



ANTARCTICA NEW ZEALAND INFORMATION SHEET

MINING ISSUES IN ANTARCTICA

Mining Issues in Antarctica

The Antarctic Treaty, which entered into force in 1961, does not address the question of mineral resources and their possible exploitation. However, during the 1970's questions arose concerning the economic potential of Antarctica. In considering the issue of mining in Antarctica, the Antarctic Treaty Consultative Parties wanted to adopt a cautious approach to any mineral extraction proposals. They wanted to set protective measures in place before any experimental mining was done as they believed it would increase the difficulties in agreeing to measures if it were done after exploitable deposits were discovered. They also believed that unregulated mining activities would have the potential to cause serious environmental impacts.

Convention on the Regulation of Antarctic Mineral Resource Activities (CRAMRA)

Between 1981 and 1988 the Antarctic Treaty Consultative Parties developed the Convention on the Regulation of Antarctic Mineral Resource Activities (CRAMRA). CRAMRA set out a suite of tough environmental protection measures before any area could be opened for possible development including the need for environmental impact assessments to be completed. If insufficient information on possible environmental impacts was available, or the impacts were likely to be significantly damaging to the environment, then the activities could not be approved under the provisions of the Convention.

CRAMRA also required that appropriate procedures and technology had to be put in place to make sure that a strict environmental code was followed, which included environmental monitoring, and risk management processes for any environmentally damaging accident.

CRAMRA was adopted in 1988, but in 1989 Australia and France declined to sign the convention. These Countries asserted that no mining should be allowed to take place in Antarctica and that they could not accept the tacit approval of mining activities inherent in CRAMRA; despite CRAMRA's tough environmental protection measures. Australia and France, and also New Zealand, advocated instead for comprehensive environmental protection measures to be put in place, under which Antarctica would be recognised as a natural reserve and a land of science.

Even though CRAMRA was not ratified, the discussions leading to CRAMRA formed the groundwork for the creation of the Protocol on Environmental Protection to the Antarctic Treaty.

Protocol on Environmental Protection to the Antarctic Treaty

In October 1991 the Antarctic Treaty Consultative Parties adopted the Protocol on Environmental Protection to the Antarctic Treaty. The Protocol established for the first time a comprehensive and legally binding system for protecting the environment and ecosystems of Antarctica. It set out a clear environmental code for all types of human activity in Antarctica and put in place a mandatory environmental impact assessment and monitoring process for most activities. The Protocol puts in place an indefinite ban on all mineral activities except for approved scientific research. The Antarctic Treaty Consultative Parties may review this ban in 2041 if there is an agreement to do so. The Protocol therefore allows the decisions on whether mining should ever occur to be postponed and also recognises that future generations may live under different economic and resource limitations.

The Protocol designates Antarctica as a natural reserve devoted to peace and science. It establishes principles for the planning and conduct of all activities in Antarctica, including scientific research, tourism, and the construction and maintenance of Antarctic bases. Its objective is to limit adverse impacts in the environment and includes procedures for the assessment of environmental impacts before the activities take place. The Protocol extends to measures designed to protect the intrinsic, wilderness and aesthetic values of Antarctica. The Protocol includes provisions for environmental impact assessment, the conservation of Antarctic fauna and flora, waste disposal and waste management, the prevention of marine pollution and area protection and management.

The Protocol also established the Committee for Environmental Protection (CEP) to provide advice and recommendations to Antarctic Treaty Consultative Meetings (ATCM) on the implementation of the Protocol and to perform any other functions referred to it by the ATCM.

The Antarctica (Environmental Protection) Act 1994 is the New Zealand domestic enabling legislation to implement the Protocol on Environmental Protection to the Antarctic Treaty.

References

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Further reading

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