



Australian Government
Department of Foreign Affairs and Trade

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Mr Peter Stephens
Committee Secretary
Joint Standing Committee on the National Capital and External Territories
PO Box 6021
Parliament House
Canberra ACT 2600
AUSTRALIA

Dear Mr Stephens

I write to convey the department's response to Questions on Notice on the Antarctic Treaty System received from the Joint Committee on the National Capital and External Territories following its hearing on 27 June 2012 on the advancement of Australia's interests in the Antarctic. The Australian Antarctic Division of the Department of Sustainability, Environment, Water, Population and Communities has provided a separate response on questions within its portfolio.

Text begins:

What role does the Antarctic Treaty System play in protecting Australia's sovereign interests in Antarctica?

The Antarctic Treaty System (ATS) plays a role in protecting Australia's sovereign interests by providing a framework for international cooperation under which parties active in the continent consult on its uses and management. Australia's interests are protected through maintaining the robustness and effectiveness of the ATS. Australia is actively engaged in the governance of Antarctica through our leading role in the annual Antarctic Treaty Consultative Meeting (ATCM), as demonstrated by the substantial outcomes which we delivered at the recent ATCM in June 2012 in Hobart, particularly in obtaining the agreement to develop a Multi-Year Strategic Work Plan to establish priority subjects for action by Consultative Parties. The ATCM is the primary forum for the discussion of Antarctic matters and plays a key role in ensuring ongoing cooperation on environmental protection, peaceful use and scientific research.

The Australian Antarctic Territory (AAT) is a sovereign part of Australia and is administered as such and is subject to Australia's legal regime. Under Article IV of the Antarctic Treaty, claims are neither refuted nor accepted and are effectively frozen. Australia acknowledges that the AAT is not universally recognised and supports the Antarctic Treaty and associated instruments as the best way to accommodate differing views on Antarctic sovereignty and protect Australia's interests.

- How do we use that Antarctic Treaty System to protect Australia's sovereign interests?

The ATS is the centrepiece of our engagement with Antarctica. Australia, as one of the 12 original signatories to the Antarctic Treaty, is a leading player in the system. The ATS provides a framework that enables Australia to protect and advance our key interests – scientific research, environmental protection and international cooperation.

Australia has consistently been at the forefront of efforts under the ATS to facilitate Antarctic research and cooperation, as well as to maintain Antarctica as a demilitarised and pristine environment in line with our strong strategic and security interests. We work through the ATS to give strategic direction to future ATCM activities and to build links to enable cutting edge Antarctic research to feed into the comprehensive protection of the Antarctic environment and dependent and associated ecosystems. Australia attaches a high priority to protecting the Antarctic and the Southern Ocean environment, having regard to its special qualities and effects on our region. We work through the Commission for the Conservation of Antarctic Marine Living Resources and bilateral arrangements to help combat illegal, unreported and unregulated fishing in the Southern Ocean.

Australia's sovereignty over the Australian Antarctic Territory is preserved and protected under Article IV of the Antarctic Treaty, which provides that no actions taken while the Treaty is in force constitute a basis for asserting, supporting or denying a claim and no new claim or enlargement of an existing claim can be asserted.

Within the ATS framework, Australia has an established presence in Antarctica. This includes legislation which applies to Antarctica and inspections of other countries' Antarctic stations. Australia has been active in Antarctica for more than 100 years and runs three permanent Antarctic research stations on the Antarctic continent: Mawson, Davis and Casey stations. All stations are occupied year-round by scientists and support staff.

Text ends.

Yours sincerely



Dr Greg French
Assistant Secretary
International Organisations & Legal Division