



PM/83/28

PRIME MINISTERPrime Minister

Agree para. 7, subject to views
of Ministerial colleagues?

A.J.C. 25/3

Yes and

British Policy in Antarctica: Minerals

1. In my minute of 16 December last I informed you, OD colleagues and other interested Ministers of the progress of the negotiations among Antarctic Treaty States for an Antarctic minerals regime, and of the further round to take place in Wellington in January 1983. You agreed that the UK delegation should continue to pursue the approach agreed by colleagues in OD(82)51 of 4 June 1982. You may now find it helpful to have a note on the outcome of that meeting and the line our delegation will take in informal discussions to take place on this issue in the margins of a meeting in Canberra in April on general Antarctic business.
2. The most recent meeting, unlike its predecessor, saw serious and detailed discussion of major issues. There was some progress on mainly technical matters. But there was no agreement, nor indeed any significant movement by any party, on the central questions related to sovereignty.
3. The UK delegation tabled detailed proposals embodying a strong Claimant position. But it soon became clear that our particular proposals would not be generally acceptable. Just as we (and other Claimants) are adamant in rejecting Non-Claimant proposals which treat all Antarctic Treaty States alike and deny special advantages for Claimant States, so the Non-Claimants will not accept proposals (like ours) overtly based on Claimant State sovereignty in their claimed areas. We therefore need to find other methods of securing our objectives, while still safeguarding our Claimant position.

/4. The



4. The Conference Chairman (from New Zealand, another Claimant State) concluded that the need for a bridge between the opposing extremes adopted by Claimant and Non-Claimant States was widely recognised, but no delegation was willing to take the first step. Other factors influencing him were that so much remains unknown about the possible exploitability of such mineral resources as there might be in Antarctica; and that the growing challenge to the existing Antarctic Treaty system by outside States (which featured at the recent NAM summit in New Delhi) led some delegations to believe that there was not enough time left to negotiate a fully detailed and comprehensive regime. Accordingly, in the closing minutes of the Conference the New Zealand Chairman tabled some 'personal proposals' to move the negotiations forward. They envisaged a framework regime leaving much of the detailed negotiation on important issues - such as the terms on which any minerals activities might take place - to be agreed on a case by case basis when and if such activities become a real commercial prospect.

5. It is still too soon to take a definitive view of the proposals. Within Whitehall, officials are studying them, particularly in the light of the five negotiating objectives set out in paragraph 2 of the steering brief annexed to OD(82)51 (attached below). The proposals will also require considerable clarification and elaboration between ourselves and our Treaty partners before we can be satisfied that they will enable us to achieve our basic aims. Meanwhile, we believe that they do have sufficient merit to form a basis for further negotiation.

See Flag A.

6. The next formal session of minerals negotiations will take place in Bonn in July. We shall use the Canberra Antarctic meeting for informal discussions with Claimant States on their response to the 'personal proposals' so as to work for a more united Claimant State approach. (The



Claimant States at the recent Wellington negotiations were somewhat less united than previously.)

7. I therefore propose to instruct our delegation to continue to work in Canberra within the framework of the negotiating aims agreed in OD(82)51; to explore with other delegations whether the Chairman's proposals could form the starting point for future negotiations; and to accept *that* they should do so if our other Treaty partners also agree. I shall report back to colleagues after the Canberra meeting and seek approval for the line to be taken by our delegation at the Bonn meeting.

8. I am copying to OD colleagues, the Secretaries of State for Education and Science, Industry and Environment, and the Head of CPRS.

Prime Minister
You may feel that the delegation's agreement should be ad substantum to Ministers?

A.F.C. 28.3

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(FRANCIS PYM)

Foreign and Commonwealth Office
28 March 1983

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British Policy on
the Antarctic

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UK OBJECTIVES FOR AN ANTARCTIC MINERALS REGIME, AGREED IN
OD(82)51

'In particular, the delegation should work for a minerals regime framework which:

- (a) does not involve establishing a costly international organization;
- (b) does not involve governments being responsible for initiating and financing mineral activities but instead envisages a concessionary regime where the initiation and financing of operations lies with commercial entities taking their decisions in accordance with commercial criteria;
- (c) gives the Claimant State governments a part to play regarding activity in their claimed areas which is distinct from that of the regime's authority;
- (d) gives each Claimant State the largest possible share of any benefits from exploitation of minerals within its claimed area, being a share which is greater than that of the non-Claimants;
- (e) which minimises the cost of mineral activity to UK public funds.