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Rethinking Antarctic Treaty inspections; patterns, uses and scopes for improvements

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Summary

Antarctic Treaty inspections are typically organized and conducted by some leading Parties that possess operational capabilities. Ease of access and logistics can sometimes determine the inspection targets and contents. Despite the obvious contributions, similar sites can be repeatedly visited, and it is increasingly more difficult to offer new findings and recommendations. Procedures for the inspection are not well established and feedbacks do not seem to have been frequent and smooth. Antarctic inspections do require a substantial level of commitment in terms of logistics and manpower. It is time to consider developing a new, more cooperative model where inspections are conducted in a more collective manner and different Parties are allowed to contribute in unique ways.

Introduction

Antarctic inspection is the responsibility as well as the right of the Antarctic Treaty Consultative Parties. Records of Antarctic Treaty inspections were retrieved from the ATCM database and reviewed. Since the Treaty's adoption in 1959, 52 inspections were made until the end of the 2014/2015 season and a total of 23 Consultative Parties participated. The number of inspections has been on a slow rise. The growing number of multinational joint inspections is certainly a recent trend.

General practices of inspections and patterns

More than two thirds of the Consultative Parties have participated in the Antarctic Treaty inspection in one form or another. Nonetheless, the degree of participation in terms of initiation and practical preparation differed greatly among the Parties. It was clearly evident that some of the leading states were significantly more active than other Parties and they often happened to be the original signatories. Three countries topped the list in the number of inspections and were followed by a few Parties who more frequently undertook inspections than others.

Some states appear to exert more efforts to arrange and conduct joint inspections while some others mostly conduct a single state inspection by themselves. There were neither particular patterns nor strong association among Parties undertaking inspections together. In certain cases, a well-prepared and motivated state would invite other Parties to join the organized inspection and induce it to be a joint venture. Overall, what appears to be the case is that inspections were not necessarily made evenhandedly and did not encompass a broad range of participation.

The areas that have been subject to inspections span all across the Antarctic. The Antarctic Peninsula region was the most frequently visited area, and this is not surprising when the distance to the location and transportation are considered. Draening Maud Land is another popular site, ranking as the second. Although

the location is not close, inspections are made possible because there is a well-developed air link. From the beginning, the infrastructures in the Antarctic are not evenly distributed, clustered in the more accessible regions. Hence the ease of access and logistics can often determine the spatial distribution of the inspection targets. King George Island, for example, is a more extreme case and a typical target of easy inspection. When an extensive air connection is pre-arranged, however, across-the-continent inspections connecting widely spaced stations can be conducted.

Inspections do require time, from a week up to a few months. Heavy coordination of air planes and ships are always involved. Not surprisingly, ship-based inspections usually are more prolonged. In terms of labor time, inspections are also a costly business. Typically 3 people or more are needed in one party. A party is commonly composed of officials from the foreign ministry and the environmental ministry and personnel from research institutions.

Issues with inspections

Conventionally, the purpose of Antarctic inspections is to promote compliance and to uphold the Treaty Spirit, thereby distinguishing Antarctic inspections from other forms of inspections that presume violations of some sort. The outcomes of the inspections are produced as reports containing recommendations and are delivered to the Parties involved at the annual Treaty meeting with a view to achieving the objectives of the Treaty. However, there are issues that call for reflection and careful consideration. There is now a developed inspection checklist that serves as a standard reference for an inspection team. Nevertheless, only similar information can be derived from the inspections without many new findings about the operation of the inspected area and no fresh recommendations. Same sites are repeatedly visited and inspected. Findings and recommendations from the inspections do not always result in the taking of prompt actions along a standard path. The undertaking of inspections does not need to follow a well-defined path of steps. Currently there are no requirements for intending Parties to provide specific details of their planned inspections, apart from the observer names and the designation period which can be very long. This does not compare well to the inspection system of another element of the Antarctic Treaty System, CCAMLR (Convention of the Conservation of the Antarctic Marine Living Resources).

Inspections are reported to the annual Treaty meetings so as to solicit comments and feedback. However, there are no well-defined feedback mechanisms in place to relay the inspection outcomes to the inspector, the inspected, and the rest of Antarctic Treaty community. Overall, it appears left to the Parties to generate and communicate the improvements, which makes it difficult to monitor its progress.

Antarctic inspections do require a substantial level of commitment in terms of logistics and manpower. To utilize Antarctic inspections as an effective vehicle for the enhancement of the Treaty objectives, establishment of standard practices and development of new themes are warranted. It is necessary to explore ways to develop the efforts into truly international cooperative endeavors. It is time to consider developing a new, more cooperative model where inspections are conducted in a more collective manner and different Parties are allowed to contribute in unique ways.

Concluding remarks

The number of days, the amount of labor and the cost of logistics altogether make the Antarctic inspection an expensive venture. Whether the return from this investment is equally valuable is something for the Antarctic community to consider. Reviews and reflections on Antarctic inspections that appeared in a few previous documents remain valid. Antarctic Treaty inspections, despite the positive contributions so far, may need to find a new model of execution, which is more cooperative, and allows wider participation. It is time to consider developing a new model, where logistic capabilities and human expertise can be integrated from many more Parties. Better laid-down protocols and procedures will need to be developed with a series of mechanisms that can help ensure that the outcomes of the inspections are delivered and acted upon, with a relay of feedback on the operation of the infrastructures as well as future inspections.