

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1967 Nr. 63

A. TITEL

*Verdrag inzake Antarctica;
Washington, 1 december 1959*

B. TEKST

De Engelse en de Franse tekst van het Verdrag zijn geplaatst in *Trb.* 1965, 148.

C. VERTALING

Zie *Trb.* 1965, 148.

D. GOEDKEURING

Artikel 1 van de Rijkswet van 2 februari 1967 (*Stb.* 80) luidt: „Het op 1 december 1959 te Washington tot stand gekomen Verdrag inzake Antarctica, waarvan de Engelse en de Franse tekst, alsmede de vertaling in het Nederlands, zijn geplaatst in *Trb.* 1965, 148, wordt voor het gehele Koninkrijk goedgekeurd.”

Deze Rijkswet is gecontrasigneerd door de Minister van Buitenlandse Zaken J. LUNS, de Minister van Onderwijs en Wetenschappen I. A. DIEPENHORST, de Minister van Defensie DE JONG en de Minister van Verkeer en Waterstaat J. DE QUAY. Zie voor de behandeling in de Staten-Generaal: Bijl. *Hand.* II 1965/66 — 8427 (R 511); *Hand.* II 1966/67, blz. 269—271; Bijl. *Hand.* I 1966/67, nr. 29; *Hand.* I 1966/67, blz. 198—200.

E. BEKRACHTIGING

Zie *Trb.* 1965, 148.

F. TOETREDING

Behalve de in *Trb.* 1965, 148 genoemde hebben nog de volgende Staten in overeenstemming met artikel XIII, lid 3, een akte van toetreding bij de Regering van de Verenigde Staten van Amerika nedergelegd:

Denemarken 20 mei 1965
 het Koninkrijk der Nederlanden 30 maart 1967
 (voor Nederland, Suriname en de Nederlandse Antillen)

G. INWERKINGTREDING

Zie *Trb.* 1965, 148.

Wat het Koninkrijk der Nederlanden betreft, is het Verdrag ingevolge artikel XIII, lid 5, voor het gehele Koninkrijk op 30 maart 1967 in werking getreden.

J. GEGEVENS

Zie *Trb.* 1965, 148.

Voor het op 26 juni 1945 te San Francisco tot stand gekomen Handvest der Verenigde Naties zie ook, laatstelijk, *Trb.* 1967, 3.

Voor het op 26 juni 1945 te San Francisco tot stand gekomen Statuut van het Internationale Gerechtshof zie ook *Trb.* 1965, 171.

Tijdens de van 10 tot 24 juli 1961 te Canberra gehouden Eerste Consultatieve Conferentie werd een aantal Aanbevelingen aangenomen, waarvan de Engelse tekst als volgt luidt:

I-I

(Exchange of information on scientific programmes¹⁾)

The Representatives recommend to their Governments that they should facilitate the continuation of the exchange of information regarding plans for scientific programmes as now carried on through the Special Committee on Antarctic Research²⁾ (SCAR) and through other member unions and committees of the International Council of Scientific Unions (ICSU) and by such other means as may ensure the availability of this information.

1) De Aanbevelingen van de Eerste Consultatieve Conferentie droegen oorspronkelijk geen opschriften. Uit praktisch oogpunt zijn echter de tussen haken geplaatste opschriften toegevoegd.

2) Thans „the Scientific Committee on Antarctic Research”.

I-II**(Exchange of scientific personnel)**

The Representatives recommend to their Governments that they should promote the continuation of the exchange, on a basis of bilateral arrangements, of scientific personnel amongst their expeditions, and should make available such of their facilities as may be helpful to this purpose.

I-III**(Exchange of scientific data)**

The Representatives recommend to their Governments that they should promote the exchange and making available of observations and results from Antarctica through the recognized international data gathering centres and by such other means as may be appropriate to ensure the exchange and free availability of this information.

I-IV**(SCAR)**

The Representatives agree, without prejudice to the rights of Governments, to make such arrangements as they may deem necessary to further the objectives of scientific co-operation set forth in the Treaty:

- (1) that the free exchange of information and views among scientists participating in SCAR, and the recommendations concerning scientific programmes and co-operation formulated by this body constitute a most valuable contribution to international scientific co-operation in Antarctica;
- (2) that since these activities of SCAR constitute the kind of activity contemplated in Article III of the Treaty, SCAR should be encouraged to continue this advisory work which has so effectively facilitated international co-operation in scientific investigation.

I-V**(International organisations)**

The Representatives recommend to their Governments that they should individually encourage the work of international organizations having a scientific or technical interest in Antarctica, including the specialized agencies of the United Nations, and should promote on a bilateral basis the establishment and development of co-operative working relations with these organizations.

In this connexion, the Representatives take note of the letter to the Minister of State for External Affairs of Australia from the Secretary-General of the World Meteorological Organization dated 28th June,

1961, circulated at the meeting. They welcome the offer made by the World Meteorological Organization of co-operation in questions of meteorology and of the collection and relaying of meteorological data in the Antarctic, and recommend to their governments that they should establish co-operation in these matters through their representatives in that organization.

I-VI

(Exchange of information on operations)

The Representatives recommend to their Governments that information furnished in accordance with Article VII, paragraph 5, should be exchanged between governments through diplomatic channels as early in each year as possible, and in any case before the end of November each year, and should include:

- (1) the names, types, numbers, description and armaments of ships, aircraft and other vehicles, introduced, or to be introduced into Antarctica, and information on military equipment, if any, and its location in Antarctica;
- (2) dates of expeditions leaving for, and arriving in, Antarctica, duration of stay, itinerary to and from Antarctica and routes followed within Antarctica;
- (3) the names, location and date of opening of the party's bases and subsidiary stations established or planned to be established in Antarctica, listed according to whether they are for summer and/or winter operations;
- (4) the names of the officers in charge of each of these bases, subsidiary stations, ships and aircraft, the number and occupations and specialization of personnel (including any designated by other governments), who are or will be stationed at each of these bases and subsidiary stations and on board these ships and aircraft, including the number of personnel who are members of the military services together with the rank of any officers and the names and professional affiliation of personnel engaged in scientific activities;
- (5) the number and types of armaments possessed by personnel;
- (6) the programme of work, including scientific investigation, being done and planned at each of these bases and subsidiary stations and on board those ships and aircraft; and also the area or areas of operation to be covered by such programme;
- (7) principal scientific equipment;
- (8) transportation facilities and communication equipment for use within Antarctica;
- (9) facilities for rendering assistance;

- (10) notice of any expeditions to Antarctica not organized by the party but organized in, or proceeding from, the party's territory.

I-VII

(Exchange of information on logistic problems)

The Representatives recommend to their Governments that they should undertake to exchange information on logistic problems. This might include information on the design and construction of buildings and airstrips, the provision of power supplies, the performance of aircraft, ships, tractors and other vehicles, techniques of supply of coastal and inland stations, the transport and handling of cargo in Antarctic conditions, food and cold weather clothing. They further recommend that consideration should be given to the calling of a meeting or symposium of experts to consider the question of the exchange of information on experience gained in matters of the organization of expeditions, logistic support and transport, and that proposals for the calling of such a meeting or symposium should be discussed at or before the next Treaty Consultative Meeting.

I-VIII

(Conservation of Antarctic fauna and flora)

The Representatives recommend to their Governments that:

- (i) they recognize the urgent need for measures to conserve the living resources of the Treaty area and to protect them from uncontrolled destruction or interference by man;
- (ii) they encourage the interchange of information and international co-operation with a view to promoting scientific studies of Antarctic life as the essential basis for long-term conservation measures;
- (iii) they bring to the attention of all persons entering the area the need for the protection of living resources;
- (iv) they consult on the form in which it would be most suitable to establish in due course internationally agreed measures for the preservation and conservation of the living resources of the Antarctic, taking into account the discussion at and documents submitted to the first consultative meeting;
- (v) as an interim measure, and to the extent possible under national legislation and binding international conventions, they issue general rules of conduct on the lines of the attached statement extracted from the recommendations of SCAR as contained in the report of the meeting held in Cambridge in August, 1960;

- (vi) they exchange information on any major steps taken in accordance with this recommendation with respect to the next Antarctic season;
- (vii) this question be included in the agenda of the next consultative meeting.

General rules of conduct for preservation and conservation of living resources in Antarctica

1. Animals and plants indigenous to Antarctica shall not be unnecessarily disturbed and shall not be destroyed or injured. Exceptions shall be permitted on a strictly controlled scale which will not deplete the local stock and only for the following purposes:

- (a) collections and studies for scientific purposes;
- (b) food (e.g. meat, eggs) for men and dogs;
- (c) living specimens for zoological gardens;
- (d) taking a strictly limited number of specimens, especially natural casualties, for private purposes.

Exceptions (c) and (d) shall not apply for the time being to Fur Seals.

2. Alien forms of flora and fauna should not be deliberately introduced except when rigidly controlled having regard to their chances of survival, capacity of reproduction and utilization by man.

3. The following activities should be regulated with a view to preventing serious harm to wild life:

- (a) allowing dogs to run free,
- (b) flying helicopters or other aircraft in a manner which would unnecessarily disturb bird and seal colonies, or landing near (e.g. within 200 yards) such colonies,
- (c) driving vehicles unnecessarily close to breeding colonies of birds and seals,
- (d) use of explosives or discharge of firearms close to breeding colonies of birds and seals,
- (e) disturbance of bird and seal colonies by persistent attention from people on foot,
- (f) the discharge of oil from ships in a manner harmful to animals and plants indigenous to Antarctica.

I-IX

(Historic sites)

With due regard to Article IV of the Treaty, the Representatives recommend that:

- (1) Governments interested in any tombs, buildings or objects of historic interest should consult together whenever appropriate on their restoration or preservation;
- (2) Appropriate reports on the condition of such tombs, buildings or objects of historic interest as well as any restoration which might have been effected should be exchanged among governments;
- (3) Governments adopt all adequate measures to protect such tombs, buildings or objects of historic interest, from damage and destruction.

I-X

(Assistance in emergency)

The Representatives reaffirm the traditional Antarctic principle, that expeditions render all assistance feasible in the event of an emergency request for help and recommend to their governments that consideration should be given to arranging consultations among them, and to the matter being discussed at the appropriate time at any meeting of experts qualified to discuss it.

I-XI

(Telecommunications)

The Representatives recommend to their Governments:

- (1) that they convene as soon as practicable a meeting of specialists in Antarctic radio communications;
- (2) that this meeting of specialists should discuss the telecommunications facilities needed for scientific, technical and other purposes in the Treaty Area, and their use;
- (3) that the meeting should take into consideration:
 - (a) the requirements of governments;
 - (b) the viewpoint of the United Nations Specialized Agencies and other international organizations having a scientific or technical interest in Antarctic communications;
 - (c) the relevant recommendations of the Communications Working Group of SCAR;
 - (d) the experience of the various Antarctic expeditions;
- (4) that the meeting should examine and make recommendations regarding such matters as:—
 - (i) the routing required to meet demands of users most effectively;
 - (ii) the modes of transmission;
 - (iii) the power requirements for effective reception;

- (iv) the rationalization of schedules and the evaluation of priorities for traffic in normal and post blackout conditions;
 - (v) new developments in the field of communications relevant to Antarctic requirements;
 - (vi) emergency radio procedures;
 - (vii) such other matters of an engineering or traffic nature as may be appropriate;
- (5) that the governments should consult regarding the date, place and definitive agenda of the meeting, and as to which Specialized Agencies and other international organizations referred to in paragraph 3 (b) should be informed of the meeting and be invited to send observers.

I-XII

(Postal Services)

The Representatives recommend to their Governments that they should:

- (1) promote co-operation among expeditions in the Treaty Area in the collection and distribution of mail for expedition members;
- (2) advise each other of opportunities for forwarding mail to and from stations in the Treaty Area;
- (3) consult together with a view to reaching agreement on further practical measures for improving postal communications in the Treaty Area.

I-XIII

(Exchange of information on nuclear equipment and techniques)

Taking into consideration the provisions established in Article V of the Antarctic Treaty, the Representatives recommend to their Governments that they exchange by all means deemed advisable information on the application of nuclear equipment and techniques in the Treaty Area.

I-XIV

(Administrative arrangements for Consultative Meetings)

Pending any further recommendation which may be adopted at a future meeting concerning the procedures to be followed in connexion with the consultative meetings provided for in Article IX of the Treaty, the Representatives recommend to their Governments that as an interim measure:

- (1) the Government of the host country of the present meeting shall send to each of the participating Governments a certified

copy of the final report containing the authentic texts of all documents agreed and adopted by the meeting. It shall also send to the other participating Governments any other documents relative to the meeting and comply with any additional request, or answer any questions on the subject, and supply any information which the participating governments may subsequently request regarding the first consultative meeting or recommendations of that meeting;

- (2) the Government of the country where the next meeting is to be held shall consult the other Governments entitled to participate in the consultative meetings in regard to the provisional agenda and the choice of the opening date of the meeting;
- (3) the Governments shall consult through diplomatic channels as they deem necessary on matters of common interest relating to the Treaty Area including matters which may be proposed for consideration at future consultative meetings;
- (4) notifications of approval by Governments of recommendations adopted at consultative meetings shall be communicated through diplomatic channels to all other such Governments entitled to participate in the consultative meetings;
- (5) the Depositary Government designated in the Antarctic Treaty shall inform all signatory and acceding states when any recommendation has been approved in accordance with Article IX (4) of the Treaty by all the contracting parties whose representatives were entitled to participate in the meeting held to consider that recommendation.

I-XV

(Second Consultative Meeting)

The Representatives recommend to their Governments that they accept the offer by the delegation of Argentina of the city of Buenos Aires as the seat of the second consultative meeting under Article IX of the Antarctic Treaty, to be held on a date mutually decided upon by the Participating Governments.

I-XVI

(Preparations for Consultative Meetings)

The Representatives recommend to their Governments that reports, studies and all other documentation, including any specific proposal or draft recommendation, which any participating government may desire to place before the next consultative meeting, shall be forwarded through diplomatic channels so as to reach all governments entitled to participate in that consultative meeting, at least one month prior to the meeting, except in circumstances of urgency.

De volgende Staten hebben deze Aanbevelingen goedgekeurd:

Australië	6 oktober 1961
Argentinië	13 oktober 1961
Nieuw Zeeland	17 oktober 1961
het Verenigd Koninkrijk van Groot-Brit- tannië en Noord-Ierland	1 december 1961
de Verenigde Staten van Amerika	2 december 1961
de Sowjet-Unie	8 januari 1962
België	16 februari 1962
Japan	21 februari 1962
Frankrijk	6 maart 1962
Noorwegen	9 maart 1962
Chili	19 april 1962
Zuid-Afrika	30 april 1962

De Aanbevelingen zijn ingevolge artikel IX, lid 4, van het Verdrag op 30 april 1962 van kracht geworden.

Tijdens de van 18 tot 28 juli 1962 te Buenos Aires gehouden Tweede Consultatieve Conferentie werd een aantal Aanbevelingen aangenomen, waarvan de Engelse tekst als volgt luidt:

II-I

(Exchange of scientific data ¹⁾)

The Representatives recommend to their Governments that, in accordance with Article III of the Antarctic Treaty and in the light of recommendations made by SCAR, they take measures contributing to:

1. The completion by 1st July, 1963, or as soon thereafter as practicable, of the transmission by scientific organizations to the recognized international data gathering centres of scientific observations carried out in Antarctica from 1957 until 1959 inclusive, and 1960 if possible.
2. (a) The free availability and exchange, by all appropriate means, of scientific observations and results, in every scientific discipline, obtained by expeditions in any part of Antarctica;
- (b) the prompt transmission, preferably within a year of the receipt in each country of the data from Antarctica, of such observations and results to the recognized international data gathering centres, where such centres exist.

¹⁾ De Aanbevelingen van de Tweede Consultatieve Conferentie droegen oorspronkelijk geen opschriften. Uit praktisch oogpunt zijn echter de tussen haken geplaatste opschriften toegevoegd.

3. (a) The free availability of published results of Antarctic research carried out since the beginning of the International Geophysical Year;
- (b) the transmission to the recognized international data gathering centres, before 1st July, 1963, of such publications already issued;
- (c) the transmission to these centres of future publications within two months of their issue or as soon thereafter as practicable.

II-II

(Conservation of Antarctic fauna and flora)

Recalling and reaffirming Recommendation I-VIII of the First Consultative Meeting, and expressing their conviction that the general rules attached to that Recommendation should be scrupulously observed,

The Representatives recommend to their Governments that:

- (a) they collect and exchange information on the measures which they have adopted for the protection of living resources in the Antarctic;
- (b) they promote the further exchange and evaluation of information about the existing state of living resources in the Antarctic;
- (c) they consult together with a view to the establishment, in an appropriate form and at an early date, of effective and internationally agreed measures on this subject;
- (d) these consultations should take into account the rules attached to Recommendation I-VIII of the First Consultative Meeting, the recommendations made on this subject by SCAR, the proposal submitted by the Delegation of the United Kingdom in Document P.3 to the Second Consultative Meeting, and the views expressed by Delegations in the discussion of this item;
- (e) in the course of the meetings held to prepare the Third Consultative Meeting they undertake the task of formulating, on the basis of the principles enunciated above, the draft text of measures on this subject to be submitted to that Consultative Meeting with a view to its approval and recommendation to Governments.

II-III

(Telecommunications)

The Representatives, taking into consideration Recommendation I-XI of the First Consultative Meeting concerning Antarctic radio

communications, recommend to their Governments that the proposed meeting of specialists in Antarctic radio communications should take place between 1st May and 31st August, 1963, on a date and at a place to be fixed.

II-IV

(Exchange of information on operations)

In accordance with Article VII, paragraph 5, of the Antarctic Treaty, the Representatives recommend to their Governments that they should endeavour to furnish prompt and full information regarding their Antarctic activities as listed in Recommendation I-VI of the First Consultative Meeting, and within the time limits indicated in that Recommendation.

II-V

(Symposium on logistic problems)

The Representatives recommend to their Governments that in view of Recommendation I-VII of the First Consultative Meeting designed to achieve one of the objectives of the Antarctic Treaty, namely the creation of conditions necessary for carrying out scientific investigation, and in view of the logistic symposium organized by SCAR which is soon to take place:

- (a) a meeting or symposium of experts should be held, to review the present state of knowledge acquired on the organization of expeditions, logistic support and transport, in order to evaluate such knowledge;
- (b) consultations be held during the preparations for the next Consultative Meeting to fix a suitable date, place, organization and agenda for such meeting or symposium.

II-VI

(Modifications of reported activities)

The Representatives recommend to their Governments that they report through diplomatic channels, as soon as possible, and in any case prior to 30th June of each year, on any extensions, reductions or other modifications in the development of the activities previously reported in accordance with Article VII, paragraph 5, of the Antarctic Treaty, and Recommendation I-VI of the First Consultative Meeting.

II-VII

(Shipment of scientific materials)

The Representatives recommend to their Governments that, in order better to implement Articles II and III of the Antarctic Treaty and Recommendations I-I and I-II of the First Consultative Meeting, they should make appropriate arrangements:

- (a) to expedite the execution of administrative procedures required by their laws, regulations and binding international agreements that apply to shipments of samples, specimens, records and scientific instruments related to Antarctic scientific research;
- (b) to provide proper care in the handling of this type of shipments.

II-VIII

(International Years of the Quiet Sun (1964-65))

The Representatives recommend to their Governments that they should encourage, by whatever means they consider appropriate, international co-operation and the interchange of scientific personnel, observations and results, in connexion with their respective national programmes of Antarctic scientific investigation and research associated with the International Year of the Quiet Sun (1964-65).

II-IX

(Consultative Meeting Recommendations)

The Representatives recommend to their Governments:

- (a) that they take the necessary steps to examine as soon as possible, in conformity with their legal and constitutional procedures, the recommendations adopted by any Consultative Meeting and that they take a decision on such recommendations as they find themselves able to approve as soon as possible after such recommendations have been officially communicated to them by the government which was the host for the Consultative Meeting concerned;
- (b) that if they find themselves unable to give early approval to one or more of the recommendations of a Consultative Meeting, they should signify their approval of the remaining recommendations, whether separately or as a group, as soon as they are able to do so.

II-X

(Third Consultative Meeting)

The Representatives recommend that their Governments accept the offer made by the Delegation of Belgium, to the effect that the Third Consultative Meeting under Article IX of the Antarctic Treaty be held in Brussels.

This Meeting will be held on a date to be decided upon by agreement among the participating governments.

De volgende Staten hebben deze Aanbevelingen goedgekeurd:

Argentinië	11 september 1962
de Sowjet-Unie	4 oktober 1962
Chili	17 oktober 1962
Australië	18 oktober 1962
Nieuw-Zeeland	1 november 1962
Frankrijk	8 november 1962
Zuid-Afrika	15 november 1962
Japan	16 november 1962
het Verenigd Koninkrijk van Groot-Brit- tannië en Noord-Ierland	30 november 1962
de Verenigde Staten van Amerika	4 december 1962
België	13 december 1962
Noorwegen	11 januari 1963

De Aanbevelingen zijn ingevolge artikel IX, lid 4, van het Verdrag op 11 januari 1963 van kracht geworden.

Tijdens de van 2 tot 13 juni 1964 te Brussel gehouden Derde Consultatieve Conferentie werd een aantal Aanbevelingen aangenomen, waarvan de Engelse tekst als volgt luidt:

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.

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 Logistics 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

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 to 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 co-ordinating 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.

III–VII

Acceptance of approved Recommendations

Since the Recommendations approved by the Contracting Parties entitled to participating in meetings held in accordance with Article IX of the Antarctic Treaty are so much a part of the overall structure of co-operation 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-VIII

Agreed 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 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" ¹⁾.

III-IX

Interim Guide Lines for the 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.

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;

1) Tekst op blz. 18 e.v. van dit *Tractatenblad*.

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.
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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;

Recognizing the scientific importance of the study of Antarctic fauna and flora, their adaptation to their rigorous environment, and their inter-relationship 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

(Area of application¹)

1. These Agreed Measures shall apply to the same area to which the Antarctic Treaty is applicable (hereinafter referred to as the

¹) De artikelen droegen oorspronkelijk geen opschriften. Uit praktisch oogpunt zijn echter de tussen haken geplaatste opschriften toegevoegd.

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

(Definitions)

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 authorized 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

(Implementation)

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

Article IV

(Publicity)

The Participating Governments shall prepare and circulate to members of expeditions and stations information to ensure under-

standing 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

(Cases of extreme emergency)

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

(Protection of native fauna)

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 authorize 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 jeopardize the existing natural ecological system or the survival of that species.

Article VII

(Harmful interference)

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

(Specially Protected Areas)

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 jeopardize the natural ecological system existing in that Area.

Article IX

(Introduction of non-indigenous species, parasites and diseases)

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 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

(Activities contrary to the principles and purposes of these Measures)

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

(Ships' crews)

Each Participating Government whose expeditions use ships sailing under flags of nationalities other than its own shall, as far as feasible, arrange with the owners of such ships that the crews of these ships observe these Agreed Measures.

Article XII

(Exchange of information)

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 1st July to 30th June relating to the implementation of these Agreed Measures. Governments exchanging 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

(Formal provisions)

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 effective 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
(Amendment)

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 and 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*¹⁾

Annex B

*Specially Protected Areas*¹⁾

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.

¹⁾ Bijlage A en B zullen op de volgende Consultatieve Conferentie worden behandeld. Zie ook Aanbeveling III-X.

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 1st July, 1966.

De volgende Staten hebben deze Aanbevelingen ¹⁾ goedgekeurd:

Australië	2 september 1964
Zuid-Afrika	7 oktober 1964
Nieuw-Zeeland	1 december 1964
het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland	4 december 1964
België	7 december 1964
Japan	19 januari 1965
Chili	26 februari 1965
Frankrijk	17 maart 1965
de Sowjet-Unie	20 maart 1965
Argentinië	24 september 1965
Noorwegen	1 december 1965
de Verenigde Staten van Amerika	27 juli 1966

1) De Aanbevelingen VII en VIII zijn nog niet unaniem goedgekeurd.

Uitgegeven de zestiende mei 1967.

De Minister van Buitenlandse Zaken a.i.,
DE JONG.