

# The Evolution of Antarctic Interests: With Reference to the Korean Experience\*

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## I. Introduction

Antarctica, the world's ultimate pristine continent, is thought to have abundant and valuable resources in its surrounding seas and beneath its continental shelf. The resources of Antarctica include, *inter alia*: the Southern Ocean fishery, notably krill (shrimplike crustacean, *Euphausia superba*); potential oil and gas; hard minerals deposits; icebergs as a source of fresh water; tourist potential; and various uses of the continent such as

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\* A paper delivered at the International Seminar on Antarctica, held by the Academy of Sciences, Korea, and KORDI, on 28 August 1987.

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a deep freeze for emergency food storage.<sup>11</sup>

In 1959, an exclusive management system was created by twelve nations<sup>2)</sup> who signed the Antarctic Treaty. The Treaty resulted from scientific research of those 12 nations during the 1957-58 International Geophysical Year. Since then, many nations have demonstrated increasing interest in Antarctica. Today's global interest in the Antarctic continent has gained prominence in international law and politics, and has become a key contending agenda in international forum.

It is in this context that the author would like to examine the evolution of the Antarctic Treaty System with particular reference to the Korean experience.

## II. The Development of the Antarctic Treaty System

Since its entry into force in 1961, the Antarctic Treaty System has evolved in two main ways.

In the first place, the system has experienced increased international participation in respect to both levels of membership. Over the past 26 years, a number of states have acceded to the Treaty, accepting its basic principles such as the demilitarization of the continent and the freedom of scientific research there. They are the non-Consultative Parties and have been granted observer status at the treaty meetings. On the other hand, the higher level of participation is Consultative Party status, which is possessed by the original 12 signatories as well as by those governments adjudged by a Consultative Meeting to be "active" in Antarctic research.

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1. Philip W. Quigg, *A Pole Apart: The Emerging Issue of Antarctica* (New York: McGraw-Hill, 1983), p. 106.
  2. They are Argentina, Australia, Chile, France, New Zealand, Norway and the UK (territorial claimants to Antarctica), and Belgium, Japan, South Africa, the Soviet Union and the USA (non-claimants).

Six governments—Poland (1977), West Germany (1981), Brazil and India (1983), China and Uruguay (1985)—have been admitted to this status to increase the number of Consultative Parties to 18, so that, together with 17 non-Consultative Parties, the Antarctic Treaty System now embraces 35 governments (see Table 1).

Table 1.  
**Chart of Antarctic Treaty Relationships**  
 (Numbers in each group shown in brackets)

The Antarctic treaty parties (35)

Original Treaty Signatories

Argentina			
Australia	Claimant		
Chile	States(7)		
France			
New Zealand		Original	
Norway		Treaty	
United Kingdom		Consultative	
		Parties	
United States		(12)	Consultative
Japan	Non-claim-		Parties
U.S.S.R.	ant		(18)
South Africa	States		
Belgium	(11)		
1961 Poland	1977	Obtained	
1979 Fed. Repub. Germ.	1981	Consultative	
1975 Brazil	1983	Party	

		Status
1983	India	1983
1980	Uruguay	1985
1983	China	1985
Subsequent accessions to the treaty(17)		
1978	Bulgaria	
1984	Cuba	
1962	Czechoslovakia	
1965	Denmark	
1984	Finland	
1974	GDR	
1984	Hungary	
1981	Italy	
1967	Netherlands	
1981	PNG	
1981	Peru	
1971	Romania	
1982	Spain	
1984	Sweden	
1986	Republic of Korea	
1987	Greece	
1987	North Korea	
		Non-consultative (Contracting) Parties (17)

Source: Adapted from Stuart Harris(ed.), *Australia's Antarctic Policy Options* (Canberra: Centre for Resource and Environmental Studies, Australian National University, 1984), p. xxi.

The 1980s have witnessed an acceleration in the pace of international participation, and since 1981 five Consultative Parties and nine non-

Consultative Parties have been added. Further changes can be expected, for certain parties (e.g., Italy, the Netherlands and Spain) are advancing to Consultative Party status through the development of Antarctic research; in addition, certain outsiders—Austria, Canada and Indonesia—are rumored to be moving towards, or at least to be contemplating, accession.

Second, the treaty framework has been extended and modified constantly to accommodate new situations and problems, and to consolidate the treaty powers' control over the region. As a result, the system includes not only the 1959 treaty but also the recommendations and Agreed Measures adopted by Consultative Meetings, the 1972 Sealing Conservation Convention and the Antarctic Marine Resources Regime established by the 1980 Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR).<sup>3)</sup>

Currently, the Consultative Parties are engaged in negotiations for the creation of an Antarctic Minerals Regime designed to consolidate, perhaps even to complete, the Antarctic Treaty System. The most recent minerals regime sessions occurred at Tokyo, Japan (November 1986) and Montevideo, Uruguay (May 1987) and further meetings are planned. Hitherto, the minerals negotiations have served not only to provide a steady, albeit slow, way forward but also to highlight obstacles, most notably those caused by the sovereignty problem. Nevertheless, the treaty powers have expressed confidence that a minerals regime will be concluded in the near future. At the Montevideo meeting in 1987, it was agreed that a final session of the minerals negotiations will be held in Wellington, New Zealand, during the first half of 1988, at which a draft convention is to be adopted.<sup>4)</sup>

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3. Peter J. Beck, "The Antarctic Treaty System after 25 Years," *World Today* 42 (November 1986), pp. 197-98.

4. Lee Kimball, *Report on Antarctica*, published by the International Institute for Environment and Development, June 19, 1987, p.9.

### III. The Antarctic Treaty System in the International Context

Another recent development has concerned the increased interest displayed in Antarctic questions by treaty outsiders—mostly Third World nations who advocate the principle of common heritage to the continent.

This common heritage approach to Antarctica was crystallised in an initiative by the Government of Malaysia. Malaysia first expressed interest in the Antarctic in a speech before the UN General Assembly by its Prime Minister, Dr. Mahathir bin Mohamad, in September 1982. He criticized the Antarctic Treaty as being an outdated colonialist arrangement and recommended that the continent, like the seabed which belongs to the international community, be placed under the control of the United Nations or alternatively, that present occupants (i.e., consultative parties) act as trustees for the nations of the world.<sup>5)</sup>

The Malaysian view soon received wider backing among Third World nations. At the 1983 New Delhi meeting of the non-aligned nations, at which 99 governments were represented, a resolution overwhelmingly called for Antarctic resources to be exploited “for the benefit of all mankind.” In the same year, through the initiatives of Malaysia and Antigua/Barbuda, an item on Antarctica was placed on the agenda of the UN General Assembly. This UN involvement in Antarctic affairs has led to the production of a “comprehensive, factual and objective study on all aspects of Antarctica” undertaken by the UN Secretariat in 1984.

Concluding its 1985 consideration of the Antarctic issue, the General Assembly adopted three resolutions which:

(1) affirm the concept of equitable sharing among all states in the management and benefits of the exploitation of Antarctica; (2) update and expand

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5. United Nations General Assembly, 37th session, UN Doc. A37/PV10, September 29, 1982, pp. 17-20.

the Antarctic study; and (3) call for excluding the *apartheid* regime of South Africa from the Treaty at the earliest possible date.<sup>6)</sup>

Over the past few years of the UN involvement in the Antarctic affairs, various spokesmen for the Third World nations have also expressed their support for the common heritage approach. For instance, the Council of Ministers of the Organization of African Unity (OAU), at its meeting in July 1985, unanimously adopted a resolution that declares Antarctica the common heritage of mankind. It is not difficult to imagine that Third World states favoring the common heritage principle will continue to use the United Nations and other international forum as tools to catalyze the evolution of the Antarctic Treaty regime to make it more acceptable to the whole of the international community.

#### IV. Korea's Experience of the Antarctic Research

Korea's involvement in the Antarctic research goes back to the late 1970s. Like the cases of other technologically advanced developing nations such as India and Brazil, the Korean commitment to the Antarctic was prompted by scientific and practical interests.

Korea is one of approximately 10 nations that sent exploratory missions to the Antarctic during the late 1970s and early 1980s. Two major factors contributed to the dispatch of Korea's Antarctic missions. First, scientific investigation has proven that the Antarctic waters contain tremendous of living resources, most notably krill. Secondly, in the mid-1970s the Korean distant-water fishing fleets, responsible for much of the nation's growth in the marine fish catch, suffered sizable reductions in foreign fish quotas owing to the worldwide proliferation of 200-mile exclusive economic zones.

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6. United Nations General Assembly, 40th session, Resolution 40/156 A, B and C, December 16, 1985.

Table 2.  
**Activities of Korean Research Mission  
 in Antarctica**

Year	Duration (days)	Area	Biological Research (times)	Research Objectives
1978	91	Enderby Wilkes	69	krill land other species
1981	102	Enderby	113	krill and other species
1982	123	Enderby Wilkes	90	krill and other species
1983	119	Enderby	186	krill and other species
1986 (Feb.)	65	Scotia Sea	110	krill and other species
1986 (Nov.)	114	Scotia Sea	120	krill and other species

Source: Fisheries Administration (1987).

Against this background, the Antarctic appeared to offer considerable potential. Since 1978, Korea has finished 6 scientific expeditions (see Table 2). Through these expeditions, physical, chemical, and biological data (temperature, salinity, chlorophyll, and etc.) were collected to study the environmental features, nutrient concentrations, distribution and abundance of flora and fauna in the Antarctic waters, and assessment of krill stocks. Food chain dynamics of Antarctic waters and productivity of phytoplankton were also studied.

In the meantime in March 1985, Korea signed the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR), the legal regime governing Antarctic fisheries. It additionally acceded to the Antarctic Treaty about one and half years later, and disclosed a plan to build a research station in the continent in the 1987-88 season. The planned site of the first Korean Antarctic station is King George Island of South Shetland Islands. With the completion of Antarctic station in February 1988, Korea will expand its scientific research areas to include oceanography, meteorology, earth geophysics, and other related subjects.

By actively engaging in scientific research in Antarctica, Korea hopes to get "Consultative Party" status and thus obtain access to decision-making in the Antarctic Treaty System.

## V. Conclusions

The Antarctic Treaty System is an inter-linked network of international agreements, providing the primary legal framework for decision-making in the region. There is no doubt that it is a constantly evolving system in terms of identifying and dealing with issues and expanding participation. Over the past 26 years, the Treaty System has proven a uniquely successful instrument of international cooperation.

However, it is now challenged by treaty outsiders, mostly Third World nations who advocate the application of common heritage principle to the continent. Thus, the next step for the development of the Antarctic Treaty System depends upon the acceptable accommodation of different views among all interested states.

Accepting the basic principles of the Antarctic Treaty, Korea will contribute to widespread international support for the continuity of peaceful use of the continent, freedom and cooperation of scientific research and protection of the Antarctic environment.