New Zealand was tasked to develop this issue further for submission to the ATCM XXVII for further discussion.

Guidelines

It was agreed to consider further a UK proposal that Parties urge IAATO to extend to its members operating non-Treaty flagged vessels any guidelines relating to Antarctic shipping adopted by future ATCM, following consideration of the COMNAP recommendations on the adaptation of the IMO Guidelines for Arctic shipping at the forthcoming ATCM XXVII.

Adventure (extreme) tourism and government sponsored tourism

The Meeting recommended the drawing up of a list of requirements for adventure tourism expeditions to Antarctica that will oblige Parties not to authorize adventure tourism expeditions to Antarctica unless certain stringent criteria can be met. The Meeting tasked the UK to further develop such a list of requirements with the view of discussing and adopting it at ATCM XXVII.

Co-ordination amongst national operators

The importance of liaison and co-operation among Parties with regard to adventure tourism was noted, and for this purpose the Meeting agreed that a draft Resolution prepared by the UK should be presented to the ATCM for consideration and adoption. It was also noted that

National operators that interact with yacht expeditions during their operations in Antarctica should notify relevant national authorities of such interactions.

Report from Antarctic Treaty Meeting of Experts on Tourism and Non-governmental Activities in Antarctica

Introduction

1. The Antarctic Treaty Meeting of Experts on tourism and non-governmental activities in Antarctica was held in Tromsø and onboard the M/S Finnmarken, Norway, 22-24 March 2004. The Meeting was held under Antarctic Treaty Recommendation IV-24, pursuant to Decision 5 (2003) and paragraphs 151-152 of the Final Report of the XXVI Antarctic Treaty Consultative Meeting (ATCM; Madrid, June 2003). Decision 5 (2003) is attached as Annex 1.
2. The Meeting was attended by representatives of the following Antarctic Treaty Parties: Consultative Parties: Argentina, Australia, Bulgaria, Chile, China, Finland, France, Germany, Italy, Japan, The Netherlands, New Zealand, Norway, Russia, South Africa, Spain, Sweden, United Kingdom, United States of America. The Meeting was also attended by representatives of the following Non-Consultative Parties: Estonia and Ukraine.
3. In accordance with Decision 5 (2003) the following attended as expert bodies: The Scientific Committee on Antarctic Research (SCAR), the Council of Managers of National Antarctic Programmes (COMNAP), Antarctic and Southern Ocean Coalition (ASOC), International Association of Antarctic Tour Operators (IAATO) and World Conservation Union (IUCN).
4. A list of participants is included at Annex 2.

Welcome and Opening

5. The welcome address and opening speech was kindly provided by Mr. Kim Traavik, Deputy Minister of the Norwegian Ministry of Foreign Affairs. The opening speech is reproduced at Annex 5.

Election of Officers

6. Prof. Olav Orheim, Director of the Norwegian Polar Institute, was elected Chairman of the Meeting. Mr. Christian Badenhorst (South Africa) and Mr. Michel Brumeaux (France) were elected rapporteurs for the plenary sessions. Amb. José Manuel Ovalle (Chile) was elected Chair for Working Group 1, with Mr. Fabio Saturni (US) as rapporteur. Mr. Trevor Hughes (NZ) was elected Chair of Working Group 2, with Mr. Kengo Yoshihara (Japan) as rapporteur. Ms. Birgit Njåstad of the Norwegian Polar Institute was appointed as head of the secretariat of the Meeting.

Adoption of Agenda

7. Ahead of the Meeting, Norway had circulated a draft annotated agenda for consideration by participating delegations. No changes to the draft agenda were proposed. The Meeting therefore adopted the agenda as follows:
 1. Election of Officers
 2. Adoption of the Agenda
 3. Topic i: Monitoring, cumulative impact and Environmental Impact Assessment
 4. Topic ii: Safety and self-sufficiency, including search and rescue and insurance
 5. Topic iii: Jurisdiction, industry self-regulation, and an analysis of the existing legal framework and identification of gaps
 6. Topic iv: Guidelines
 7. Topic v: Adventure (extreme) tourism and government sponsored tourism
 8. Topic vi: Co-ordination amongst national operators.
 9. Topic vii: Database and data management
 10. Proposals and report for ATCM XXVII

Presentations and Documents

8. 26 papers were submitted by delegations for consideration during the meeting. Papers were presented during Plenary the first day, and thereafter considered during discussion of the specific topics. A full list of papers and the agenda items under which they were considered is given in Annex 3. The meeting documents and relevant background documents from previous ATCMs will remain available on the ATME website (www.npolar.no/atme2004) until the end of May 2004.
9. Introductions and documents of a general nature were presented initially. IAATO gave a presentation on the industry perspective on Antarctic tourism (ATME #11 and #12). Norway gave a presentation on experience and lessons learned from managing tourism in Svalbard (ATME #24). COMNAP gave a presentation on the interaction between National Antarctic Programs and non-government and tourism operations (ATME #25). UK introduced ATME #02 on a number of proposals to improve the management and regulation of Antarctic tourism; New Zealand presented ATME #07 on an analysis of the existing legal framework for the management of tourism and non-governmental activities in Antarctica; Australia introduced ATME #17 on an analysis of potential threats and opportunities offered by Antarctic tourism, Germany introduced ATME # 18 on tourism in Antarctica; Italy presented ATME #19 with remarks and proposals on the Antarctic tourism issue; France introduced ATME #23 considering deficiencies in the current legal framework related to tourism and non-governmental activities in Antarctica; and ASOC introduced ATME #20 on the case for concern about Antarctic tourism.

Topic i: Monitoring, cumulative impact and Environmental Impact Assessment

10. Under this agenda item, the US introduced ATME #06 presenting key details presented in the compendium of Antarctic Peninsula Visitor Sites. Argentina introduced ATME #13 on the application of EIA procedures on tourist activities in

Antarctica. Australia introduced ATME #16 considering an approach to monitoring for non-governmental activities in Antarctica. Further issues relevant to this topic were covered by ATME #02 (UK), ATME #12 (IAATO), ATME #17 (Australia) and ATME #18 (Germany).

a. Monitoring and cumulative impact

11. There was a wide ranging and in depth discussion on the importance of monitoring for the management of tourist activities in Antarctica. The Meeting recalled Article 3 of the Environmental Protocol regarding the requirement to assess and monitor the impacts of ongoing activities. The general discussion highlighted a number of initiatives including the collection of data by various organizations such as CCAMLR, COMNAP, Oceanites, SCAR, IAATO and ASOC. Australia and others pointed to the connections between environmental assessment, monitoring and management, and the specific obligations of Parties under the Madrid Protocol, which subsequently place responsibilities on tour operators to comply.
12. In addition the Meeting recognized the need to improve the assessment and monitoring of cumulative impacts, and considered that monitoring also had to provide for management responses if and when concerns arise, taking into account the precautionary approach.
13. There was general agreement that the CEP should clearly address the issue of monitoring and provide the ATCM with recommendations for the coordinated monitoring of activities in Antarctica including the establishment of a consistent methodology and centralized data collection process.

b. Environmental Impact Assessment

14. Argentina referred to its paper ATME #13 and suggested that while tourism was covered by the Protocol there was a need to adapt the procedures of Annex 1 to consideration of tourist activities due to the transient characteristics of these activities. Argentina suggested that in this context the adoption of Guidelines, *inter alia*, could contribute to ensuring more effective protection of the Antarctic environment. Argentina pointed out that the implementation of adequate monitoring programmes is also needed, and undertook to produce a Working Paper on the matter for the forthcoming ATCM.
15. A number of ideas were exchanged on possible improvements to the EIA process of the Protocol. ASOC suggested that CEEs should be the main form of EIA for some types of tourist expeditions such as multi-season and high-risk activities including circumpolar navigation. Others noted that the requirement for CEE level EIA should take into account the scale of the proposed activity and in particular whether it had a greater than minor or transitory impact and not be based solely on the type of activity. There was considerable interest in learning from US procedures for handling EIA. Germany, supported by others, suggested the creation of a network of national competent authorities, taking into account the existence of the Antarctic Environmental Officers Network (AEON), in order to share information and

experiences on the implementation of the Protocol without creating any formal obligations. Such a network could also be valuable in addressing questions on the application of domestic Antarctic legislation in relation to activities that involve operators and/or ships of various States. Many commented that they saw value in making documents submitted under the EIA process publicly available.

16. The need for common standards for the assessment of EIAs was raised by some countries, for example through greater use of the ATCM Guidelines for EIA process (Resolution 1 (1999)).

Topic ii: Safety and self-sufficiency, including search and rescue and insurance

17. Issues relevant to this topic were covered by ATME #02 (UK), ATME #03 (UK), ATME #07 (NZ), ATME #12 (IAATO), ATME #17 (Australia), ATME #18 (Germany), ATME #19 (Italy) and ATME #25 (COMNAP).
18. The Meeting considered that in regard to safety issues for non-governmental expeditions one important means of regulation may be through the requirement for adequate insurance. The Meeting was aware that not all Parties have mechanisms to require such insurance, while other, through their legal instruments or through their permitting procedures are able to impose insurance requirements. The Meeting agreed on the need of insurance for non-governmental expeditions and to the principle that all ATCPs should require proof of adequate insurance for such expeditions. It was however also noted that insurance in itself is not sufficient unless non-governmental expeditions have an appropriate contractual agreement with a provider of back-up support. It was noted that unless there are consistent requirements in this regard, there is the potential for non-governmental (adventure) expeditions to “shop around” among Parties to find the least stringent requirements. It was also noted that some non-governmental expeditions tend to assert that they have back-up and rescue agreements that they in reality do not have, and that national authorities therefore should ensure verification of such plans.
19. There was discussion as to whether insurance should be required from all non-governmental expeditions or only from adventure tourism expeditions. It was recognized that insurance requirements are different for different types of activities, and that commercial operators are more likely to have the necessary insurance. IAATO noted that their member companies also have an emergency system (EMER), which provides back-up and contingency support for its members.
20. The Meeting thus recommended, in order to ensure a common approach among all Consultative Parties, that ATCM XXVII should agree to a mechanism that will require non-governmental expeditions to provide evidence that they have obtained sufficient insurance to meet the costs of search and rescue and medical care and evacuation from Antarctica before the proposed activity may proceed, and demonstrate that they have the necessary contractual agreement for back-up and contingency support.
21. The Meeting recognized that the ongoing discussions on liability may raise some issues with regard to insurance that are relevant to the above issue.

22. The Meeting noted the challenge posed by yacht expeditions that often travel to Antarctica without notifying national authorities. It was noted that structured regulation of such activity is indeed difficult. National operators that interact with yacht expeditions during their operations in Antarctica should however be encouraged to notify the relevant national governments/authorities of such interactions. Education and focused outreach are important with regard to yacht expeditions. In this respect the Meeting recalled Resolution 1 (2003) adopted at ATCM XXVI in respect of disseminating information to mariners (including yacht operators) in the form of, for example, Antarctic “Sailing Directions”, “Notices to Mariners” or “Pilots”.
23. The Meeting considered a proposal (ATME #07) that the Parties agree to a Measure to require ice-strengthening to a minimum standard of ice-classification ICE-1C or equivalent for all commercial tourist vessels operating south of 60 degrees South, and that such vessels should also carry a qualified ice-pilot. Several delegations noted that this issue would be raised in the context of the discussions concerning Antarctic shipping guidelines, to be considered at ATCM XXVII, and suggested that a separate Measure to this effect would not be necessary. The Meeting noted that COMNAP currently is reviewing the IMO-adopted Arctic shipping guidelines, with a view to recommending to the ATCM how they might be adapted to Antarctic conditions. Several delegations were concerned that it may take a substantial amount of time to get the Antarctic shipping guidelines adopted by the IMO, and suggested that the ATCM consider adopting a Decision to ensure implementation by the ATCPs in the meantime.
24. With regard to the question of experienced ice-pilots, observations were made that not only knowledge and understanding of ice is essential, but also comprehensive local general knowledge about Antarctic conditions. Chile informed the Meeting about an international course in Antarctic navigation that is held every year, and which is mandatory for Chilean vessel officers operating in Antarctica.
25. While there was general agreement on the need for requirements regarding ice classification and experience of crew, there was no consensus on how these matters might be taken forward.
26. It was noted that a spill of heavy fuel would lead to more serious environmental damage than if lighter fuel oils were involved. It was suggested that the ATCPs should consider future recommendations for use of lighter fuel oil for all cruise vessels in Antarctica.

Topic iii: Jurisdiction, industry self-regulation, and an analysis of the existing legal framework and identification of gaps

a. General issues

27. Under this agenda item, New Zealand presented ATME #10 on practical experiences of an observer scheme for Antarctic and sub-Antarctic tourism. The UK introduced ATME #04 giving a commentary on IAATO. Australia presented ATME #15 on accreditation of non-governmental activities. ASOC presented ATME #21 and #22 on regulation of commercial tourism. Further issues relevant to this topic were covered by

ATME #02 (UK), ATME #07 (NZ), ATME #12 (IAATO), ATME #17 (Australia), ATME #18 (Germany), ATME#19 (Italy), ATME #20 (ASOC) and ATME #23 (France).

28. The Meeting agreed that within the ATS there is the need to consider further the question of a regulatory framework for tourism and non-governmental activities in Antarctica. The Meeting agreed however that the choice of legal instruments should not be considered in detail at this stage, but should be deferred for subsequent consideration and discussion.
29. The Meeting noted the important role IAATO has played in tourism management and regulation over the past decade, but also noted that changes in the industry's structure, in particular the trend toward larger vessels, may lead to more companies not becoming part of the Association. The Meeting agreed that there is merit in the maintenance of a strong, credible industry Association to ensure the implementation of consistently high standards amongst its member companies. It was stressed, however, that establishing the regulatory basis for the industry was the primary responsibility of the State Parties.
30. The Meeting considered the challenges introduced when tour companies that deliberately decide to operate outside the strictures of industry self-regulation or when tour companies and/or tourist ships operate from third party States. In this context the current lack of a mechanism whereby the ATCM could engage with such third Parties was noted.
31. The Meeting also discussed the possible value of an industry accreditation scheme. There was general agreement that such a scheme might be an interesting and useful way forward to ensure consistent standards of operation between tourist operators. It was agreed that Australia, which had submitted document ATME # 15 should be tasked to elaborate this issue further in conjunction with other interested Parties and organisations, and report to ATCM XXVII.
32. Furthermore, the Meeting noted that there are several unsolved issues that would need to be taken into account in further discussions on accreditation. These include:
 - What standards should apply?
 - Who should accredit (IAATO, independent national authorities, the ATCM...)?
 - Liability arising from accreditation?
 - Costs of implementation?
 - Mandatory vs. non-mandatory accreditation scheme?
 - Auditing mechanisms?
33. The meeting discussed the virtue of an observer scheme for tourist expeditions. Observer mechanisms would *inter alia* be a useful tool in the auditing element of a future accreditation scheme. It was noted that the ability of Parties to conduct inspections under the Treaty's Article VII were constrained in respect of tourist cruises, and that it would be useful if the ATCM established a framework that could form the basis for having observers onboard tourist vessels. In this regard two possible approaches were identified: either establishing an Antarctic Treaty observation scheme

or relying instead on ATCP initiated observer schemes, based on their national legislation implementing the Environmental Protocol. The Meeting requested New Zealand to develop this issue further for submission to ATCM XXVII in Cape Town.

b. Land-based tourism facilities

34. New Zealand referred to its paper ATME # 07 which considered the need for a prohibition of the development of land-based tourism facilities taking into account not only the environmental but also the political and legal ramifications of land-based tourist developments.
35. The Meeting noted that whilst the Treaty emphasises the principle of peace and science, the Environmental Protocol does not specifically prohibit establishment of private or commercial land-based facilities. Australia noted that all activities in Antarctica had to be conducted in a way that accorded priority to science and that it was entirely appropriate for Treaty Parties to reflect this in their legal and administrative processes. Germany referred to ATME # 18 and suggested that permanent land-based tourism was not consistent with either the Antarctic Treaty or the Environmental Protocol and was also not in line with German domestic law because all permits must be restricted to a specific period. There is a need for a more precise expression in current law on that issue and Germany therefore supported the New Zealand proposal for a Measure.
36. The US suggested that there are two issues involved in this matter: (1) the EIA process as it applies to the establishment of a facility, and (2) the issue of property rights in Antarctica. Norway expressed support for the New Zealand view that the issue of land-based tourism activities has not only environmental ramifications that need to be taken into account, but the matter was also a policy related and raised issues such as sovereignty and jurisdiction.
37. IAATO noted that Adventure Network International has been operating successfully for twenty years and should be allowed to continue to do so. IAATO added that currently 2 national governments operate land-based tourism activities. Chile said that in its opinion the Antarctic Treaty System did not prohibit building a facility and indicated that according to Chilean legislation a public facility could be leased or made over as a concession to a tour operator.
38. Some delegations raised the question whether one way to control the development of such land-based facilities was to agree that only non-scientific activities that have no more than minor or transitory impacts should be allowed. Others suggested that this might not be a foolproof answer. The US commented it was important to avoid setting up a dual system for EIA. Annex I of the Protocol establishes the EIA process for governmental and non-governmental activities. If certain non-governmental activities are precluded on the basis of the EIA process, this has the potential to create a dual process for EIA.
39. The Netherlands expressed the view that designation of Antarctica as a “natural reserve” and the obligation to protect “wilderness values” in the Protocol are additional arguments for supporting New Zealand’s proposal and allowed States to

uphold a policy distinguishing between scientific and tourist activities in regard to the establishment of permanent facilities.

Topic iv: Guidelines

40. Under this agenda item, UK introduced ATME #03 on guidelines related to shipping. Australia presented ATME #14 regarding effective quarantine controls for tourism and non-governmental activities. Further issues relevant to this topic were covered by ATME #02 (UK), ATME #12 (IAATO), ATME #17 (Australia) and ATME #18 (Germany).
41. The UK proposed in ATME #03 that Parties urge IAATO to extend to its members operating non-Treaty flagged vessels any guidelines relating to Antarctic shipping adopted by future ATCMs. It was agreed that this paper should be considered further following consideration of the COMNAP recommendations on the adaptation of the IMO Guidelines for Arctic shipping at the forthcoming ATCM.
42. In ATME #14 Australia proposed that CEP be tasked with developing proposals for the establishment of effective Antarctic quarantine controls for tourism, in particular the process by which a risk-based analysis could be undertaken. Time did not permit further discussion of this issue.

Topic v: Adventure (extreme) tourism and government sponsored tourism

43. Under this agenda item, the US introduced ATME #05 on the US policy on private expeditions to Antarctica and the current US framework for the regulation of Antarctic tourism. The UK presented ATME #08 on the regulation of adventure tourism. New Zealand introduced ATME #26 making observations on a specific private South Pole flight. Further issues relevant to this topic were covered by ATME#02 (UK), ATME #12 (IAATO), ATME #18 (Germany), ATME #19 (Italy), ATME #20 (ASOC) and ATME #21 (ASOC).
44. The UK referred to its definition of adventure tourism given in ATME #08: “Adventure tourism embraces those activities undertaken in Antarctica which may be high risk, set highly challenging goals (e.g. to be the first to achieve a particular milestone), and are conducted by individuals or expeditions without the supervision or support in the field of an umbrella organisation (whether a national operator or recognised tourism provider). Self-sufficiency may in consequence be lacking. Such tourism is normally, (though not always), non-commercial in nature”. It was suggested that a more precise definition of this subject could be discussed at a later stage.
45. The Meeting noted that it is apparent that the actual or potential impacts of adventure tourism expeditions are disproportionate to the size of such ventures and the number of individuals who participate in these activities. Such impacts tend not to be environmental in nature. Rather they centre around issues such as contingency planning, self-sufficiency, health, safety, liability and insurance when such expeditions run into difficulties and have to rely on national or commercial tourist operators to provide search and rescue and evacuation services.

46. The Meeting discussed the virtue of drawing up a list of requirements for adventure tourism expeditions to Antarctica which would oblige Parties not to authorize adventure tourism expeditions to Antarctica unless adequate criteria can be met, such as those proposed by the UK in ATME #08. There was general support for such an approach. However, questions were raised with regard to the issue of implementation and the process of assessing whether the requirements are met. It was also noted that there are unclear issues as to what is implied by the term “authorization” and recognized that this had to be further discussed. The Meeting nevertheless agreed that a list of requirements should be drawn up and requested the UK to develop further its proposal with the view of discussing and adopting a Measure at ATCM XXVII.
47. The question was raised whether Recommendation XVIII-1 could be updated to reflect such requirements on adventure tourism expeditions. Whilst it was considered that this Recommendation might be strengthened to address site guidelines, it was noted that the status of Recommendation XVIII-1 made it unlikely to meet the concerns of adventure tourism.

Topic vi: Co-ordination amongst national operators

48. Under this agenda item, the UK introduced ATME #09 on the need for enhanced co-operation amongst Parties in managing adventure tourism. Further issues relevant to this topic were covered by ATME #25 (COMNAP) and ATME #26 (NZ).
49. The Meeting agreed on the importance of liaison and co-operation among Parties with regard to adventure tourism. It was recognized that Parties and their national operators may be “played off” against each other by Antarctic adventure tourism expeditions and raised the question of how better co-operation and understanding regarding adventure tourism can be achieved. The Meeting recognized that better communication and coordination could be achieved if each Party nominated a single contact point for information about adventure tourism activities in Antarctica and that Parties furthermore consider to liaise to exchange information about planned expeditions as and when they are notified. For this purpose the Meeting agreed that the UK draft Resolution (attached as Annex 6) should be presented to the ATCM for consideration. The Meeting also considered that the Antarctic Treaty Secretariat could play a role in such communication exchange. The value of integrating databases and exchange mechanisms was also noted.

Topic vii: Database and data management

50. Under this agenda item, Australia introduced ATME #01 with a report of the intersessional contact group established by ATCM XXVI on the development of a database on tourism and non-governmental activities. Further issues relevant to this topic were covered by ATME #02 (UK), ATME #12 (IAATO), ATME #17 (Australia) and ATME #18 (Germany).

51. In ATME #01 the Meeting of Experts was asked to note that:

- i) The information collected on non-governmental activities in accordance with Antarctic Treaty requirements is available from a range of sources but is not readily accessible;
- ii) This information was available in an electronic database it could be analysed more efficiently.
- iii) Electronic databases have been developed by the Australian Antarctic Division and IAATO.

52. The Meeting noted the recommendation contained in ATME #01: i) that the ATCM should establish an electronic database on tourism and non-governmental activities taking into consideration the work already undertaken in this regard by the Australian Antarctic Division and IAATO; ii) that the information currently collected on non-governmental activities should continue to be collected; and that consideration be given to collecting additional information; iii) that the ATCM should allocate resources to the Antarctic Treaty Secretariat to allow it to collate information on past non-governmental expeditions so that it may be incorporated into an electronic database; and iv) that the features identified for an efficient database be incorporated into the functional design of any database established by the ATCM on tourism and non-governmental activities.

Annexes

Annex 1: Decision 5 (2003)

MEETING OF EXPERTS ON TOURISM AND NON – GOVERNMENTAL ACTIVITIES.

The Representatives,

Decide to:

1. Convene a Meeting of Experts under the provisions of Recommendation IV-24, with the aim of discussing relevant matters related to tourism and non-governmental activities in Antarctica;
2. Request the Meeting of Experts to examine the following topics relevant to the issue of tourism and non-governmental activities in Antarctica:
 - Monitoring, cumulative impact and Environmental Impact Assessment;
 - Safety and self-sufficiency, including search and rescue and insurance;
 - Jurisdiction, industry self-regulation, and an analysis of the existing legal framework and identification of gaps;
 - Guidelines;
 - Adventure (extreme) tourism and government sponsored tourism;
 - Co-ordination amongst national operators.

Following the ATCM XXVI, an Inter-sessional Contact Group will be established to consider a database on tourism and non-governmental activity and this group should provide an update to the Expert meeting.

3. Encourage attendance at the Meeting by representatives from Consultative Parties, and to invite experts from Non-Consultative Parties, the Council of Managers of National Antarctic Programs (COMNAP), the International Association of Antarctic Tourist Operators (IAATO), the Antarctic and Southern Ocean Coalition (ASOC), the World Tourism Organization (WTO) and the World Conservation Union (IUCN).
4. Accept the offer of the Norwegian Government to host the Meeting of Experts in Norway, which should be held in advance of ATCM XXVII.
5. In accordance with Recommendation IV-24, request Norway to submit a report of the Meeting of Experts to ATCM XXVII for consideration.

Annex 2: Participants

Country	Head of Delegation	Contact Details	Delegates
<u>Consultative Parties</u>			
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Non-consultative Parties

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Invited Experts

ASOC			Alan Hemmings Ricardo Roura
COMNAP			Gerard Jugie
IAATO			Denise Landau David Rootes Victoria Underwood Wheatley
IUCN			Miriam Geitz
SCAR		Represented by: Manfred Reinke	

Secretariat

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Annex 3: List of documents

Paper #	Submitted by	Title of paper	Topic	WG
01	ICG Tourism Database	Report of the intersessional contact group established by the XXVI ATCM on the development of a database on tourism and non-governmental activities	vii	Plenary
02	UK	Proposal to improve the Management and Regulation of Antarctic Tourism	i, ii, iii	Plenary
03	UK	Tourism: Guidelines related to Shipping. Provisions for non-Treaty flagged vessels.	iv	2
04	UK	Tourism and Self-Regulation: A Commentary on IAATO	iii	Plenary
05	US	U.S. policy on private expeditions to Antarctica and current U.S. framework for regulation of Antarctic tourism.	v	1
06	US	Key Details presented in the Compendium of Antarctic Peninsula Visitor Sites, 2d edition: A Report to the United States Environmental Protection Agency (2003)	i	2
07	NZ	An Analysis of the Existing Legal Framework for the Management of Tourism and Non-Governmental Activities in Antarctica: Issues, Some Proposals and Comments	iii, ii	Plenary
08	UK	The regulation of Adventure Tourism	v	1
09	UK	Managing adventure tourism: The need for enhanced co-operation amongst Parties	vi	1
10	NZ	Practical Experience of an Observer Scheme for Antarctic and Sub-Antarctic Tourism	iii	Plenary
11	IAATO	6 year survey of the dominant tourist activities and trends since the ratification of the Environmental Protocol and a five year estimated forecast of upcoming activities		
12	IAATO	Overview summarizing the terms of reference	i, ii, iii, iv, v and vi	Plenary, 1 and 2
13	Argentina	Tourist activities in Antarctic and the application of existing EIA procedures	i	2
14	Australia	Establishment of effective Antarctic quarantine controls for tourism and non-government activities	iv	2
15	Australia	Accreditation of non-government operators	iii	Plenary
16	Australia	An approach to monitoring for non-government activities in Antarctica	i	2
17	Australia	An analysis of potential threats and opportunities offered by Antarctic tourism	i, ii, iv	Plenary, 1 and 2
18	Germany	Tourism in Antarctica	ii, iii, iv, v	Plenary, 1 and 2
19	Italy	Some remarks and proposals on the Antarctic tourism issue	i, ii	Plenary, 1 and 2
20	ASOC	The case for concern about Antarctic tourism	iii	

21	ASOC	What does regulation of commercial tourism mean?	iii, v	Plenary and 1
22	ASOC	Mechanisms for regulation commercial tourism	iii, v	Plenary and 1
23	France	Tourism and non-governmental activities in Antarctica: deficiencies in the current legal framework	iii	Plenary
24	Norway	Polar tourism: Experience gained and lessons learned from Svalbard		
25	COMNAP	Information paper on the interaction between National Antarctic Programs and non-government and tourism operations	vi	1
26	NZ/USA	Observations on Jon Johanson's South Pole Flight	v, vi	1

Annex 4: Background documents

ATCM Documents

2003	ATCM XXVI (Madrid)
Final Report	Paragraphs 129-152
Papers	<p>WP 13 (Australia) Management of Antarctic Non Government Activities</p> <p>WP 23 (UK) Proposal to Improve the Management and Regulation of Antarctic Tourism</p> <p>WP 26 (UK) Proposed Amendment of Recommendation XVIII-1 (1994)</p> <p>WP 29 (France) Usefulness of an Intersessional Working Group on the adoption of a regulation on tourism activities in Antarctica</p> <p>WP 37 (UK) Advice to Mariners and Vessel Operators on the Environmental Protocol's Obligations</p> <p>IP12 (France) Report of the Informal Intersessional Group on Tourism Activities in Antarctica.</p> <p>IP37 (COMNAP) Interaction Between National Operators, Tourists and Tourism Operators</p> <p>IP 40 (Australia) EIA Processes for Non Government Activities</p> <p>IP 44 (ASOC) Port State Control</p> <p>IP 58 (Argentina) Report on Antarctic Tourism Numbers through the Port of Ushuaia (2002-2003 Season)</p> <p>IP 64 (ASOC) Preventing Marine Pollution in Antarctic Waters</p> <p>IP 67 (ASOC) Regulating Commercial Tourism in Antarctica: The Policy Issues</p> <p>IP 69 (IAATO) IAATO-Wide Emergency Contingency Plan 2003/2004</p> <p>IP 71 (IAATO) IAATO Overview of Antarctic Tourism</p> <p>IP 72 (IAATO) IAATO Site Specific Guidelines 2003</p> <p>IP 78 (IAATO) Annual Report of the IAATO Under Article III (2) of the Antarctic Treaty</p> <p>IP 85 (IAATO) Insurance Amounts for IAATO Tourists Vessels</p> <p>IP 95 (IAATO) Tourism Issues</p> <p>IP 96 (IAATO) Adventure Tourism in Antarctica</p>
Recommendations	<p>Decision 5 (2003) Meeting of Experts on Tourism and Non-governmental activities</p> <p>Resolution 1 (2003) [Advise to Mariners]</p>
2002	ATCM XXV (Warsaw)
Final Report	Paragraphs 107-120
Papers	<p>IP 9 (France) Taxes en Antarctique</p> <p>IP 16 (Russia) Results of the waste disposal project at Bellingshausen Station</p> <p>IP 21 (UK) UK policy regarding visits by tourists to British stations and historic sites in Antarctica</p> <p>IP 30 (IAATO) Chairman's Report from the Aspen Meeting on Antarctic Tourism</p> <p>IP 52 (ASOC) ATCM papers, discussions & recommendations relating to tourism and non-governmental activities</p> <p>IP 69 (Chile) Documento sobre efectos de operaciones de rescate</p> <p>IP 71 (IAATO) Bibliography of Publications by Staff/Naturalists/Lecturers Involved in Tour Activities in Antarctica, 1991-2001</p> <p>IP 72 (IAATO) Guidelines for tourist operations in Antarctica</p> <p>IP 73 (IAATO) Overview of Antarctic tourism</p> <p>IP 76 (ASOC) Improving awareness of Protocol obligations Amongst Antarctic Yacht Operators</p> <p>IP 83 (ASOC) Regulating Antarctic Tourism</p> <p>IP 85 (IAATO) Regulatory mechanisms that address Antarctic tourism</p> <p>IP 90 (Argentina) Informe sobre el tránsito de turismo a través de Ushuaia, temporada</p>

	2001-2002 IP 108 (Australia) Management of Antarctic Non-Government Activities - Australian comments
2001	ATCM XXIV (St Petersburg)
Final Report	Paragraphs 104-112
Papers	IP 5 (Uruguay) <i>Informacion para visitantes a la Antartida periodo 2000-2001</i> IP 28 (Argentina) <i>Ushuaia Puerta de entrada a la Antartida – informe sobre el transito de turismo Antartico a traves de Ushuaia, temporada 2000-2001</i> IP 34 (Canada) <i>Student visit to Antarctica – youth statement</i> IP 40 (ASOC) Antarctic tourism IP 52 (IAATO) <i>Issues relating to cumulative environmental impacts of tourist activities</i> IP 63 (Argentina, Chile, Norway, Spain, UK, ISA, ASOC, IAATO) <i>Workshop on a management plan for Deception Island</i> IP 72 (IAATO) <i>Proposed amendments to the standard post visit site report form</i> IP 73 (IAATO) <i>Overview of Antarctic tourism – International Association of Antarctic Tour Operators</i>
Recommendations	Resolution 2 (2001) Collection of meteorites in Antarctica
2000	ATCM XXIII (Lima)
Final Report	Paragraphs 115-123
Papers	IP 121 (ASOC) Large scale Antarctic tourism

Other relevant background documents

Hemmings, Alan D. and Roura, Ricardo: A square peg in a round hole: fitting impact assessment under the Antarctic Environmental Protocol to Antarctic tourism (IAPA, Vol. 21 (1), pp. 13-24.)

IAATO: Antarctic tourism briefing (2003)

Resolution 5 (1995): Antarctic Inspection Checklists (also used by IAATO as part of their observer scheme)

Check against delivery
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Antarctic Treaty Meeting of Experts on Tourism and
Non-governmental Activities in Antarctica

**Opening remarks by
Deputy Minister Kim Traavik
Ministry of Foreign Affairs of Norway**

Your excellencies, ladies and gentlemen,

It is a great pleasure for me, on behalf of the Norwegian Government, to welcome you all to Norway and to this meeting of experts on tourism and non-governmental activities in Antarctica.

The Antarctic Treaty is a well-crafted compromise, and has so far been one of the major successes of international diplomacy. It helped to transform the uncertainty and potential conflict of the late 1950s into peaceful co-operation and stability. By adopting the Treaty, the Antarctic States took upon themselves a responsibility for the future development of the Antarctic. We as a group can be rightfully proud of our achievements throughout this period.

The development of Antarctic tourism is a new challenge for co-operation under the Treaty. Scientists are no longer alone on this distant continent. The rapid increase in Antarctic tourism raises many questions regarding protection of the fragile environment, safety, disturbance of scientific research and also questions relating to more basic legal principles.

In 1975, Norway's foreign minister at the time, Mr Knut Frydenlund, addressed the original 12 consultative parties at the eighth ATCM in Oslo, and said,

"The Treaty has up to now served us well. It is our duty to see to it that it will continue to do so. But this is not an automatic process. If the Treaty shall remain a useful instrument, we must analyse future trends, be flexible in our approaches and continue to co-operate in a positive spirit. In order to succeed we may in fact have to develop new concepts for international co-operation."

This is still true. We must continue our close co-operation, and we must be creative. Tourism is now at the top of our common Antarctic political agenda. This meeting gives us an opportunity to draw on the experience of ranking professionals and experts in the Antarctic treaty system.

The establishment of the new permanent Secretariat of the Antarctic Treaty in Buenos Aires is a great step forward for international co-operation on Antarctic issues. Norway will give its full support to the work of the Secretariat. The names of the candidates for the position of executive secretary to the Secretariat have recently been circulated and I am sure you all know

by now that the director of the Norwegian Polar Institute, Professor Olav Orheim, is the official Norwegian candidate.

As many of you know, Norway's involvement in the Antarctic goes back to the exploration of the Antarctic continent in the late 19th century. The Norwegian explorer Roald Amundsen and his men achieved world-wide fame for being the first people to reach the South Pole, in 1911.

Today, the Nordic co-operation in Antarctic research is especially important to Norway. From 2005 our own research station, the Troll station, will be used for year-round research. A new runway is to be built on the blue ice. A regular air service from Cape Town to Dronning Maud Land is being developed for the national research programmes of eleven nations.

Norway has until recently been a relatively small player in Antarctic tourism. Every now and then a Norwegian adventurer has headed for the South Pole or an Antarctic mountain peak, inspired by the adventures of the polar explorers of the past.

But this has changed dramatically in the last couple of years. Today, approximately 20 per cent of all passengers who go ashore from cruise vessels in Antarctica are travelling with Norwegian tour operators.

Because of these developments, Norway feels a strong sense of responsibility for ensuring that tourism is managed in a way that safeguards the fragile Antarctic environment. Our goal is to ensure that tourism in Antarctica is of a high standard and quality, and that it is operated within an environmentally acceptable framework.

I am pleased to note that the Norwegian operators in Antarctica are already maintaining high environmental standards. The newest vessels of the OVDS company, including the ship you will board this evening, are built to satisfy the "clean design" class, a voluntary classification for ships that are designed, built and operated in a way that gives additional protection to the environment. The Norwegian operators also maintain high safety standards, including ensuring that their vessels have the appropriate ice class.

The runways being built on the Antarctic continent may open the way for new kinds of tourism activities, such as eco-tourism and adventure tourism. I know that some of the parties have brought the question of permanent tourist facilities to the attention of this meeting. This may raise the question of private property rights on the continent, for which no agreed framework in the Antarctic Treaty exists. The matter clearly needs to be considered by the parties. This is another example of the need to take a proactive approach to managing tourism, so that new developments do not become serious problems.

We should also be open to new suggestions, for instance the question of a special fee for tourists visiting Antarctica. The Norwegian Government is now considering whether to introduce a special fee for tourists visiting Svalbard.

Norway has considerable experience of tourism and its regulation in other polar areas, especially Svalbard. Conditions in Svalbard and in Antarctica are not necessarily directly comparable. Nevertheless, I am sure that experience gained in the north can be useful in discussions of Antarctic tourism.

The crucial importance of the polar regions for life on earth and as indicators of climate change is widely recognised today. In a world where areas undisturbed by man are rapidly decreasing, the Antarctic wilderness and its ecosystems will - if properly managed – be an increasingly valuable asset for us all.

Antarctic tourism is important as a means of focusing attention on the value of Antarctica as a wilderness and a research laboratory. Visitors will return home as ambassadors for this great continent. However, they also put pressure on the vulnerable ecosystems of the continent. It is difficult to gauge the cumulative impact of tourism. This is an issue we have to deal with on Svalbard, and which I am certain will be no less challenging in Antarctica.

Norway has for more than a century operated various kinds of ships in Antarctica. We are therefore aware of the importance of safe and environmentally acceptable vessel operations in these waters. The IMO has adopted non-binding Guidelines for Ships Operating in Arctic Ice-covered Waters. We believe it is essential for the Consultative Parties to look at ways of having similar guidelines adopted through the IMO which are adjusted to the Antarctic situation.

Another important issue is insurance coverage for search and rescue operations. Norway has introduced mandatory insurance cover for non-governmental expeditions in the Antarctic, and has found that this functions well. We propose that all the Consultative Parties should introduce similar requirements.

The Consultative Parties must take on their full responsibility for regulating tourist activities in Antarctica. If we further postpone dealing with this issue, we may undermine the basis for other Antarctic activities, and the status of Antarctica as a natural reserve devoted to peace and science.

At this stage of the process, let me make a plea for openness. I think that we should not exclude any options as regards the form of regulation and management, but take a proactive, pragmatic and practical approach and give priority to the most pressing issues.

Ladies and gentlemen,

You might not have noticed, but in the logo for this meeting you will find a bird, or more precisely, an Arctic tern. The Arctic tern nests in the Arctic and in Northern Europe. However, during wintertime in the north, it migrates all the way down to Antarctica.

When discussing the challenges of Antarctic tourism let us follow the example of the Arctic tern, which draws on its Arctic experience and adapts it to the conditions that prevail in Antarctica.

I wish you a fruitful meeting and an enjoyable stay in Norway.

Thank you for your attention.

DRAFT RESOLUTION:

ADVENTURE TOURISM: ENHANCED CO-OPERATION AMONGST PARTIES

The Representatives,

Concerned about the increasing trend in Antarctic Adventure Tourism and the lack of rigorous monitoring and control of such activities;

Desiring to ensure that all such activities undertaken in Antarctica are strictly in accordance with the Protocol and national implementing legislation;

Aware that some individuals may seek to circumvent national legislation by seeking approval for their expeditions from more than one national authority;

Recalling that Article 8 (4) of the Environmental Protocol requires Parties to co-ordinate on implementation of environmental impact assessment procedures, where activities are planned jointly by more than one Party;

Recommend that:

1. All Parties nominate a single contact point for information about Adventure Tourism activities in Antarctica;
2. Parties exchange information about such expeditions as and when they are notified; and
3. Where Parties are notified, or become aware, of an expedition involving a vessel or aircraft flagged or registered with another Treaty Party; or where the organisers or a significant proportion of the individuals involved in the expedition are nationals of another Treaty Party, that adequate consultation is undertaken between those relevant Parties, as appropriate, prior to any decision to authorise¹ the expedition or permit it to proceed.

¹ The UK is cognisant of the fact that certain Treaty Parties are not able per se to permit or license expeditions to Antarctica under their domestic legislation. Use of the word “authorise” should therefore be seen in the widest context of decision making about any activities undertaken in the Antarctic Treaty Area pursuant to tourism and all other non-Governmental activities. Article 8 (2) of the Environment Protocol refers.