SCHEDULES

SCHEDULE 1

Section 10.

THE ANTARCTIC TREATY

The Governments of Argentina, Australia, Belgium, Chile, the French Republic, Japan, New Zealand, Norway, the Union of South Africa, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America,

Recognising that it is in the interest of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord ;

Acknowledging the substantial contributions to scientific knowledge resulting from international co-operation in scientific investigation in Antarctica;

Convinced that the establishment of a firm foundation for the continuation and development of such co-operation on the basis of freedom of scientific investigation in Antarctica as applied during the International Geophysical Year accords with the interests of science and the progress of all mankind ;

Convinced also that a treaty ensuring the use of Antarctica for peaceful purposes only and the continuance of international harmony in Antarctica will further the purposes and principles embodied in the Charter of the United Nations ;

Have agreed as follows:

ARTICLE I

- 1 Antarctica shall be used for peaceful purposes only. There shall be prohibited, inter alia, any measures of a military nature, such as the establishment of military bases and fortifications, the carrying out of military manoeuvres, as well as the testing of any type of weapons.
- 2 The present Treaty shall not prevent the use of military personnel or equipment for scientific research or for any other peaceful purpose.

ARTICLE II

Freedom of scientific investigation in Antarctica and co-operation toward that end, as applied during the International Geophysical Year, shall continue, subject to the provisions of the present Treaty.

ARTICLE III

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In order to promote international co-operation in scientific investigation in Antarctica, as provided for in Article II of the present Treaty, the Contracting Parties agree that, to the greatest extent feasible and practicable :

- (a) information regarding plans for scientific programmes in Antarctica shall be exchanged to permit maximum economy and efficiency of operations ;
- (b) scientific personnel shall be exchanged in Antarctica between expeditions and stations ;
- (c) scientific observations and results from Antarctica shall be exchanged and made freely available.

In implementing this Article, every encouragement shall be given to the establishment of co-operative working relations with those Specialized Agencies of the United Nations and other international organisations having a scientific or technical interest in Antarctica.

ARTICLE IV

- 1 Nothing contained in the present Treaty shall be interpreted as :
 - (a) a renunciation by any Contracting Party of previously asserted rights of or claims to territorial sovereignty in Antarctica ;
 - (b) a renunciation or diminution by any Contracting Party of any basis of claim to territorial sovereignty in Antarctica which it may have whether as a result of its activities or those of its nationals in Antarctica, or otherwise ;
 - (c) prejudicing the position of any Contracting Party as regards its recognition or non-recognition of any other State's right of or claim or basis of claim to territorial sovereignty in Antarctica.
- 2 No acts or activities taking place while the present Treaty is in force shall constitute a basis for asserting, supporting or denying a claim to territorial sovereignty in Antarctica or create any rights of sovereignty in Antarctica. No new claim, or enlargement of an existing claim, to territorial sovereignty in Antarctica shall be asserted while the present Treaty is in force.

ARTICLE V

- 1 Any nuclear explosions in Antarctica and the disposal there of radioactive waste material shall be prohibited.
- 2 In the event of the conclusion of international agreements concerning the use of nuclear energy, including nuclear explosions and the disposal of radioactive waste material, to which all of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX are parties, the rules established under such agreements shall apply in Antarctica.

ARTICLE VI

The provisions of the present Treaty shall apply to the area south of 60° South Latitude, including all ice shelves, but nothing in the present Treaty 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 that area.

ARTICLE VII

- 1
- In order to promote the objectives and ensure the observance of the provisions of the present Treaty, each Contracting Party whose representatives are entitled to participate in the meetings referred to in Article IX of the Treaty shall have the

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right to designate observers to carry out any inspection provided for by the present Article. Observers shall be nationals of the Contracting Parties which designate them. The names of observers shall be communicated to every other Contracting Party having the right to designate observers, and like notice shall be given of the termination of their appointment.

- 2 Each observer designated in accordance with the provisions of paragraph 1 of this Article shall have complete freedom of access at any time to any or all areas of Antarctica.
- 3 All areas of Antarctica, including all stations, installations and equipment within those areas, and all ships and aircraft at points of discharging or embarking cargoes or personnel in Antarctica, shall be open at all times to inspection by any observers designated in accordance with paragraph 1 of this Article.
- 4 Aerial observation may be carried out at any time over any or all areas of Antarctica by any of the Contracting Parties having the right to designate observers.
- 5 Each Contracting Party shall, at the time when the present Treaty enters into force for it, inform the other Contracting Parties, and thereafter shall give them notice in advance, of
 - (a) all expeditions to and within Antarctica, on the part of its ships or nationals, and all expeditions to Antarctica organized in or proceeding from its territory;
 - (b) all stations in Antarctica occupied by its nationals ; and
 - (c) any military personnel or equipment intended to be introduced by it into Antarctica subject to the conditions prescribed in paragraph 2 of Article I of the present Treaty.

ARTICLE VIII

- 1 In order to facilitate the exercise of their functions under the present Treaty, and without prejudice to the respective positions of the Contracting Parties relating to jurisdiction over all other persons in Antarctica, observers designated under paragraph 1 of Article VII and scientific personnel exchanged under sub-paragraph 1 (b) of Article III of the Treaty, and members of the staffs accompanying any such persons, shall be subject only to the jurisdiction of the Contracting Party of which they are nationals in respect of all acts or omissions occurring while they are in Antarctica for the purpose of exercising their functions.
- 2 Without prejudice to the provisions of paragraph 1 of this Article and pending the adoption of measures in pursuance of subparagraph 1 (e) of Article IX, the Contracting Parties concerned in any case of dispute with regard to the exercise of jurisdiction in Antarctica shall immediately consult together with a view to reaching a mutually acceptable solution.

ARTICLE IX

1 Representatives of the Contracting Parties named in the preamble to the present Treaty shall meet at the City of Canberra within two months after the date of entry into force of the Treaty, and thereafter at suitable intervals and places, for the purpose of exchanging information, consulting together on matters of common interest pertaining to Antarctica, and formulating and considering, and recommending to their Governments, measures in furtherance of the principles and objectives of the Treaty, including measures regarding :

- (a) use of Antarctica for peaceful purposes only;
- (b) facilitation of scientific research in Antarctica;
- (c) facilitation of international scientific co-operation in Antarctica;
- (d) facilitation of the exercise of the rights of inspection provided for in Article VII of the Treaty ;
- (e) questions relating to the exercise of jurisdiction in Antarctica ;
- (f) preservation and conservation of living resources in Antarctica.
- 2 Each Contracting Party which has become a party to the present Treaty by accession under Article XIII shall be entitled to appoint representatives to participate in the meetings referred to in paragraph 1 of the present Article, during such time as that Contracting Party demonstrates its interest in Antarctica by conducting substantial scientific research activity there, such as the establishment of a scientific station or the despatch of a scientific expedition.
- 3 Reports from the observers referred to in Article VII of the present Treaty shall be transmitted to the representatives of the Contracting Parties participating in the meetings referred to in paragraph 1 of the present Article.
- 4 The measures referred to in paragraph 1 of this Article shall become effective when approved by all the Contracting Parties whose representatives were entitled to participate in the meetings held to consider those measures.
- 5 Any or all of the rights established in the present Treaty may be exercised as from the date of entry into force of the Treaty whether or not any measures facilitating the exercise of such rights have been proposed, considered or approved as provided in this Article.

ARTICLE X

Each of the Contracting Parties undertakes to exert appropriate efforts, consistent with the Charter of the United Nations, to the end that no one engages in any activity in Antarctica contrary to the principles or purposes of the present Treaty.

ARTICLE XI

- 1 If any dispute arises between two or more of the Contracting Parties concerning the interpretation or application of the present Treaty, those Contracting Parties shall consult among themselves with a view to having the dispute resolved by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice.
- 2 Any dispute of this character not so resolved shall, with the consent, in each case, of all parties to the dispute, be referred to the International Court of Justice for settlement ; but failure to reach agreement on reference to the International Court shall not absolve parties to the dispute from the responsibility of continuing to seek to resolve it by any of the various peaceful means referred to in paragraph 1 of this Article.

ARTICLE XII

(a) The present Treaty may be modified or amended at any time by unanimous agreement of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX. Any such

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modification or amendment shall enter into force when the depositary Government has received notice from all such Contracting Parties that they have ratified it.

- (b) Such modification or amendment shall thereafter enter into force as to any other Contracting Party when notice of ratification by it has been received by the depositary Government. Any such Contracting Party from which no notice of ratification is received within a period of two years from the date of entry into force of the modification or amendment in accordance with the provisions of sub-paragraph 1 (a) of this Article shall be deemed to have withdrawn from the present Treaty on the date of the expiration of such period.
- (a) If after the expiration of thirty years from the date of entry into force of the present Treaty, any of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX so requests by a communication addressed to the depositary Government, a Conference of all the Contracting Parties. shall be held as soon as practicable to review the operation of the Treaty.
- (b) Any modification or amendment to the present Treaty which is approved at such a Conference by a majority of the Contracting Parties there represented, including a majority of those whose representatives are entitled to participate in the meetings provided for under Article IX, shall be communicated by the depositary Government to all the Contracting Parties immediately after the termination of the Conference and shall enter into force in accordance with the provisions of paragraph 1 of the present Article.
- (c) If any such modification or amendment has not entered into force in accordance with the provisions of sub-paragraph 1 (a) of this Article within a period of two years after the date of its communication to all the Contracting Parties, any Contracting Party may at any time after the expiration of that period give notice to the depositary Government of its withdrawal from the present Treaty ; and such withdrawal shall take effect two years after the receipt of the notice by the depositary Government.

ARTICLE XIII

- 1 The present Treaty shall be subject to ratification by the signatory States. It shall be open for accession by any State which is a Member of the United Nations, or by any other State which may be invited to accede to the Treaty with the consent of all the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX of the Treaty.
- 2 Ratification of or accession to the present Treaty shall be effected by each State in accordance with its constitutional processes.
- 3 Instruments of ratification and instruments of accession shall be deposited with the Government of the United States of America, hereby designated as the depositary Government.
- 4 The depositary Government shall inform all signatory and acceding States of the date of each deposit of an instrument of ratification or accession, and the date of entry into force of the Treaty and of any modification or amendment thereto.
- 5 Upon the deposit of instruments of ratification by all the signatory States, the present Treaty shall enter into force for those States and for States which have

deposited instruments of accession. Thereafter the Treaty shall enter into force for any acceding State upon the deposit of its instrument of accession.

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The present Treaty shall be registered by the depositary Government pursuant to Article 102 of the Charter of the United Nations.

ARTICLE XIV

The present Treaty, done in the English, French, Russian and Spanish languages, each version being equally authentic, shall be deposited in the archives of the Government of the United States of America, which shall transmit duly certified copies thereof to the Governments of the signatory and acceding States.

SCHEDULE 2

Section 10.

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 ;

Recognising 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 circum-polar 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

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

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 authorised 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

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

ARTICLE IV

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

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

- 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 jeopardise the existing natural ecological system or the survival of that species.

ARTICLE VII

- 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

The areas of outstanding scientific interest listed in Annex B shall be designated "Specially Protected Areas" and shall be accorded special protection by the

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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 jeopardise the natural ecological system existing in that Area.

ARTICLE IX

- 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

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

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

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The Participating Government 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

- 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

- 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

[Species recommended for inclusion in this Annex in pursuance of Article 1X(1) of the Antarctic Treaty

- 1 All species of the genus Arctocephalus, Fur Seals.
- 2 Ommatophoca rossi, Ross Seal.]

ANNEX B

SPECIALLY PROTECTED AREAS

[Areas recommended for inclusion in this Annex in pursuance of Article IX(1) of the Antarctic Treaty

1	Taylor Rookery, Mac. Robertson Land. Lat. 67° 26' S., Long. 60° 50' E.
2	Rookery Islands, Holme Bay. Lat. 67° 37' S., Long 62° 33' E.
3	Ardery Island and Odbert Island, Budd Coast. Lat. 66 ° 22' S., Long. 110 ° 28' E. and Lat. 66 ° 22' S., Long 110° 33' E.
4	Sabrina Island, Balleny Islands. Lat. 66° 54' S., Long. 163° 20' E.
5	Beaufort Island, Ross Sea. Lat. 76 ° 58' S., Long. 167 ° 03' E.
6	Cape Crozier, Ross Island. Lat. 77 ° 32' S., Long. 169 ° 19'E.
7	Cape Hallett, Victoria Land. Lat. 72 ° 18' S., Long. 170 ° 19' E.
8	Dion Islands, Marguerite Bay, Antarctic Peninsula. Lat. 67° 52' S., Long. 68° 43' W.
9	Green Island, Berthelot Islands, Antarctic Peninsula. Lat. 65 ° 19' S., Long. 64 ° 10' W.
10	Byers Peninsula, Livingston Island, South Shetland Islands. Lat. 620 38' S., Long. 61° 05' W.
11	Cape Shirreff, Livingston Island, South Shetland Islands. Lat. 62° 28' S., Long. 60° 48' W.
12	Fildes Peninsula, King George Island, South Shetland Islands. Lat. 62° 12' S., Long. 58° 58' W.
13	Moe Island, South Orkney Islands.

Lat. 60° 45'S., Long. 45° 41' W.

- 14 Lynch Island, South Orkney Islands. Lat. 60 ° 40'S., Long. 45 ° 38' W.
- Southern Powell Island and adjacent islands, South Orkney Islands.
 Lat. 60 ° 45' S., Long. 45 ° 02' W.]

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.

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 innoculated against the following diseases :
 - (a) distemper;
 - (b) contagious canine hepatitis ;
 - (c) rabies;
 - (d) leptospirosis (L. canicola and L. icterohaenzoi rhagicae).

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.