



LONDON

Item 6 of the Agenda

ANT/IX/55

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ITEM 6: THE LIVING MARINE RESOURCES OF THE ANTARCTIC
DECLARATION OF THE DELEGATION OF ARGENTINA

Following an initial discussion by the full meeting and as the Working Party begins to consider the important question of the living marine resources of the Antarctic, the Argentina Delegation considers that it should make clear its views concerning both matters of substance and procedural issues relating to the later handling of this subject. In doing so, its intention is not merely to explain its attitude to the current status of the problem, but also to contribute to the greater effectiveness of the efforts being made within the framework provided by the Treaty to achieve a solution which will be jointly acceptable to the Consultative Parties.

1. The importance attaching to the conservation of the living resources of the sea, apart from whales and seals which are regulated by their own particular system, is beyond dispute, as is also the need to take really effective measures to achieve this conservation.

2. This matter has acquired even greater urgency than in the past as some countries which are Consultative Parties to the Treaty, and some which are not, have recently begun fishing operations in the area.

3. The Consultative Parties have a very clear policy line deriving from the interest shown in the conservation of living resources in general, and they have experience in the adoption of the measures needed to achieve this conservation, even if, at the present moment, the basic information necessary to the adoption of regulations is lacking in regard to some aspects of fishing.

4. There is, moreover, a present consensus among the representatives that the necessary steps must be taken on this occasion for the adoption in the near future of an agreement between the Consultative Parties relating to the living resources of the sea.

In examining this question, account needs to be taken of the following main

guidelines:

a) Full Implementation of the Antarctic Treaty

It is the view of my delegation that this issue cannot be stressed too much. Despite the conscientious attitude of the Consultative Parties, when we approach so many fundamental and procedural issues relating to the future standardization of the rational use of the living resources of the sea, we must keep in the forefront of our minds the spirit and provisions of the Treaty, so as to avoid the adoption of measures which might end up by nullifying the effectiveness of the instrument which regulates the activities currently in progress in Antarctica. For instance, given the fact that the Treaty area is that lying to the south of latitude 60° and that it is in the interests of conservation and the Consultative Parties that the norms regulating the living resources of the sea should cover a more extensive area, it is necessary to adopt an ad hoc procedure for achieving both objectives.

b) There is no doubt whatsoever that the Consultative Parties must take the initiative in regularizing the conservation and rational use of the living marine resources of the Southern Oceans, where a legal vacuum exists at the moment. They are in a better position than anybody else to do this, though they may act in conjunction with other countries engaged in fishing in the area once they have reached an understanding concerning the basic aspects of the agreement to be adopted. It follows from what has been said that the Consultative Parties must continue to play a serious, responsible and active role both in working out the relevant rules and in securing their proper and effective future application.

c) At the same time, sight must never be lost of the objective which has throughout been a fundamental concern of the Consultative Parties, that is to say the conservation of living resources and the protection of the antarctic ecosystem and of the other ecosystems dependent on it. This means, in other words, that the conservation and protection referred to above must be foremost among the ~~concerns~~ of the Consultative Parties, so as to ensure that the norms applied do not merely serve to facilitate the continuous and worrying decrease in numbers, if not the extinction, of species, as has most unfortunately been the case with the whale. It is our belief, Mr. Chairman, that the alarm must be sounded now, at the outset of our deliberations, so that carried forward by the impetus towards arriving at an early agreement we do not fail to take due account of the basic objective which, up till now, has always guided the efforts of the Consultative Parties. It is certain that the best of agreements, the

agreement drafted with the greatest care, can be nullified in practice if the Parties lack the firm will to adjust themselves to the implementation of its aims and provisions. But it is essential that the conservation issue, through the rational use of resources, should be the criterion which governs and guides the drafting of the rules.

d) It is understandable, and thoroughly justifiable, that countries like Argentina, Chile, Australia and New Zealand, whose geographical situation is closer to the coasts of Antarctica, have a profound interest in conserving the living resources of the Southern Oceans. It is not by chance, therefore, that the four countries whose position on sovereignty is well-known wish to play a full part in the efforts directed towards achieving this conservation. It is also clear that this interest must be taken into account in the agreement to be drafted so as to assist in achieving its overall objective.

The point has already been made at this Consultative Meeting that the necessary precautions should be taken to avoid a repetition of the extermination of the seal in the nineteenth, and of the whale in the present century. It should be said that, in both cases, most of the hunting took place in the South Atlantic sector, where the concentration of krill is the highest of any of the Southern Oceans. It is for this reason that Argentina has a fundamental and profound interest in arriving at a really effective agreement on the rational utilization of the living resources of the sea and is called upon to play an active part in the relevant negotiations in due recognition of this interest and its particular geographical location. Additional factors are the closeness of Argentina's Atlantic seaboard and its harbour facilities. All the factors mentioned can represent a valuable contribution by Argentina towards arriving at an acceptable agreement.

But we are still at the first stage of our work on the adoption of measures aimed at bringing about this result. The debates which have taken place during the plenary session of this Consultative Meeting, the documents presented by a number of delegations, including our own, and the mandate given to the Working Party confirm us in our opinion that progress should be made by stages along the lines already initiated. In order that the task assigned to the Working Party may be discharged with the maximum effectiveness, our delegation takes the liberty of suggesting that, without prejudice to the debate which must take place here, consideration should be given to the possibility of adopting two recommendations:

One relating to the provisional measures to be adopted, to take effect immediately following approval by the Governments, as an operative recommendation. With this in view, my delegation has presented document ANT/IX/34.

The other providing for the submission for consideration to the Governments of the Consultative Parties of the documents dealing with this subject presented to the Ninth Consultative Meeting and providing also for the convocation of an Extraordinary Consultative Meeting, which might be held towards the middle of the coming year, to deal with the drawing up of a draft agreement relating to the conservation of living marine resources, excluding whales and seals. On the foundation of a basic understanding between the Consultative Parties to be reached on that occasion a conference could then be called, to which would be invited those nations currently engaged in research and fishing in the Southern Oceans.

The continuation of the BIOMASS programme should be encouraged. In order that the Consultative Parties should not merely maintain the initiative but should play an active role in the conservation of the living resources of the Southern Oceans, and without prejudice to collaboration with the FAO in the areas where this is necessary, the Argentine delegation is authorized to offer the present facilities at the disposal of the National Institute for the Research and Development of the Mar de la Plata Fishing Industry which cover both the staff and material resources, which could be increased as required, needed to gather and issue statistical data relating to marine harvesting and fishing of the living resources of the antarctic ocean, in a way similar to that practised by the Committee on Whaling Statistics.

With regard to the documents which have been presented containing concrete proposals for an agreement, my delegation wishes it to be known that it appreciates the effort made and will consider the documents in a constructive spirit, but that it must consider the debates held during the present Consultative Meeting to be of a preliminary character only, since these proposals have not yet been submitted to Governments for their official reaction. It is understood that the proposals referred to must be considered in this light.

London, 26th September, 1977