

III. Territorial Claims of Antarctica

Introduction

Signed in December 1959 and entered into force June 1961, the Antarctica Treaty was created to guarantee the peaceful use of the Antarctic region.¹ The region is almost exclusively used for scientific research, as per the Treaty's agreement.² However, there have been tensions in the region due to territorial claim disputes that could possibly turn into much larger security threats if not handled correctly. The Antarctic Treaty was originally drafted by 12 different Member States: Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, South Africa, Russian Federation (formally the USSR), the United Kingdom, and the United States of America (USA).³ As dictated in Article I of the Treaty, "Antarctica shall be used for peaceful purposes only."⁴ No military bases, military maneuvers, or weapons testing of any kind is allowed in the region.⁵ The main activities that can be conducted in Antarctica are scientific research. The Treaty mentions multiple time on the importance of scientific research and coordination to insure "maximum economy and efficiency of operations."⁶ The Treaty also prohibits Member States and any other non-state actors from claiming the territory by stating that "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."⁷

History of Territorial Claims

Seven different Member States have made a total of eight territorial claim of Antarctica: Argentina, Australia, Chile, France, New Zealand, Norway, and the United Kingdom.⁸ These Member States typically locate their scientific study and observation center within their respective territories, but a number of scientific centers have been placed outside their claimed region.⁹ Other Member States without claim have also developed research facilities in territory claimed by others such as India, Russian Federation, and the USA.¹⁰

Historically, the United Kingdom and Argentina have had the most tension regarding Antarctic claims, and this continued to escalate post the Second World War.¹¹ In 1948, the British sent Royal Navy warships to the region to prevent naval incursions.¹² This led to the only shots fired in anger in the Antarctic. In 1952, the Argentine team was approached by the British and proceeded to fire a machine gun over the heads of the British research group while unloading supplies.¹³ Argentina released an official diplomatic apology, claiming there had been a misunderstanding with an Argentine military commander who had exceeded their authority.¹⁴

The USA became interested in the region, primarily for political reasons, before and during World War II.¹⁵ From 1939 to 1941, the USA's Antarctic Service Expedition was funded by the government (and donations from the private sector) in order to construct two bases in Antarctica: East Base and West Base.¹⁶ Two years after the project

¹ Antarctic Treaty, United Nations Office for Disarmament Affairs, December 1, 1959. Accessed on September 10, 2020, from <http://disarmament.un.org/treaties/t/Antarctic/text>

² Antarctic Treaty, United Nations Office for Disarmament Affairs.

³ Antarctic Treaty, United Nations Office for Disarmament Affairs.

⁴ Antarctic Treaty, United Nations Office for Disarmament Affairs.

⁵ Antarctic Treaty, United Nations Office for Disarmament Affairs.

⁶ Antarctic Treaty, United Nations Office for Disarmament Affairs.

⁷ Antarctic Treaty, United Nations Office for Disarmament Affairs.

⁸ Antarctic Treaty, United Nations Office for Disarmament Affairs,

⁹ "Parties-The Antarctic Treaty", The Secretariat of the Antarctic Treaty

¹⁰ "Parties-The Antarctic Treaty", The Secretariat of the Antarctic Treaty

¹¹ Sullivan, W, "1948 British-Argentine Clashes in Antarctic Ended Peacefully", New York Times, May 24, 1982. Accessed on September 10, 2020, <https://www.nytimes.com/1982/05/24/world/1948-british-argentine-clashes-in-antarctic-ended-peacefully.html>

¹² Sullivan, W, "1948 British-Argentine Clashes in Antarctic Ended Peacefully"

¹³ Sullivan, W, "1948 British-Argentine Clashes in Antarctic Ended Peacefully"

¹⁴ Sullivan, W, "1948 British-Argentine Clashes in Antarctic Ended Peacefully"

¹⁵ Bertran, Kenneth J., *Americans in Antarctica 1775-1948*, 1971, New York: American Geographical Society, <https://archive.org/details/americansinantar0000bert>

¹⁶ Bertran, Kenneth J., *Americans in Antarctica 1775-1948*

started, the base were evacuated due rising international tensions.¹⁷ After WWII, the USA's interest in the region shifted to a purely geopolitical motive. From 1946 till 1947, Operation Highjump was executed to create the research base Little America IV with the purpose of "training personnel and testing equipment in frigid conditions and amplifying existing stores of knowledge of hydrographic, geographic, geological, meteorological, and electromagnetic propagation conditions in the area."¹⁸ While it was publicly denied, the USA wanted to use Highjump as a way to extend American sovereignty over one of the largest practicable areas of the continent.¹⁹ Meanwhile, in 1955, the British tried to ease the tensions with Latin America by submitting an application to adjudicate the territorial claims between itself and Argentina and Chile to the International Court of Justice.²⁰ However, the proposals was not accepted as both Chile and Argentina did not support the integration arbitration procedure.²¹

The first negotiations of an international condominium over Antarctica began in 1948 which evolved the eight Member States that had territory claim: the United Kingdom, Australia, New Zealand, USA, France, Norway, Chile, and Argentina.²² The Member States tried excluding the USSR from these talks, but in 1950 the Soviet Union "declared an interest in the region, refused to recognize any claims of sovereignty and reserved the right to make its own claims" of the region.²³ A turning point and what lead to the creation of the Antarctic Treaty was the International Geophysical Year (IGY) of 1957-1958.²⁴ During this year, an 18-month long period of intense Antarctic scientific research was triggered.²⁵ More than 70 scientific organizations from Member States all around the world came to continent for research purposes.²⁶ However, with so many new players in the region, the threat of militarization was rising. To prevent the militarization of Antarctica the USA, United Kingdom, the USSR, and nine other Member States with key territorial interests in their region drafted the Antarctic Treaty.²⁷ With it being signed in 1959 and enforced in 1961, Antarctica was officially reserved for scientific research.²⁸ The Treaty also prohibits military activity in the region as well as a freedom for scientific investigation on the continent.²⁹ This Treaty was the first arms control agreement of the Cold War.³⁰

Current Situation

Seven Member States have made eight territorial claims to the continent south of the 60-degrees parallel before 1961.³¹ All of these claimed areas are sectors, except Peter I Island which is claimed by Norway.³² The claims have only been recognized by some of the Member States.³³ The United Kingdom, Australia, France, Norway, and New Zealand all recognize the other's claim only as none of their individual claims overlap the other Member States.³⁴ The territories located north of the 60-degrees South circle of latitude are broken up into four islands that are still associated with the Antarctic.³⁵ There is Bouvet Island, French Southern Territories, Hard and McDonald Islands,

¹⁷ Bertran, Kenneth J., *Americans in Antarctica 1775-1948*

¹⁸ Kearns, David A. (2005). "Operation Highjump: Task Force 68". *Where Hell Freezes Over: A Story of Amazing Bravery and Survival*. New York: Thomas Dunne Books. p. 304,
<https://books.google.com/books?id=ZuMUEkBS3zwC&lpg=PA14&pg=PA14#v=onepage&q&f=false>

¹⁹ Kearns, David A. (2005). "Operation Highjump: Task Force 68"..

²⁰ Klaus Dodds (2012). *The Antarctic: A Very Short Introduction*. Oxford University Press,
<https://books.google.com/books?id=wWPEndQfJzsC>

²¹ Klaus Dodds (2012). *The Antarctic: A Very Short Introduction*. Oxford University Press.

²² Klaus Dodds (2012). *The Antarctic: A Very Short Introduction*. Oxford University Press.

²³ Klaus Dodds (2012). *The Antarctic: A Very Short Introduction*. Oxford University Press.

²⁴ "International Geophysical Year", Britannica, March 13, 2019, accessed on September 10, 2020,
<https://www.britannica.com/event/International-Geophysical-Year>

²⁵ "International Geophysical Year", Britannica,

²⁶ "International Geophysical Year", Britannica,

²⁷ "Parties-The Antarctic Treaty", The Secretariat of the Antarctic Treaty, Accessed September 10, 2020,
<https://www.ats.aq/devAS/Parties?lang=e>

²⁸ "Parties-The Antarctic Treaty", The Secretariat of the Antarctic Treaty,

²⁹ "Parties-The Antarctic Treaty", The Secretariat of the Antarctic Treaty,

³⁰ "Parties-The Antarctic Treaty", The Secretariat of the Antarctic Treaty,

³¹ "Story Map Journal – Antarctica Territory Claims" Earthstar Graphics, Accessed September 10,2020
<https://www.arcgis.com/apps/MapJournal/index.html?appid=2b1fd17f462047c087e9ce27152b2379#detail>

³² "Story Map Journal – Antarctica Territory Claims" Earthstar Graphics,

³³ "Story Map Journal – Antarctica Territory Claims" Earthstar Graphics,

³⁴ "Story Map Journal – Antarctica Territory Claims" Earthstar Graphics,

³⁵ "Story Map Journal – Antarctica Territory Claims" Earthstar Graphics,

and Prince Edward Islands.³⁶ These islands are territories of Norway, France, Australia, and South Africa respectively.³⁷

Other Member States or even current claimers of the region have expressed interest in gaining territory in Antarctica for some time now.³⁸ Both Russia and the United States have continued to reserve the right to make claims.³⁹ Brazil has been interested in making a claim in a section that would overlap with British and Argentine claims, but not Chilean claimed territory.⁴⁰ Peru has also tried to make reservation of its territorial right under the Antarctic Treaty and its influence on the scientific community.⁴¹ Uruguay stipulated in their signing of the Antarctic Treaty a “declaration in that it reserves its rights in Antarctica in accordance with international law.”⁴² Ecuador has also declared territorial rights of an area that overlaps with Chile’s and Norway’s claimed territory and yet this declaration was ratified in 1987.⁴³

Conclusion

While the Antarctic Treaty allocated the region for scientific research, tensions have been growing in the region. Current claimers are wanted new territory and disputing over borders between their assigned area. There are also now new Member States that want to claim part of the Arctic. This battle for Arctic territory could lead to major security threats like the militarization of Antarctica and even further conflicts with other Member States. The Security Council (SC) must reevaluate the Antarctic Treaty and the current situation to prevent these conflicts from arising. However, this re-evaluation could cause more issues. Other questions to consider are: How will amending the Antarctic Treaty impact the current research being done in the region? Should Member State have any claim at all to the region? Should only certain Member States be allowed to stake claim? How can we guarantee that Antarctica is divided evenly among the Member States that want to utilize it? Is it within SC preview and best interest to address the current issues within the region?

³⁶ “Story Map Journal – Antarctica Territory Claims” Earthstar Graphics,

³⁷ “Story Map Journal – Antarctica Territory Claims” Earthstar Graphics,

³⁸ Klaus Dodds (2012). *The Antarctic: A Very Short Introduction*. Oxford University Press, <https://books.google.com/books?id=wWPEnDQfJzsC>

³⁹ Klaus Dodds (2012). *The Antarctic: A Very Short Introduction*.

⁴⁰ “Rising power and Antarctica: Brazil’s changing interests”. The Polar Journal, July 2014, accessed September 10, 2020, <https://www.researchgate.net/publication/271626024>

⁴¹ “Reinvigorating Peru’s role in Antarctic geopolitics” Taylor and Francis online, June 17, 2015, accessed September 10, 2020 <https://www.tandfonline.com/doi/abs/10.1080/2154896X.2015.1030164>

⁴² “Final Report of the Thirty-first Antarctic Treaty Consultative Meeting - PART III: OPENING AND CLOSING ADDRESSES AND REPORTS FROM ATCM XXXI” (PDF). Secretariat of the Antarctic Treaty. p. 483. Retrieved September 20, 2020.

⁴³ “Ecuador” Scientific Committee on Antarctic Research, accessed on September 10, 2020 <https://www.scar.org/about-us/members/ecuador/>