

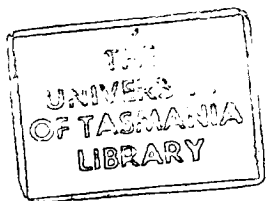
NON-STATE ACTORS IN THE ANTARCTIC  
TREATY SYSTEM

MAKING HERESY ORTHODOX

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submitted in fulfilment of the requirements for the degree  
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## ABSTRACT

In the period 1988-9, Antarctica's previously little troubled governing regime, the Antarctic Treaty System, descended into the most significant discord in its history with the rejection of the agreed Convention to Regulate Antarctic Mineral Resource Activities and its eventual replacement by the Protocol on Environment Protection containing a limited mining ban. This study argues that non-state actors were the driving force behind the defeat of CRAMRA. These actors, in the form of environment promotion non-government organisations, successfully substituted many of the objectives they sought, which were at odds with the regime and encapsulated in the notion of a "world park".

The study focusses on the role of non-state actors in the world today. It examines who they are in the Antarctic context and what attributes may prove important in their exercise of influence over the Antarctic Treaty System. It then uses the case study described above to test which attributes proved important in the exercise of influence in this period. Finally it considers what cautionary lesson lies therein for the operation of international regimes.

It is the thesis of this work that under some circumstances, non-state actors can be a decisive influence in forcing a change upon states acting together in an international regime. This conflicts with the political Realist's view that only states actually possess the power to accomplish political change, and non-state actors can do little more than encourage new directions. Instead it aligns with the political Rationalist's belief that allows non-state actors to be a customary part of the action in decisions made by international regimes. This study argues that it was the "heretics" outside the ATS who gained legitimacy with the wider public, and through individual government apparatuses. In contrast the ATS, which brought CRAMRA to fruition in a closed and little known negotiating process, failed to have this convention approved because it lacked

legitimacy. The ATS found that the world was prepared to adopt the non-state alternative.

The work begins with a theoretical review of authorities' views on non-state actors, their links with international regimes, and the state system of government. It continues with what is believed to be the first attempt to catalogue non-state actors involved with the ATS, a process that is carried out along a common typology. The case study is then examined in two distinct phases divided by the watershed of the agreement of CRAMRA. In the first phase we see the rise of environmentalism and non-state interest in Antarctica paralleling the rise of CRAMRA. In the second phase, the death of CRAMRA and birth of the Protocol on Environment Protection are examined through the prism of non-state activity in a sequence of five key countries. Finally, the study draws conclusions about the methods of change employed by non-state actors, attributes that made some of them more influential than others, and the overall influence of non-state actors on states in the ATS.

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## SOME INITIALS AND ACRONYMS

- ATCM - Antarctic Treaty Consultative Meeting
- ATCP - Antarctic Treaty Consultative Party
- ATS - Antarctic Treaty System
- CCAMLR - Convention (and Commission) for the Conservation of Antarctic  
Marine Living Resources
- CRAMRA - Convention on the Regulation of Antarctic Mineral Resource  
Activities
- NCP - Non-Consultative Party
- NGO - Non-government organisation
- PEP - Protocol on Environment Protection. The Madrid Protocol.
- SCM - Special Consultative Meeting

*"It is very clear that any refusal by the Treaty members to hear and to reason with their critics could result in an up-surge of rhetoric or mischief on the part of some organisations. In effect, the consultative parties have it within their power to prevent or to provoke a stronger reaction from the heretics..."*

- Sir Anthony Parsons, Antarctica - The Next Decade 1987

*"You've got to have a dream,  
if you don't have a dream,  
how are you going to make  
your dream come true?"*

- Oscar Hammerstein II  
"Happy Talk" South Pacific 1949

# INTRODUCTION

This study focusses on the role that non-state political actors play inside the international regime known as the Antarctic Treaty System. Non-state actors are flourishing in world politics today, for reasons including the rise of pluralism in states, spread of information technologies and increased interstate global non-state contacts. The explosion in their numbers can be seen in measurements such as the rise of the Union of International Associations' members from 176 in 1909 to 18,000 by the mid-1980s. (Boulding 1988, 35). Non-state actors are regarded by Rationalists as a customary part of the action in decisions made by international regimes. Yet Realists would say that only states actually possess the power to accomplish political change, and non-state actors can do little more than encourage new directions. This study follows the Rationalist view, arguing that it is necessary to understand non-state actors if one is to adequately explain international order [For fuller definition of Rationalists and Realists see Indyk in Aitkin, 1985].

In global politics, Antarctica was once less likely to come to the fore than the European state, Albania. Both were obscure, effectively cut off from the rest of the world. But on top of that Antarctica has no indigenous human population and even now few people interact in a continent where human activity is constricted by the severity of climate. Conflict between states over resources and territory of Antarctica was remarkable because of its rarity. Few now, for example, would recall the tensions of the late 1940s between Britain, Argentina and Chile over their overlapping territorial claims that at one point led to the firing of warning shots. But in recent decades an international awareness of Antarctica has grown for several reasons. Its mooted living and non-living resources values have added a harder edge to state interest, there has been growing popular interest in its natural beauty, and more pressingly it is a focus of popular and scientific interest in world environmental issues such as ozone depletion and global warming.

This has been accompanied by a growing non-state concern with the politics of the continent - the only one on earth governed by nations acting together in

an international regime. The Antarctic Treaty's primary purpose is to ensure "in the interests 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." (Heap 1989, xiv) Yet it is clear to commentators that Antarctica's governing system came close to descending into significant discord in the period 1988-91. Under the increased weight of external pressures, treaty governments split sharply over whether to discard their agreed minerals regime in favour of a non-state alternative: a mining ban inside a strong environment protection regime that was proposed by non-state actors. Until this period, the role of non-state actors in Antarctic politics had been little regarded. Such actors themselves tended to represent the older-style educated elites. But in the 1980s, increasing interest in Antarctic politics was taken by the globally strengthening environment promotion non-government organisations. It was they whose alternative was adopted.

This study's topic was chosen to illuminate their role, particularly over the 1988-91 period, which commentators say marked an important change in the Antarctic political theatre. "In the past neither NGOs nor public opinion proved a major driving force on Antarctic policy-makers," wrote the British academic Peter Beck. "The course of developments since 1988 suggested that for the first time a significant, even decisive, policy input was coming from below." (Beck 1990b, 110) The central argument of this study supports this view. Its thesis is that: *under some circumstances, non-state actors can be a decisive influence in forcing a change upon states acting together in an international regime.*

In order to test this thesis, a methodology has been chosen that attempts to build the work up from a theoretical base, through practical achievement to conclusions based on that theory and practice. It begins by examining the nature of non-state actors, and specifically those that are the focus of this work, the environment promotion non-government organisations. Next we need to see what attributes a non-state actor possesses that may make it influential in a political theatre. To make this assessment, non-state actors active in the ATS during the period of the case study are compared and contrasted.

The process then moves to a case study approach. This covers the period of the emergence of environment promotion groups' interest in Antarctica, through the negotiation of the ATS's Convention to Regulate Antarctic Mineral Resource Activities [CRAMRA], to its demise and replacement with the Protocol on Environment Protection [PEP]. The events of this era are examined in the light of non-state actors' activities - or lack of them - in order to consider what the objectives of non-state actors were, what strategies evolved to achieve them, and how these strategies were implemented.

This study then draws conclusions about how successful these non-state actors, particularly environment promotion NGOs, were in achieving their desired outcomes, and what attributes may have made one group of non-state actors more successful at exercising influence than others. Finally we consider the broader context. That is, what influence non-state actors can have over international regimes.

In order to carry out this process a chapter sequence has been chosen with the intention of constructing as dispassionate a picture as possible. The first chapter begins with a review of political theory about non-state actors, and of their relationships to a state system. It examines their position in current global politics, and particularly focusses on specific issue environment promotion NGOs' standing in relation to international regimes. The second chapter stands as what may be the first academic survey of individual non-state actors interacting with the ATS, particularly in the period up to 1991. Using the data of this survey, these actors are then measured against each other along a set of common characteristics derived from theorists' views in chapter one of which attributes are likely to make non-state actors influential.

In considering the shape of a case study, a logical political watershed appeared. In the first part of this process, the third chapter of this study, we see environment promotion NGOs beginning to take an interest in Antarctica, gradually becoming more engaged in processes of the state-based regime as CRAMRA moved towards agreement. Concomitantly with their entrenchment came the development of their own favoured alternative for the future

of the continent encapsulated in the phrase “world park”. In the latter half of the case study [the fourth chapter,] an examination is made of how, with CRAMRA moving out of a solely Antarctic theatre into ratification by individual states, these NGOs brought popular pressure to bear in order to achieve their own goals. Limitations of space and time mean that it is not possible to examine the course of events in all the 26 nations that initially agreed to CRAMRA. Instead five key examples have been chosen which appear best to represent the phases of change.

Finally the concluding chapter sums up the lessons that this case study can provide about the influence of non-state actors. These relate firstly to methods that environment promotion NGOs used in the course of their campaigning, next to reasons why this particular group of NGOs proved more influential than other actors, and lastly, on the overall influence of non-state actors over states.

This study is based on published and unpublished accounts of the course of events in the period, texts on both Antarctic politics and non-state actors, and a series of interviews conducted with some government figures and many of the main non-government organisations’ members who were most active on the issue. It makes no claim to being a balanced political history of the era. This would be outside its scope. Instead this study tries to get inside the processes of non-state actors, the international regime treaty system and states themselves. It intends to scrutinise these processes for lessons about their interactions, and weigh these lessons in order to assess their performances.

## **CHAPTER ONE**

# **NON-STATE ACTORS AND THE STATE SYSTEM: A THEORETICAL REVIEW**

## (I) POLITICAL INFLUENCE AND THE STATE-CENTRIC MODEL

This thesis sets out to question the view of Realists in politics that only states possess the power to accomplish political change. In order to set the framework for this examination, it is necessary to consider the state-centric model, and the place of states in international affairs today.

Sovereign states are generally regarded as the primary units of international society. They are autonomous, and pursue in a self-interested way the gain and maintenance of political power. (Young 1989a, 60.) They are said to have achieved this position in the 17th century when the Treaty of Westphalia of 1648 divided and formally recognised a series of national boundaries, replacing the Hapsburg Empire with some 300 independent states. What emerged were “clear-cut, hard-shell closed political units” (Keohane and Nye 1977, 380). Under these conditions, international law and political reality largely coincided; sovereignty equalled supremacy and the state-centric model reflected national governments’ ability to control their internal and external environments.

At the time of the French Revolution these European states were further modified by the emergence of the “nation-state”, a development that represented the flowering of a common nationalistic feeling. By the early 20th century, nation-states had gained an unparalleled dominance in the conduct of international politics through their common global structures and their mutually acknowledged rights, powers and territorial divisions. State-centric political theory has been identified by Mansbach as possessing a set of assumptions, that:

- . global politics is based on the interaction of nation-states which are both actors and targets;
- . each state is the sovereign-equal of others;
- . each forms a homogenous political system with a central government monopolising the means of coercion;

- . states are independent, distinguishable and subject to no higher earthly power;
  - . they have exclusive control of territory and subjects, and divide the world into neat geographic compartments;
  - . their foreign policy agents are the sole participants in world politics; all other groups make their presence felt through government;
  - . and that states are the repositories of the highest secular loyalties.
- (Mansbach 1976, 3).

The central problem resulting from this model is the notion that states have such all-encompassing “sovereign powers”, that they are the only relevant or true actors in global politics. Can it truthfully be said, particularly, that national foreign policy agents are the sole participants in world politics when there is a range of non-state actors visibly exercising influence today? Rationalists argue instead that the model of the nation-state has been regarded too closely; even that facts of political life and the fiction of total sovereignty applied only during the brief era of monarchical absolutism. Since then, they argue that the model has become a set of blinkers, blinding proper analysis of the world’s political actors.

Mansbach dismisses the value of the state-centric doctrine. “In earlier centuries the doctrine of sovereignty had an empirical basis,” he believed. “Today this doctrine does not have such a basis. All nation-states are subject to diverse internal and external conditioning factors that induce and constrain behaviour.” (Mansbach 1976, 22). He regards the continued adherence to this doctrine to be an intellectual prejudice that should be cast aside.

Others emphasise its inadequacy because states are not necessarily unified in their interactions anyway. State-centric theories are argued to be poor explanations of outcomes from the interaction of various actors in world politics, because they do not describe the complex patterns of coalitions between different groups of actors. “For a state-centric theory, this is represented as ‘environment’.” (Keohane and Nye 1977, 386). In effect, the issue is left in an amorphous and inaccurate “other” grouping.

Young also points to this failure, particularly in analysis of the international regimes which are agreed between states. He cautions: "it would be a serious mistake to overlook the role of trans-national alliances among influential interest groups in developing and maintaining regimes at the international level." (Young 1989b, 364)

Having regard to these views, it is the contention of this work that, while states are acknowledged as the repositories of varied and considerable powers, the state-centric model does not totally explain the elements at play in the political events under examination in this thesis, nor the results achieved. Instead it will be argued that non-state actors may under some circumstances have a considerable influence. What follows in this chapter is an elaboration of the theoretical basis for this point of view, presented to prepare the ground for an examination in later chapters of a specific case study involving the Antarctic Treaty System.

## (II) NON-STATE ACTORS IN THE GLOBAL SYSTEM

Long before 1648, primary actors in world politics were of many colours different from nation-states. They ranged from small nomadic family groups to geographical and commercial empires. Even while the nation-state description applied to the complex and fast-changing civilizations of Europe, other long-established political groups such as tribes continued to characterize human habitation of large areas of the world. Undeniably, over the bulk of recorded history, man has organised himself for political purposes on bases other than those now subsumed under the concepts of state and nation-state (Keohane and Nye 1977, 374).

Accepting this extended historical context, would it not be more accurate to define an actor by characteristics distinct from those applied to nation-states such as sovereignty or territoriality? Instead it is suggested by Mansbach that the foundation for political influence is the behavioural attribute of autonomy:

the possession of a self contained decision-making process, and ability to make responses that cannot always be predicted by others. (Mansbach 1976, 5). It is clearly not the only source of influence, but it is an essential ingredient, and if it is compromised or infringed upon, then so is the actor's strength effected.

In states the process of decision-making depends on a bureaucracy and other elements of the large government system. If this is the case, argues Mansbach, any intrusion upon this process by outsiders infringes upon autonomy. A further proposition is that non-state actors can in many circumstances behave more autonomously than nation states. "While all nation states are sovereign, many are unable to make decisions independently, or to influence people situated outside their political boundaries, whereas [many] non-state actors are relatively autonomous and influential." (Mansbach 1976, 5). They can, for example, move with ease through geographic and political boundaries.

But when applied to contemporary western political life, the realities of modern technology provide means for a high level of transaction among all political actors, an interdependence that ends an actor's claim to the autonomy of isolation. The effectiveness of modern transport, communications, and information technologies add great weight to the view that for all actors, "behaviour is affected by the choices of other actors, and policies are structured by their decisions." (Mansbach 1976, 5).

In such a global system it is possible to divide the world into at least six types of actors. Based on Mansbach's divisions, they are listed in order of breadth of interest rather than any particular ranking of power or influence, and elaborated upon in the context of this thesis.

- . The inter-governmental organisation [IGO], an international regime composed of governmental representatives from more than one state. This phenomenon has rapidly increased this century and ranges from NATO, to the European Union, and the Commission for the Conservation of Antarctic Marine Living Resources.

. The international non-governmental organisation. [INGO] This type encompasses groups of individuals who reside in two or more nation-states, but do not represent the governments of those states.

Functionally diverse, this group's numbers have grown exponentially in the 20th century.

. The nation state. In its physical form, Mansbach defines it as the sum of personnel from the agencies of a single central government. Though often regarded as unified entities, their parts may behave autonomously and in competition.

. The governmental non-central actor. Personnel from regional, parochial or municipal governments who are generally only peripherally concerned with international relations. For example, local health authorities concerned with implementing strategies approved by the state after being arrived at in an international regime.

. The intrastate non-governmental organisation. [NGO] Groups or individuals which are located primarily within a single state. Though focussing inwardly, these groups may act autonomously in their relations with governments.

. Individuals. Occasionally people acting in a private capacity have been able to move into the global political arena [for example Bob Geldof's Band Aid phenomenon]; though the theorists say such internationalists were more common before the emergence of the nation-state, when they took on the roles of diplomatic or military mercenaries.

Of the above groups, the attention of this thesis focusses most closely upon the nation-states, their international organisations and upon the interstate and intrastate non-government organisations. These latter two are known in the everyday diplomatic world as Non-Governmental Organisations, or NGOs, and will jointly be described by that acronym.

### (III) ACTORS IN THE NON-STATE WORLD

It is easy to think of interactions between groups of people in functional systems other than those of the nation state. Religion links Catholics, Muslims or Jews internationally with loyalties that transcend national boundaries; business ties individuals who work on behalf of multi-national corporations; and common political causes may join groups as diverse as motorists and environmentalists. Although many of these linkages have ancient lineage, authorities agree that since the industrial revolution particularly, they have proliferated and their reach has strengthened.

One illustrative description for part of this group of non-state actors is provided by the term "the Fifth World". A custom grew up in recent decades to divide global politics into First [Western /Capitalist], Second [Communist] and Third [under-developed] worlds. The UN has used the term Fourth World to describe the particularly disadvantaged least developed countries. A further claim has been made that there is now a Fifth World, made up of a growing number of people who have loyalties and interests that transcend national boundaries, who want to help people whom they have never met. "Such people are often at their most effective in NGOs. It is these organisations, or the people who support them - that constitute the Fifth World." (Suter 1991, 127)

This analysis does not bear too literal an examination. The initial four worlds, after all, were located on discrete geographical boundaries, and possessed state structures. Like other analyses of the non-state landscape which approach it from an altruistic perspective, this portrayal also fails to take account of the strong, legitimate roles in the non-state world played by non-altruistic NGO actors, such as resource use promotion groups. But this view is also useful in illuminating the world view of many NGO actors, and a traditional perception of them.

The broader geography of the non-state world was well demonstrated by Skjelsbaek (Keohane and Nye 1977, 83-4). At the time there were the first signs of what would become a big increase in non-state representations. NGOs were usually small with significant voluntary work; their interactions

with each other and other actors were increasing; they could be sub-divided into 19 categories from philosophy to science [n.b. there was no environmental category at the time, remarkable evidence of the rapid growth of environmental issues]; and the developed countries held the greatest percentage of representations. In this era, Skjelsbaek saw two characteristics of national societies particularly conducive to participation in NGOs. These were:

- . a high degree of technological and economic development which encourages specialisation and therefore gives rise to groups to represent the interests of specialists;
- . and a pluralistic ideology which permits the expression of specialist views.

In this early taxonomy of what was a fast growing political organism, Skjelsbaek used a functional analysis to pin down non-state actors. It is useful in introducing a dispassionate analysis of NGOs. But in order to clarify the roles of different groups of non-state actors in the present day, it is more helpful to consider Willetts' later theory in which he describes a goal-oriented division of pressure groups [for which one may read NGOs] made under two headings: Sectional and Promotional groups (Willetts 1982, 23). The observation is made that Sectional groups may be regarded broadly as acting on behalf of a segment of society to achieve benefits for that segment. On the other hand, Promotional groups are more likely to be acting on a cause for others.

Sectional groups may include:

- . economic groups such as companies, commerce, financial institutions, trade unions and agriculture;
- . professional associations which have exclusive qualifications for membership and operate by codes demanding loyalty to profession, common ethics, and the exchange of information globally;
- . recreational clubs which offer increasing trans-national links, promote exchanges between members and increase the volume of tourism.

Promotional groups may include:

- . welfare agencies which either raise money overseas directly or belong to a committee or organisation representing voluntary organisations;
- . religious organisations, which have a long tradition of trans-nationalism and a sometimes blurred relationship with states;
- . communal groups such as people with a common ethnic origin, who come together to promote their group identity and status;
- . political parties, distinct from plain pressure groups in that they seek to take office rather than influence a range of policy outcomes.
- . and specific issue promotional groups. These are the groups most readily recognised today when the terms “pressure group” or “NGO” are applied. They consist of groups of people who have come together solely for the purpose of promoting social change on a particular issue or set of issues.

These discrete categories would not please some Realists who reject even the notion of taxonomies for NGOs. “As Huxley once suggested for the slippery term, species, we should perhaps be thinking in terms of gradation - in this case of organisations of varying governmental complexions.” (Boardman 1981, 4) But Rationalists would see that Willetts provides a useful separation of motives and functions of the different organisations.

Particularly when considering the group of NGOs at issue here, his broad definition of specific issue promotional groups shows the functions they have in common. They are said to challenge orthodoxies, attempt to raise new issues or change the way others are handled, concentrate on influencing public opinion, and frequently take their concerns beyond national boundaries. They are also generally regarded to have captured the lion’s share of attention when non-state actors have been considered in the latter decades of the 20th century.

#### (IV) THE CHARACTER OF NGOs

Although professional associations do enter the debate, for the purpose of this paper those actors that Willetts describes as specific issue promotional

groups are the main actors under examination. They have held centre stage during the period that NGOs have been prominent in the case study area of Antarctic affairs.

The origins of NGOs in international politics is a matter of argument. On the one hand it is said by some that the term NGO first entered international jargon in 1945 when these actors received formal recognition in the UN charter's Article 71: "The Economic and Social Council may make suitable arrangements for consultation with non-government organisations". (Suter 1991, 130). But another authority, Skjelsbaek awards the Rosicrucian Order the title of the first NGO, in 1694 - just 50 years after the Treaty of Westphalia defined states (Keohane and Nye 1977, 71). Skjelsbaek suggests that the Rosicrucians would have satisfied the modern day Union of International Association's requirement for NGO membership. Feld dates NGOs back to 1846 when the World's Evangelical Alliance was founded (Feld 1983, 26). Moving forward from there, another starting point is sometimes nominated. Lador-Lederer (1962, 63) suggests that secular NGOs actually had a more profound influence on international law than their predecessors, the religious NGOs. The YMCA was founded in 1855 and the Red Cross [something of a non-governmental icon for its influence with state actors] was founded in Geneva in 1863. This organisation quickly gained *de facto* international legal recognition with the signing of the first Geneva Convention a year later, which explicitly provided in Article 1 for the immunity of ambulances bearing a red cross.

The number of NGOs has exploded in the past century. In 1909 there were 176 international non-governmental organisations (Boulding 1988, 35). But by 1985-6, a total of 18,000 were reported in the Union of International Organisations' yearbook. Of this number about one per cent were federations of other INGOs, 8.5 per cent were universal in their presence, 17 per cent intercontinental, and the great bulk - 74 per cent - regional in their approach.

Their character is politically dynamic. More than many political actors they appear to be in a state of flux with the rise of issues, passage of individual leaders, and the fundamental changes in governments and relationships of the

states customarily the focus of their attentions. "NGOs are personifications of the social functions of, normally, a great span of vitality...Within the group of ideological NGOs...it will be observed that in so many cases membership [and often more than that zealotry and missionarism] is based on dissatisfaction with...belonging to a certain national community..." (Lador-Lederer 1962, 59)

They have flourished particularly in the second half of the 20th century with increased interdependence caused by the growth of liberalism, industrialisation and means of communication, and should be distinguished from the popular issues they tackle. "Popular movements come and go, depending on whether conditions exist for the mobilisation of a somewhat fickle public opinion. NGOs represent long-term commitments to human welfare on the part of their members. Until recently they represented an educated elite that had leisure and means to pursue altruistic goals beyond national boundaries. The new grassroots activism of recent decades is gradually opening up the non-governmental world to the local activist, while the long-term commitment remains." (Boulding 1988, 36).

In seeking a benchmark for the classification of specific issue promotional NGOs which are the main non-state actors under examination in this thesis, the Union of International Associations based in Brussels is an authority.

It prescribes that members:

- . aims must be genuinely international in character and manifest the intention to engage in activities in at least three states;
- . the membership must be drawn from individuals or collective entities of at least three states, and must be open to any appropriately qualified individual or entity in the organization's area of operations;
- . the constitution must provide for a permanent headquarters and make provisions for the members to periodically elect the governing body and officers;
- . the voting procedure must be structured in such a way as to prevent control of the organisation by any one national group, and substantial financial contributions in the budget must come from at least three states;

. no attempt must be made to make profits for direct distribution to the membership (Feld et al 1983, 24)

Important elements of these criteria are requirements for multi-nationalism, open memberships and a measure of democracy. But despite the undoubted standing of the UIA founded in 1907, some of these criteria appear too legalistic when attempting to embrace the dynamic range of NGOs on display in politics today. An alternative approach is the “broad church” of the UN Economic and Social Council (ECOSOC) resolution of 1968, defining an INGO as: “any international organisation which is not established by inter-governmental agreements...including organisations which accept members designated by government authorities, provided that such membership does not interfere with the free expression of views of the organisation.” This definition is qualified by criteria demanded of NGOs in order for them to gain “consultative” status at the UN. The criteria include an established headquarters, administration, authorised representatives and a policy-making body. Provisions were also made by the UN for suspension or withdrawal from consultative status if an organisation was shown to be improperly under the influence of a government. (Willetts 1982, 12). The overall thrust of the UN’s definition makes fewer demands on the formal internal structure of an NGO, and appears better to allow for the flexible, popular base compliant with a centralised direction that characterises many of these actors.

Recognition by an international regime is an important issue to consider in analysing the strength of NGOs. So is the question of trans-border co-operation by them. When they co-operate internationally, it may be from one of two broad directions: from the “bottom up” by means of an alliance or coalition of various grassroots national and/or international groups, or from the “top down” in the sense that a hierarchy prescribes a common direction for achieving centrally-derived purposes, using a similarly directed bureaucracy and financial structure. The influence that these organisations achieve over international regimes may have a relationship to this structure, depending on the issues at hand.

The means of co-operation internationally by consortia or coalitions of NGOs may include common representations at forums, shared information networks, or specific operations such as food or medical relief work. Often the resultant operations are a web of linkages of varying degrees of formality. In the case of the relief agency Oxfam, for example, it acts as an independent fund-raiser, adviser to government, and a member of a national council of fund-raisers. Willetts asserts that the situation becomes more complex at a global level, as a pressure group can relate to the United Nations and to specialised agencies of its own volition, and work via national or trans-national coordinating bodies. (Willetts 1982, 9).

In the final analysis of the character of NGOs, the issues that appear central to an assessment of their strength in the context of this thesis, are their independence of action, resources at their disposal to carry out that action, and the web of linkages they have at hand to influence international regimes. This brings us to an examination of these regimes, and some of these linkages.

## (V) INTERNATIONAL REGIMES AND THEIR FORMAL NGO LINKAGES

An international regime is well-recognised in the field of political science as “a set of implicit or explicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in any given area of international relations.” (Krasner 1986, 2) They are most often seen as organisations formed by national governments form to deal with trans-national pressures through the creation of specialized inter-governmental actors with limited roles. They are also criticised as efforts to oppose change and eliminate unpredictability by the formation of exclusive ‘gentlemen’s clubs’. (Mansbach 1976, 282).

An understanding of international regimes and their character is essential to test the influence that NGOs may have formally and informally over the organ’s decision-making process. In gaining this appreciation, it seems useful to keep in mind a parallel between the foibles of the human character, and the strengths

and weakness of the regimes that we arrive at in order to regulate our affairs.

Young says that sovereign states are regarded by orthodox students of international relations to be the self-interested primary units of international society. For the most part, they are said to pursue their immediate interests, defined, more often than not, in terms of the accumulation or use of power (Young 1989a, 62). The regimes they arrive at are social institutions which may be geographically specific to a certain area of the globe, functionally circumscribed as in the management of species or ecosystem, or limited in membership to a group of common interest nations (Young 1988, 5).

The several developmental sequences for international regimes can be:

- . self-generating or spontaneous in the growth of interactions such as language systems;
- . negotiated institutional arrangements in the form of constitutional contracts such as the Antarctic Treaty System or legislative bargains such as the UN regime for Palestine;
- . or imposed arrangements such as are fostered in feudal or imperial systems. (Young 1989a, 84-88)

For regimes as much as any other system of representation, their success depends critically upon the presence of well-informed constituents, and also on the maintenance of high standards of accountability in relationships between representatives and their constituents. (Young 1989a, 92). Likewise they are not static constructs even after they are fully articulated. Rather, they evolve continuously in response to their own inner dynamics, as well as to any changes in the political, economic and social environments. Compliance with an international regime by the state actor engaged with it is ignored only at the risk of great cost. "A reputation for trustworthiness is one of the most valuable assets that any member of international society can acquire...The costs of being stigmatised by others as a rule breaker may be quite severe, as many Third World states have discovered in connection with the dictates of the international monetary and trade regimes." (Young 1989a, p74-5)

When looking for defenders of the regime, Young points to the government

agencies, particularly foreign ministries. They find their success in protecting agency turf and competing for scarce resources depends in part on their ability to portray the regimes they work with as important and successful international arrangements. This in turn generally hinges on their ability to demonstrate that compliance with the provisions of such regimes is high. As a result, responsible agencies typically become staunch advocates for compliance with the terms of various international regimes in the bargaining processes that occur with governments as they move towards decisions on specific issues.

Young identifies non-governmental interest groups committed to defend the provisions of specific regimes, and prepared to press governments to comply with their dictates, as raising pressure for compliance. "In fact the establishment of a regime can stimulate the growth of powerful interest groups in a number of member states, which then form trans-national alliances in order to persuade responsible agencies to comply with the requirements of that regime." (Young 1989a, 78)

Hence one may conclude international regimes are not immutable statics, but changeable organisms susceptible to pressures. At an extreme, these pressures can bring to light internal contradictions which could eventually lead to serious failures and mounting pressures for alterations. (Young 1989a, 95-7) "We are all aware...that laboriously negotiated revisions in institutional arrangements often prove difficult to implement, fail to achieve the results intended, produce unintended by-products that swamp the effects of the intended results, or are overtaken by changing circumstances before they can be properly instituted." (Young 1989a, 86).

Keeping this brief assessment of international regimes in mind, we now turn to an overview of existing comprehensively structured formal linkages between NGOs and two international organisations, each operating numerous regimes. The purpose is not to provide an encompassing picture, but to shed light on how in particular these formal linkages operate, and their value. We begin with a preeminent international organisation in global politics in the post World War II era, the United Nations, then examine relationships with another large and

fast-growing organ, the European Union.

Since its foundation, NGOs have always had a formal, recognised link with the UN. Despite this association, exemplified by the official status that 1,200 NGO representatives had at the San Francisco conference to finalise the UN charter, some believe the position of NGOs in the organisation has been overlooked. NGOs have a direct, formal relationship with the UN through its Economic and Social Council [ECOSOC]. The original categorisation of NGOs by ECOSOC is a division of three: Category A for sectional economic groups, Category B for professional associations and welfare agencies, and Category C for those primarily concerned with the development of public opinion and the dissemination of information; that is, promotional groups. This categorisation gives them a status ranking, and different procedural rights. For example, Category A organisations had the same rights as governments to receive documents and circulate their own written communications to all delegations as official ECOSOC documents. (Feld 1983, 13).

Despite this example, Realists would say that governments historically tended to ignore rather than encourage NGOs, and should do so. But countering this view, state actors may actually be moved to deny the NGOs' legitimacy when criticism is made of them. Willetts gives the example of the discussion of Chile during 1975-6 in the Commission of Human Rights (Willetts 1982, 135), in which Chile launched a strong attack on NGOs. On the other hand, the existence of consultative status at the UN is said to have legitimised communication between the UN secretariat and NGOs, whose resources are called upon in the preparation of specialized conferences, for example with the participation of environmental non-state actors in the UN Environment Program's preparations for the 1992 Earth Summit.

In the European Union, the relationship with NGOs is expressed in two ways: through the EU Economic and Social Committee, and the European Union Commission. The ESC is "the only [EU] body comprising employers, workers, farmers, carriers, traders, craftsmen, members of co-operatives, small business, professions, consumers, conservationists and community associations". (European Community 1990, 12). Its members come from major

national organisations but are appointed in a personal capacity by the Council of Ministers for a four year term. The membership is divided into three groups: employers, workers and “various interests”. It describes itself as an institution essential to the construction of Europe, but its role is limited to provision of information opinions, for example on “Relations between the [EU] and Newly Independent Countries of South East Asia”, and the “Channel Tunnel and its Transport Policy Implications”. (European Community 1990, 34). The ESC’s power is clearly circumscribed. Instead when wanting to exercise influence, European NGOs head for the community’s more powerful Commission, where in a survey by Willetts 22 major European NGOs ranked contact by external lobbying as being most important (Willetts 1982, 135).

This is an illustration of the value of formal linkages between NGOs and the regimes operated by international organisations. One may conclude that though NGOs can be influential and significant under some circumstances, such as inside the UN, it is a mistake to regard formal linkages as being of over-riding importance. Therefore the question clearly is: if not in constructs designed by states themselves, where does the influence of NGOs really lie in international decision-making by these states?

## (VI) NGOs STRENGTH IN INTERNATIONAL DECISION-MAKING

The unique strength of pressure groups is summed up by one authority as their ability to rapidly transmit political ideas. “They may not have great military or economic resources, but they can communicate political ideas. They may not be able to obtain decisions for which they are working so hard, but they can frequently put issues on the political agenda, so others are forced to respond.” (Willetts 1982, 194) For an example of this notion in practice, consider the intentions of one environmentalist campaigner, Mr Will Martin, the director of

The [United States] Wilderness Society: “We’re dealing with symbolism as opposed to what is going to happen tomorrow,” he said at the Vina del Mar meeting of the ATS in 1990. “We must put in place a permanent regime with a complete ban on mining. That’s essential. But we must also put in place something deeper. A law can be amended. We want a history of protection established so that if commercial pressures do build, prospectors would have to deal with more than a law. *It would be an ethic.*” [emphasis added] (Hunt 1990c).

How then do NGOs attempt to change something as fundamental as the actual operating ethic of nation states, and what do authorities say about the importance of this relative to the power of these states? In examining perceptions of these strengths, two alternative models are offered to the view that state-centric power is the only means of describing accurately the course of world events.

Some authorities are convinced the idea that an NGO can wield enough power to change the course of international events is illusion. Among political scientists, these Realists argue that the world is composed of competing self-interested sovereign states supreme in their interactions with one another. However the Rationalists argue that states form an international society with both explicit and implicit rules of co-operation, allowing a greater range of actors. The question of limits on NGOs’ strength is grounded in these competing perspectives on international relations. Willetts comments that if traditional international relations involves states mobilising power to promote their respective national interests, then pressure groups are not relevant. (Willetts 1982, 1). But although states may have international strengths NGOs lack, most obviously economic and military powers, they have weaknesses too. States provide vehicles for NGO achievement. These are the the political and bureaucratic organs of government that may be engaged in debate, in pursuit of changes to state agendas.

In considering the application of this pressure it can be acknowledged that the state is almost exclusively driven by immediate political imperatives. Into

this perspective come promotional NGOs who can often claim to be promoting a changed future. "They have some vision, however modest, of a world community in which their organisational goals are implemented and they have their own repertoire of appropriate strategies [to do this]. (Boulding 1988, 37). The rate of influence may vary from the ineffectual pin-prick of a small scale NGO with modest local goals to the severe hostility that an organisation such as Amnesty International may provoke from a government whose practices are under scrutiny. "As the Soviet delegation observed during an ECOSOC review of human rights organisations, governments at times perceived INGO activities as an infringement of national sovereignty." (Feld 1983, 237)

At times too, NGO activity can go far towards changing the agenda of international discussions and providing a different outcome. Feld says NGOs are likely to participate assiduously in negotiations leading to the formation of international regimes, and may even instigate them. The example is provided of the 1979 World Conference on Agrarian Reform and Rural Development (WCARRD).

"INGO activity at WCARRD went a long way to recasting the issues of the conference in light of INGO experience derived from rural development projects at the field level, and from independent research activities." (Feld 1983, 242) NGOs challenged not only the power of government elites to control international events, but also their right to define international issues.

This view rests on the strength awarded to NGOs by all political actors in the system in which they are involved. National governments are claimed to have acquired a relatively high status by virtue of being in office, and generally being assumed to be competent. "Government generally is obeyed not just because it has authority, but also because among a sufficient number of people it has legitimacy," remarks Willetts in an observation of fundamental importance to this thesis. (Willetts 1982, 17) Legitimacy here is taken to mean the degree to which an actor can mobilise popular support, or in a confined sphere, demonstrable independent expertise. Not all governments have it, for example in totalitarian systems. Alternatively, pressure groups may have low authority -

that is a narrow means of exercising power - but their acceptance by the public, their legitimacy, may be contrastingly high. For example in the case of labour conditions and legislation, an NGO such as the International Labour Organisation may embody a legitimate global standard that has authority over a single national government. "It is precisely the discrepancy between their standards and those of some local regime which is the measure of the backwardness of some governments, rather than the attitude of the not-always-potent international community." (Lador-Lederer 1962, 210). And it is also the case that some NGOs are larger, and have a broader international reach than some national governments. "Actors such as Al Fatah, the Viet Cong...and even the Mafia play a larger role in global transactions than is customarily recognised." (Mansbach 1976, 27).

It must also be borne in mind that NGOs have to prove their own integral worth as well. A crucial question that they must answer is whether they are so dependent on the consensus or resources of governments for their operation that they merely act as surrogate executors of governmental policies or whether they formulate and pursue policies of their own, that may freely be in opposition to governments. "Only to the extent that they formulate and pursue independent policies are they independent actors in world affairs (Keohane and Nye 1972, 16).

The above examples demonstrate that when it comes to an assessment of who is influential in international decision-making, the answer is not always only the state. A purely state-centred view of world affairs is too simplistic. In order to spell this out more clearly, we turn now to consideration of NGOs place in two models of the world political system: Keohane and Nye's world politics paradigm and Mansbach's complex conglomerate model.

#### The World Politics Paradigm.

In this model it is proposed that world politics consists of interactions between "significant actors" whose characteristics include autonomy, control of substantial resources and participation in political relationships across state

lines. The central phenomenon in this is bargaining between a variety of autonomous or semi-autonomous actors. It differs from state-centric analysis by focussing on the nature of the actors. On this question, Keohane and Nye divide their characteristics on two dimensions: the degree to which they are governmental or non-governmental, and the extent to which they consist of coherent, centrally-controlled organisations rather than government sub-units. They conclude: "...the state centric paradigm covers only four of the possible 36 types of politically important interactions across state boundaries identified by the world politics paradigm. This gives us an idea of the richness of possible trans-national coalitions that determine outcomes in world politics." (Keohane and Nye 1972, 381-2) These authors propose a more complex world where progress is made by analysis of particular issue areas and the relation between them. "It must take account of the differences in the way the game of world politics is played on...different chessboards, or to escape the bipolar imagery, poker tables. Who are the players? What are their resources? What are the rules? How do the players, resources and rules differ from game to game? Most important, are the different games related to each other." (Keohane and Nye 1972, 384)

### The Complex Conglomerate Model

The principal feature of the complex conglomerate system is said to be the formation of alignments of actors, who use different means of pursuing complimentary objectives. These structures, Mansbach argues, tend to be flexible and ideologically diffuse. Like a conglomerate rock, the materials or elements are clustered together without assimilation. The author points to various characteristics of the global system to back the case, saying among other things that:

- . the great post-war ideological blocs are breaking up and making way for multi-polarity;
- . global problems such as oceanic pollution are emerging to transcend national boundaries and overwhelm individual nation-states;

- . functional linkages create trans-national perceptions of mutual interest and lead to regularised communication among status groups across frontiers;
- . a high level of interdependence is fostered by modern communications and transport facilities, and complex production processes.

An analysis of the behaviour of global actors by this author brings the conclusion that nation-states through their governments are still the primary actors. Yet when analysing other “pairs” of behaviour involving given sets of actors there are different conclusions. Non-state actors appear about two thirds of the time in these behaviours. “The answer is clear, the more conflicting the behaviour, the less a state-centric model can explain. Apparently, non-state actors are prepared to invest a higher level of their resources in conflict and to take greater risks than states.” (Mansbach 1976, 278)

Clearly these two models follow similar lines of thought about how global politics should be analysed. They illuminate a world much more complex than the Realists would propose, with decision-making linkages outside a state-to-state norm, and where non-state actors play important roles. They see more value in examining the political outcomes reached in terms of the interactions between the players involved in a given situation, rather than assuming a naturally dominant position by one set of those players - the states. In considering these interactions, it is also of value to make realistic assessments of where the cards and wagers are held, and to whom the political actor owes allegiance.

## (VII) THE RISE OF ENVIRONMENTAL NGOS.

### AN ANALYTICAL PERSPECTIVE.

Having indicated in theory the broad reach of non-state actors in world politics, we now turn to a particular group of promotional NGOs under consideration in this thesis. Circumstances have placed these groups in the

political limelight, and now they illustrate well how non-state actors engage in the global political system.

“Over the past 15 years, environmental protection has been a field of dramatic and controversial developments. At the international level there is still much to come as countries exhaust the national means at their disposal and discover that the problems they are grappling with remain unresolved. In fact, environmental issues are fast becoming the third major pillar of the emerging international system, together with security and economic issues.” (Carroll 1988, 92).

The strength of environmental NGOs within the global system is a matter of great importance, as is influence they may have upon other actors. They have arrived at a powerful position in the global system for three linked reasons:

- . because of the trans-national nature of environmental problems;
- . because these groups starkly demonstrate the importance of public participation to government legitimacy;
- . and because both of the above have come at a moment in history when there is change to be accomplished.

The trans-boundary nature of environmental problems is common ground among commentators. The carbon dioxide problem, the preservation of Antarctic ecology, and acid rain all demand bilateral or multi-lateral agreements between governments in order to be effective. This provides a dilemma for the states. For them to co-operate successfully in dealing with the problem, some part of sovereignty or political freedom must be surrendered. “The scope and scale of many environmental issues transcend the traditional boundaries of national interest and responsibility. Governments are being asked to co-operate in the implementation of international agreements in which national interests may be seen as unclear or adversely affected. Governments have conceded more authority and resources to international organisations.” (Carroll 1988, 13).

This commentator goes so far as to say that national governments are characteristically reluctant to initiate proposals for international environmental action which extend beyond both national frontiers and the self-interest of

office-holders and their constituents. Be that as it may, the response of NGOs to environmental problems today is intrinsically global in thinking and approach. There exists now an organised international environment movement not circumscribed by national self-interest. As a long-time Antarctic environmental NGO advocate, James Barnes, puts it: though NGOs lack the powers that states arrogate to themselves, they may share one significant characteristic. "As contrasted to individual states which so often pursue what they are pleased to term 'national interests', the NGOs bring a much needed global perspective to issues under consideration. Frequently they are the only group talking about the long term view, or bringing up the difficult concept of the rights of future generations." (Wolfrum 1985, 173). This approach is executed in several ways. They may monitor administration of treaties and international agreements, report back to the public on compliance, identify failures, and take direct action. Whatever course they take, cumulatively it is argued by Barnes to be effective in accomplishing change. They have become what is described as a regular and anticipated part of the action.

The second factor that places environmental NGOs in a position of power is the recognition by governments that they reflect and represent public feeling: they have *legitimacy*. Though they may usually rank low measured against government *authority*, their standing has become high when it comes to acceptance by the people. Some initiatives for international co-operation on environmental issues have arisen outside government bureaucracies and the hierarchy of major political parties. "Proposals and pressures for co-operative action characteristically have originated within groups of persons organised to promote some common purpose and to persuade governments to act on its behalf." (Carroll 1988, 17)

In general terms Barnes describes this as the "cutting edge" phenomenon. He succinctly concludes its value thus: "public participation enhances viability of government decisions because the substantive results are usually better." (Wolfrum 1985, 175) Policies formulated without consulting these interests involved often lead to decisions far outside the reigning or conceivable political

consensus. Otherwise they are so unacceptable in their demands on a particular interest group, that the resistance generated will thwart the action. Very often, says Barnes, it is only by admitting non-state actors to the process that a regime's unconsidered benefits may be articulated and developed. He cites the example of the International Whaling Commission, where only after NGOs demanded participation as observers in the early 1970s did the IWC begin to include "advocates" for the whales. It may be added, too, that this also opened the door officially to lobbyists for other groups such as the whaling industry and indigenous peoples.

If the benefit of NGO participation is true in general terms, it is argued to be doubly so with pressing global issues such as those argued by environmental NGOs. The costs of failure to act upon these issues are there for all to see. This is not to suggest environmental NGOs always have great standing with experts; or even that they necessarily have a solid grasp of scientific veracity. But it is to say their message can have great impact with, and acceptance by, the public. Their grassroots origins and campaigning styles, together with their alacrity at distributing messages, ensure that is the case. This situation has improved for environmental NGOs especially in the last decade, and in pluralistic and wealthy nation-states of the "North" or "West". Here the mechanisms for influencing governments are greatest. It is not confined to these areas though. The authority Fouere cites the example of central America, a region buffeted by political and social conflict, with an average of more than 70 per cent of the population living in rural areas. "NGOs have been able to operate in areas where governments have no control and a state of lawlessness prevails." (Carroll 1988, 43).

The spread of environmental NGOs raises the third point in favour of their increased power: that these organisations have grown concomitantly with a moment in history. They have appeared, probably naturally, at a time of unparalleled communication between elements of the global system through the development of a new world order. More prosaically there are much greater technological means of taking advantage of change. Means of global

communication of ideas and information - important to NGOs in general - are certainly so to environmental NGOs whose agenda is global. High levels of transaction provided by modern technology, referred to by Mansbach earlier in this chapter, are personified by them.

Likewise there has been a flowering of political liberalism. Observers commonly point to the United Nations Environment Program's Stockholm conference of 1972 as both the point at which environmental issues moved squarely onto the international agenda, and the time when environmental NGOs began to exert political pressures on global forums. Within a short space of time, the organised environment movement has taken on a world scale. Caldwell records that by 1980 the Environmental Liaison Centre in Nairobi, established by NGOs to facilitate their co-operation with UNEP, reported that more than 1,000 organisations were represented at the centre, and that half of them were from less developed countries. There is also the personal factor. The nature of environmental issues tends to take people around the globe on negotiating teams, in fact-finding groups or interchanging between NGO organisations and inter-governmental programs. "This personal factor should not be discounted, for it is through people that institutions actually work." (Carroll 1988, 26).

It is important to recognise too, that however vital, this diverse body of environmental NGOs is not of a single character or voice. Demands they are articulating may compete and conflict. "They may collaborate on longer term projects and coalesce on an ad hoc basis when immediate questions erupt. Or communications may break down completely and be difficult and painful to restore." (Boardman 1981, 6)

The character of environmental NGOs generally places them squarely in the category that Willetts suggested of specific interest promotional groups. They seem to fit all the necessary criteria. They have come together for the purpose of promoting social change; challenging orthodoxies; attempting to influence public opinion, and taking their concerns beyond national boundaries. See this operating in what Tom Burke describes as the structure of Friends of the Earth

International: "It operates internationally at five levels: creating a national constituency for international issues, bilaterally with non-government and government organisations, through the [UNEP-linked] Environmental Liaison Centre in Nairobi on global issues, through the European Environment Bureau on EC issues, and via the FOEI [internal] network." (Willetts 1982, 114).

It is important to note too, that environmental NGOs have earned places both in some organisations with government, such as IUCN, and as consultants or delegates in a wide series of international regimes where their value is accepted to a degree by state actors party to these regimes. The International Convention to Regulate Whaling, the London Dumping Convention, the Antarctic Treaty and its subsidiary instrument CCAMLR all have official environmental NGO observers.

This enables them to participate in an official sense, but it is the full extent of this participation that is central to this thesis. Barnes describes it as 'prodding'. "Basically what NGOs do is make a certain component of public opinion felt in the diplomatic and political process. They cannot do much more than this. After all they lack armies, great treasuries, judges, etc...What they do have is the enormous popular will to understand and protect the environment." (Barnes 1985, 174).

## (VIII) CHAPTER CONCLUSIONS

In setting a theoretical framework for this thesis it is argued that while nation states are acknowledged as the repositories of varied and considerable powers, the state-centric model is outmoded and does not satisfactorily explain the elements at play in global political events. Instead, some non-state actors may under some circumstances have considerable influence. Of special interest is the category of NGOs known as specific issue promotional groups; dynamic organisations which represent a grassroots activism focussing on social change. They may be prepared to act at risk of greater costs to their organisations than

their opponent states could consider possible, in a world of emerging global issues and where ideological and technological change all benefit NGOs. In doing so they engage the vehicle of state actors' global political and social co-operation, international regimes. These regimes are susceptible to pressures from critics because their viability depends upon compliance by the member nations, and the member nations must respond to the views of critics in order to act legitimately. Balancing this, the organs of government responsible for acting in regimes may defend those regimes in which they are stake holders.

When considering the success of states versus NGOs in this theatre it is helpful to assess these actors' authority and legitimacy to measure their real strength. In making this assessment, central issues are their basic autonomy, resources, and complex of linkages they have to deal with states. Defining NGOs in terms of formal recognition by international regimes is one means of pinning down their influence. But it alone will not yield a true picture of their strength, and formal relationships with these regimes may represent only a fraction of the activity they conduct in forcing states into processes of change. At the same time, NGOs themselves are under scrutiny for the real extent of their independence of action.

Among specific issue promotional NGOs, environmental organisations are one group that has emerged in recent decades in a stronger position than many others in the global system. Nevertheless they present a dilemma for states which is illustrative of the influence held by NGOs generally. Their interests are frequently at odds with official state interests, but in many international regimes they have become an anticipated part of the action. They should not be seen as a homogenous group, being diverse and possessing competing demands. But because of their origins and concerns, environmental NGOs are from time to time regarded as having great legitimacy derived from the public. Though their authority may not be commensurately high, they can be seen as directly responsible for some changes in dealing with the environment. They have grown concomitantly with a moment in history.

## CHAPTER TWO

### A SURVEY OF NON-STATE ACTORS IN THE ANTARCTIC WORLD

## (I) CHAPTER INTRODUCTION

Having prepared a theoretical ground for the consideration of non-state actors in international relations, we now move to apply this in the sphere of the Antarctic Treaty System [ATS]. The broad aims of this chapter are twofold: to examine NGOs which are actively engaged with the ATS, and to measure them by common criteria in order to highlight attributes and limitations that may explain their varying strengths.

The purpose is not simply to provide an encapsulated history of these organisations and their relationships, though it is necessary to set out such matters as their lineage in order to better understand the positions they hold now. Instead it is hoped that an examination of these organisations will provide a useful reference point for other work, including the subsequent case study. In addition a typology may place them in a context to give a better understanding of individual and collective strengths or weaknesses, particularly in relation to their standing with the ATS and the wider world.

In the literature on Antarctic politics there appears to be no collected analysis of the NGOs that influence it. The following is therefore proposed as beginning that task, though because of its context in the current thesis it makes no claim to being exhaustive. As for the case study which is to be examined in this thesis, this catalogue is an opportunity to introduce the key non-state players.

Analysis of a typology of these actors may assist by setting out qualities that have enabled them to, or prevented them from performing an influential role. It makes no claim to statistical precision. But it shows, for example, low general public support for the more traditional “science-based” NGOs which depend wholly on government resources for their existence. And it shows as having a more limited formal recognition by the regime, NGOs with a strong popular support base or charismatic leadership.

This typology and its conclusions are submitted as a means of analysing why some NGOs prove in the coming case study to be more influential than others in changing the course of the regime's deliberations. Which groups of NGOs could be regarded as showing more success, and what traits do they share? Answers to such questions may help answer the main hypothesis of this work; to reiterate: that one group of non-state actors can under a set of circumstances prove strong enough to overcome the collective will of an international regime.

## (II) THE ANTARCTIC TREATY SYSTEM

In order to place these considerations into an immediate context, it seems timely now to give a brief overview of the ATS, to bare the state-agreed bones of the regime at issue.

The international regime governing Antarctica has become known in political science and diplomatic circles as the Antarctic Treaty System. Its main framework is provided by the umbrella Antarctic Treaty of 1959, which came into force in 1961 and could be opened to review 30 years later, a provision that was to give some impetus to the debate which is the subject of the current work. Over the years a series of sub-agreements were reached including the Agreed Measures for the Conservation of Flora and Fauna [1964], Convention for The Conservation of Antarctic Seals [1972], the Convention for the Conservation of Antarctic Marine Living Resources [1980], the Convention on the Regulation of Antarctic Mineral Resource Activities [1988] now lapsed, and Protocol on Environment Protection [1991] yet to come into force.

Although some authorities do not strictly regard the Antarctic Treaty to fulfil criteria necessary for it to be called an international organisation - specifically because it lacks a permanent headquarters - the regime is widely seen as possessing most of the trappings, by its members and the United Nations. (Beck 1986, 149)

It began with 12 original signatories and expanded over the years to include 26 consultative parties (ATCPs) and 14 non-consultative parties (NCPs) - all of them states - at the XVIII Antarctic Treaty Consultative Meeting (ATCM).

The chief decision-making body, the ATCM was held biennially until 1992, and annually from 1994. Decisions are reached at the ATCM by consensus, and implemented through recommendations. Consultative parties are able to take part in decision-making but non-consultative parties are not. Admission to the “club” of ATCPs has been confined to states with a demonstrable active interest in Antarctic science at the time of application. A strictly limited number of organisations are invited to send official observers to ATCMs, and these include both other international government organisations and non-government organisations, who may be designated as experts and consulted, but hold no formal powers. Deliberations of ATCMs are conducted in camera, and responsibility for their organisation rests with host countries. There is as yet no permanent secretariat. Among subsidiary instruments of the ATS, only CCAMLR has developed an organisational structure with a headquarters and regular meetings. The seals convention provides for an organisation which is yet to be brought into being. Over the years ATCPs have also found it useful to hold Special Consultative Meetings devoted to particular issues, for example, the minerals regime and then on environment protection.

The Antarctic Treaty System is clearly a regime as defined by Krasner earlier in this work, possessing such necessities as explicit principles, rules and procedures (Krasner 1985, 2). These are executed in a variety of ways. At their most fundamental they effect the basic state preoccupation of defence [the treaty specifies that Antarctica is to remain unmilitarised]. At their most ordinary they may circumscribe day-to-day movement around Antarctica by prohibiting most entry to areas designated Sites of Special Scientific Interest, or make activities in the extreme climate safer by jointly agreed but largely informal emergency aid procedures.

### (III) PARAMETERS FOR A TYPOLOGY

The point of a typology in this current work is to assess the non-state actors against common benchmarks in order to understand characteristics likely to make them influential actors in the case study that follows this chapter. To do this, common criteria for assessment are now defined, based both on the foregoing theory and practical examples such as the previously discussed qualifications for membership of the Economic and Social Committee of the United Nations.

In the preceding chapter, Mansbach said the defining characteristic of an actor was its autonomy, its possession of a self-contained decision-making process that could not always be predicted by others (Mansbach 1976, 5). This most fundamental attribute finds practical voice in provisions such as the UN ECOSOC demand that a non-government organisation be free of restricting government influences. But how can we see whether Antarctic NGOs firstly possess, and secondly use this prized autonomy? Keohane and Nye saw autonomy to be linked to the control of substantial resources, and participation in political relationships across state lines (Keohane and Nye 1977, 381). Likewise, Willetts said its strength depended upon independence of action, which was comprised of basically the same two elements: resources at their disposal to carry out that action, and the web of linkages at hand to influence international regimes (Willetts 1982, 9). Therefore it seems the most useful way to assess these organisations in this thesis is to use parameters that examine *structure*, i.e. the sum of resources they possess, and *relationships*, or their web of linkages.

In such an analysis, a capacity for autonomy should become visible in the structure of these NGOs. Moreover, the relationships they have should provide evidence of their legitimacy; their acceptance by the public in question, whether that be for example an expert Antarctic public, or the general public. We recall Willetts's observation earlier in this thesis that legitimacy, acceptance by such publics of these NGOs' validity, may at times prove to be more powerful than

the traditional authority or means of exercising power held by governments (Willetts 1982, 17)

We begin by analysing the structure, where issues of interest are the extent of membership commitment possessed by an organisation, and the strength of its resources. An organisation's scale as an actor on the international stage is most visible in membership, its size and scope. In assessing the legitimacy of an actor before the popular public, this size is a key indicator. On the other hand direct control over policy, finances, and resultant provision of hardware such as equipment for independent transport, is vital to self-determined action and may have little to do with size of membership. By comparing these two sets of criteria, and later considering the performances of these NGOs in the case study it may be possible to see not only which actors have the best of both worlds, but which attributes of autonomy are more important determinants of actors' effectiveness in a given set of circumstances.

It is proposed that standard reference points for the measurement of these Antarctic NGOs should therefore include for their STRUCTURE:

- . *Resources Control* . To what extent do these actors direct their own policy, obtain their own finances and through that, amass the resources they use?
- . and *Membership* . To what extent is it restricted on a professional basis and lacking popularity? Is it betwixt the restricted and popular worlds because it is confined group to an aggregated membership of popular groups, or is it broadly popular?

The second set of criteria for the NGOs under examination here immediately brings to mind the caution in the first chapter that mere formal relationships do not present a good guide to the influence of a non-state actor on a regime. At the same time, in order to make an illuminating comparison about these NGOs' spheres of operation it seems useful to examine both possible directions: inward to the ATS, and outward with the rest of the world. The proposed reference points in the case of RELATIONSHIPS are:

- . *ATS Standing* in a range from non-recognition to a functionary role.

[i.e. whether the NGO is unconnected with the ATS, takes part in a national delegation, is recognised as an observer in its own right, or carries out tasks at the regime's request] ;

and the *focus of activities* [i.e. the total suite of activities the NGO engages in, ranging from Antarctic focussed, through a limited suite of other activities, to globally focussed].

These indicators should give a clear view of the formal relationship of the state-based ATS regime with different NGOs, and contrast it with the NGO's place in the wider world. The resulting table, and consideration of the NGOs thus grouped in the case study, should help illustrate which relationships are the more valuable to these actors in their attempt to influence the course of events, and the extent to which legitimacy from specific publics proves valuable.

These parameters and the grids plotted from them are not represented as an attempt at precise statistical method. Their aims are to highlight salient features of these NGOs and encourage assessment of the reasons for their influence, or lack of it. What follows is a detailed examination of 10 NGOs, all but one of which is international. This group does not include all NGOs which at one stage or another have taken an active interest in Antarctica. Nor does it portray present day levels of involvement. However it does cover all those NGOs who directly interacted with, or claimed a substantial impact upon, the ATS during the period of the case study, or arose as a result of that era.

#### (IV) KEY NON-STATE ACTORS AND THE ATS

##### The Scientific Committee on Antarctic Research

SCAR holds a unique and long-lived place among NGOs in the Antarctic sphere, but in recent years has been undergoing a turbulent phase of its existence. After years of what it now admits to be declining influence, it is making an unusually open attempt to regain lost ground.

Older than the Antarctic Treaty itself, SCAR claims to run in tandem with the

ATS. In the initial phase it fulfilled a pivotal advisory function. But with the rising complexity of the ATS, this role changed to a point where gradually more questions were raised about its powers and directions. It clearly claims to be an NGO (Fifield 1987, 1). In a pure form it appears to be an outcome of the conditions Skjelsbaek described as conducive to the spawning of an NGO, that is: a group of specialists which has emerged from a high degree of economic and technological development in the societies concerned (Keohane and Nye 1972, 83-4). Yet links with national governments on the one hand and the ATS on the other are fundamental to its purpose. As will be elaborated, they appear to circumscribe its ability as an actor.

The antecedents of SCAR are in the Comité Spécial de l'Année Géophysique International [CSAGI], created by the International Council of Scientific Unions [ICSU] to plan the International Geophysical Year of 1957-8 in which there was to be unparalleled Antarctic research (Beck 1986, 41). Even at the pre-event planning stage, the ICSU chose a successor for CSAGI in SCAR, which was intended to provide permanent machinery for scientific co-operation in the Antarctic region. The first delegates to SCAR met at the Hague in February of 1958. They represented national scientific associations, and later, national Antarctic science committees. In fact to this day almost all individuals connected with SCAR also serve as advisers to their respective governments on Antarctic Treaty matters, or may be employed in their Governments' research programs. "In doing so, these individuals are careful to keep their roles in SCAR separate and distinct from their roles in treaty matters (Fifield 1987, 7). But this dichotomy is highlighted with the comment: "a non-government organisation was established with representatives from sovereign countries." (Jorgensen-Dahl and Ostreng 1991, 153). An admission is also made by SCAR itself: "not all SCAR members are independent of political pressures from governments." (Antarctic Treaty 1991d, para 5.2)

Its constitution when first formulated said in preamble: "SCAR is a Special Committee of the ICSU charged with furthering the co-ordination of scientific activity in the Antarctic, with a view to framing a scientific programme of

circumpolar scope and significance. In establishing its programme, SCAR will take care to acknowledge the autonomy of other existing international bodies.” There have been revisions and the current version, under the title “Guidelines for the Conduct of SCAR Affairs” suggests that “SCAR will abstain from involvement in political and juridical matters, including the formulation of management measures for exploitable resources, except where SCAR accepts an invitation to advise on a problem.” (Fifield 1987, 2)

The intention appears to be to place SCAR in as neutral a position as possible. Though Beck sees it as an unofficial scientific arm of the ATS, it is also viewed by him as an NGO, anxious to avoid international politics and, in his opinion lacking a formal connection to the ATS. He concludes that SCAR’s actual working relationship with the system is based upon a subtle politico-scientific interaction. “Thus the consultative meetings seek expert advice from SCAR as a means of facilitating the process of management of Antarctica.” (Beck 1987, 162).

Membership of SCAR is conditional upon the national committee applicant being actively engaged in Antarctic research; that is, being part of a national government’s program. It is formally structured with a continuing executive, a biennial meeting, a number of working groups, and groups of specialists to tackle specific tasks. The status of SCAR observers in the various organs of the ATS also gives insight into the organisation’s position. “A SCAR observer is not a delegate but a representative who, while generally aware of the SCAR policy, can make up his or her own mind about an issue and does not act under instructions and delegated authority from SCAR.” (Antarctic Treaty 1991d, para 5.2.1).

Financing of SCAR is government-based. Originally its budget was set at \$US6,000 per annum, with each of the 12 national committees contributing \$US500. In future years it was decided members would contribute additional amounts in proportion to their level of Antarctic activity as measured by overwintering personnel. This criterion was dropped with the growth of summer programs. (Fifield 1987, 2). It now operates under a three-tiered system which

sees a significant Antarctic operator like Australia contributing only \$US12,000 per annum (Budd interview, 1992). Its total funding is around \$US250,000 per annum, a quantity SCAR describes as totally inadequate, but all that is available to co-ordinate scientific research, maintain a secretariat, publish reports and provide advice on applied problems of the ATS. "What is needed is direct financial support to SCAR, such as is provided for example to CCAMLR and will be provided for the Committee for Environment Protection [CEP]." (Antarctic Treaty 1991d, para 5.1).

The motor driving SCAR's operations appears to be the ATCM, and this was particularly so in the early phases of the system. It was made clear where state actors were coming from in recommendation 1-1 of ATCM I which said: "The representatives recommend to their governments that they should facilitate the continuation of the exchange of information regarding plans for scientific programs as now carried on through the Special [now Scientific] Committee on Antarctic Research, and through member unions and committees of the ICSU..." (Antarctic Treaty 1961, 5). Under such circumstances one must begin to query the effective independence of SCAR as an NGO.

This is not to attack its stature. Through the history of the ATS, SCAR has been a source of advice for many big issues integral to the functioning of the system and it continues to be the main force co-ordinating and attempting to avoid unnecessary duplication of scientific effort. Issues it has tackled ranged over environmental, logistic, telecommunications, land use and resources questions. But must be said that even though ATCPs' authority over SCAR is notionally circumscribed, and it is not in theory obliged to perform tasks assigned at ATCMs, there is no record of SCAR ever refusing a task asked of it. It was included explicitly in the earlier formal instruments of the system. It was invited to act as an information exchange and oversight mechanism on the Agreed Measures for the Conservation of Flora and Fauna, and to co-ordinate scientific advice to the Convention for the Conservation of Antarctic Seals. However it was excluded from such a function in the more industrially active machinery of CCAMLR. Under the defunct CRAMRA it was given a very

limited function, being nominated as one of a number of possible advisory bodies. Under the Protocol on Environment Protection, SCAR has an observation and consultation role linked to the Committee on Environmental Protection, and it may offer emission standards and equipment guidelines for waste disposal under Annex III, Article 3 of the protocol.

SCAR's advocates have claimed in the past that repeated adoption of its recommendations by ATCMS prove its strength. "References to SCAR are more and more frequent at ATCMS. SCAR becomes stronger every time there is a need to consult and evaluate scientific programs." (Jorgensen-Dahl & Ostreng 1991, 156). However, in the absence of factors such as visible dissent, or what Mansbach described earlier in this work as the ability to make responses that cannot always be predicted by others, the number of references and acceptance of recommendations may be a sign of its usefulness as an arm of governments rather than its strength as an independent actor (Mansbach 1976, 5). Additional evidence of this emerged in the late 1980s when commentators began to raise public alarms about SCAR's influence.

The development of internal expertise in subsidiary instruments such as CCAMLR and the governments' Council of Managers of National Antarctic Programs (COMNAP) is said to have cost SCAR its central position. As the deputy director (science) of Australia's program, Patrick Quilty, commented "There is a sense in which this is a creeping derogation of the role of internationally-coordinated science through SCAR. International bureaucrats have a greater role now, and dictate requirements to be provided by science." (Herr, 1990, 36).

Recently as much was admitted by SCAR itself. It pinpointed its own decline beginning from 1975 when ATCPs asked it to prepare a report on the environmental impacts of minerals exploitation, a report that was submitted in 1977. "For political reasons this report was not seriously considered by the ATCPs who set up an inter-governmental Group of Experts which produced a parallel report. From this time SCAR's pre-eminent role in providing scientific and management advice to the Treaty system began to diminish." (Antarctic

Treaty 1991d, para 2.6)

All is not lost for SCAR though. Kimball makes the point that without it, current logistic co-operation in Antarctica would be greatly reduced. "Timing of [information exchanges] is such that national plans are not communicated far enough in advance to permit much collaborative planning and/or operational activities. In practice, informal SCAR communications have supplanted these exchanges which give effect to...logistics co-operation." (Joyner and Chopra 1988, 34). SCAR claims to be still playing a central role in the management of a human presence in Antarctica. For example at the 1992 meeting, COMNAP agreed fully to support SCAR objectives on meeting the challenge of global change in national building programs.

In recent years, it has also attempted to present a more pro-active face to treaty meetings with presentations and information (Budd interview, 1992). In a change important for this analysis, SCAR is now beginning to admit that it has been marginalised from influence in the system, particularly by another set of NGOs. In a detailed report to ATCM XVI in Bonn 1991, SCAR makes what is in effect a plea for a return to the status quo of the 1960s when it was much more integral to the ATS. SCAR warns ATCPs that unless its views are accorded greater weight and it gets substantially more funds, it may be obliged to withdraw from giving advice on management problems. (Antarctic Treaty 1991d para 1.10).

It blames inadequate funding, the duplication of scientific effort and, of particular interest to this thesis, the disproportionate influence on the regime of environmental pressure groups for its plight. "Antarctic scientists are generally concerned that governments may respond positively to public relations pressure campaigns of some environmental NGOs with quite different objectives to those of scientists." (Antarctic Treaty 1991d, para 1.7). SCAR presents itself instead as an actor who is the legitimate provider to the regime of data and advice on the consequences of ATS decisions. "The new factor is the role of environmentalist pressure groups which have strong views about the environment, and which attempt to persuade governments to support their objectives. It may sound

arrogant, but it is nevertheless the case that scientific philosophy and method is to seek the truth and scientists do not have political skills.” (Antarctic Treaty 1991d, para 6.3).

Rather than arrogant, this appears to be a little out of touch. Like any actor in a political regime, SCAR gains authority based upon own its relevance and strength of political performance. But a repulsion for politics is something that SCAR takes very seriously. Its vice president, Bill Budd, says SCAR believes it must stay away from a political approach because of the danger that impartial science may go overboard. “We expect politicians and bureaucrats to listen to the information because of its soundness (Budd interview, 1992).

In the final analysis, SCAR’s ability to act autonomously appears to have suffered from its reliance on government resources and directions. Yet it would be able to claim that in offering sound, science-based advice, it is still freely acting as an NGO under the UN’s definition elaborated earlier in this work, a definition that demands government involvement not interfere with the free expression of views of an organisation.

#### ASSESSMENT:

##### STRUCTURE:

Membership: SCAR has a closed, exclusive membership based on Antarctic scientists only, who form a small professional association.

Control over resources: SCAR has limited resources and exclusive financial support from state actors. It traditionally relies on the ATS itself to provide work directives, but regards advice then given as being of high independent scientific standing.

##### RELATIONSHIPS:

ATS standing: SCAR is older than the system itself, is seen as a stepping stone to full membership of the ATS, and has long-standing formal recognition, as an observer and functionary of the system.

External activities: Although it is Antarctic focussed, as a member of ICSU, SCAR has some expert international recognition in the outside world.

### The World Conservation Union (IUCN)

The International Union for the Conservation of Nature and Natural Resources, now known both as IUCN and the World Conservation Union, has an over-arching role among environment NGOs. Its role in Antarctic politics has been long-lived, and increasingly closely-linked to a point where it must be regarded as one of a handful of NGOs that are ATS “insiders”.

The union was formed in 1948 to promote the protection and sustainable use of living natural resources, based on scientific principles and adequate research (Barnes 1982, 70). The British diplomat, Sir Julian Huxley described it in his memoirs as “the organisation for nature conservation I have founded and built up at UNESCO”. (Boardman 1981, 4). But the impression should not be held that it is a de facto inter-government organisation. It is much more of a hybrid.

IUCN at the time of its 40th anniversary in 1988 had 634 members and affiliates from 120 countries. Among those members were 56 nation states. Each state member has three votes, one of which may be exercised collectively by government agency members. But the overwhelming number of members is composed of national and international non-governmental organisations which each have one vote too (IUCN, 1987).

Following the signing of the Antarctic Treaty in 1959, the scientific machinery attached to it might have presented an opportunity of access for an organisation like IUCN, but it did little in the first two decades to become involved. “Its capacity to translate thoughts into action was severely constrained by the more exclusive nature of Antarctic inter-governmental relations.” (Boardman 1981, 138). Latterly the same observation is made by Kimball who suggests that even in the 1980s, collaboration was difficult between SCAR’s relatively closed network of old Antarctic hands and IUCN, which lacked Antarctic credentials

and had a more prominent advocacy style (Joyner and Chopra 1988, 36).

The start of IUCN's involvement in Antarctic issues appears to be 1972 when it asked a US academic to develop the first world park proposition for the continent, subsequently approved at IUCN's Second World Conference on National Parks at Yellowstone-Grand Teton in Wyoming, USA. IUCN was involved in preparatory work for the Convention on the Conservation of Antarctic Marine Living Resources (Barnes 1982, 70) and when the instrument was drawn up, the commission and scientific committee were required to co-operate with non-governmental organisations. "Ones like SCAR and IUCN seemed to be in mind." (Herr 1990, 143).

One of the earliest intentions of IUCN appears to have been to gain better access for NGOs to the closed ATS. In 1981 an IUCN resolution called for ATCPs to invite qualified NGO representatives to participate in ATCMs, according to "normal international practice" and in order to foster public education. It also urged national governments to consult with, and include NGO advisers on their delegations.

It is a matter of interest that this second suggestion urging the inclusion of advisers has been taken up generally with very little enthusiasm by ATCPs. Probably the first NGO adviser to join a national delegation joined the US contingent to CCAMLR negotiations in 1980. (Beck 1986, 226). Since then a handful of NGOs have found places in national delegations. IUCN appears, in that case, to have had only limited success.

But on the matter of direct representation by NGOs in the ATS, IUCN has been something of a pathfinder. It gained admission to observer status at ATCM XIV, and maintained a presence at most meetings of the system - scheduled, special and CCAMLR - since then. It is regarded to have had an evolutionary role. "When we started out the profile was more passive and over the years it has grown," said IUCN's Antarctic coordinator, Paul Dingwall (Dingwall interview, 1992). "For example at ATSCM XI on the Environment Protocol we presented in three treaty languages the IUCN Antarctic Conservation Strategy, an 80 page detailed document."

At meetings IUCN has presented formal plenary statements on behalf of the union, as well as papers to working parties. It is making such a strong contribution to the system now that at ATCM XVII, a paper resulting from a joint SCAR-IUCN workshop on protected areas formed the basis for ATCPs' discussion of the issue. This is a good example of the way IUCN sees its role. "We are essentially a science and technical conservation body, not a political body, so we like to align with SCAR," Dingwall said. "By twinning science and conservation expertise we can establish a reputation with the national authorities." (Dingwall interview, 1992). This involvement reached a point on the minerals issue where there grew up a tentative collaboration between IUCN and SCAR in the form of the conservation plan referred to. "Eventually, after being raised by IUCN's Ecology Commission in 1981, in late 1985 a joint SCAR-IUCN working group was established to outline a long term conservation plan for Antarctica." (Joyner and Chopra 1987, 39)

IUCN's involvement in Antarctica should be seen in the context of a big global spread of interests and increasingly strong concentration of its resources on the Third World. Between 1981-2 and 1991-2 the project budgets of 20 selected regional and country offices of IUCN rose from Sfr 13.4 million [\$A14 million] to Sfr25.8 million [\$A27 million]. (IUCN Bulletin 1992, 15.) Of course, this publication continues, no such allocation is made for the far south: "There are places where establishing a presence would be prohibitively costly: Antarctica for example."

Nevertheless Antarctica traditionally has found a place at IUCN General Assemblies. Issues raised include the preparation of the conservation strategy, an Environment Impact Statement on Dumont d'Urville airstrip in 1981, and encouragement for the adoption of Antarctica as a Nature Reserve and Land of Science in 1990.

An advisory committee on Antarctica was established by IUCN in December 1983. At the past four general assemblies, specific workshops on Antarctica have been held. The tenor of IUCN's approach can be detected in this example of its 1981 resolution. It recognises the "paramount importance to mankind of

[Antarctica's] great wilderness qualities for science, education and inspiration." (IUCN 1991, 74) At this point it opposed any exploitation of minerals, and said ATCPS should not bring any minerals regime into operation until "full consideration has been given to protecting the Antarctic environment completely from minerals activities." (Wolfrum 1985, 431).

It should be noted that many national governments which are key ATCPs are also represented at IUCN. For example at the 1981 UN Assembly there were 11 (Harris 1985, 319). But despite the strong direction of the assembly's language, ATCPs are not bound to follow its resolutions. IUCN's rules do not prescribe that, and neither do IUCN's energies appears to be focussed on that path informally. "IUCN is a strange beast because of its membership, and it has to tread a fairly circumspect line." (Dingwall interview, 1992).

Some suggest that the composition of IUCN gives it extra sway. "Its hybrid structure makes it more difficult for governments to ignore what it is saying, although a trade-off is that IUCN is not oriented toward advocacy." (Barnes 1984, 172). IUCN's structural facts of life also mean that its membership constrains it from the kind of activism that exposes brightly the sins of wrongdoers. "One whose membership comprised a hybrid mixture of states, government agencies and private bodies was denied much taste of this luxury." (Boardman 1981, 73). Activism is the kind of thing perhaps better handled by its close relative WWF, which tends to play a separate role from IUCN in the Antarctic sphere. As a political actor it holds a unique position in relation to the ATS; being at once a forum for the discussion of sensitive environmental and scientific issues at its general assemblies, and secondarily a quiet promoter of environmentalism in joint activities in Antarctica.

## ASSESSMENT

### STRUCTURE

Membership: IUCN is marked by an exclusive membership of non-state and state actors who can only join with others' approval

Resources control: It has extensive means of financial support from constituent states and private sources, and uses its resources in a range of globally significant programs.

#### RELATIONSHIPS:

ATS standing : The union has a strong formal standing with the ATS as an official observer and a continuing contributor.

External activities: IUCN's external political linkages are great, and the time it spends on Antarctic-related matters is relatively small. But it tends to focus on the expert. Despite its breadth of operations it is little known in popular terms.

#### World Wide Fund for Nature (WWF)

WWF originated from IUCN in 1960. Some say it was proposed as a fund-raising twin (McCormick 1989, 41), others suggest it was created by individuals concerned about the gap between urgent conservation needs and the apparent inability of existing organisations to tackle them. (Boardman 1981, 44) By 1991 it was described as the world's largest private international nature organisation, claiming more than three million regular supporters, and national and associate organisations in 27 countries. (Suter 1991, 136) WWF has a structure of national groups, which are involved in policy discussion, but final decisions are taken centrally. WWF's Antarctic campaign coordinator, Ms Cassandra Phillips, says: "We then try to come to an agreement on what the 'family' policy will be, and on how funds raised will be spent. The international headquarters in Switzerland consults very closely with the national organisations, and they sit on various committees planning policies and spending, but once the decisions are reached, then all the national groups go along with it." (Phillips interview, 1992). In other words there is an internal, consensual, but centrally-directed policy base. The origins of its involvement

in Antarctic conservation are linked to one of the organisation's founders, Sir Peter Scott. During the 1980s, Scott was said to have become very concerned with growing threats to the Antarctic, and to have made sure WWF became increasingly involved with efforts to protect it. "All the time until he died in 1989 he held high offices within WWF. He was the chairman at one point, and his always was an extremely influential voice. Conservation in Antarctica was one of his crusades really..." (Phillips interview 1992).

There was no opportunity for Scott to address the ATS directly, but he sent personal messages reproduced in ASOC's ECO magazines at the minerals negotiations, and was instrumental in getting resolutions passed by IUCN. "Certainly all through the 1980s at IUCN there was always a big discussion about Antarctica, and WWF was pushing those very hard." (Phillips interview, 1992) Scott also wrote to world leaders, for example jointly signing with the French activist Jacques Cousteau an April 1989 letter to Australia's Prime Minister, Bob Hawke, urging the rejection of CRAMRA. The Antarctic torch that Scott kept burning in WWF induced other environmentalists to become active in the area too. "I remember coming back from a meeting with Peter" recalls ASOC's Jim Barnes. "I was so enthused about it that I put a sign up on my wall saying 'Think Big about Antarctica', and that was there for about 10 years." (Barnes interview, 1992).

WWF sees its role in Antarctic politics as lobbying politicians and keeping the public informed of major issues (Phillips, Martin-Jones, interviews 1992). It claims to be an influential part of ASOC and a significant financial backer. WWF has not seen any need to make an independent effort separately to lobby ATCPs. It has never formally sought the standing within the community that ASOC and Greenpeace have desired.

It has taken a specific interest in joining some Antarctic projects though. For example in 1991 with the Fondation Cousteau, ASOC and the French League for the Protection of Birds, a WWF representative visited Point Geologie to report on the effects of airstrip construction (Cousteau Society 1991, 11). In 1991 also WWF co-sponsored a pilot study on the effects of tourism in

Antarctica that was jointly operated by the UK, Chile and Argentina, though it decided not to carry that sponsorship any further. (Phillips interview, 1992). Such work is mainly on the 'soft' side of Antarctic political lobbying. In the course of the minerals debate it became involved in harder public campaigning, particularly in the UK which has a strong membership support base. WWF joined with the conservative Women's Institute and Greenpeace to mount a mass lobbying effort, both directly of political leaders, and by a public petition campaign. This is an indication of what appears to be one of WWF's strengths as an NGO: the national program. Another example is the Australian branch's decision to include in its lobbying document "Greenprint for the Environment, a Conservation Agenda for the Federal Government, 1990", a list of detailed policies, including the creation of a new Antarctic conservation regime. The indications are that as an actor, WWF has the capacity to be a significant player in the ATS, if it has the inclination.

## ASSESSMENT

### STRUCTURE

Membership: WWF has an openly available membership and claims a huge support base to make it one of the most popular environmental NGOs in the world.

Resources control: The organisation has a big budget and resources which are often devoted to practical projects developed through a centralised control over the assembly and execution of policy.

### RELATIONSHIPS:

ATS standing: WWF has no formal standing inside the ATS, but keeps a little informal standing when it works on a project basis with some ATCPs.

External activities: WWF operates in most developed countries of the world and thrives particularly in Europe. It has a range of linkages through expert to strongly popular and crosses a broad range of environmental preservation issues.

## Antarctic and Southern Oceans Coalition (ASOC)

ASOC is the most strategically placed environment promotion non-state actor in the Antarctic Treaty System. After years of external lobbying it forced its way through the ATCP walls to gain official recognition through observer status in the two active forums of the ATS: the ATCM and CCAMLR. The position was not achieved without controversy and resentment from others.

ASOC's formation was initially the idea of US environmentalist, Jim Barnes. Against a background of concern at the shape of the embryonic CCAMLR, and inspired by Sir Peter Scott, Barnes, an American lawyer, said in 1977-78 he decided to organise a coalition of environmentalists interested in Antarctica. His method recalls a trail blazed 10 years earlier by the American environmentalist David Brower when he formed Friends of the Earth, (FOE) initially by approaching his own friends overseas (Willetts 1982, 106). Barnes said: "it took me a matter of days when I first broached the subject to colleagues in Australia, New Zealand, England and Canada, as well as the United States, to form a small coalition. We started operations shortly thereafter." (Barnes interview, 1992) Membership rose from an initial 12 groups in five countries to a peak of about 200 groups in 40 countries. But care is needed in interpreting this number. Some of these groups are very locally based, and the extent of their real active interest in Antarctica may be questionable. In addition, although financial assistance was sought and gained from large and small, eventually only a few large NGOs became the supporting core of ASOC's work. ASOC's strategic approach was to maximise the use of thin resources for Antarctic environmental lobbying. "It was not a high priority issue for major groups, not even ones that ended up having a huge role, like Greenpeace and WWF." (Barnes interview, 1992.) The coalition operated on a shoestring budget of about \$25,000 for many years, using part-time secretariat offices.

Some experts such as Kimball and Suter call ASOC a clearing-house for

information, publicity and action on policy issues. (Joyner and Chopra 1988, 30; Suter 1991, 75). But Barnes denies that for member organisations, ASOC is simply an information network for member groups, rather than a means of involving them in direct decision-making. "This has been a consensual process to the largest extent possible," he said. "Certainly one of the key things we do for member groups is to give them accurate information several times a year about what's happening. (But) we solicit their views in a very straightforward way, and we have an active correspondence with many member groups." (Barnes interview 1992). Nevertheless he says that in practice those most involved are members of the "big three" environmental INGOs: Greenpeace, WWF and FOE, plus six or seven key nationally-based member groups, such as the Australian Conservation Foundation, the Environment Council (ECO) in New Zealand and The Wilderness Society in the United States. At its height in the early 1990s there were nominally three ASOC "secretariats"; the Antarctica Project in Washington DC; ASOC-NZ in Wellington and Greenpeace Australia in Sydney. Based in these three cities were the handful of people who actually did the day-to-day work of ASOC, and who were supported by the larger international NGOs.

An important mechanical function for this widely dispersed workforce, and one which illustrates well the united manner in which ASOC approached the task of lobbying has been its use of electronic mail. Years before it became popular, it was seen by ASOC as particularly useful. But the actual presence of ASOC teams at ATCPs' meetings is seen by Barnes as the most useful measure of active involvement by individuals. "It was those opportunities when we were actually working in the flesh together which I think helped us to make the clearest decisions about policies." Barnes emphasised his belief that decision-making within ASOC was also consensual. (Barnes interview 1992)

ASOC puts its views both in formal statements to ATS meetings and in discussion papers. For much of its lifetime, it has also used the Friends of the Earth-based occasional newsletter of international meetings, ECO, to project alternative views to ATCPs and the wider community. Published locally at the

ATS meeting venue, its exhortatory style is directly addressed to delegates, though it may be distributed to a wider audience than that. Some ASOC activists have also been taken onto national delegations. However although ASOC and some of its members requested observer status at various Antarctic treaty meetings, this was denied until in 1988 it was accepted at CCAMLR. "In other words, ASOC is now an important player in the CCAMLR debates." (Suter 1991, 134) This high level of standing was acknowledged by SCAR, but for different reasons. "[ASOC] has been very successful in handling the media and tackling governments on environmental affairs," SCAR said (Antarctic Treaty 1991d, 236). ASOC's position inside the system was even more strongly entrenched in 1990 when it was invited to participate in the Special ATCM on environmental protection at Vina del Mar, Chile. Since then it has become one of a handful of organisations, both inter-governmental and non-governmental, to be regarded by the ATS as having enough scientific or technical interest in Antarctica to qualify to be invited to attend as observers at ATCMs (Antarctic Treaty 1991d, 38).

Inside the forums of the system ASOC maintains a less strident voice than is expressed by its own more activist component groups who address the general public outside. There was a nice illustration of this in 1987 in Hobart. After Greenpeace activists dramatically hung from ropes to unfurl a banner from a bridge to coincide with the CCAMLR meeting, ASOC members continued their morning coffee break lobbying of diplomats. ASOC is the agreed primary vehicle for environment groups when dealing with treaty parties. For example, when Greenpeace backgrounded the final negotiating session of the SCM on environmental protection, it carried notes on four different proposals: the ATCM draft protocol, the UK position, the US position and ASOC's.

In all, its role is said to add up to an effective mechanism for NGOs to collaborate with. "ASOC has monitored all the treaty meetings and government negotiations through the 1980s...They have developed lobbying strategies and taken a lead in preparing many major documents used by the environmental community." (CODEFF 1990, 100). A corollary of this less public approach by

ASOC is, of course, that less public recognition comes its way. It appears to be largely unknown in the wider community. For instance when government and NGO congratulated each other in Canberra upon signing the Madrid protocol, no mention was made in the formal speeches by either Greenpeace or the Australian Foreign Minister of ASOC, the organisation through which much of the lobbying work was actually done.

## ASSESSMENT

### STRUCTURE:

Membership: ASOC is open to any group and claims a diverse range of members but in fact is backed more by an active handful of the major world environmental activist NGOs.

Resources control: Policy is centrally controlled and executed by an inner ASOC group representing the major organisations and one or two ASOC executives. Its thin resources are provided by the major organisations, hence ASOC cannot be said to be largely self-determining.

### RELATIONSHIPS

ATS standing: ASOC gained a prized formal status of observer within ATS meetings; a singular role allowing coalition members to keep activist functions at arm's length while gaining the insider's information.

External activities: ASOC is Antarctic focussed and has little or no other international interest.

## Greenpeace International

Greenpeace International officially adopted Antarctica as a campaign issue in June 1983 (May 1988, 172) following pressure from some environmentalists concerned about the minerals negotiating process. The decision was taken by the organisation's governing council on a submission by Jim Barnes and the

New Zealand environmentalist Roger Wilson. At this point in Greenpeace's history it was one of the world's most prominent environmental organisations, and it has continued to grow. It claimed 2.8 million supporters in 1988 and five million in 1992, with global revenues of \$US151 million. (Reuter 1992)

Greenpeace has a reputation as a direct action environmental organisation. "It is important to stress...how isolated the examples (of direct action) are amidst the vast amount of lobbying by environmental groups." (Lowe and Goyder 1988, 62). In the words of one of its pamphlets, "Greenpeace operates within the philosophy of non-violent direct action because we believe we must change attitudes generally in order to influence the decision-makers within governments and society to abandon the many destructive abuses of the environment." (Greenpeace, 1992)

This has always involved sophisticated use of news media. Over the years, it is said to have succeeded in drawing attention to environmental issues more dramatically than any other pressure group through spectacular designed-for-tv actions. "the main objective for most Greenpeace actions has simply been to get onto the TV news, and campaigners have regularly risked their lives for the cameras." (Porritt 1988, 95)

For the decade after its 1983 adoption of Antarctica, Greenpeace expanded the campaign in several directions. "I'm very much aware that successful environmental campaigns always had three components: the political, public awareness-raising and scientific. I've never seen a really successful campaign that hasn't combined all three. So when we actually set up the campaign properly, it was important to get working in each of these three areas." (Wilson in May 1988, 172).

It is also important to note that in this campaigning process there has been a good deal of joint co-operation with other groups, and key practitioners, as was outlined previously in relation to ASOC. There can be identified four particularly significant thrusts in the Greenpeace Antarctic campaign, some of which do not appear specifically focussed on the overall goal of achieving world park status for the continent.

Firstly in 1983 Greenpeace picked up and exposed to ATCPs the construction of the Dumont d'Urville airstrip without an environmental impact assessment and with apparent destruction of wildlife. A decade later the strip was abandoned, and Greenpeace's continued pressure against its construction claimed to be vindicated. As a reminder to ATCPs that an external activist group can monitor them for embarrassing non-compliance, its importance should not be understated.

Allied to this is the second thrust, in which Greenpeace became an active monitor of environmental behaviour at national stations. The Antarctic Treaty makes provision under Article VII for treaty members to inspect each others' bases in order to maintain a self-policing role for ATCPs. In practice, these inspections under the treaty seem to be remarkable for the apparent absence of breaches, rather than the reporting of them. Since 1986 Greenpeace has copied provisions of the treaty in undertaking its own inspections. It has met various degrees of co-operation or hostility along the way from different ATCPs, and has reported upon the state of the bases at the end of the season, often very unfavourably. Again, Greenpeace as a non-state actor is by this process directly taking to task nation-states party to the Antarctic Treaty and, to boot, using the example to further its aims. "It is worth considering that there are not likely to be any stronger controls over minerals activity than are possible over scientific activity on the continent," says one expedition report. (Greenpeace International 1988, 78).

Greenpeace's extensive logistic capacity rivals, and sometimes exceeds, that of the smaller ATCPs. It includes the ice-strengthened ships 'Greenpeace' and 'Gondwana' which have given the organisation a capacity to translate campaigns into direct action unrivalled among NGOs. This was evidenced best by the third issue for discussion: the World Park base. Established and run for five year-round seasons at Cape Evans before its removal in 1992, this four person base showed Greenpeace to be more active on the Antarctic continent than some of the smaller national programs. Said campaigner Roger Wilson: "By establishing the base, we have fulfilled the same kinds of criteria that are

applied to nations that seek membership of the Antarctic Treaty as consultative parties. We at least deserve observer status.” (May 1988, 174). Greenpeace had obtained neither status when it dismantled and removed the World Park base.

It has not been successful in obtaining representation in the forums of the ATS, having applied repeatedly both to ATCMS and CCAMLR, and been refused. For example in 1990 Greenpeace applied at a time when some of its members were involved in an action that conflicted with Soviet Union in the Arctic. On the ground of such behaviour, the Soviets black-balled Greenpeace’s admission to CCAMLR.

The Australian Foreign Minister, Senator Evans, commented that although his country continued to speak in favour of attendance by Greenpeace at Antarctic meetings, “I think there is some way to go before we achieve that”. (Evans 1991, 2). But Greenpeace has not been content just to lobby the ATCPs about Antarctic; it has also taken another route which is likely to get their backs up: by going to the United Nations, which in the 1980s sought to challenge the ATS’s hegemony over the continent. While it has been happy for ASOC to take the running in ATS forums, Greenpeace has made considerable contributions to the United Nations debate, and encouraged the UN to take a greater interest in Antarctica. “The participation of Greenpeace in the UN debate has been absolutely essential to any success achieved there. Annual briefing documents have been very important and widely used by government representatives at the UN.” (May 1988, 175).

## ASSESSMENT

### STRUCTURE

Membership: Greenpeace has a very large grassroots membership of increasing global reach, giving it great popular support.

Resources control: The organisation's governing council exerts direct control over major policy, which is executed in strictly bureaucratic fashion. Extensive finances and the possession of large scale capital resources give Greenpeace a high degree of self-determination.

#### RELATIONSHIPS:

ATS standing: Greenpeace's lacks a formal linkage with the ATS despite numerous attempts to engage the system in official interactions, from requests for observer status to base inspections.

External activities: Greenpeace's activities cross a broad range of generally marine-related global environmental issues.

#### World Resources Institute (WRI)

The place of the "think tank" in Antarctic politics can sometimes be overlooked in a study of NGOs active in the system when in fact they provide significant support to others developing policy, not to mention their own direct policy input. One example of such an institution which has had a substantial input into ATS decision-making is the Washington-based WRI.

It was launched by a group of wealthy individuals in what appears to be a case of the American philanthropic tradition. A private foundation, the John D. and Catherine T. McArthur Foundation, provided the core funding for a five year start-up, and continue to provide a substantial portion of its total revenue, which stood at \$9,218,487 in 1990. (World Resources Institute 1991, 24). It also relies strongly on funding provided by the US Government through the Agency for International Development. That funding stood at \$1.58 million in the same period.

WRI sees its role as conducting objective policy research, publicising new options and encouraging their adoption, and providing strong technical support

to developing countries to help them implement policies that sustain healthy economic development (World Resources Institute 1991, 1). One staff member of WRI, Lee Kimball, was an influential NGO representative in Antarctic debates during the 1985-91 period. But the approach she brought to discussions differed significantly from that of the environmental activist NGOs. For example the WRI approach was one of continuing support for CRAMRA during the course of its decline in international popularity, as being the best means of safeguarding Antarctica against possible mineral development. (United States of America, 1990b). She has also campaigned consistently for strengthening the institutional and information underpinnings of the system.

Kimball was the NGO representative in US ATCP delegations in the key phase of negotiations for CRAMRA. In addition she wrote a series of influential reports and commentaries, and participated in, or helped to organise, a number of meetings of Antarctic experts. WRI described her work as one of its linked initiatives designed to heighten international co-operation on environmental issues.

WRI has a trans-Atlantic relative, the International Institute for Environment and Development [IIED], which operates on similar lines and in similar global spheres. Today IIED is better known for wider Third World issues. But in its early years in the UK, the organisation founded by British woman Barbara Ward and US petroleum industry philanthropist Robert O Anderson, showed a limited interest in Antarctic policy. IIED published in 1980 "The Management of the Southern Ocean", a booklet that "predicted the crisis to come in Antarctic governance". (IIED annual report, 1990-91) IIED also played a role in the UN debate over control of Antarctica, by organising press conferences shortly after the UNCLOS negotiations in which key ambassadors denounced the exclusivity of the ATS. Since that time, IIED's North American arm has merged operations with the World Resources Institute, while the London-based headquarters of IIED has firmly focussed its attention on issues of sustainable development. Ms Kimball began working on Antarctica when with IIED, but continued through the relevant period as a representative of WRI.

## ASSESSMENT

### STRUCTURE:

Membership: WRI has a small, closed and expert membership. It claims no popular support, but seek to speak with authority through its expert familiarity with the governmental systems it analyses.

Resources control: Origins of its financial support are philanthropic business and government. It has the possibility of a high power of self-determination in the policy it reaches, always keeping in mind the goals of its financial backers.

### RELATIONSHIPS:

ATS standing: WRI had a prestigious formal role as a long-standing member of a powerful national.

External activities: WRI has a range of international interests and linkages on issues of sustainable development policy, of which Antarctic policy plays a small part.

## The Cousteau Society/ Fondation Cousteau

In 1988 the charismatic French ecologist Jacques-Yves Cousteau began a petition in his home country against the adoption of CRAMRA. This was the beginning of a campaign by the organisation bearing his name which has considerable importance in the case study under analysis. Previous to that, though he had been to Antarctica five times, Cousteau does not appear to have been regarded as an actor in relation to the ATS at all.

The NGO known in France as Fondation Cousteau and elsewhere as the Cousteau Society is a French and American-based organisation claiming 300,000 members, many of whom pay a \$US28 family subscription. Its work over the past four decades has been directed at raising awareness about marine-based ecological issues. Key members are, for example, repeatedly engaged in lecture tours in the United States. Captain Cousteau is the society's guiding

light, a well known international media figure, and could be regarded as a household name in France. There was no question he had very good access to key national politicians, including President Mitterand of France, Prime Minister Hawke of Australia [who provided him with honoured visitor status to Australia] US Secretary of State James Baker (Browne 1989, 15) and President Bush of the United States.

For his petition Cousteau claimed to have gathered 180,000 signatures in France by March 1989; 1.5 million in Europe and the United States by October 1990, and two million by June 1991. (Cousteau Society 1991, 3). The petition, addressed to different national governments, called upon them not to ratify CRAMRA, but to support a “global protection measure”. Even in its early stages, the petition seemed to significantly influence the French Government. It was linked by Prime Minister Michel Rocard in March 1989 to a need the government had recognised to ban industrial development and permit research only (transcript of TF1, “Questions A Domicile”, 24/4/89).

Following the fortunately-timed Paris ATCM, where ATCPs’ divisions came into the open and Cousteau appeared close to French Government figures, he planned a lobbying effort of the four countries most resistant to change, the US, Britain, Argentina and Chile, employing two foundation officials full-time on the lobbying task as well. The foundation maintained a formal distance from other environmental promotion NGOs, although unofficial linkages were clear. In one media campaign Captain Cousteau took six children - one from each continent - to Antarctica in January 1990, where he filmed and then televised the result. Upon settlement of the environment protocol, the society claimed pride in being at the forefront of the debate. Since settlement of the protocol, it has less interest in Antarctica. It attended the 1990/1 SCMs and ATCM as an NGO member of the French delegation and also took part in a fact-finding mission by environmentalists to Point Geologie in Terre Adelie.

## ASSESSMENT

### STRUCTURES:

Membership: The Cousteau Society claims a grassroots membership. However membership confers few policy control benefits, if any. Although supporters' numbers are high, their involvement is more passive than some other environmental promotion NGOs.

Resources control: Direct control of policy remained with one central charismatic figure who made a public appeal for support and conducted the foundation's campaign in high level political lobbying, self-financed, and government provided publicity exercises.

### RELATIONSHIPS

ATS standing: The Cousteau Society's formal interest in the ATS has been largely confined to the period under study when its representatives joined French Government delegations.

External activities: The Cousteau Society takes an interest in maritime environmental issues on a range narrower than the large global groups, but the presence of a charismatic figurehead can allow a high level of international entree.

## International Association of Antarctic Tour Operators (IAATO)

The International Association of Antarctic Tour Operators is probably the most recently formed Antarctic NGO; it is also one of the more strategically directed. It is the first case of an industry non-state actor being specifically formed to act in the ATS. IAATO was formally convened in 1991 with seven members initially. In July 1992 another six joined. Its membership is weighted heavily toward the US, from whence most Antarctic tourists come. It has a

part-time executive secretary whose main employment is with one of the major operator members.

Since as early as ATCM IV a series of measures have been introduced to regulate tourism in Antarctic; these measures being aimed at protecting both the tourists and the local environment. By April 1991, Antarctic tourists numbered approximately 3,500 passengers per year, most of the visitors were ship-borne, and the impetus towards the formation of IAATO was growing. The way that IAATO's executive secretary, Ms Melissa Folks, put it was: "four tour operators got together in the 1988-9 seasons and drafted joint guidelines for operating in Antarctica. Then gradually more and more operators have become active, and we felt the need to speak with one voice. So it wasn't the governments asked us to form one group. I guess you could say it was the industry." (Folks interview 1992)

There is no doubt however that the industry was strongly urged to form an association, particularly by the U.S. Government, from whose country the tourists were mainly sourced, at a time when operators recognised imperatives likely to be imposed upon the industry by a surge in environmentalist strength. The matter was brought into the open at a meeting of the Pacific Asia Travel Association in Bali in April 1991. "The Environment Protocol's approach to tourism is now taking shape," said Mr Jack Talmadge, of the US Antarctic Research Program on a video presentation to the conference. "The question currently under negotiation is: will the world choose to govern Antarctic tourism through an adversarial system of regulation and bureaucratic oversight? Or will we build on the success of US interaction with its Antarctic tour operators? This relationship includes: government-industry co-operation, the education of tourists and persuasion backed by strong federal law...The US co-operative model." (Talmadge 1991).

PATA established an Antarctic Fund "to promote sensitivity and awareness of Antarctica", with a proposal that funding could be primarily by a levy on tour sales to Antarctica. PATA also met in August 1991 to discuss further the proposed IAATO. There it was agreed to present an industry position paper to

XVI ATCM and to explore representation at the Bonn meeting. IAATO did attend Bonn, where it was an external observer unrecognised by the system although the IGO, the World Tourism Organisation, was formally given observer status. At a special ATCM on tourism immediately before XVII ATCM in Venice, IAATO gained observer status.

While IAATO is perhaps the most prominent industry NGO in the ATS, it is not the only one. Mention may be made here of another that has shown serious interest in the ATS. The Japan Deep Sea Trawlers Association strongly influences its national delegation to CCAMLR, and with Japan one of the big two Antarctic fishing nations, this is a matter of some consequence. A CCAMLR insider describes the JDSTA as an ever-present pressure on that delegation. "No other country is so concerned about the confidentiality of their commercial interests," the source said. According to the JDSTA representative at CCAMLR XI in 1992, Mr Take Takahashi, the association is a small organisation representing about 11 different fishing companies, with an office in Tokyo.

## ASSESSMENT

### STRUCTURE:

Membership: IAATO has a small, closed membership confined to specialist commercial enterprises in the field of Antarctic tourism. It attempts to represent such specialists, but not all belong.

Resources control: Self-financing from members, it can maintain close control over resources and specifically aims to promote an industry position.

### RELATIONSHIPS

ATS standing: IAATO gained observer status at ATCMs.

External activities: The political focus if IAATO is inward to the ATS. It has an insignificant international political standing, but may be recognised as an authority by others in the tourism industry.

## Friends of the Earth International (FOE)

The third of the 'big three' environmental promotional INGOs, FOE has in recent years largely left the running on Antarctic issues to Greenpeace. In earlier years of environmentalism FOE was significant among several contributors who took an interest in representing itself the politics of the continent. Later it gave a key supporting role to ASOC, and in the most active phase of 1988-91, it played an important role again in raising grassroots campaigns. But it should be noted that FOE has largely eschewed direct interaction with the ATS.

In the late 1970s it was active in promoting concepts of protection for the continent such as its designation as a "Wilderness Area", outlined in "World Law and the Last Wilderness", by K.D.Suter and published by FOE in Sydney. This proposed what the author described as a "multi-system approach" to the Antarctic, concerned with protecting the complete environment. For the next decade FOE largely faded to the background of the Antarctic debate. However resources it provided to aid the Antarctic Secretariat in Washington DC, and to the publication of the NGO periodical ECO, showed it was prepared to maintain at least an interest in events. Its third phase of involvement came in 1989 when FOE joined in the "Group of 10" US national-based NGOs who determined to band together in opposition to CRAMRA, and in support of the environmental initiative.

Other NGOs like FOE who have come and gone over the years after taking an interest in Antarctica include the US-based Environmental Defense Fund, the British-based information clearing house Earthscan, and the previously mentioned International Institute for Environment and Development (UK)

## ASSESSMENT

### STRUCTURE

Membership: Commensurately high with other major environmental promotional NGOs, FOE is strongest in specific European nations and in North

America.

Resources control: It has extensive international finances and resources directed at grassroots lobbying.

#### RELATIONSHIPS

ATS recognition: FOE's involvement with the ATS has been limited. Usually taking on a supportive role to other NGOs, it has no recognition by the ATS and has not sought any direct role, neither as delegation member, observer, nor external activist.

External linkages: FOE's external standing internationally is high profile in many Western countries and covers a range of environmental interests.

#### Nationally-oriented NGOs active on Antarctica.

Apart from the fore-mentioned NGOs who are all international in their operations and activities as non-state actors in Antarctic politics, there is a suite of national-based NGOs who have come and gone over the years from the scene. Though there is a clear limit to their relevance to a study examining direct interactions with the ATS, some of these are worthy of mention not only for their indirect inputs to the system, but also because as the national representatives of INGO efforts they provide a measurement of the strength of political outputs of the ATS. In the former case they may, for example, provide delegation NGO representatives, or resources to support them. In the latter they may agree to campaign at a national level on behalf of INGOs who have brought back decisions from their interactions with the ATS.

These national-based NGOs include the Sierra Club and The Wilderness Society [USA]; the peak Environment and Conservation Organisation [ECO-NZ], and in Australia the Australian Conservation Foundation, Fund For Animals and Antarctic Defence Coalition - both now subsumed. In order to illustrate the individual roles of national organisations, an example has been chosen for brief study and inclusion in measurements of strength and influence.

This example has also been chosen because it represents the emergence of an NGO that is not part of the First World, the place where most come from.

### Comite Nacional Pro Defensa De la Fauna Y Flora (CODEFF)

CODEFF is a Chilean membership NGO with no reliance on government funding, independent of any religious or political affiliation, and not receiving specific support of any government organisation (Verscheure, 1992). "We operate on several levels; we lobby a lot, work through communications with the public and legal actions against polluters, companies and government," said Verscheure. "We use public action as a tool for influence, and we have a lot of international level contact in order to get results."

Founded in 1968, CODEFF eventually claimed to have won a space for Latin-American NGOs in the debate about Antarctica in 1990. "The theme of the Antarctic has traditionally been seen in our country as a field of decision making which is only for the government, military, industrial and in some ways the scientific community," said CODEFF's Sandrine Fernandez at the 1990 workshop sponsored by WWF marking the entry of these Latin-American NGOs into the ATS sphere. "We are interested that the non-governmental movement continues to take part in the generation of regional proposals and that they consider themselves as an actor which can contribute towards generating a new series of dynamics...In this regional work there are two spaces to which we must have access: the national parliament and the military (CODEFF 1990, 20). As a result of that workshop a network of NGOs of Latin America was formed. A somewhat uncertain space was also won by CODEFF on national delegations representing Chile at one meeting of the XI SCM, and at ATCM XVI. "I can't say that we are permanent members of the delegation," said Verscheure.

CODEFF is the only known South American-based NGO currently showing an interest in Antarctica. This is important because it demonstrates a shift away from the almost exclusive dominance by First World non-state actors, and thus a broadening of their legitimacy among different segments of the general

population.

## ASSESSMENT

### STRUCTURE

Membership : Possessing a limited but open membership, it is based on activist groups in Chile.

Resources control: Its control over policy development is asserted to be independent, and it claims a total membership financial support base

### RELATIONSHIPS

Recognition by ATS: CODEFF is taking part in national delegations and extending its links to other South American NGOs.

External activities: Outside the Antarctic world, CODEFF appears to focus on many other national issues and take a broad regional interest in the environment.

## (V) COMPARING THE RELATIVE STRENGTHS OF NGOs

### ACTIVE IN THE ANTARCTIC TREATY SYSTEM

To reiterate: the purposes of the preceding analysis have been to assemble NGOs who had a significant linkage with the ATS during the period of the case study, and assess their qualities against common criteria. Using these criteria, the groups can now be placed on two grids, the better to compare and contrast them.

**STRUCTURE**

*Resources*

*Control*

Great		IUCN	Cousteau CODEFF	FOE Greenpeace WWF
Some	WRI			
Little	IAATO SCAR	ASOC		

Not popular    Aggregated    Popular    Widely popular

*Popularity of Membership*

**RELATIONSHIPS**

*Focus of*

*Activities*

Global	FOE	Greenpeace WRI WWF Cousteau	IUCN
Partial		CODEFF	
Antarctic		ASOC IAATO	SCAR

None    Delegation    Observer    Functional

*Antarctic Treaty System standing*

## (VI) CHAPTER CONCLUSIONS

In order to understand better the role of non-state actors in the ATS, we can draw some initial conclusions about qualities held in common or separately by the above NGOs. These conclusions are worth keeping in mind as this thesis proceeds with its case study, which should illuminate how these qualities were in fact used, in the period under examination. Recalling the discussion earlier in this chapter about the measurement of these NGOs' strength as independent actors, we remember that one of the main focuses of interest is upon their likely capacity to exercise autonomy. The other is upon their prospects for possessing legitimacy with publics either in the ATS and/or the world outside.

Firstly on the issue of STRUCTURES, it is strikingly clear that most of the NGOs in question possess great control over their resources; they have that all important quality described earlier in this thesis: a self-contained decision making process. With such resources at hand most of these NGOs have the capacity to dismiss claims that they act as arms of state or other actors. Specific issue promotional environment groups are prominent in this respect, no matter what their spheres of operation. The centrally-directed policy of the "big three" environmental promotion NGOs [FOE, Greenpeace and WWF], together with their extensive apparatuses and finances, mean they would in theory have a high degree of resource capacity and flexibility to impact on a debate.

In counterpoint to these non-state actors, the NGOs dependent upon others for their resources might on the face of things have a question mark over their autonomy. But it is interesting to note what a mixed bag is this group with limited independent resources. The scientists' SCAR, industry's IAATO, and the environmentalists' vehicle ASOC all have places. Each wholly depends on other sources for funding and policy development; apparently possessing little personnel or material to let it act autonomously in a political environment. Marginally better placed is WRI, which also depends to a significant extent on government funding. But clearly resource dependence is not an overwhelming factor either. For example, we know ASOC was a central actor in the period under review. ASOC's direct linkage to the well-endowed "big three" gives it,

if not strict autonomy, certainly ability to act as agent for the more autonomous. Likewise IAATO is a direct vehicle for industry. Only SCAR, though it claims independence of action from the governmental sources of its funding, appears truly dependent when measured on a resources score.

In considering membership structures, it is worth noting the wide variety of constituencies claimed by these NGOs. Obviously the claimants of the widest popular support are the large multi-national environment promotional groups, and their near relatives confined to specific geographic areas. When combined with a high level of control over resources, this theoretically would make them formidable actors, able to claim widespread public legitimacy.

Not so the more “expert” groups such as SCAR, WRI and IAATO, which can be regarded as having exclusive membership lists confined to specific professional or business attributes, and totally lacking popular support. Their voices are more likely to be significant before some circumscribed specialist audiences and in some theatres. By the same token their external legitimacy with the general public is lower. If this comes on top of a lack of resources, their capacity to act independently would be further constricted.

Falling in between, and of particular note, are those actors with aggregate memberships: IUCN which is composed of other NGOs and governmental representatives, and ASOC. IUCN’s acknowledged position between the state and non-state worlds is reflected by this, while ASOC is a coalition claiming to be freely open to other organisations, but really more likely to be the province of an expert core of NGO members who use it as a common vehicle. The constituency from which each of these organisations can derive their legitimacy is therefore much more circumscribed. However what makes them different from SCAR is that they have a resource capacity behind them.

When it comes to assessing RELATIONSHIPS, the expected widespread focus of activities of the “big three” environmental promotion NGOs and IUCN appear to emphasise their strength as international actors. Also up there is WRI, a much different actor, nevertheless possessing a wide range of interests external to the ATS. It is interesting to see how and whether this is used in the

politics of the case study. The nature of the Cousteau Society and CODEFF makes them more limited players, restricted to some areas of the globe in the case of Cousteau, and to national boundaries in the latter case. Lowest on the scale naturally come the Antarctic specialist trio of SCAR, ASOC and IAATO. Their limited external profile is emphasised by this position. The question that arises for the case study is, which proves more valuable in influencing the course taken by the ATS: close links with the system itself, or with the outside world?

The place of Antarctic specialists close to the heart of the treaty system is also apparent on the measurement of ATS standing. Emerging in a singularly interesting position is IUCN. IUCN not only has an observer's seat, it has repeatedly devoted some resources to functional tasks hand-in-hand with the system. Clearly a much closer functional role has been claimed by SCAR; the closest of all NGOs to the regime. But IUCN's position demonstrates the close involvement of one NGO broadly based outside the system

Of potentially greater importance is this grid's measurement that some of the apparently strong environment promotional NGOs are barely recognised by the ATS. The question that arises from this is one of the most fundamental to be considered in this thesis, and draws on the earlier measurements. Given that these environment promotion NGOs [such as Greenpeace, Cousteau and CODEFF as a representation of national NGOs] possess a great degree of resource control, have widely popular memberships and are active on a range of external fronts, they can make claims to great autonomy of action and public legitimacy. What difference does it make if they play *no* recognised part in the activities of the ATS? Is it more important for these non-state actors that they bring to bear their strengths in a broader international context, to change the way the regime itself operates? And what does this say about the regime's approach to these actors and the likelihood of it achieving successes against their campaigning? Answers will emerge in the following case study. Now having documented and catalogued the "heretics" of the non-state world, we move on to the execution of their doctrines.

## **CHAPTER THREE**

### **A CASE STUDY (1)**

#### **THE RISE OF ENVIRONMENTALISM, AND OF THE CONVENTION TO REGULATE ANTARCTIC MINERAL RESOURCE ACTIVITIES**

## (I) CHAPTER INTRODUCTION

A case study has been selected in order to test the strength of non-state actors in their interactions with governments in the Antarctic Treaty System. The case study covers the period up to and including the negotiation of the minerals regime, CRAMRA, and its subsequent replacement by the Protocol on Environment Protection, the Madrid Protocol.

Lessons learned from this case study should give an insight into a general exercise of power by non-state actors in international regimes, how they try to gain public legitimacy and use that to enforce their views over state actors. It should shed light on weaknesses inherent in these regimes, and on frailties in the non-state actors themselves. Evidence should be found in the case study to show which attributes of individual non-state actors prove helpful to their cause, and which are a hindrance. Likewise there may be an insight into which linkages, both with the regime and the external world, prove valuable in influencing the course of events. These directions mean the case study should not be seen as a comprehensive history of the era under scrutiny, but as an attempt to shed light on its outcome.

This chapter deals with the first of two phases in an era divided by the time line of the signing of CRAMRA. This division has been made because of the clear separation in the dynamics of the periods under study. In the first era, political decision-making was almost exclusively the domain of government participants in the CRAMRA negotiation process; there were few publicly recognised non-government inputs to the process. In the second phase, the democratic process became available for use by NGOs in a manner not hitherto possible. The non-government inputs had a new level on which to operate; one which is dealt with in the subsequent chapter.

This chapter shows how one particular group of non-state actors, environment promotion NGOs, began to engage themselves in a contest with the governments of the ATS over the fundamental future direction of Antarctic governance. It endeavours to put this in a context with external political

influences of the time, examine how these NGOs began to campaign, what strategies they used inside the ATS, how they endeavoured to grow a public campaign, and how governments reacted.

## (II) THE GLOBAL CONTEXT

From the early 1970s, international environmental politics flowered. A critical event in placing this change on the international agenda was the United Nations Conference on the Human Environment in Stockholm, in 1972. By the 1980s environmental issues had escalated in importance in global politics. One barometer of this change was a series of annual reports published from 1984 by the Worldwatch Institute, a New York-based organisation advising the UN Environment Program. It found that initially, international environmental issues were confined to local transboundary concerns such as discussions on acid rain between the United States and Canada, or pollution of internationally shared rivers like the Rhine in Europe. By 1990, Worldwatch's project director Lester Brown concluded, genuinely global issues such as ozone depletion, climate change and the preservation of biological diversity had attracted the attention of national political leaders and the international community. "Environmental security issues now share the stage with more traditional economic and military concerns, inaugurating a new age of environmental diplomacy." (Brown 1990, 17)

This extraordinary explosion of interest was quantified in a 1986 UN poll in 14 disparate countries - rich and poor, East and West, North and South. It found in every area alarm about the state of the environment. The reasons for this finding were emphasised by UNEP's World Commission on Environment and Development, which published the Brundtland Commission's report "Our Common Future" in 1987. The commission's secretary-general, James MacNeill, affirmed that in the latter years of the decade, environmental issues had become "deadly serious. A sea change in public opinion has forced them to

the top of the political agendas in the United Nations...and in capitals around the globe.” (MacNeill 1989-90, 13)

In line with this global perspective, there was a change in public perceptions of Antarctica. In the mid-seventies a typical menu of Antarctic issues gathered in a standard global environmental issues handbook - Ehrlich’s “Population, Resources and Environment” - included past issues such as whaling and sealing together with the domestic agenda of garbage disposal and the escape of station dogs, and raised the prospect of future mineral exploration. (Ehrlich 1977, 169). This agenda began to change early in the 1980s, and by the middle of the decade altered rapidly so that Antarctica began to enter the general public’s perceptions in a most dramatic way.

The revelation by British Antarctic Survey scientists in 1985 of large losses of total ozone in Antarctica (Farman 1985, 79) immediately gripped international attention. When subsequent scientific research formally linked the discovery to the production of CFCs, an existing international discussion on the control of these chemicals under the United Nations Environment Program intensified. A “hole” in the earth’s upper atmosphere, photographed by satellite, was presented as a visual image through the news media. As a result, Antarctica immediately came home as an issue to the public at large.

Running in tandem with ozone depletion was the issue of global warming. Extant for many years before the 1980s, it became much more prominent globally during this decade, with greater resources devoted to it. Antarctica’s huge physical attributes: the role of its ice cover as a heat sink and climate generator; and the speculated cost in sea level change of perturbation in the ice sheet’s mass balance, meant that it became central to the issue of global warming. The continent and surrounding waters came to be seen both as a source of scientific information about the composition of the globe in the past and present; and a determinant of our future. Commentators suggested these two major issues represented very rare environmental crises. “Greenhouse gases and ozone depletion have brought Antarctic research into high public

profile and created, rather suddenly, a trans-national perspective on human fate.” (Suter 1991, 118)

This abbreviated survey sketches a scene of rising global imperatives during the period of the case study. It is important to understand that political interactions of the time are taking place against this background, which would normally be considered to give birth to, and nurture the cause of environmental pressure groups as years passed and issues became more pressing. As theorists cited earlier in this work said, environmental NGOs personify political vitality, being in a state of flux with the rise of issues (Lador-Lederer 1962, 59) and [importantly for the latter part of this case study,] coalescing on an ad hoc basis when immediate questions erupt (Boardman 1981, 6).

In the decades under examination, political theorists and diplomats responded to such a change in global perspective with the development of theories and practice of the “global commons” and “common heritage of mankind”. The political scientist Garrett Hardin made popular the idea that a shared global resource could be considered in the same way as a Middle Ages village common ground, where ownership of a space could be held by no-one, but regulation was needed to avoid over-exploitation. (Hardin 1968, 1243)

As the UN’s Law of the Sea Conference proceeded from 1967, a similar view that the seas were the common heritage of mankind to be exploited by all was put forward, particularly by Malta’s Arvid Pardo. At the Third UN Law of the Sea Conference in 1975, this notion was also applied to Antarctica when its president, Hamilton Shirley Amerasinghe of Sri Lanka, described Antarctica as “an area of the planet where opportunities remain for constructive and peaceful co-operation on the part of the international community for the common good of all, rather than the benefit of a few. (Beck 1986, 279). This was echoed in 1977 by Christopher Pinto, also a Sri Lankan UNCLOS diplomat, who spoke of the need for an Antarctic regime to “secure optimum benefits for mankind as a whole” (Beck 1986, 280). UNCLOS was a significant influence on international perceptions of Antarctica. At its conclusion in 1982 Ghazali Shafie of Malaysia urged delegates to focus their attention on another area of common interest....”I refer to Antarctica, where immense potentialities exist for the

benefit of all mankind.” (Beck 1986, 284)

The importance of the common heritage debate during the 1970s to this analysis of NGO power rests in the way that the debate helped set parameters for the later discussion outside the ATS of Antarctica’s governance on behalf of the international community. It introduced the idea of open participation in contrast to the closed control exerted previously by the ATS. In the promotion of this, states were the principal actors. The role of environment promotion non-state actors in these early years was offstage. The exceptions were few, and illustrative of their lack of influence. In 1957, for example, an American NGO called the Commission for the Organization of Peace published a little regarded report which made a plea for an international, common resource exploitation regime for Antarctica, to be administered by the UN. (Zou Keyuan 1991, 180). In 1977 the press conference at which Pinto commented was organised by the British-based International Institute for Environment and Development (IIED), one of the few NGOs to give Antarctic issues passing consideration at the time.

### (III) EARLY APPROACHES TO THE ATS BY NGOS

The first ambitious challenge by an environmental promotion NGO to the hegemony of the ATS over the continent probably came in 1972 with a proposal that emerged from IUCN advocating the creation of a world park for the continent. In the same year as the Stockholm declaration, and in what appears to be much the same spirit as its Resolution 38 for states to set aside ecosystems of international significance, IUCN prepared a paper on Antarctica.

Previously IUCN’s only interest in Antarctica had acknowledged the control of the ATS. In resolution 7.6 of July 1960 at Warsaw, IUCN urged the treaty parties to set aside inviolable areas for the conservation of the unique polar fauna and its natural environment (IUCN 1991, 74). But in 1972 the IUCN secretariat asked an American councillor and academic, Raymond Dasmann, to prepare a paper on Antarctica. Dasmann, an ecologist, already had written another paper on the conservation of Antarctica for the US National Science

Foundation.

His new work advocated the creation of a world park to delegates from 80 countries meeting at the Second World Conference on National Parks co-sponsored by IUCN at Yellowstone-Grand Teton in Wyoming, USA. Recommendations of this conference proposed a relinquishment of ATS control: "that nations party to the Antarctic treaty should negotiate to establish the Antarctic continent and the surrounding seas as the first world park, under the auspices of the United Nations." (Recc.5) According to Dasmann, the phrase "world park" had been discussed for some time. "The idea of world park for Antarctica seemed to make sense because it had all the claimants to it, but no specific country really controlled or owned any part of it. It was already being managed as an international preserve as such; it already was. It was not a big step to be moving towards world park." (Dasmann interview, 1993) Despite the modesty of this view, others say in retrospect that what was proposed at Yellowstone was something quite bold. "[IUCN] didn't really deal with things outside national boundaries in those years," said ASOC's Jim Barnes. "And Ray introduced this resolution which was passed unanimously at the congress...This resolution was really quite avant garde." (Barnes interview, 1992)

Be that as it may, not much seemed to happen as a result. Dasmann said it raised very little comment. "Like most things presented at technical sessions of the IUCN general assembly, you hear nothing about it afterwards unless you publish it." (Dasmann interview 1993.) IUCN sent notes to the treaty parties drawing their attention to the recommendation but received no formal response. (Mitchell 1983, 82.) The idea was abroad for the first time nonetheless, and though it was left on the shelf by IUCN when it moved onto other areas of Antarctic work, it was available for others to pick up, dust off, and use.

Later in the decade Barnes did just that. "It seemed like exactly the right phrase," he was to recall in 1992. "You look for a phrase that has...a resonance with the public at large, and you look for a phrase that captures the imagination and allows you to fill it with certain specific content, so to speak." (Barnes

interview, 1992). This awareness by Barnes of the publicity value of such a phrase is worthy of emphasis. It shows the direct appeal to the public that an environment promotion NGO has in mind. Barnes's idea of filling it with a content also indicates a speed and flexibility of action unavailable to states acting together in a formal international regime where words and phrases customarily have precise diplomatic meanings, to avoid confusion and costly mistakes.

This was not the case with the world park idea, which was sometimes proposed only in a hazy, general sense. An example of this change was over the issue of UN control. Certainly to Dasmann it was explicit. But over the next two decades, NGOs took the idea of an over-arching environment protection regime through several other metamorphoses in which ATS control was explicit. In many ways then, "world park" came to encapsulate an attempt by these NGOs to exercise what Willetts called earlier in this work the unique strength of pressure groups to rapidly transmit political ideas. (Willetts 1982, 194)

When next the proposal was raised, by Barnes in 1979, it was in a letter to President Carter signed by 20 representatives of prominent US and other environment groups. It advocated a "World Preserve" to be agreed by ATCPs as the best means of avoiding potential conflict over minerals exploitation. This would involve a ban on exploration and exploitation that might be permanent or for a significant number of years, allowing for consensus termination thereafter. (Barnes 1982, 77.) The initiative was not picked up by the US. The importance of this attempt lies in the transfer of the world park idea from the less active forum of the IUCN to activist environmentalists. Neither was much attention paid in 1980 when Barnes followed up with another letter to President Carter asking him to direct the State Department to analyse carefully benefits that would result from "acting to protect Antarctica as World Preserve or World Heritage, or in some other appropriate way." Similar letters from NGOs went to other heads of state around the time of the signing of the Antarctic fisheries regime, CCAMLR, when it was clear that a minerals regime would be the next preoccupation of the ATS.

Such letters went from ASOC to treaty governments, but in the words of Barnes, “were ignored” (Barnes interview, 1992). Although they may have served to keep the NGOs and issues concerned in the minds of bureaucrats to whom they were eventually destined, there is no evidence that they reached a wider general audience. Their role from a historical perspective seems merely to illustrate an embryo lobbying campaign where the world park idea was being developed. The correct name itself was still being settled, through interchange: “world park”, “world heritage” and “world preserve”.

It was not until 1981 that NGOs managed again to bring it before the IUCN forum, when it was raised in front of the 15th IUCN General Assembly in Christchurch. The Australian Conservation Foundation put forward a motion approved by the assembly that:

- .recognised the “paramount importance to mankind of [Antarctica’s] great wilderness qualities [para 1];
- . recalled the 1972 world park proposal and other protective designations [para 9];
- . recommended ATCPs ascribe to the Antarctic environment such a designation [para 11c];
- . urged that no minerals regime be brought into operation without full consideration of protecting the Antarctic environment completely from minerals activity. [para 13] (Barnes 1982, 61)

The passage of this resolution marked the active emergence of a world park incorporating a mining ban onto the international environmental non-state agenda. It is worth noting that this was agreed even though the IUCN forum included the representatives of 11 ATCPs (Harris 1984, 320), IUCN voting rules giving strength within the forum to the vastly more numerous NGOs. The following year, NGOs spread this message further among their community at a UNEP forum in Nairobi. Encouraged by individuals such as the Australian Keith Suter, a resolution was passed by the forum calling for a special UN conference on Antarctica to assess its management in the interests of all nations,

and requested both ATCPs and the UN to give serious consideration to “declaring Antarctica a World Park in recognition of its inestimable value to humankind and its status as a global commons.” (Barnes 1982, 64). Also in 1981 the Third World Parks Congress in Bali, under the aegis of IUCN, supported “an internationally protected area designation” for Antarctica (Friends of the Earth 1983a, 2).

Such resolutions as these three served to raise questions among a wider audience about state actors’ monopoly on Antarctic politics. It showed the environmental NGOs willing to look for a wider audience in pursuit of their aims, a decision that should have rung alarm bells among the ATCPs. Different nuances contained in these resolutions showed how the debate was developing in these forums with a flexibility unavailable to state actors. As a result, states of the ATS were being served notice that external influences were now taking an interest in the future of their domain, at a time when they themselves were embarking on the most difficult task they had faced: agreeing on a regime for the exploitation of minerals.

Some states in the ATS had developed ideas of their own for an innovative international environmental status for Antarctica, but these had been rejected by the regime. At ATCM I in Canberra 1961 the British delegation called for recognition of Antarctica as a nature reserve, and in negotiations for the 1964 Agreed Measures on the Conservation of Flora and Fauna it was at one stage suggested by the Soviet delegation that Antarctica be declared an “International Wild Life Reserve”. (Rothwell 1990, 10). But the only attempt by a single state to carry through the spirit of the original IUCN world park resolution was carried out by New Zealand in 1975. It approached ATCM VIII in Oslo with the view that Antarctic mineral resources were of widespread international interest, and exploitation could seriously damage the environment there. “It was against this background that the New Zealand delegation...advocated a policy designed to preserve Antarctica as a world park, free from commercial activity. As with the earlier effort to achieve a temporary moratorium, an absolute prohibition on the exploitation of resources proved unacceptable to our other

treaty partners. But as a result of the New Zealand lead, it is probably fair to say that a notice [sic] of real environmental concern was injected into the discussions for the first time.” (Talboys 1978, 33)

This understates the proposal put forward by the New Zealanders. It is said to have contained a package deal proposal for a minerals activity ban, UN administration and relinquishment of all territorial claims. (Hay, Hemmings and Thom 1990, 76.) There appears to be no documentation about this proposal in the ATS’s official records. It apparently was proposed informally and possible even at the preparatory meeting rather than the ATCM itself. (Jackson interview, 1993.) Whatever the case, backing for it from other treaty parties at the time appears to have been minimal. Hindsight says its importance was two-fold: it was a sign that ATCPs did not want to let go their control to others outside the “club” of their regime, and it helped to set New Zealand on a path toward taking a key role in negotiations for the state-based solution to the difficulties minerals problem: a new controlling regime. In this NZ decision, the diplomat Christopher Beeby was credited with changing his country’s course and he was later to become the chairman of the minerals talks.

One leading NGO campaigner saw this change of path as illuminating well the political approach of non-state actors. “It was a major difference of assessment,” said the campaigner Cath Wallace of ASOC NZ. “He looked at the political reality and said ‘no, it won’t wash, we’ll have to go to the next option’. He took that as the parameters whereas NGOs said right, we have to change the way governments think. We have to change this political reality, and that’s what NGOs are all about.” (Wallace interview, 1992) This comment goes to the heart of the campaigning approach of specific issue promotion non-state actors, whose aim is bringing pressure to bear on the entrenched direction of a state-based regime.

#### (IV) ESTABLISHMENT OF A CAMPAIGN

The formal commencement of the minerals regime negotiations in June 1982 at Wellington marks a useful point at which to analyse the next phase of development of the world park concept. It offered the NGOs for the first time the opportunity to formally lobby the ATS when it was specifically focussed on this issue. But first it is worth examining which non-state actors geared up their campaign, what they communicated to the wider public, and how Antarctic state actors reacted.

ASOC had begun to make its presence felt in the concluding stages of the CCAMLR negotiations in May 1980, lobbying treaty meetings to encourage the ecosystem approach the regime eventually adopted. In Britain, the United States and Australia, environmental promotion NGOs had begun to build a knowledge base about Antarctic campaigns. An example of their approach comes from the early anti-minerals campaigner Michael Kennedy, then based with FOE and a subsequent short-lived incarnation in Australia called Fund for Animals.

“Clearly we had to start planning for a way to stop the inevitable,” said Kennedy. “We decided we were going to have to kill this (minerals regime) one way or another. The experience we gained through CCAMLR, the ATCMs and ASOC meant we had to utilise all those skills and knowledge very quickly to ensure we got a good running start when the negotiations began.” (Kennedy interview, 1993.) Note particularly his recollection of the task of non-state actors in their approach to dealing with a state-based issue. “I must say in terms of general lobbying, it’s often easier to kill something than to build something.” (Kennedy interview, 1993). When state actors are engaged in the often tortuous task of consensus building, they are susceptible to the kind of pressure from NGOs that Young observed: pressure bringing to light internal contradictions which can lead to serious failures. (Young 1989a, 95)

Meanwhile the increasingly environmentally aware general public was being addressed through a variety of mass audience publications: World Law and the

Last Wilderness (Suter 1979); Antarctica, No Single Country, No Single Sea (Bond, Siegfried and Johnson 1979); Antarctica: Wilderness at Risk (Brewster, 1982); and Let's Save Antarctica! (Barnes 1982). Writers were beginning to communicate what they saw as environmental dangers facing the continent, and the need for campaigning to address those risks. The first-named book is a good example of their approach. In its foreword Jacques Cousteau praised the ATS and advocated declaration of "humankind's first International Park". Following this the author makes a direct appeal. "Environmental groups should start campaigning now for the maintenance of a total ban forever on all exploitation of non-living resources. There should be an international recognition of the need to preserve the Antarctic's fragile environment...No commercial exploitation of non-living resources should take place." (Suter 1979, 78.) He asserted that already NGOs around the world were taking an increasing interest in the Antarctic, by such activities as auditing government behaviour, educating the people, encouraging governmental responses, and using the mass media.

Barnes's Let's Save Antarctica! perhaps best exemplified the rallying cry tone of environmental campaigning being brought to bear at this time. Its foreword was written by Sir Peter Scott who described the idea of making Antarctica a world park as "exciting". Then Barnes went on to say: "there has never been a more urgent need for people to stand up and declare their intention to protect this extraordinary region." It concluded: "Antarctica can become a symbol of hope to all people, a living reminder of human ability to preserve its past, present and future, and to live in harmony with nature. If Antarctica is saved, conservation, environmental, animal welfare groups and ordinary groups all over the world will have won a victory no government can ignore. It will be a step forward toward saving Planet Earth." (Barnes 1982, 36)

The examples from these two books encapsulate the rhetoric, addressed to an environmentally aware public, that came onto the agenda at this time and was used repeatedly in ensuing years as environment promotion non-state actors worked to gather support for their cause. Antarctica was portrayed as a pristine

wilderness and the activities of governments in this “sacred” place were brought into question. The approach supports Barnes’s view that NGOs looked to the world park image as having a resonance with the public at large, and were intent on filling it with a meaning of their own. It also supports Wallace’s assertion mentioned earlier, that the path to success for NGOs lay in their unique ability to promote with the wider public a change in the political reality exemplified by the state-based regimes’ control.

Now that the world park idea was known broadly by ATS diplomats and members of NGO groups, a debate developed in NGO and academic circles about what it actually meant and whether it could work. One campaigner to provide a view of why it would not work as the environmentalists believed was Barbara Mitchell of IIED. She did believe that the “best way of barring exploration and exploitation throughout Antarctica would be to declare it a world park or preserve *sui generis*.” (Mitchell 1983, 84) In an important critique she then outlined a plan by which ATCPs would take the initiative by declaring Antarctica a world park and then remain responsible for running the region, with a mining ban that might be permanent. Costs would be shared, as was normal, with perhaps a small UN component; the treaty would be retained and the whole agreement brought to the attention of the UN in the interests of the global community.

This approach has striking similarities to what was decided in the eventual Protocol on Environment Protection. But virtually alone among NGOs, the IIED decided that such an approach could not work. Mitchell concluded at the start of the minerals negotiations that a world park would not succeed for several key reasons. The world park concept was a threat to territorial claims, would obstruct those who wished to explore and exploit minerals, and gave no “safety net” in the form of a regime that would be in place to prevent pressure that might develop as a result of the collapse of a moratorium. Despite all this, Mitchell concluded, it was “the best guarantee of environmental protection in Antarctica”. (Mitchell 1983, 84)

This state-centric view of the likely failure of a world park campaign proved

singularly unpersuasive to other NGOs. Environmental NGOs gained an external footing as lobbyists at the first two sessions in Wellington of the 12 session minerals negotiations, SCM IV-i and ii, June 1982 and January 1983. Michael Kennedy and Michael Bland [attached to WWF/Fund for Animals] were the only two to come from overseas to these sessions, in which the NGO effort was sustained by a handful of New Zealanders. But even at the first meeting the NGOs advocated a permanently protected wilderness and prepared an outline case against exploitation in economic terms (Friends of the Earth 1982b, 2). Just as significantly, during the period covering these meetings, these non-state actors began to develop an overall campaigning strategy and analyse the ATS players.

The strategy was based on a decision to campaign on dual fronts: firstly to promote world park as the ideal, and secondly to nevertheless engage in the minerals debate. Said Wallace: “we were intent on defeating the minerals convention, but if we failed to do that we couldn’t just be so marginalised that we didn’t try and influence the convention for the better.” (Wallace interview, 1993) In hindsight, this strategy proved extremely successful.

From the start, according to Wallace, ASOC campaigners also conducted a political/economic analysis of the ATCPs. “We looked around to see who were the allies and who was the potential opposition, who might be in the middle or induced to move to being allies. We did quite a lot of assessments of those kinds.” (Wallace interview, 1993) Part of the value of this process was in gaining an understanding of the political dynamics of the ATS, what some call the kaleidoscope of interests that sees ATS parties lining up in different factions according to the specific issue of the moment: territorial claims, conservation, resource users, original signatories and the like. But beyond this simple educative role, two important levels of strategic thought operated: the development of approaches toward individual countries, and of a strategy that involved the wider community outside the ATS.

Wallace recalls that in Wellington the NGOs began to consider the internal dynamics of each country involved. In the case of New Zealand, for example,

she said a hegemony over Antarctic policy-making was held tightly by the Ministry for Foreign Affairs. "One of things we set out to do was to break that, and bring the environmental agencies into the policy-making picture. By contrast in Australia, we were well aware there were different agencies taking different position and there wasn't necessarily a single view." (Wallace interview, 1993)

This development of a direct assault on the internal dynamics of a state bureaucracy was one of the striking features of the non-state approach to furthering its world park aims. It recalls Young's point, mentioned in the first chapter of this work, about the character of bureaucracies, such as foreign ministries which become staunch advocates for a regime they themselves have carved out turf in negotiating, against the interests of other bureaucracies in the same government. (Young 1989, 78) In this case, non-state actors clearly saw the imperative of engaging bureaucracies and exploiting their internal rivalries.

On the question of how the debate should be taken outside the ATS world, Wallace recalled that early on during the 1982-3 period, the NGO groups who addressed the question of gaining world attention decided on two approaches. "One was to engage various sorts of constituencies in the world community [for example Greenpeace], and the other was to take it to the UN. We weren't necessarily suggesting there would be UN administration and control, but we felt that the issue of the administration of Antarctica, and whether it should be mined, had to go to the world community." (Wallace interview, 1993)

This illustrates the general approach towards agenda-setting by these NGO groups. In addition, they began to flesh out what they meant by a world park. In 1983 Fund for Animals and ASOC prepared a 350 page document, World Park Assessment which was written as an Environment Impact Statement by the ASOC coordinator, Lyn Goldsworthy. But one should not over-state the coherence among NGOs on this direction. "I have to say that it took up to two or three years through to 1986 to actually work out what we were saying," said Goldsworthy. (Goldsworthy interview, 1993)

An example of tentativeness is an argument over the use of the term "world

park". Michael Kennedy said that although it was always a goal, FOE was particularly keen not to use the phrase. "It never did us any good. If you used the name world park it ended discussions because [government negotiators] thought you were nuts. We used world park in an international public relations sense, but when it came to negotiating you had to talk their language, you had to show in practice how you would develop a conservation regime." (Kennedy interview, 1992) Indeed when Greenpeace first became involved, the organisation that was to become synonymous with world park objectives did not use the phrase in its contribution to the UN debate with a submission in 1983 titled The Future of the Antarctic. Acknowledging in passing that a world park was being proposed by some NGOs, it favoured the protection of Antarctica as "an international Zone of Peace...A collective declaration of the region as a World Heritage Area by all nations may be one method of accomplishing this." (Greenpeace International 1983, 4)

A short time later Annette Horsler, an Australian NGO campaigner for Fund For Animals, went so far as to condemn the notion. "The belief that the minerals negotiations are likely to break down is little more than a vain hope," she wrote. "Coming to grips with this reality has forced a number of environment organisations to realise something that should have been obvious years ago: the volatility of the World Park concept..." (Harris 1984, 329) Likewise the WRI member Lee Kimball, in referring to the world park push, claimed nevertheless that some of its backers realised the minerals negotiations would continue and the next best option was a legal regime with stringent safeguards. (Alexander and Hanson 1984, 204).

Such disagreements over direction serve to outline the separation that was developing between some of the less environmentally ambitious campaigners, and the environment promotion NGOs who continued to take an ideal line, refused to accept a next best world, and began to develop strategies to engage the state actors in a conflict. It is also a clear illustration of Boardman's caution that environmental NGOs should not be seen as always cohesive or monolithic; their demands may compete and conflict. (Boardman 1981, 6)

## (V) NGOs MOVE ON ATS FORUMS

From SCM IV-iii in Bonn July 1983 onward these environment promotional NGOs escalated the campaign for a world park until it could be argued that they had become a force in the negotiations. This was achieved through two means in particular: the dedication of greater resources to campaigning, and admission of these NGOs to the talks, a theatre from which they were previously excluded by state actors.

In the first phase of the campaign there had been very little attention paid to the wider environmentalist public, and precious few resources devoted to that cause. The NGOs made engagement with the system a clear priority. After all there was no visible general public groundswell. Escalation of the campaign was seen to require the delivery of more financial and organisational resources and those possessed by Greenpeace International were seen as providing the answer. The organisation was approached by Jim Barnes and an FOE campaigner in New Zealand at the time, Roger Wilson. Their proposal put before the Greenpeace governing council was initially rejected as having a low priority, but they pressed it again and in time for SCM IV-iii, Greenpeace adopted it. The support it would give was fundamental to the ability of NGO lobbyists to attend all meetings and directly engage governments in argument, face to face, and to publish papers and commentaries such as in the periodical ECO, the only publicly available periodical offering current criticism of the negotiations. The dedication of resources was a key decision of increasing importance as the lobbyists developed personal skills and strategies over the ensuing period.

Being present outside the talks was one thing. Knowing exactly what was going on inside was quite another. The inclusion of NGO members in national delegations was an important breakthrough. Until 1984, NGOs spent much of their time attempting to find out what was actually happening inside. Although Kimball of WRI was on the US delegation, her organisation was taking a different path and did not communicate these happenings to the environment promotion NGOs.

What changed was that in 1983/4 Australia and New Zealand agreed to put an environmental NGO on their delegations. "The fact that we started to get very accurate information fed into our strategy helped in formulating it," said Goldsworthy. "Later of course it became incredibly important because when it got to 1987-8, we knew what had gone on before. We knew the history." (Goldsworthy interview, 1993). This was an important concession by these governments and followed intensive lobbying by the NGOs. It was not to suggest that delegation leaders were entirely happy about having them there, but shows them accepting that it was, metaphorically, better to have them inside the tent, than outside with a knife sawing away at the ropes. It represented a clear recognition by these governments that in terms of these negotiations, the NGOs represented an important popular constituency. If the governments were to continue to retain legitimacy in the negotiations, then that constituency should be represented.

It also raises the question: were the NGOs merely co-opted into the state-based system? Certainly they were restricted in some ways by membership of delegations, for example by signing Official Secrets Acts and needing to keep faith with other delegation members. But campaigners say they used delegation membership in order to gain an exact knowledge of the course of negotiations for the wider ASOC campaign. They also gained greater legitimacy inside the ATS for their own points of view. And neither did their external campaigning diminish.

NGOs' clear view of their own importance to the ATS was explained in a non-paper on their role distributed at SCM IV-v in Tokyo, May 1984. They told delegates that public participation [implicitly, NGO participation] enhanced the political viability of government decisions because the substantive results were usually better. "NGOs are also perhaps more experienced in dealing with environmental issues than most of the government negotiators working on the minerals regime...Governments often do not seem to have the will to take necessary actions to deal with this continuing contradiction. Frankly, they often need prodding from inter-governmental organisations, non-government

organisations and private individuals.” (ASOC 1984, 1)

With Greenpeace’s backing for the lobbying effort and the inclusion of NGO members on delegations, the strategy from 1984 onward began to crystallise. It was to block the minerals regime through a public campaign, and also block its construction in the negotiations: to actually attempt to make it unworkable. As for the public campaign - according to Goldsworthy that remained a long-term project, something to do if the negotiations were finalised. Then there would be something for the public campaign to oppose in the shape of a completed regime.

“More important to us at the time was to try and block the minerals convention and make it unusable. That was done by utilising our NGO contacts and scientific team on the outside, and playing countries off against each other to get wording in different sections that we knew would make some countries say: ‘oh, we’re not going to bother’...and also to provide us means of causing problems later on.” (Goldsworthy interview, 1993).

Clearly then, these non-state actors were developing an agenda of subverting the state-based process. One key illustration of this method in detail emerged later in the final decision by Australia to abandon CRAMRA. Early in the talks, Wallace helped to develop an economic argument: that really the minerals negotiations were not about erecting a turnstile and regulating what would otherwise be a messy scramble for resources, their sub-text was to remove political and economic barriers to investment in minerals exploitation. According to this view, the purpose of the regime was to assign rights for minerals tenure. Without a regime there would be neither investment security nor exclusivity for the developer. Having prepared this analysis, she put it before a Treasury representative on the Australian delegation, who agreed.

“That chap from Treasury was quite a conservative fellow. He said quite plainly that they wanted to get as much as they could, and if they didn’t, it wasn’t worth the candle. They didn’t want a bar of it.” (Wallace interview 1992). “I do remember him saying in one of those conversations over several years: ‘if we don’t get what we want, we’ll go for world park’. I laughed and

said that would be a joke and he said: 'no, I'm serious'." The point will be elaborated later in this thesis that the Australian Treasurer became the first politician in power to oppose CRAMRA when he eventually put forward exactly this argument. Even if the NGOs did not plant this seed, it illustrates clearly the pragmatism of the non-state approach in achieving an end goal.

It is also worth emphasising Kennedy's view that departmental attitudes were there for the making. Bureaucratic processes provided voids to be filled, if only NGOs were prepared to be opportunistic. "Often enough departments were devoid of ideas," he said. "That's what we wanted to do; give them an idea that they felt comfortable with, that they could run with, framed in a certain way." (Kennedy interview, 1993). Surely this is a shining example of Willetts's dictum, that states provide vehicles for NGO achievement in the bureaucratic and political organs of government that may be engaged in debate.

All of the above indicates the resources and methods used successfully by NGOs to become viable actors in the internal workings of the ATS minerals negotiations. During these early and middle years of these negotiations, NGO presence was just one factor, and could not have been said to have dominated at the expense of states controlling the ATS. But at the same time they entered the process. They were a constant critical presence outside meeting halls when delegates met around the globe; an informed presence inside some delegations; and a keen promoter of causes that would fit their aims and at the same time fit some shades of the bureaucratic point of view.

## (VI) EXTERNAL NGO CHALLENGE TO ATS LEGITIMACY

The natural advantages available to any NGO campaigner on behalf of Antarctica, its romantic public appeal, were summarised clearly in 1987 by a British government committee. "For many NGOs, the current interest in the future of the Antarctic has been a wonderful opportunity. Where else can one at the same time question concepts of sovereignty and security, international

equity, the environment and the rule of international law, without regard to the indigenous people? Where else can the untouched beauty of the Earth be presented so evocatively, and the opportunity for political adventurism, or even mischief-making - all in the name of ideals - be so easily secured?" (Parsons 1987, 34)

The breadth of the non-state challenge identified here was far greater than the internal lobbying of the system outlined in the previous section. Outside the negotiating theatre, something entirely different occurred when Greenpeace increasingly focussed on Antarctica through the devotion of large scale resources to build the World Park Base and provide a linked ship-based presence in Antarctica, and then to carry its message into another forum, the United Nations.

This Antarctic presence represented a strong overt challenge to the way states operated on the ice. Greenpeace actually attempted to place itself on an equal logistic footing with these previously unrivalled governments. A non-state actor used its own means to make direct claims that it was a more credible upholder of the spirit of the Antarctic Treaty than the allegedly possessors of that mantle, the nation states.

According to Roger Wilson it was always in the back of the minds of campaigners that, once the campaign was established, they would need to go to Antarctica themselves. He enumerated several reasons for doing so, such as establishing credibility in the debate, providing a forward platform for addressing the wider public, and monitoring activities of other nations. (May 1988, 173). Other activists confirm the value of this strategy. "The key was being there. Antarctica is a frontier setting - no laws, no nothing. And your opinion about it doesn't count for much with some treaty nations if you aren't there. Greenpeace, a private organisation, has logged more time on the ice than several major countries. This makes it very difficult for anyone to dismiss our ideas." (Bogart and Sabella 1990, 11)

World Park Base ideas developed during 1984 and it was at the Greenpeace Council meeting that year, that the budget was approved for the expedition.

(May 1988, 173). Greenpeace tried in 1985/6 to establish the base but was forced back by pack ice. It finally succeeding in fabricating the base at Cape Evans, Ross Island, in 1986-7.

It was occupied year-round by successive four person teams for four years, before being dismantled and removed entirely. To one campaigner involved its ultimate purpose was to “urge forward” the declaration of Antarctica as a world park . (May 1988, 160). The Greenpeace expeditioners used satellite communications with the outside world to provide direct contact with those on the ice. They tried to demonstrate at the base the best environmental practice, and collect evidence of the environmental failings of others. This involved the second leg of Greenpeace’s Antarctic-based effort, the use of ice-strengthened ships to carry out a series of eight expeditions to monitor and inspect other stations, particularly those in the Ross Sea and Antarctic Peninsula.

Like the establishment of a base, regarded as a prerequisite for full entry to the ATS, these inspections emulated provisions of the regime in the way they were conducted with limited prior notice and familiarity with an inspection’s requirements. They were an overt challenge by Greenpeace to compliance with the letter of the Antarctic Treaty by these governments operating in Antarctica. The state-based operations were almost invariably found in the inspections to have poorer environmental practices than either some implicit treaty standards permitted, or than Greenpeace was practising itself. The NGO communicated these failings to a wider public, fuelling its case against minerals exploitation. “The impact that even scientific bases are creating reinforces the belief that, if minerals exploitation were to take place in this pristine continent, it would spell disaster for wilderness and wildlife...If it is not possible for all states to observe established rules for human behaviour in Antarctica under present conditions, one must be very cynical about the future.” (Greenpeace International 1988, 32)

Linked to this general claim of neglect by state actors, Greenpeace used a particularly sensitive environmental misdemeanour by one ATS member state to further question the strength of ATCPs to ensure compliance with the letter of their own rules, the Agreed Measures for the Conservation of Flora and Fauna.

Soon after France began constructing the Dumont d'Urville airstrip in 1983, Greenpeace alleged breaches of the Agreed Measures which restrict human interference in the environment. The NGO documented the deaths of a small number of penguins, the destruction of up to 1,500 eggs and disruption to other seabird colonies in the construction of the airstrip. "The French have been accused of breaching the Agreed Measures in several respects, killing native birds without a permit; failing to minimise harmful interference with the 'normal living conditions of native mammals or birds' and using explosives 'close to concentrations of birds and seals'." (May 1988, 136) Greenpeace alleges that the ATCPs have shown little will to deal with the problem. Though New Zealand may have made a direct representation to France, and Australia reached a formal determination of a breach, the issue has never been formally raised in an ATCM or other meeting of the system. Greenpeace has not directly linked the Dumont d'Urville issue with the minerals negotiations. The weight of it lies in the evidence of non-compliance by a state that the NGO was able to point at repeatedly in the years since construction began.

A further external irritant for the ATS from Greenpeace was its decision to embrace the growing United Nations debate that had posed a direct challenge to NGOs' hegemony over the continent. It was a hazardous strategy. "It is really important to understand that we didn't want the UN to take over the Antarctic Treaty," said Goldsworthy. "We wanted the Antarctic Treaty nations to realise they couldn't just sit down there and do what they wanted. It was part of the broad public outcry, or call, for a world park." (Goldsworthy interview, 1992). She admits readily that NGOs did not always have total control over the outcome of their promotion of the issue before the UN. "There were real dangers in getting people excited...But it was definitely a strategy, and there were a couple of ASOC people with the specific task of spending time with UN people." (Goldsworthy interview, 1992)

In the UN debate, non-ATS states led by Malaysia and Antigua-Barbuda continued to argue both before the General Assembly and other international forums that the ATCPs were unjustly claiming for themselves what belonged to

the whole world. Though the powerful ATCPs successfully stonewalled against any action in the UN, these debates continually raised issues of exclusiveness, and questioned their guardianship of the continent. It resulted in some major changes to the modus operandi of the ATS, particularly in becoming more proactive about providing information on its operations. In relation to the minerals negotiations, NGOs could take their challenge to ATS legitimacy to the main external forum. For example: "Greenpeace has prepared this paper to present an alternative path away from the exploitative course now being set by ATCPs towards a vision of Antarctic 'management' that is truly sustainable and in the interests of the international community as a whole." (Greenpeace International 1986, 1) Greenpeace proposed instead to the UN an Antarctic Conservation Convention, which would be part of the ATS and carry into practice the concept of world park. Necessary prerequisites were protection of wilderness values and wildlife, and that Antarctica was to remain a zone of science and peace where minerals activities would not be permitted." (Greenpeace International, 1986, 3)

The importance of this contribution is in the attempted undermining of the minerals convention it represented. A case was being put forward by an NGO at the nation state's main global forum for protecting Antarctica better than the existing neglectful ATCPs. "The World Park strategy clearly adheres to the spirit of Article IX [of the Antarctic Treaty providing for peaceful research and conservation]; resource exploitation does not." (Greenpeace International 1986, 4)

The Greenpeace World Park Base/Antarctic voyages and the UN debate were vehicles that cultivated a widespread public campaign by environment promotion NGOs during the 1980s. But it was nowhere near a high pitch at the time of the adoption of CRAMRA. As was outlined at the beginning of this chapter, the negotiations occurred at a time when green issues generally were beginning to gain currency on the public agenda, but initially Antarctica was far from prominent. The negotiations themselves were an unspectacular process

involving bureaucrats and diplomats rather than politicians; and by and large the continent was seen as unspoiled, if it was considered at all. In addition the limited NGO resources in the early years were concentrated on acting in the process itself. But the non-state actors did not yet have a clear opportunity to point publicly at the “failings” of the state-based regime.

Greenpeace’s work was capitalised upon in media activities, and through the more grassroots activities of circulating world park petitions and notices which over the years attracted hundreds of thousands of signatures; by proclaiming a “World Park Week” each February, and in the establishment of a “World Park Embassy” in some capitals during the course of the negotiations. (Barnes 1987, 256). Most publicly-focussed protest action carried out by NGOs was aimed at limited symbolism. Dressing protesters as penguins, unfurling banners and placards; this was done by a small number of people in the immediate vicinity of the negotiating session. The impact was limited to brief attention from the media of the host city and reproduction in campaign publications. But of course these media activities may be seen as part of what Barnes described as a “long term education process” by ASOC, which distributed information about these events world-wide through its own network.

There also may have been a cost for Greenpeace in terms of its relationships with the ATS. Its efforts on the ice were seen by some as a bid by it to gain an official status with the system itself; the base and inspections fulfilling the kind of requirements faced by states. Greenpeace applied for, but was refused observer status at ATCM XIV, Rio de Janeiro, 1987. But a loss of legitimacy inside the ATS for Greenpeace can be regarded by the actor as a small price to pay for the effect of its other activities on the world outside.

## (VII) THE NON-STATE CHALLENGE CONSOLIDATES

By the late 1980s there was a recognition by some figures inside the ATS that the non-state challenge before them could have an impact. “It is very clear that any refusal by the Treaty members to hear and to reason with their critics

could result in an upsurge of rhetoric or mischief on the part of some organisations,” warned the British policy consultant Sir Anthony Parsons. “In effect consultative parties have it in their power to prevent or provoke a stronger reaction from the heretics. They will have to face up to the pressure that the NGOs, often in an informal alliance with the governments of non-member States, bring. It is for this reason that the modifications demanded by such organisations are very much a part of the mix that will determine the future of the area.” (Parsons 1987, 36) What foresight this indicated! At the time though, there was no sign that the “church” of CRAMRA negotiating states intended to surrender any authority to the “heretics”.

As the minerals negotiations slowly continued, an additional advantage to non-state actors of this pace became clearer. “These long time horizons, which are inherent in Antarctic negotiations, are valuable to the parties involved. Non-state actors also prefer long time horizons for two primary reasons. The first is that time provides these groups with more opportunities to gain admission to the negotiations...The second is that time can be constructively utilised to demonstrate their capabilities and knowledge to other groups and states, thereby improving their credibility.” (Child 1988, 210)

The absence of organised countervailing pressures against these NGOs was also giving them something of a free ride. Mining advocates were almost entirely absent from delegations at a time when the exploitation of Antarctic minerals was seen as technologically and economically improbable for the medium to long term, if ever. Other non-state actors who may have put environmental NGOs to a more rigorous test on such facts opted out of the forum.

The bleak position of SCAR was summed up by the organisation itself: “SCAR had no part in the formulation of [CRAMRA] and was assigned no role in its operation.” (Antarctic Treaty 1991d, 236). The organisation publicly kept to its rigid apolitical line during this period, refusing to become involved in any commentary on the progress of CRAMRA. It was left behind in consultative terms when the more vocal environment promotional NGOs were making the

running.

IUCN's General Assemblies might have provided an opportunity for the ATS states to defend their course, but in the negotiating period IUCN walked a generally quiet line between NGO and national members. In Madrid 1984, IUCN recommendations did not address minerals or world park issues. In Costa Rica 1988 it did with Resolution 17.53 urging ATCPs to give serious consideration to the well-founded conservation concerns expressed by Non-Consultative Parties and appropriate NGOs. At the same time, these two meetings advised IUCN to prepare an Antarctic Conservation Strategy. "This was a proposal, emphasising conservation objectives rather than prescribing detailed administrative or legal mechanisms." (IUCN 1991, vi). However its preparation remained underway after the minerals negotiations concluded, so no document was produced urging the talks to go in any particular direction. IUCN's role as a forum remained low key, but gently supportive of the environmentalist NGO view.

As CRAMRA moved toward finalisation, inside the ATS there were scattered signs that the gradually accumulating non-state pressure on the system was beginning to impact, and some countries wavered a little. At SCM IV-x in Montevideo May 1987, Chile's head of delegation, Ambassador Fernando Zegers, raised the notion of an Antarctic Treaty Park in corridor discussions. Chile was said to be concerned that the minerals convention would erode its sovereignty status and be too costly. Instead Zegers "suggested that an Antarctic Treaty Park, reserving the continent for co-operative scientific endeavour, might be more constructive." (ASOC 1987b, 13)

NGOs seized on this prospect. "It was brilliant because it actually achieved environmental protection but without threatening these diplomats," said Wallace. "We heard he had mentioned it to a claimants' caucus. He was happy for us to mention it." (Wallace interview, 1992). In ECO subsequently, NGOs did so, describing it as the maintenance of the status quo with an explicit ban on mining. "ECO urges that more delegations seriously consider this kind of future for Antarctica. It might be easier to achieve than consensus on a minerals

regime.” (Friends of the Earth 1987a, 1). The subject of an Antarctic Conservation Convention had been raised at other ATCMs by Australia, according to ECO , nevertheless diplomats left Montevideo having agreed to finalise negotiations in Wellington in a session from May, 1988.

Here there were further straws in the wind indicating that a shift in direction could be happening. By 1988 the Australian delegation was showing strong signs of internal division. Goldsworthy recalls a continual “chipping away” at the previously mentioned Treasury position. A participant who would not be named also recalled: “everyone had the same problem that Foreign Affairs had their own agenda. In the last couple of sessions Foreign Affairs would have a little meeting with itself, then there would be the general delegation.” This camp had an obvious disinclination to agree, and intervened in the final stages of the CRAMRA talks to indicate that the lowest common denominator might not be satisfactory. “My experience of Australian delegations is that we don’t do that sort of stuff very often, although other nations didn’t realise that.” (Goldsworthy interview, 1992).

Of course, all 32 treaty parties present *did* agree to adopt CRAMRA, on June 2 1988. This gave non-state actors their acid test at last. With a regime to wave around, would they be able to raise a strong public campaign? ASOC put the best face on events when it told members that in fact the agreement had been inevitable. “We now face a long hard struggle to stop the Convention from entering into force.” (Goldsworthy 1988, 1). “The signing of the final act was virtually inevitable and it would be wrong to assume that NGOS had ‘lost’ the battle even though we opposed the negotiation. Significant changes occurred as a result of NGO input and these should make the process of opposing mineral exploitation easier when the regime comes into force. First, however, the convention must be signed... One strategy for the future will be to try to prevent some of these states from signing and ratifying the convention, or at least to severely delay them, which will have the effect of preventing the convention from coming into force.” (Goldsworthy 1988, 10)

## (VIII) CHAPTER CONCLUSION

Fundamental questions this thesis asks of non-state actors' involvement in the ATS are: what differences did they make in their attempts to prevail over states involved in the debate, and if they did, then how? The foregoing chapter examined the period from their early involvement in Antarctic issues, to the adoption of the minerals agreement in June 1988. During this time environment promotion NGOs emerged as the heretics outside the ATS "church". The field was surrendered to them by the expert, but less popular pressure groups, the old-style educated elite which was giving up ground at the time on many of the world's environment issues (Boulding 1988, 36).

The first niche was secured with the introduction of the notion of a world park. It is interesting that this idea emerged in IUCN - what the typology of this thesis characterises as an aggregated NGO of high global standing, with great control over its resources and a specific ATS recognition; in other words an NGO with claims to legitimate strength as an actor on many grounds. IUCN showed the ability to get a credible new idea drawn up and accepted by its broad-based membership. It was a prime vehicle for giving birth to a resonant popular phrase, one that was filled later with suitable contents and recognised by the general public.

The phrase itself demonstrated the kind of flexibility available to NGOs compared to the careful but ponderous diplomatic negotiating language of an international regime. It showed the non-state actors' overt intention to set a different Antarctic agenda, one that state actors had failed to embrace. In their rejection of world park notions and the NGO adoption of them lay a lesson in the role of non-state actors in changing perceptions of what is possible, and of how a state-based ethos may be proven wrong.

This is not to suggest that these NGOs were all of one mind. But in their differences of opinion, particularly over world park concepts and their use, lie lessons in the freedom and vitality of thought unavailable to state actors without great political costs. There is also an early illustration of the differences in the

typology between the popular appeal of the environment promotion advocates, and the quieter “experts” of WRI and IIED.

When ATCPs actually began to negotiate CRAMRA formally, this gave the impetus for environment promotion NGOs’ to become engaged with the regime on an ever more serious basis. Again an aggregated organisation came to the fore in the shape of ASOC, but of course this was exclusively Antarctic in its focus. ASOC’s strategic campaign aimed to kill CRAMRA, but their tactics involved making it so difficult to negotiate that it might be rejected, and stalling for time in order to strengthen the non-state hand. In order to achieve its end, ASOC, with its sole focus on Antarctica, came to the fore as a small group of members analysed the treaty parties, separately and as blocs, to determine the dynamics of the system and where they could be most effective in their lobbying.

One of the weak points they discerned lay in the competing intra-national bureaucracies. They saw opportunities to exploit the character of bureaucracies, filling voids with ideas and playing departments off against each other. This helped serve the purpose of gaining the non-state position recognition and strength within treaty governments, for example by encouraging an argument accepted by some that the regime’s unspoken sub-text was actually the assignment of property rights. Similarly, an important breakthrough came early in the talks with admission to the negotiations of NGO observers on delegations. Entry to delegations, limited though it was, represented an admission by some important governments of the influence of the non-state viewpoint in these countries’ politics, and gave the NGO vital insights.

The third major step was the successful early consciousness-raising done with the general public. The external atmospherics were such that the issue of Antarctica’s role in the global environment grew increasingly prominent among the general public over the course of the negotiations. But it was the decision of a widely popular and burgeoning environmental NGO with great resources and global interests that was vital to furthering the effort. While FOE and WWF stayed on the sidelines, Greenpeace was not only persuaded by ASOC to give

significant financial and logistical backing to ASOC's own lobbying, its resources allowed it to set up World Park Base and conduct its own inspections; means by which this NGO could mount an overt challenge to the legitimacy of ATS states, question their compliance with their own dictums, and challenge their authority as the guardians of the continent. By these means it gathered fuel to use against CRAMRA. The case was put that NGOs were protecting the interests of Antarctica even better than the neglectful state actors, that not only did an NGO have *legitimacy* in the debate, it could claim popular *authority* to act directly for its protection.

Also in the wider world, Greenpeace's global standing enabled it to take its complaints about the ATS to the UN, which was the forum for a serious state-based external challenge to the Antarctic club. The case was put in that forum by NGOs that as non-state actors they did a better job of protecting the interests of Antarctica than the neglectful ATS member states.

The environment promotion NGOs were given something of a free ride by the absence of countervailing non-state pressures. SCAR was left behind. Though an Antarctic expert, it had no popular constituency and little control over its own resources in order to develop a policy direction, had it chosen to. Only WRI was putting an alternative non-state actor's case as a member of the US delegation; one that would have had added credibility because of the strong information gathering resources WRI was able to put behind its case. But as an expert group, this voice was limited to the internal forums of the system.

Environment promotion NGOs began to receive some recognition of their potential power in the ATS, for example in the Parsons assessment. Their policies also gained a little currency with state-based actors in the latter stages of negotiation of CRAMRA. They failed to prevent CRAMRA's text from being adopted, a failure that did not appear to perturb them seriously as the process devolved into national ratifications, with all the opportunities for intervention that this presented. Instead the long time-line enabled them to enter and gain legitimacy in the debate at what was coincidentally a crucial moment in history for all environmental NGOs. In a timely horoscope for this new world, the

secretary-general of the UN's World Commission on Environment and Development [the Brundtland Commission], Jim Macneill, said: "Legal regimes...have been rapidly outdistanced by the accelerating pace and scale of change. New norms for state and interstate behaviour are needed. They must evolve for the global commons and future generations." (Macneill 1989, 20).

## **CHAPTER FOUR**

### **A CASE STUDY (2)**

#### **THE DEATH OF CRAMRA AND BIRTH OF THE PROTOCOL ON ENVIRONMENT PROTECTION**

## (I) CHAPTER INTRODUCTION

From a broad brush approach in the third chapter, this second section of the case study moves to a state-by-state analysis of the role of non-state actors in the collapse of CRAMRA and the rise of its replacement Protocol on Environmental Protection [PEP, or Madrid Protocol]. The watershed, as is mentioned earlier, came with the transfer of the issue into domestic political arenas as CRAMRA's ratification process opened. The temptation here is to write a history of this fascinating era of Antarctic politics, in which NGOs banded together to play power politics with great vigour on several fronts at once, in what was an unusual flurry of decision-making by the normally quiescent system. This 25 month period in treaty history - from June 2 1988, to July 3 1991 - is the time of greatest foment in the regime's history. It saw for the first time in the ATS the fracturing of a previously agreed consensus. After this came the rejection of an arduously negotiated regime; concern that the ATS itself was in peril; and the final introduction of basic changes to the operations of governments in Antarctica: and all of this with strong non-state input.

But it is outside the scope of this thesis to write such a history. Instead the critical matter under examination is environment promotion groups' role in creating and exploiting this foment. As one of the best known ATS commentators put it: "In the past neither NGOs nor public opinion proved a major driving force on Antarctic policy-makers. The course of developments since 1988 suggested that for the first time a significant, even decisive policy input was coming from below." (Beck 1990b, 110.) This chapter's intention is to analyse the mechanical role these actors played in order to better understand and reach decisions about their exercise of power at the time.

Because of the intensity of activities in this period, a detailed chronological framework has been prepared and added as an appendix to this current work in order to provide a frame of reference. It sets out the national and international milestones along the path from original acceptance of CRAMRA to the signing

of the protocol. This framework is meant to provide common reference points for events that will recur as the body of the chapter, a set of national case studies, is examined. The chronology is also important in its own right as a broad overview of the strategic approach to the ATS jointly taken by NGOs.

These case studies have been chosen because, in the cascade of events over this three year period, they represent important moments of change. It should be emphasised that all 25 ATCPs who initialled CRAMRA at Wellington in June 1988 some time later turned away from the minerals regime in favour of the protocol. The case studies are not claimed to exhaust the possible suite of key decisions. But when the chronology is examined, the five nations chosen: Australia, France, New Zealand, Britain and the USA, best illustrate the phases of change, and therefore provide the most valuable insights into non-state activity. First Australia and France split the consensus by moving separately and then jointly, away from CRAMRA and towards the PEP. Subsequently they led much of the state-to-state international campaigning. New Zealand held a key position as facilitator of CRAMRA, and particularly because of the intragovernmental politics on this issue it provides a valuable insight into non-state tactics. Britain's influence in the ATS was historically powerful and it remained a determined opponent of change, while the USA proved the most overtly intractable.

The intention is to see how NGOs shaped the decisions of these particular countries, in order to draw general conclusions in this thesis's examination of the strength or weakness of non-state actors, and their challenge to the legitimacy of a state-based decision. This basic question remains to be fleshed out: who fared best in the quest to achieve acceptance by the public as the legitimate authority over Antarctica in this period: the ATS as represented in system organs such as ATCMs and its diplomatic "representatives" in government, or some of the non-state actors?

## (II) NON-STATE ACTION ON INDIVIDUAL STATES

### AUSTRALIA

#### A TARGET FOR CHANGE

When Australia initially signed CRAMRA in Wellington, NGO members already had identified and encouraged a bureaucratic division in the delegation, between on the one hand representatives of Treasury and Primary Industries and Energy, and on the other, Foreign Affairs. Though some concern was expressed about some provisions of CRAMRA by Foreign Affairs at Wellington in June 1988, ultimately it backed the regime. Treasury conversely stuck to a long-held economic rationalist position that developed in the course of the negotiations, as early as SCM IV-v in Tokyo 1984. This argument ran that a pre-requisite for Australian approval was economic benefit for exploitation in the national claim, and that the regime should not derogate from Australia's sovereignty. (Wallace interview, 1993; Goldsworthy interview 1993; Bergin 1991, 224). This division was clearly apparent to NGO members. Cath Wallace of ASOC New Zealand recalls colourfully how an unapproving Australian Treasury delegate observed the signing process with some disdain, commenting: "Look at them, they sold their country for a mess of potage." (Wallace interview 1993).

This division was one factor that led NGO members to focus a campaign on Australia. Others involved the mechanics of politics. There was a strong, well-funded ASOC secretariat with good access to national Antarctic decision-makers in government, and tied to a flourishing national NGO network. (Goldsworthy interview 1993.) The nation had a strong link with Antarctica. It was historically strong in the exploration phase, geographically broad in its claim, and currently active with an annual program expenditure rising above \$60 million. The national program listed among its stated aims the preservation of peace, sovereignty and strategic influence.

Australia's strength as an actor within the ATS at the time is subject to varying assessments. Its seniority in the system was apparent in elements such as its original signatory status, and the choice of Australia's delegation leaders to speak on behalf of the ATS inside and outside United Nations debates. However NGO members such as Wallace, Barry Weeber of ECO-NZ and Alistair Graham [ASOC] maintain that it was at times excluded from an inner circle of negotiators or "A" group of nations who conducted the informal CRAMRA discussions, which more often included NZ, Britain and USA. Moreover Beck makes the judgment that Australia has rarely aspired to a leadership role in Antarctic affairs. "Within the ATS it has generally performed an influential though often undistinguished role. In particular, an awareness of Australia's middle power status means that successive governments have avoided the assumption of attitudes adjudged likely to place the country in an isolated or vulnerable position on key questions. " (Beck 1990b, 106)

Having targeted Australia, the NGO campaign continued in two directions in 1988. The assets of domestic NGOs were called upon to help mount a national campaign of public education and political pressure, and to focus upon intragovernmental rivalry, in order to achieve a breakthrough at the ministerial level.

## PUBLIC LOBBYING

ASOC already had a public education campaign in its early stages before the signing of CRAMRA. Among the tasks that began immediately afterwards was a speaking circuit throughout major cities in which Goldsworthy and other speakers addressed a string of service clubs, including Lions and Rotary. This task was maintained until about May of 1989. Also joining in at this time was the Australian Conservation Foundation, at that stage a powerful non-state actor domestically, whose leader Phillip Toyne, had the ear of Prime Minister Hawke.

ACF formed an Antarctic Action Group whose members prepared a video of Antarctica which "sold itself" widely to schools, clubs and interest groups,

according to AAG member Mr David Westlake. (Westlake interview, 1993). The focus of the action group was in obtaining community support, and the ACF and ASOC networks, with their strong NGO membership, were used to that end. Steps taken included a write-in postcard petition focussing on key figures in government, and a growing media campaign.

Examples of this campaign include a series of ACF releases whose gradually strengthening news value indicated the growth of the issue itself. On 21 March, under the head "Our Last Chance To Avert Environmental Disaster in Antarctica", a statement focussed on a joint letter from 81 New Zealand scientists opposing CRAMRA. The next two, on 29 March, pointed at the *Exxon Valdez* disaster. One was headed: "Alaskan Accident, the lessons for Australia and Antarctica"; the other from Toyne referred obliquely to the Foreign Minister, Senator Evans, and the Environment Minister, Senator Richardson, as "misguided and naive" for believing CRAMRA would control the exploitation of Antarctica. "As the Alaskan spill demonstrates, no amount of hollow regulation, vague assurance and untried technology can avoid environmental disasters."

Other material included a series of fact sheets, which told the public that "the convention will enable mining to take place", that "exploration was too risky to attempt", "mining would lead to environmental degradation", and the world park proposal was "a clear, firm alternative". (Westlake 1989, 1) In this material ACF urged that the Federal Government should not sign CRAMRA. "Australia should encourage other treaty nations to commence studies on the World Park option, while agreeing to extend the moratorium on mining until full consideration is given to the World Park option. The Federal Government should set up a working group to commence discussion on a conservation convention."

In fact this proposal - raised publicly at least as early as 13 April 1989, and at a time when there was clearly no path chosen by the government, turned out to be broadly the direction chosen. It provides clear evidence that the goals of the non-state actors would become a success; that they were able to co-opt

the Australian Government to carry out their agenda.

There was a question over the effectiveness of the public education and pressure campaign. Senator Richardson cited an unnamed poll in which 98 per cent of people said they would oppose mining in the Antarctic. (Oakes 1989, 4). But the campaign was not generating high profile media events such as public rallies or protest actions. Whether it actually served the purpose of spreading concern about CRAMRA into the general population was open to debates such as that in the Senate on 12 April 1989. The Opposition Environment spokesman Senator Chris Puplick remarked: "there has been no real community discussion of this matter. A large number of issues need to be addressed and they have not so far been addressed because the Government has not lived up to its promise to promote community discussion..." (Australia Senate 1989a, 1430). In reply Senator Richardson claimed: "by keeping [CRAMRA] on the table for a very long time, the Government has enabled debate to progress on this issue all around the country. In fact, I think it has received enormous coverage in recent times." (Australia Senate 1989a, 1437).

## INTRAGOVERNMENTAL CHANGE

The initial focus of Australian NGOs in their internal lobbying effort after CRAMRA's agreement was upon Treasury. This was despite the lack of concern in Treasury about environmental aspects of CRAMRA. The lobbyists were instead happy to promote sovereignty and economic benefit arguments if they served the overall purpose of slowing down the ratification procedure. "We had a number of meetings with Treasury officials reinforcing the concerns that we had and that we knew they had." (Goldsworthy, interview 1993). It was from this department, in a relatively short space of time, that the first fruit came. Three months after CRAMRA was signed Treasurer Keating wrote to Foreign Minister Evans: "I do not believe that Australia should sign the convention until we attempt further to negotiate provisions that better protect our

national interests. Signature would mean we concede our economic claims over Antarctica for virtually nothing, forfeiting our sovereignty and opening up the possibility of subsidised (mining) production competing with Australian mineral producers...I believe we must be prepared to stand alone if necessary on this issue.” (Keating 1988, 1)

This letter represents the first known evidence of determined dissent within the highest levels of a significant ATS country, and strongly followed the NGO promoted line that Australia would be economically worse off under CRAMRA. It is not claimed by NGOs to have emerged solely as a result of their efforts at lobbying the Treasurer, but they do assert that their efforts in lobbying Australia at the time to stall CRAMRA were concentrated on the Treasury (Goldsworthy interview, 1993), and they could hardly have had a handier ally. Keating is known to have been increasingly pressing his claims to leadership of the Labor Party against Prime Minister Hawke at the time. In this context the “stand alone” proposal by Keating - a course that was eventually adopted by the Prime Minister - may have extra significance as a challenge on leadership.

It should be noted too that although at the time CRAMRA was not specially significant on the national agenda, Keating evidently approached it with some seriousness. In October, before CRAMRA had been even tabled in the Australian parliament, he raised both the Australian position and his own views in a meeting in Paris with the French Prime Minister, Michel Rocard (Keating, 1989). He also already had the Cabinet backing of the Resources Minister, Senator Peter Cook, who held the view that with no anti-subsidy provision in place, Australia’s mining industry would be adversely affected. (Bergin 1991, 224)

Leakage of the Keating letter to newspaper reporters came two days before the CRAMRA documents were tabled in Federal parliament by Senator Evans and Senator Richardson. Senator Evans said: “the Government’s purpose in tabling the Convention is to promote community discussion.” (Evans, 1988, 1). Plainly though he also backed the convention, using rhetoric familiar to CRAMRA advocates. “Contrary to some misconceptions, the aim of these

negotiations was not to encourage minerals activity in Antarctica. The negotiations proceeded on the basis Antarctica would remain closed to minerals exploitation unless a specific decision were taken to open it. This important principle is reflected in the Convention.” (Evans 1988, 1). When these two ministers tabled CRAMRA they are said to have been confident that there would be little real opposition, and at the end of the day the government could argue that the Convention met Australia’s broad objectives (Bergin 1991, 223).

The NGO campaign made little impact upon either of them for some time. As late as March 1989, Senator Evans was arguing at a meeting with the ACF that CRAMRA represented the best achievable regulation of mining, and anyone who thought otherwise was “off with the elves and the fairies” (Toyne 1989, 1). As for Senator Richardson, he conducting an open discourse about his thinking. In April 1989 he stated his opposition to mining in Antarctica, but insisted that there be an instrument in place to try to make countries “act civilly” when they mined. “Some countries are hell bent on exploration and will be hell bent on mining... We’ve got to do the best possible job at looking after the environment. I don’t think you can do that if there’s no instrument in place that puts some pressure on the miners to act responsibly.” (Oakes 1989, 3). He also maintained this stance in the parliament over the next few weeks.

The ACF moved to step up its campaign of direct lobbying during April with approaches to the key figures including Hawke, who had remained outwardly an observer of ministerial rivalries in the period from June 1988 (Peake 1989a). ACF pointed to the Exxon Valdez disaster and Bahai Paraiso as examples of the “inevitable” fate awaiting Antarctica should mining or oil drilling be permitted there. (Toyne 1989, 1). There were also indications of growing international pressure upon him. One letter to Hawke sent on behalf of “millions of concerned citizens world-wide” was signed by the chairman of Greenpeace International, David McTaggart, and the influential WWF/IUCN figure, Sir Peter Scott, on 10 April. Another came from Jacques-Yves and Jean-Michel Cousteau, reminding Hawke of Australia’s “unprecedented opportunity to save Antarctica from the type of devastation that is at the moment

destroying sea life and polluting the Arctic...We appeal to you to oppose the Wellington convention, to take the lead as a protector of Antarctica, and to set an example to the world.” (Cousteau 1989, 1).

NGOs had spent a great deal of time in Canberra directing their lobbying at politicians, particularly the relatively powerful faction leaders of the governing Labor Party. “We targeted the different political figures with postcards and letters, combined with going to see them and pointing out the differing views of departments” (Goldsworthy interview, 1993). Environmentalists met figures such as the Labor caucus chairman Bob Chynoweth, an Antarctic traveller that previous summer, and an example of backbench Labor MPs keenly aware of the political importance of the green preferential votes to whom he owed his marginal Victorian seat. Early in April, Chynoweth promised to lobby every MP to ensure that Australia did not sign CRAMRA (Bergin 1991, 226).

To this point, the lobbying of the Federal Opposition had borne little fruit. The Opposition’s Environment spokesman, Senator Chris Puplick, chose to move for further debate on CRAMRA when the issue was raised in the Senate by the Green Senator, Jo Vallentine, and opposed outright a world park concept which he saw to be linked to United Nations governance. (Australia Senate 1989a 1430).

Keating’s growing opposition was reiterated in a letter to Senator Evans on 19 April requesting that consideration of his submission recommending that Australia sign CRAMRA be held over until Keating returned from overseas meetings in late June. By this time he would have had access to a U.S. policy document that may have hardened his position. In early 1989, ASOC-NZ members obtained under the US Freedom of Information Act a memorandum on U.S. Antarctic policy which was passed on to Australian ASOC members. This spelt out U.S. policy objective to “facilitate an increase in the global supply of [non-living] resources, through (i) defining property rights to Antarctica mineral resources ; (ii) ensuring reasonable conditions of investment consistent with US interests including environmental protection.” (United States, 1975). Here ASOC had obtained emphatic proof of the argument they had encouraged in the Australian Treasury.

So by mid-April 1989, the public NGO campaign had become established. It had a clear proposed course that urged the Federal Government to take a lead internationally and offer up instead of CRAMRA a world park alternative. Pressure from the public appeared to be limited to the concerned environmental, rather than the general community, which was nevertheless aware of the issue in broad terms, and may even have been strongly in opposition to the prospect of Antarctic mining. Lobbying by NGOs appeared to at least assist in an intragovernmental split, and Keating had taken up opposition to CRAMRA, adopting partially the NGO line. But they had not yet won a major change of heart from the leader of the government. Hawke was yet to show his colours.

#### AUSTRALIA CHANGES ITS POSITION

The agenda for change in Australia quickened in late April with news that the French Prime Minister, Michel Rocard, was moving against CRAMRA. In a television interview Rocard said that France would not ratify CRAMRA in its present state (Darby, 1989). This news passed quickly to Australia and led environmentalists in Canberra to immediately call for Australian backing. "In the light of support [for deferral] from other countries, Australia should also defer its decision," Goldworthy said. (Goldworthy interview 1993). The French position also undercut concerns of CRAMRA's opponents in the Australian government, expressed by Senator Richardson, that this country should not stand alone against the regime (Bergin 1991, 227).

It was at this point that one can say for certain the NGOs' campaign began to reap a harvest from both Keating and the Federal Opposition. Referring to the French change of heart, Keating moved quickly to explicitly adopt the NGOs' line against CRAMRA. In a letter to Hawke on 27 April, Keating repeated his concern over the regime's deficiencies in respect of revenue and subsidised mining, and then called on Australia to heed environmental considerations. "The Antarctic is of enormous ecological importance. It is

perhaps the last area on earth that remains untouched by development... I believe we should consider carefully, but soon, the establishment of a World Park or at least consider declaring Australia's territory a national park." (Keating 1989). Two days later the Federal Shadow Cabinet voted to oppose the treaty on the ground that it would lead to mining; adopting this NGO argument that had first swayed Treasury's CRAMRA negotiators five years earlier, and latterly, Mr Keating. (Milburn, 1989) Shortly afterwards in a detailed statement the Opposition also fell into line with the NGO proposal for a convention to ban mining, stopping short of world park. (Bergin 1991, 227).

The NGO campaign had at this point effectively promoted a virtually irresistible momentum against CRAMRA in Australia. Not only was the powerful Treasurer a direct advocate of the environmentalist position; the Opposition's Senate stance, backed by the Australian Democrats' balance of power in that chamber, meant CRAMRA's ratification was blocked. In these circumstances remaining government advocacy began to crumble. On 3 May, six days after the Keating letter, Hawke telephoned Rocard to discuss the two countries working together on the world park proposal. (Peake, 1989a). Next day he told the Australian Mining Industry Council that Antarctic mining would be against Australian interests (Seccombe, 1989). On 12 May a delegation of 16 conservation NGOs met Senator Richardson and he moved further away from the signing option, admitting that the debate might have "passed us by". (Peake, 1989b), a revealing remark on the speed with which others were moving the debate past the pace of the portfolio minister. The same day Hawke wrote to Keating suggesting that he establish a working party of officials to examine the whole concept of a world park, a course of action that was to be immediately followed through. (Houweling, 1989b)

Meanwhile in Paris at the 9-13 May scheduled preparatory meeting for ATCM XV, Australia's changing mood was revealed in the ATS, when it informally tabled a proposal for comprehensive environmental protection which borrowed some of its components from ASOC proposals. This paper allowed for the possibility of CRAMRA entering into force but suggested an accident

causing environmental damage could result. It proposed a “catch-all” Antarctic Conservation Convention as an integral part of the ATS ( (Australia DFAT 1989, 4-5).

This development came more quickly than even the NGO lobbyists hoped. “When Foreign Affairs decided to make the announcement , I was surprised. To actually put a conservation convention on the table...They hadn’t caucused very much, except perhaps with France. Everyone was stunned, all the treaty nations. So was half the delegation, I might add.” (Goldsworthy, interview 1993)

Into this climate also came the 13 May Tasmanian state election, which promised during a long campaign - and did yield - a Green Independent grouping balance of power in the state House of Assembly under an electoral system which guarantees an outcome closely reflecting the balance of the popular vote. Neither Antarctica nor CRAMRA were issues during the campaign, but some observers, in New Zealand’s Department of Foreign Affairs particularly, claimed afterwards that this Green dominance finally swung the Australian Government against CRAMRA . Whether this is so is less certain. Peter Beck commented: “Upon the basis of evidence currently available, it seems incorrect to accept the simplistic interpretation linking non-signature primarily to the Tasmanian election and tactical political reasons.” (Beck 1990, 114). It is likely however that the Tasmanian election outcome contributed strongly to the existing national political atmospherics, emphasising through a state electoral system that was very sensitive to minority groups, the power of the green vote.

Hawke’s liaison with France continued as that country’s position hardened against CRAMRA further. Finally the departmental working party reported back to the Federal Cabinet, and on 22 May in a joint statement Hawke, Senator Evans and Senator Richardson announced Australia’s change of position. “Our strong commitment is that no mining at all - including oil drilling - should take place in and around the continent ...Australia will not sign the minerals convention but instead will pursue the urgent negotiation of a comprehensive

environmental protection convention [and] specifically explore the prospects for the establishment of an Antarctic Wilderness Park". (Hawke 1989a, 1)

This outcome again went beyond the hopes of environmentalists. "In fact the announcement in May came early. We didn't expect it. I knew we had a very good chance of blocking at least the first round of the attempt at ratification...I expected Australia to defer, rather than make such an enormous statement, and it went beyond our wildest dreams." (Goldsworthy interview, 1993).

Though this decision was taken, Australian NGOs did not regard their task as over. Ms Goldsworthy wrote to ASOC members on 1 June calling for expressions of thanks to the Hawke Government, as did the Australian Conservation Foundation's David Westlake later. He also continued ACF's work to build a "Save Antarctica from Mining" petition of support, raising in a letter to foundation councillors the possibility of the Hawke Government backsliding. "Until 24 November, 1989 [the date of ATCM XV] the Federal Government may reconsider signing CRAMRA. Consequently the aim is to achieve our 100,000 names. Currently 50,000 names have been added to the petition." (Westlake 1989).

Whether this concern was necessary is open to question. Ms Goldsworthy was convinced that the government had adopted the NGO view so profoundly that the Foreign Affairs department [their initial strong opponent only a year earlier] was keener almost than NGOs about world park. "We had a couple of meetings with Foreign Affairs where they were asking for our justification of why Antarctica should be a world park. They were more fervent than we were in some of our discussions." (Goldsworthy interview, 1993)

Though it was to moderate its proposal away from the NGOs' pure world park ambitions, Australia kept up its advocacy of the mining ban and an environmental protection system for another two years. During the key negotiating periods over that time, environmentalist input on the Australian Government continued at a high level. But it was largely a co-operative process in negotiating sessions. The public campaign by domestic NGOs declined to a point where the main public occasions were events where the government and

NGOs put on a united front. Goldsworthy became an important member of the Australian delegation, and she found that in the ATS sessions her role was to bolster the national position, and latterly to chair some PEP annex negotiations herself.

Strong pressure was put upon Australia and France by other nations to change its position at the ATCM XV in Paris. At SCM XI-i in Vina Del Mar, Goldsworthy felt Australia came close to signing a deal which was considerably less than the end result; and at the Madrid sessions the Australian delegation slipped from advocating an outright ban to the eventual tight moratorium. But the fundamentals of the non-state position held.

In retrospect environmental NGOs had a profound influence on Australia's decision to move from support of CRAMRA through outright advocacy of a world park-like mechanism, to a mining ban and environmental protocol. The Canberra analyst Anthony Bergin comments: "environmental groups played a critical, perhaps vital role in shaping the government's decision...the Antarctic minerals issue was not treated by environmental groups as a foreign policy issue; it was handled and "sold" by such groups as another domestic issue like mining in Kakadu or logging in national forests." (Bergin 1992, 237).

No lesser person than Senator Evans - the minister who had earlier identified CRAMRA opponents as "off with the elves and the fairies" - also came around to praising the role of NGOs. At a ceremony to mark the signing of the PEP, Senator Evans admitted that the enormous amount of work by Greenpeace and other environmental groups had played a large part in creating the atmosphere in which the Federal Government found it relatively easy domestically to support a mining ban in Antarctica. Senator Evans also played particular tribute to the "positive and constructive" role played by Goldsworthy in protocol negotiations. She was later to be decorated with a national honour. Finally, he said the enormous achievement of uniting ATPs on a comprehensive protection regime owed much to the role that groups like Greenpeace played in sensitising public opinion. (Evans 1991, 6)

To conclude the case study of Australia, let us return to the grid analysis

developed earlier in this thesis and examine which attributes of these non-state actors came to the fore. We may say firstly that the internal lobbying skills of ASOC were central to the success of the non-state effort. It successfully employed relationships built over the previous decade in Antarctic politics to gain strength in the internal machinations of a national government. Assistance came to ASOC with the specific resources support of the large environment promotion NGOs. They also put their global weight behind efforts to shift Australia. On the ground locally, the value of ACF, a well-connected national environment promotion NGO willing to campaign, was apparent. A broad spread of strengths among these environment promotion groups in their structures and relationships was therefore successfully employed.

The non-state campaign began to gain ground with the an intragovernmental split that showed signs of owing its origins to an ASOC-encouraged argument: that Australia should block a previously agreed international position on the grounds of state self-interest. The campaign developed over time in a helpful external climate with public opposition to CRAMRA evident and encouraged. Under increasing pressure from an assemblage of strange bedfellows: France, the Federal Opposition and the Federal Treasurer, the alternative course presented by NGOs was adopted by the Government as its policy, and Australia moved its position to become an advocate of the environmentalist cause. The NGOs' path clearly therefore proved to have greater legitimacy than Australia's original preferred course. Though countervailing pressure was carried forward in some Government departments, it came under internal challenge and eventually crumbled under the weight of the broad spectrum of support gathered behind environmentalist NGOs.

To nod the head at NGOs by saying they helped to create the atmosphere for the change in Australia's position, as did Senator Evans, is to minimise their profound effect on this issue. In ideal conditions: a quickly greening general political atmosphere, strong framework of environmental lobbyists and public pressure groups, and pluralist government structure, they grasped the opportunity to push a state into action unprecedented in the particular

international regime, through internal lobbying and external public campaign building. To do this they employed many of the characteristics and approaches described earlier in this work: fanning the credibility of the mineral rights argument in state vehicles, transmitting ideas more rapidly than did the state; overcoming advocates for compliance with CRAMRA and developing a changed perspective with the aid of a public campaign. As non-state actors they succeeded in making the state face the legitimacy of their position and adopt it.

## FRANCE

### A TARGET FOR CHANGE

France's formal political connections to Antarctica are closer than most other claimant states, apart from South America's southern cone nations. On 6 August 1955 an act of the French parliament created Terres Australes et Antarctiques Francaises, administratively and financially an autonomous overseas territory of the French republic. The territory is divided into four districts representing three groups of Southern Indian Ocean islands and Adelie land on the Antarctic continent. Its governing authority is the Higher Administrator based in Paris, who answers to the Minister for Overseas Departments and Territories. (Harris 1984, 124).

France began CRAMRA negotiations against a possible background of interest in mineral exploitation in Antarctica shortly before the discussions began. "The recent activities of the French Institute for Petroleum have drawn accusations of resource exploitation links. No published account of the sophisticated French survey in the Ross Sea and Adelie Land area in 1982 is known to this commentator. The French program is exceptional in this respect." (Harris 1984, 212) During the course of negotiations its position in Antarctica came under a sustained NGO attack over the construction of the Dumont D'Urville airstrip. Preliminary engineering studies for this strip began in 1981-2, and construction in 1982-3. (Ormerod 1986, 185) The activity was put

before CRAMRA delegates at SCM IV-ii in Wellington and remained an irritant for the remainder of the talks. For other reasons, such as the bombing of the Greenpeace ship *Rainbow Warrior* in Auckland Harbour in 1986, and the continuing program of nuclear testing in the South Pacific, France's relations with some regional environmental NGOs were at best uneasy. The delegation did not include an NGO representative.

At the conclusion of CRAMRA the French were seen by one NGO observer as "being friends, and yet seriously on the other side of the fence." (Wallace interview, 1992) A cocktail party after the signing ceremony in Wellington was illustrative of this when the entire French delegation wore Greenpeace Antarctic world park badges after France in a statement on the final act was effusive in its support for CRAMRA. Delegation leader, Mr Jean-Pierre Puissochet, described the text as "a happy balance between concern for the protection of the environment and... reasonable exploration and exploitation of Antarctic mineral resources", and "a triumph of legal ingenuity" which was "shining proof of the efficiency of the Antarctic system". The delegation urged its speedy implementation. "It is our wish that the convention...will shortly enter into force and consequently, that the period which separates us from its application is as short as possible." (Antarctic Treaty 1988, France )

When ASOC delegates met soon afterwards to choose target countries France was not at first on the list. One of the major reasons for this was that there was no ASOC connection in France. "After *Rainbow Warrior*, Greenpeace membership surged in places like New Zealand and Australia, but it took a dive in France. Greenpeace actually had to close its office there. So ASOC's most powerful member was not operating in France at this crucial time." (Hemmings, interview 1993) This attitude was to quickly change, however, later in 1988 when ASOC decided to target France through the Cousteau Foundation, a decision that led to an excellent result in the NGO campaign.

## GOVERNMENT RECEPTIVITY TO CHANGE

The Mitterand Government had taken on a more progressive appearance

under the Prime Ministership of Michel Rocard, elected in June 1988 just after CRAMRA was signed. The new Environment Minister, Brice Lalonde was a former director of Friends of the Earth, now an important friend on high of environment promotion NGOs, who showed signs of wanting to involve French environmentalists in decision-making. (Hemmings interview, 1993). But the most important figure in Antarctic terms was Jacques Cousteau, scientist and environmentalist, and the embodiment of the successful marine environmental issues advocate, Fondation Cousteau/Cousteau Society, which has two main branches, in France and the United States.

ASOC heard that the new French administration which came to power post-CRAMRA was concerned to take a “good” initiative in Antarctica, particularly as a result of the Dumont D’Urville problem, but not one they would be bullied into. “This [world park initiative] was something they could move on, and do stunningly the right thing, but not to be seen to be doing it in response to pressure from us.” (Wallace interview, 1993). The path ASOC claims to have taken was to interest Captain Cousteau, who was known to have close links with President Mitterand. (Reuter 1989). “Cousteau can do in France what no amount of Greenpeace and WWF can do. This is because he is French; a national hero.” (Hemmings interview, 1993). The course taken is said to have been circumspect to deal with the singular nature of the Fondation Cousteau, here explained by the U.S.Cousteau Society’s Washington representative, Rick Schwabacher. “We work hard not to associate with coalitions. We find it is confusing for our supporters if our message gets homogenised in a coalition.” (Schwabacher interview, 1993.) ASOC members suggest their organisation got Cousteau ‘hooked’. “They never ever wanted to be seen, and in some cases didn’t even know it was the ASOC influence because of Cousteau being very much the ‘man alone’. It came about because a couple of ASOC individuals had close contact with senior Cousteau people.” (Wallace interview, 1993)

This scenario would illustrate well the success of ASOC as a web of linkages in the sense that is described earlier in this thesis by Willetts to be a strength of NGOs. The Cousteau Society has a different view of what

happened. Though he qualifies his remarks by saying he only joined the society later, Mr Schwabacher recalls that Captain Cousteau said his interest was roused by seeing news reports that CRAMRA was on its way to final approval. "I think there was a distinct feeling CRAMRA had been negotiated behind closed doors, that the public had not been involved in this, nor was it really aware of it. It should be remembered that Cousteau had personal involvement in Antarctica...I think he had a particular feeling of reverence for Antarctica." (Schwabacher interview, 1993) This "closed doors" argument was heard repeatedly from environment promotion groups as they attempted to undermine the legitimacy of the decision. In any case there is no doubt that Cousteau's involvement came at the right time for the overall NGO campaign against CRAMRA. "[It was] one of those wonderful combinations where we just had the right people making contact with the right senior people in the Cousteau [Society] at the right time." (Goldsworthy interview, 1993)

The domestic political climate in France was also tempered by external factors such as the *Exxon Valdez* disaster, and increasing global environmental awareness. As mid-year approached in 1989, the government was dealing with elections to the European parliament. They were predicted to produce a sharp swing to the left and rapidly expanding European Green parties, according to opinion polls. The most dramatic swings were expected to be in France and Germany. (Palmer J. 1989, 7) Ahead the Mitterand Government also had to host a G-7 summit meeting in Paris in July, 1989; a meeting that would be notable for its statements of good environmental intent.

Some of the elements therefore appeared to be laid out ready for a change of position by France, to be facilitated by a single NGO. Despite its original position on CRAMRA, the government was regarded as newly receptive to the right environmentalist pressure in a greening international political climate. In addition, a domestically powerful NGO could pick up a campaign that focussed public attention for perhaps the first time against CRAMRA.

## THE OUTCOME IN FRANCE

The Fondation Cousteau began in France with a petition campaign in late 1988 among its national membership network of as many as 100,000. "It's my personal feeling that as he raised the issue there was a tremendous public response; it was encouragement that this was something the public was responding to." (Schwabacher interview, 1993). Little evidence is available about the course of the campaign, which appears to have been largely domestic in focus. However it can be said Cousteau uses the media of television and print with great finesse to convey his messages; the insertion of a petition form in his family oriented periodical newsmagazine for foundation members would be sufficient to generate a healthy response. It was successful enough for Cousteau to claim by mid-April he had gathered 180,000 signatures in France against ratification of CRAMRA. (Sinclair 1989, 1)

It was at this point that Rocard quite quickly announced his opposition to CRAMRA as it stood, a move that surprised other treaty nations, and was taken in apparent isolation from them. Rocard exhibited some caution. "I cannot allow that only France will be satisfied and that 70 or 140 other nations will align themselves to a French position. I am happy that Commander Cousteau's petition gives this support. But let us not get into mythology. By not ratifying this one we should not get the idea we are doing a good job. Things can get worse..." (Sinclair 1989, 1)

Therefore the French Government, although it had taken a position against CRAMRA, clearly had not moved in favour of a world park-like alternative. In fact, Rocard was advocating "improving" CRAMRA. He is not believed to have moved further publicly towards the NGO position until he and the Australian Prime Minister Hawke agreed to approach the issue jointly. This course was initiated about 12 May, 1989 when in a telephone conversation Rocard told Hawke he was reluctant to sign the convention in its present form. Australian officials said the French appeared to share Hawke's desire not to see mining in Antarctica. (Houweling, 1989a)

This case was taken further with the Australian Treasurer Keating, when he

visited Paris on 31 May. Then shortly before Hawke arrived in Paris to discuss the proposal with Rocard in June, President Mitterand announced support for a wilderness park "as recommended by the marine explorer, Jacques Cousteau." (Reuter 1989). Within days Rocard confirmed he "absolutely" supported Australia's attempts to create an Antarctic wilderness park. "We are both now, Australia and France looking at what could be a current position to have a general and definitive protection of the Antarctic." (Cockburn, 1989a).

This position was to moderate over time away from the wilderness park - which was a substitute for the NGOs' world park name - to the eventual Nature Reserve/ Land of Science, a position that the Fondation Cousteau advocated directly and in contrast to other NGOs (Schwabacher interview 1993). But essentially the goals were similar, and the unity between Australia and France was to survive without any apparent need for public bolstering by Egos until the final stages of negotiation for the PEP.

The weight of having France join Australia in the campaign against CRAMRA cannot be under-estimated. As ASOC's Jim Barnes said: "I would say that if Australia had been alone it would have been very difficult because (a) it was only one country, and (b) it's not a G-7 type country. To have France with Australia was very crucial. Then a world-wide lobbying movement, led to some degree by ASOC but certainly in very close co-operation with the Cousteau Foundation, resulted in country after country being turned around by public pressure." (Barnes interview, 1992). We recall what Oran Young said earlier in this work: compliance with international regimes is ignored by state actors only at the risk of great cost: that they may be stigmatised as rule breakers. (Young 1989a, 74)

As an exercise in NGO influence it was a further emphatic example of the adoption of an environment promotion doctrine by a state which turned its back on the previously agreed international convention. Much less is known about the mechanics of this change. But statements by the French leadership clearly attribute an NGO with the original idea, and this NGO, Fondation Cousteau, may well have been brought into the arena at the urging of others through

ASOC. In an analysis of valuable attributes possessed by NGOs, there are strong indications that the web of NGO linkages possessed by ASOC - its aggregated form - were important in reaching through to Cousteau and to the newly receptive government. Likewise Cousteau's strengths were invaluable in campaign in France. An independent organisation with great control over its strong popular membership, its activities were focussed strongly on France where its head had a widely esteemed position and access to the top levels of government.

## NEW ZEALAND

### A TARGET FOR CHANGE

New Zealand held a unique position in regard to CRAMRA because of the role of senior diplomat Chris Beeby as chairman of negotiations from start to finish. As a result this country tended to be seen as one that was pushing the establishment of a regime, though national observers say it was more of a mediating role. (Dingwall interview, 1992) The amount of work NZ diplomats undertook - the regime underwent development as a succession of "Beeby drafts" - and its control of the agenda also meant that the state retained considerable prestige and identification with the end product among other nations. In a more general sense, New Zealand also has close geographic and logistic links with Antarctica, and historically it had in the past been an advocate of a world park. For these reasons many of the New Zealand population are argued to have been more familiar with CRAMRA and the environmental arguments in relation to Antarctica than were the populations of European countries.

In ASOC's assessment, a campaign against the minerals regime in New Zealand presented a double-edged sword. "We knew that Beeby was really important, and there was a lot of country personal pride, but we also knew that

there was a lot of dissension in the populace. We had a very strong ASOC group, a very strong connection with Antarctica, and a very strong concern about there being no conflict there.” (Goldsworthy interview 1993).

#### INTRAGOVERNMENTAL MOVEMENT TO CHANGE

The NGO campaigners in New Zealand strongly believed that the CRAMRA agenda had been captured and held by the Ministry of Foreign Affairs to the exclusion of other departments since negotiations began. In the normal course of events, it must be the case with international treaty talks that the lead is taken by diplomats. But these campaigners were convinced that other departments were in practice almost totally excluded. The immediate task many of them saw was to break this hegemony as quickly as possible, and to engage other departments in the debate. Wallace recalls: “We had been for years trying to drag the debate out of the back rooms of the Ministry for Foreign Affairs. We had the devil of a job getting the Ministry of the Environment or Department of Conservation to take the thing seriously. For years we had just been petitioning at Foreign Affairs’ door. We had been allowed to go up and see Chris Beeby from time to time, and he would listen to us, but that’s how it was. There was no sense that this was a robust governmental process.” (Wallace interview 1993) Here is stark evidence of Oran Young’s view of foreign ministries as impulsive defenders of the status quo (Young 1989a, 75).

As in other countries in this era, NGOs in New Zealand were advantaged in that the normal course of events leading up to domestic ratification now meant that there should be a legitimate involvement by other departments such as Environment, Conservation, and the Antarctic agency, the Department of Scientific and Industrial Research. However they regarded a key breakthrough as being the emergence of a skilled new Director-General of Conservation, David McDowell. Now in 1994 executive director of IUCN, he was appointed to the DG’s post in late 1988 upon return from a posting as UN Ambassador. Wallace recalls McDowell successfully persuaded the Environment Department

to raise the seniority of its negotiator; to set up a round of meetings with other agencies - and include NGOs.

The real importance of the French-Australian initiative seemed to impact only slowly on New Zealand's official view. Poorly regarded in Wellington because of its recent regional history, France was portrayed by officials and then by politicians as merely opportunist. (Wallace interview, 1993.) Likewise, Australia was painted by Foreign Affairs Minister Marshall as having given a short term response to the Tasmanian election result. (Palmer, 1990a) New Zealand was also preoccupied with a leadership crisis at the time in the contest between Prime Minister David Lange and Finance Minister Roger Douglas. This culminated with the resignation of Lange on 7 August 1989, and the elevation of Geoffrey Palmer to the leadership. Palmer took his old portfolio, Environment, with him to the Prime Minister's department. Two days later the government released its White Paper on the Antarctic Environment. This paper "sets out elements of an integrated and binding environmental protection regime for Antarctica that is to be promoted by New Zealand" (Antarctic Treaty 1989, 215). It represented an acknowledgement that the international position was shifting, but did not commit New Zealand to a specific national response. "Ultimately, changing world opinion may lead the treaty nations to reach a consensus that Antarctica should be accorded permanent protection from extractive industries in toto. Such a consensus, if reached, would be in accord with New Zealand's policy goals" (Friends of the Earth 1989b). The White Paper was accompanied by a directive that NZ Government departments consult with NGOs to develop policy advice, improving the "atmospherics" (Hemmings, 1989). But it was seen by NGO members as extremely ambiguous. "It was designed to be read in New Zealand [as if] they were going to give up the minerals thing, and in the rest of the world as absolutely no change in position." (Wallace interview, 1993). Wallace and others spoke out publicly in New Zealand against this position.

Despite this the White Paper was evidence that the issue was opening up in New Zealand, and NGOs maintained their campaigning pressure. They were

assisted by a decision by Palmer to recruit McDowell to head the Prime Minister's department. ASOC access in the Government improved markedly. Wallace cites instances from August 1989 onward in which NGOs received and exchanged information with elements of the government in Wellington about movement in other ATCPs, and acted at times as information provider on these international movements. For instance Wallace cited an E-Mail bulletin from Washington: "USA has signed CRAMRA, ratification procedures deferred indefinitely following a request from the Council on Environmental Quality and the EPA for a review of US Antarctic policy and interests prior to submission to the Senate" (Wallace interview, 1993). By giving this information to New Zealand politicians, NGOs were able to argue from a position of strength against the idea that most forces internationally were unwaveringly committed to CRAMRA. NGOs used their information to rebut claims by NZ officials that the French and Australian positions were temporary aberrations and show that in fact there had been a sea change in these countries' policies. This is a striking illustration of the abilities that NGO actors can exert as information brokers, affirming Willetts' observation of pressure groups' unique strength in this role.

As ATCM XV approached, the New Zealand NGOs saw their priority domestically as being to "create space" in the national position. A "roadshow" around the country using video and speaker presentations in many towns was organised by Greenpeace. (Weeber interview, 1993). NGOs lobbied MPs as well. The discovery of the United States Policy and Program document which confirmed its interest in mineral rights was seen as instrumental in changing the view of some Government backbenchers. "The importance of the US Document should not be under-stated," said Hemmings. "We had presented the property rights argument before, but that was just an opinion until we found the document. This pulled the rug out from under the advocates of CRAMRA to some extent. It was something New Zealand MPs could understand." (Hemmings interview, 1993)

Eventually the New Zealand government took a proposal for protection of

the Antarctic environment to ATCM XV, based on the White Paper and consultation with NGOs in which the delegation says "a measure of agreement was reached." (Antarctic Treaty 1989, 215) New Zealand maintained implicit support for CRAMRA, saying an environmental protection instrument should not "duplicate or replace the work of the past thirty years".

## GOVERNMENT POLICY CHANGES UNDER PRESSURE

Early in 1990 the New Zealand Government moved significantly away from CRAMRA only the day before Cousteau arrived on a well-publicised lobbying tour. Palmer said that New Zealand would "set aside" consideration of the ratification of CRAMRA and seek a "creative solution" to try to "break the impasse among treaty nations." (Palmer 1990a, 1) At a subsequent press conference Palmer qualified the New Zealand position by saying CRAMRA was set aside "for the moment". He also put New Zealand forward as a broker at a time when the treaty system itself was in peril (Palmer, 1990a 3-5).

This position did not satisfy NGOs who saw "setting aside" to be temporary. They continued to pressure Palmer to announce the abandonment of CRAMRA. They consulted with his government on the solution to the CRAMRA impasse and were acknowledged as participants by Palmer when the government moved again in July, with promotion of a new Protocol on Environment Protection, and moratorium on mining "independent of the minerals convention." (Palmer 1990b, 1).

In this statement he rejected unspecific claims that the government had a hidden agenda on CRAMRA. However within days, the New Zealand NGOs were alleging just that in a meeting before him. ASOC NZ alleged that, at a conference held by the Nansen Foundation in Oslo in May 1990, Beeby had taken part with other senior ATS diplomats in the preparation of a non-paper inimical to the mining ban/world park stance. At a subsequent meeting with Palmer the NGOs directly tackled the Prime Minister. "It was just a classic statement of bureaucratic capture of policy," Wallace said. "We said, 'you've

got to give us a form of words which give us a permanent ban'. It was my view that it was this meeting where he changed his mind."

The following month Palmer addressed the annual conference of the peak environmental organisation ECO, and used the words "permanent ban" on mining. That evening he said on television that the government's policy was a permanent ban. (Wallace interview, 1993.) New Zealand subsequently carried this position forward in the ATS, modifying it only at the final negotiation of the PEP.

On reflection it appears that the real scene of battle for New Zealand non-state actors was inside Wellington's bureaucratic apparatus. There was a thorough public campaign and for a time it was a divisive partisan issue, with the Opposition National Party favouring a world park and permanent ban as early as May 1989. But it took the New Zealand Government two years to change its mind thoroughly and come out for a mining ban; a pace that on the surface seemed to have been dictated by concerns about the safety of the ATS, but behind the scenes was argued by NGOs to be the result of attempts to overcome the authority and control on the policy held by the Department of Foreign Affairs. Eventually the NGO argument prevailed. They were assisted in doing so by fortuitous political events such as the rise of more amenable bureaucrats and politicians. But they advanced their own cause by obtaining and providing information to these decision makers that countered the view presented by Foreign Affairs. This bureaucratic actor's position held sway against a growing international isolation and national public opposition to CRAMRA. Eventually with these factors undiminished, its legitimacy was brought into question by non-state actors who established their authority with a credible information-broking capacity. ASOC's attribute as an expert in the Antarctic field clearly made a difference in turning the bureaucracy around. Its ability to gain standing from an important diplomat in McDowell demonstrated the importance of such relationships with reasonably like-minded bureaucrats. Some resources were devoted to a public campaign, and the appearance of a reasonably high profile international environmentalist in Cousteau may have

been of assistance in bolstering the national campaign. NGOs can claim to have done much to prise New Zealand free of CRAMRA advocacy and bring it into line in the campaign against minerals exploitation.

## UNITED KINGDOM

### STRENGTH OF SUPPORT FOR CRAMRA

In Antarctic politics Britain held an influential position long before the negotiation of the 1959 treaty. This standing was due to its former role as a powerful maritime nation and explorer of Antarctica, continuing South Atlantic interests including territorial claims, high prestige of its science in such works as the discovery of the ozone hole by Farman *et al.*, and the clear leadership of its diplomats. In the period under examination this influence was personified in the Head of the Polar Regions Section, South American Department, Foreign and Commonwealth Office, John Heap. A junior officer at the time of the negotiation of the treaty, Heap's seniority and expertise in the ATS made him and his country a key negotiator of CRAMRA. When it came under challenge he gave a powerful warning about the effect of scrapping CRAMRA on the treaty system as a whole. "It would be a tragedy if CRAMRA, the flower of 30 years of development of the ATS - not just six years active negotiation - were now to be lost," Heap warned after the Australia-France initiative began. "Its survival, like all else in the ATS, will depend on no-one pushing anyone else into an intolerable position." (Herr 1990, 187.) Britain's attitude toward the Antarctic was summed up by the senior WWF member, Cassandra Phillips, as conservative. "An old exploring country, very much involved with drafting the treaty and very much aware of how that stops fighting breaking out, because it was a very tense situation in the 1940s and 1950s. The Falklands [war] reinforced that." (Phillips interview, 1992). Domestically in Britain, the Foreign Office held a dominant role in determining government policy.

Representatives of Trade and Industry, and Energy ministries took part in CRAMRA delegations; however NGOs had no place in them.

After the conclusion of CRAMRA, Britain proceeded to back it strenuously. Prime Minister Thatcher rejected a request by Hawke to join an anti-CRAMRA campaign. At ATCM XV, Britain joined the United States in a concerted attack on the French-Australian initiative, and particularly the wilderness reserve proposal. Heap went so far as to suggest minerals activities were not necessarily environmentally unsustainable. (Grutzner, 1989c). In 1990 despite the question marks the wilderness reserve campaign raised over the viability of CRAMRA, the government attacked the Australian position. As the Antarctic Minerals Bill passed through the House of Commons, a junior Foreign Office minister, Tim Eggar, said a complete ban on mining activity would be impossible to enforce and could lead to uncontrolled exploitation. (Press Association, 1990) Soon after in a background document the British Foreign Office described the initiative as “outside the realms of practical politics”. (Porritt, 1990)

Later in the year at SCM XI-i in Vina del Mar, Britain continued to hold out. “The United Kingdom continues to believe that the minerals convention already in existence provides the only mechanism on offer that has the capacity to defuse an otherwise explosive political issue, and regulate mineral activities in a way that meets all reasonable environmental demands.” (Antarctic Treaty 1990, UK).

This, then, was the determined policy position NGOs in Britain faced in their efforts to force this leading country to change its mind. Unlike other countries, it did not start either from the base of an amenable government; nor was there even a partial split in the bureaucracy. Instead there was a firm and internally powerful advocacy of CRAMRA to overcome.

## GROWTH OF DOMESTIC LOBBYING CAMPAIGN

A factor in NGOs' favour in the surrounding political atmosphere was

Britain's poor reputation on the environment at the time. It was under pressure from many environmental NGOs for failing to comply with European Community directives, and for defending the rights of industry above the general population. The "Dirty Man of Europe" was an epithet these NGOs extended into the Antarctic campaign. Along the lines of the Cousteau Foundation's work, Greenpeace and WWF in Britain in 1989 began jointly organising a world park petition that eventually gained in excess of one million signatures. (Martin-Jones, interview 1992). Likewise there grew a campaign of letter writing to British MPs. Phillips believes eventually this had a telling effect. "Virtually every MP got tens if not hundreds of letters. The system (at Westminster) is that they pass them straight on to the relevant government department and say, what is the answer to this? So in this case the Foreign Office felt enormous pressure from this direct source. That undoubtedly had an effect on why Britain changed." (Phillips interview, 1992). But it must be said that the campaigns by these organisations were little different from what was occurring in many other countries, particularly those in Europe.

In the face of the specially conservative approach to the issue taken in Britain, one of the fortunate facets of the public campaign was the decision by a venerable and quite powerful conservative NGO to join in advocacy of a world park. The National Federation of Womens Institutes' 300,000 members are in branches in many rural towns and villages of Britain. "They tend to be middle-aged or elderly ladies, largely housewives rather than working women, and mostly staunch Tory voters." (Phillips interview, 1992). Each year the WI takes up several resolutions from its grassroots to be debated at the annual meeting. It was an important indication of the extent of public feeling on the issue in Britain that in 1990 backing for a mining ban and world park came up as such a resolution for debate, and approval, before the 75th anniversary meeting of the WI attended by Queen Elizabeth. Already Prince Phillip, the president of WWF, had supported a world park. The imprimatur of the royal family on the issue was important to that group of Britons. "Having the Women's Institute was a wonderful coup," said Phillips. (Phillips interview,

1992.) It meant that when the NGO case was put before the governing Conservative Party conference later in 1990, WI lobbyists were there alongside the regular green groups. (Porritt, 1990). Through such means the NGO campaign thereby gained a legitimacy in Britain that began to counter even the entrenched hold of the Foreign Office.

But the traffic was not entirely one way. A view emerged from some British scientists that a world park campaign would conflict with science in Antarctica. This was expressed at a Royal Geographical Society technical meeting entitled "Antarctica: Conflict or Consensus", in London in March 1990. Three months later the science-based government arm, the British Antarctic Survey, claimed some NGOs were, through their campaign, posing a direct challenge to the activities of people generally in Antarctica. "The total banning of all human activity in this region, as promulgated by some groups, has to be seen against the possibility of using the unique natural observatory conditions of Antarctica to address questions of global relevance," wrote Dr David Drewry, BAS director. (Drewry, 1990).

This kind of counter-attack on world park advocates, which centred in Britain, forced NGOs to respond in material such as the Greenpeace Background Paper For An Eighth UN Debate. There was also a specially prepared booklet, clarifying how the objectives of NGOs could work in parallel with science. (Greenpeace International, 1991c)

## A LEADERSHIP CHANGE AND AN OUTCOME

At the end of 1990 the door that had been closed to NGOs began to swing ajar with the ousting of Thatcher from the Prime Ministership. Under domestic pressure in the face of a forthcoming 1991 election, the Conservatives overthrew her in favour of John Major. "It wasn't until Mrs Thatcher had gone that the change came," said Phillips. "We'd probably still be struggling if she was still there...It was the US of course who held out for the very longest, and Margaret Thatcher was always hand in glove with them." (Phillips interview, 1992). One of the key figures in Thatcher's overthrow was Michael

Heseltine, who lost the subsequent leadership contest and was relegated to the Environment portfolio. "He was keen on the dramatic gesture, and [the Antarctic initiative] appealed to him. His officials were perfectly happy with the idea of overturning CRAMRA and having the protocol." (Phillips interview 1992)

This change coincided with the Vina del Mar meeting, and also with the General Assembly of IUCN in Perth, Western Australia, which provided a good illustration of the implacability of Britain in the presence of the world's peak environment promotion forum. The IUCN assembly passed a resolution calling for a comprehensive environment protection regime and a permanent ban on mining. In debate the UK opposed this, and it appeared that a vote may be necessary; a poor outcome for a body that likes to operate consensually across a broad spectrum of opinion. "In the end, the UK managed to get slightly changed instructions from London which allowed them to let the resolution through by consensus, although they made a statement for the record saying that, had a vote been necessary, the UK delegation would have abstained." (Phillips 1990, 4).

By early 1991 as the new political leadership bedded in and the changed Antarctic wind blew in from Vina del Mar, a slight shift in Britain's position became apparent. On 25 March the Foreign Office announced that in an effort to find a new consensus, the UK was proposing a moratorium on Antarctic mineral prospecting and exploitation. "The length of the moratorium and the mechanism for its termination or extension are issues which we hope will be taken forward by ATPs at their next meeting in Madrid." (United Kingdom FCO 1991, 1). Though outwardly a significant step away from mining, in fact the detailed proposal still clung to CRAMRA. "The proposal is for a fixed term moratorium...which is to be kept under constant review and requiring, prior to its expiry, compulsory negotiation of a minerals resource regime...The UK proposal would create expectations of the inevitability of mining and does not take adequate account of the views of many countries and international public opinion that mining should not take place in Antarctica." (Australia DFAT,

1991a, 3).

WWF-UK then deliberately attempted to raise pressure on the government ahead of the forthcoming general election. It invited Gerald Kaufman, UK Labour Party spokesman on Foreign Affairs, to Madrid. Kaufman held a press conference there in support of the environmental NGOs' proposal. "Kaufman said his party, if elected, would support a permanent ban on mining and a comprehensive environmental protection regime." (ASOC 1991b, 1). It is unclear how important this partisan move was in shifting the government. It certainly has worth as an indication of the strengthening debate on this issue domestically in Britain.

At this session, where Japan and Germany announced major shifts towards the mining ban and protocol, the hold-out countries were left at just two. The UK moved further by agreeing, with the other parties, to consider a draft text of the protocol with its exclusion of CRAMRA and a 50 year mining ban. A question still remained in the minds of UK NGOs however, about whether the British Cabinet would endorse this position. "We assumed they would. [Heap] must have had clearance to do what he had done in Madrid. Nevertheless other ministries wanted to keep the Antarctic available for mining. They were blinkered. So a discussion still went on in Cabinet..." (Phillips interview, 1992). Finally in the week after XI-SCM Second Session in April, the British Government announced support for the emerging consensus, and backing for the protocol. "The story is that John Major said: 'oh, I'm fed up with this. Cut the cackle. We'll sign this. We won't stand out against it'." (Phillips interview, 1992).

Though NGOs appear to have mounted a strengthening campaign in Britain which partially undermined the long-held power held by the Foreign Office, it is less clear whether they were decisive in winning this issue domestically. Once again non-state actors tackled the foreign affairs agency as a staunch advocate of compliance, and through a public campaign that crossed traditional political barriers built themselves a strong momentum at Westminster against Whitehall. Phillips is convinced the NGO-organised petition and letters to MPs were of

great importance in demonstrating that the popular will had moved in favour of the main environment promotion group, WWF. Its attributes of an international standing, strong resource base and popular membership were no doubt important in its capacity to influence. But the lack of an intimately connected Antarctic environmental NGO presence such as was held by ASOC may have counted against non-state actors when dealing with such a prestigious Antarctic state.

Certainly BAS's entry to the debate represented a stinging attack from the bureaucracy on the environmentalist campaign. Because of the strong presence of Antarctic scientists in this country, it also represented SCAR's best chance of influencing a course of events. But it did not. Instead its ineffectualness demonstrated Boulding's observation earlier in this work that in the NGO world, the time of the educated elite has passed, and the non-government world is now opening up to the local activist.

When Britain moved, it did so relatively quickly. In six months it shifted from solidly backing CRAMRA to supporting the mining ban. There is little doubt that the mood of the electorate was greening generally, and in a pre-election atmosphere there was additional reason for the British government to adopt the changed circumstances. In addition, by the time Britain came around, the international consensus was well and truly swinging away from CRAMRA and in favour of the protocol. It would be wrong to consider this shift in the domestic contest in Britain in isolation from a sea change in international Antarctic politics, though this owed much to the mass of NGO-inspired campaigns internationally.

## THE UNITED STATES

### A TARGET FOR CHANGE

Despite its dominant position in world politics and key role in negotiation of CRAMRA and any future exploitation of Antarctic minerals, the United States

was not a first round choice of ASOC members planning a strategic approach to defeating the minerals regime (Goldsworthy interview, 1993). Though commonsense says the above factors made it essential to carry out a determined campaign in the United States if the overall strategy was to succeed, they also made it too ambitious a target for a campaign that had as its initial goal only stalling ratification. However it was a second round choice, (Goldsworthy, interview, 1993) and the campaign that unfolded over three years was fought long and hard through several theatres.

The Washington Administration at the time was not regarded as responsive to US environment promotion non-state actors. "Bush promoted himself as an environmental president, but I don't think he had the support of Greenpeace, ASOC, The Wilderness Society or other groups active on this issue." (Schwabacher interview, 1993). The US had continually taken a strong interest in negotiation of CRAMRA as part of its dedication to the ATS. It clearly had long valued the system as a means of ensuring multilateral international co-operation in the region. "The United States will firmly resist any effort to weaken, undermine or replace the system," the UN was told by the US delegate in 1983, and this is typical of the attitude that continued through the course of CRAMRA negotiations.

Washington's chief Antarctic negotiator Tucker Scully was seen as one of the influential core group who did much to determine general Antarctic policy, as well as the direction of CRAMRA. The size of the task environment promotion NGOs faced is sharply delineated by an example such as Scully's testimony before a congressional sub-committee in which he dismissed the French-Australian initiative's likelihood of success in one word: "no", and said it posed a danger to the Antarctic environment because it was unlikely to achieve a consensus. (Hope, 1989). There is no evidence that the policy-making represented by such remarks came under substantial internal challenge until well after campaigns had begun to reap success in other countries.

Environmental NGOs were additionally handicapped by their lack of a place in the US delegation, and therefore a means to influence or know closely the

mechanics behind the development of its policy. NGOs' place on the delegation was held throughout the CRAMRA negotiations by Lee Kimball, representing the balanced development promotional NGO, the World Resources Institute. Kimball, a long-serving representative, was closely familiar with the State Department's position. Against the environmental NGOs' trend she continued to advocate CRAMRA as the best means of ensuring environmental protection for the continent.

Such factors as these represented serious obstacles to NGOs' viability as political actors in the US sphere. At the outset in 1988, the legitimacy of the US position on the ATS was well established and under no bureaucratic or Congressional challenge. On the other hand, US democratic processes offered ready means for starting a campaign of change, particularly through the mechanics of Congress and the receptivity of the media and the general public.

## THE PUBLIC CAMPAIGN

A small number of NGOs including ASOC and Greenpeace was always ready to educate the public about Antarctic issues, and CRAMRA in particular. Among wealthier US citizens, the growth of Antarctic tourism in the late 1980s was an indication of broadening interest in the natural values of the region. But not until the loss of the two ships, *Bahia Paraiso* and *Exxon Valdez*, were environmental NGOs able to link the concepts of environmental damage and Antarctic minerals exploitation in the minds of a wider public.

The grounding and subsequent capsizing of the Argentine supply/tourist ship *Bahia Paraiso* off the US Palmer station on 29 January 1989 presented the US Government with a logistical challenge that obtained widespread publicity at home. The Government sent from South Carolina an airborne task force with the aim of cleaning up 950,000 litres of fuel oil spilled. Despite the scale of this operation, the difficulty of achieving a successful clean-up became apparent when it took another week's steaming from South America for the task force to

reach the site. The flavour and extent of reporting of the event is indicated in articles like the following: "Sunken ship's oil spill held a peril to antarctic wildlife" -*The New York Times*, "Antarctic oil spill takes heavy toll on animal life" -*The Miami Herald*, "Scientists fear rise in visitors to Antarctica will hurt ecology" -*Detriot News*, "Not-so-isolated Antarctica suffers growing pollution" - *The Oregonian*..

Two months later, the super tanker *Exxon Valdez* ran aground and was holed, spilling about 50 million litres of crude oil in Prince William Sound, Alaska. Not only did this rate highly as a world environmental catastrophe, it involved US corporations, government and environmentalists in a drawn-out and very public argument nationally about an event that had as its visual focus a previously rich sub-polar ecosystem. It was as near as the Antarctic NGOs could get to proof of their dire warnings. Said the US campaigner Beth Marks: "It had big importance. It alerted the public...of what could happen if you had oil spilling in a polar environment. It really made people sit up and take notice." (Marks interview, 1993). This increase in the level of general awareness was important to NGOs trying to establish their credibility on the Antarctic issue. It ameliorated the difficult task of growing the anti-CRAMRA public campaign in the United States.

"Working on public opinion is much harder in the US," said WWF's Phillips. "It's so huge and diverse and parochial. There are virtually no national newspapers, the quality of the television is so low." (Phillips interview, 1992). At the same time Marks, formerly of the long standing US environmental NGO, the Sierra Club, succinctly showed both the vital importance of reaching the public, and how that was made to count: "The way people like (Senator Al) Gore and so on work is that they need to know their constituents are pleased with what they do. They need to know the people back home support them. Groups like us can get letters coming from back home. In the Sierra Club we have each [Congressional] member's district as well as their name. So if we want to reach a particular Congress person we can focus on particular [Sierra Club] members in that district. It doesn't take a lot of letters." (Marks interview

1993).

The decision by a group of leading domestic NGOs to band together in an "Alliance for Antarctica" was a further indication of the growing strength of this campaign. "In the States everyone wants their identity; a coalition is very fragile. With a coalition your members don't see you as setting a lead. But on this one issue it was felt that it was bigger than any of us, so we did work together." (Marks interview 1993). ASOC commenced the alliance building, which emerged as a viable step in September 1989 when joint action was put on the agenda for a "Group of 10" meeting of large environmental NGOs, including Environment Defense Fund, Natural Resources Defense Council, Sierra Club, Friends of the Earth, The Wilderness Society, the Audubon Society and National Parks and Conservation Association. "We have prepared another briefing document for them, and [FOE] president Mike Clark will be urging that everyone join us in opposing CRAMRA and supporting the Australian initiative." (Barnes 1989, 2). By early the following year this alliance was writing to seek a meeting with the Secretary of State, James Baker, on what it described as "one of the most important global environmental issues of the day"; (Clarke 1990, 1).

Operating separately were other important NGO components, especially the Cousteau Society. "We work hard not to associate with coalitions...But from a policy perspective of course we're all working towards similar goals. There is a lot of information sharing for those participating in the campaign..." (Schwabacher interview, 1993). The petition campaign begun in France spread significantly to the US, where Schwabacher claimed eventually 600,000 signatures were taken. In a move to reach mass audiences, Captain Cousteau also took to Antarctica six children, one from each of the other continents, to film a television production that was released in France and the United States. "With that came key appearances on network morning shows and late night shows with Captain Cousteau and [his son/successor] Jean Michel to promote the campaign message." (Schwabacher interview, 1993).

The public campaign by NGOs in the United States was, therefore,

widespread through the membership . Part of its importance lay in the unusual NGO alliance building, which alerted members to the special nature of the issue. NGOs had clearly begun to establish their credibility among the public on this issue. It moved at times into mass media, with the *Exxon Valdez* and *BahiaParaiso* losses proving to be consciousness raisers. Yet signs were few that the NGO position gained greater public acceptance than the entrenched government position. In October 1989 when the Los Angeles Times editorialised urging a US reassessment and world park designation (*Los Angeles Times*, 1989), it was one of the very few signs of progress.

## WORKING THROUGH THE CONGRESS

The passage of the CRAMRA/PEP issue through the US Congress provides a key demonstration in the context of the current work of the access to formal democratic processes so important to non-state actors in their attempts to raise pressure for change. Authorities referred to earlier commented that in pluralist systems, states can provide vehicles for NGO achievement in bureaucratic and political organs. In the case of the United States, this was amply demonstrated as the environment promotion NGOs engaged themselves with as many vehicles for achievement as possible. They allied themselves with a serendipitously useful senior politician, took on the Congressional committees process, and enmeshed themselves in legislative drafting. All of these moves helped to build a momentum against the US Administration's solid backing of CRAMRA.

One of the happy coincidences of the environmentalist campaign was the decision by the then US Senator Al Gore to take up a VIP tour to Antarctica the National Science Foundation offered to prominent Americans. This trip spurred his interest in the region, at a time when these NGOs needed a powerful ally. Clearly, though Senator Gore had failed to become Democratic nominee for the presidency in 1988, he was an obvious force to be reckoned with in the following electoral cycle. He travelled to Amundsen-Scott station at the South

Pole in the last quarter of 1988, and later described his concern about global damage being caused to the Antarctic environment by US CO<sub>2</sub> emissions, yet “two continents away from Washington”. (Gore 1992, v).

“Al Gore came to [the campaign] on his own,” said Marks. “The NSF took him down there [to Antarctica] and he just fell in love with the place. He’s always been useful; he’s always been our friend.” (Marks interview 1993). “Also around the same time he was president of an organisation called GLOBE, Global Legislators for the Environment. They came out with a proclamation about the importance of the Antarctic, and how mining should be excluded.”

Australian Prime Minister Hawke made contact with Senator Gore soon after committing against CRAMRA (Greene, 1989) and maintained contact as the campaign developed (Gordon, 1989). However Gore’s involvement in this campaign was national in focus, rather than international, a factor that gave domestic US NGO members important access to the Congressional process. With their sometimes close help, he and other like-minded legislators worked through Congress to block CRAMRA and encourage an environmental protection regime.

The first step in this direction came in September 1989 when Senator Gore introduced a “Sense of the Senate” resolution calling on the US to encourage immediate negotiations toward a new agreement among ATCPs for the full protection of Antarctica as a global ecological commons. Though not binding, such a resolution was regarded as very useful. “Although the resolution is not quite as strong as we would like, it is a very good first step,” Barnes commented (Barnes 1989, 2). The language chosen by Senator Gore again avoided the use of the term “world park”. But it was a clear indication NGOs and Senator Gore were travelling on close parallel paths.

The next phase of congressional activity came in 1990 when debate focussed on two issues which, the government’s National Science Foundation later conceded, were driven in the Congress by environment promotion groups. “First, environmentalists, concerned about perceived weaknesses in CRAMRA, pushed for legislation to ban permanently mining.... Secondly they advocated

extending the National Environmental Policy Act (NEPA) to Antarctica, including the NSF's... research program." (Reuning 1991a, 8) Consideration of this legislation involved hearing testimony before congressional committees; a process that NGOs focussed upon closely. Marks testified during that period. "When you testify you are basically going on the record stating the facts. Some people will tell you it's tokenistic, but I don't believe that. If you have enough sway with those who are writing the bills, you usually get your objectives into that bill. In fact most of the law passed on the Antarctic are bills that we had a large part in, or at least in working with people [in Congress]." (Marks interview 1993)

Adding political weight to this set of congressional considerations was their timing: near the mid-term elections in November 1990. This is not to suggest Antarctica became a major election issue. But in the context of growing environmental awareness generally, it was a relatively cost-free option for the environment promotion NGOs to urge upon electorally-sensitised legislators.

These NGOs represented by Barnes, Cousteau and others gave testimony calling for the abandonment of CRAMRA and negotiation of a world park or similar at two separate hearings: before the Congressional sub-committee on Oversight and Investigations in March 1990; and US House of Representatives sub-committee on Human Rights and International Organizations in May and June of 1990.

Not all non-state testimony was in favour of environmentalists' ends. The World Resources Institute's Kimball addressed both hearings seeking the maintenance of CRAMRA and warning that its collapse would leave the whole ATS endangered. The mining lobby also made an appearance that consisted mainly of an attack upon CRAMRA as a mechanism. Keith Knoblock of the American Mining Congress claimed it would "spawn a huge bureaucracy". He objected to consensus provisions and to the CRAMRA commission's possible role in "foisting" joint venturers onto operators. (United States of America 1990a, 249-256).

These non-environmentalist positions carried little weight in the Congress

where two laws subsequently passed unanimously. The “Antarctic Protection Act of 1990” sponsored by representative Silvio Conte (R-MA) and Senator John Kerry (D-MA) imposed an indefinite ban on Antarctic mineral resources activities by American citizens. It also urged other nations to join the United States effort to develop comprehensive environmental protection for Antarctica.

This was the most contentious piece of legislation for the NGOs. As originally drafted it would have obliged the State Department to enter into an agreement internationally to ban mining in Antarctica. “That bill was very difficult. Up until the last minute we were negotiating with words people could live with...We had to give up a little,” Marks said. “It banned US nationals [from mining], but it *suggested* the Secretary of State enter into an international agreement.” (Marks interview, 1993) This was much less forceful language . The NSF also took exception to the bill as drafted, claiming that by extending the National Environmental Policy Act (NEPA) to the US program, private litigants - presumably environmental NGOs - would have been given the authority to seek injunctions and halt important research projects, regardless of NSF’s compliance with environmental assessments or impact statements.” (Reuning 1991a, 8).

A second piece of legislation passed as a resolution in 1990. Resolution 206, sponsored by Representative Wayne Owens (D-UT) and Senator Gore encouraged immediate negotiations towards a new agreement among ATCPs on comprehensive environmental protection and indefinitely closing Antarctica to commercial minerals development by Americans. They were signed into law by President Bush in late November 1990.

This was by no means the end of the road for the Administration, and particularly the State Department, in its desire to keep open the mining option. However this signing did mark an important milestone for the NGOs nationally. Working co-operatively with like-minded politicians, they were able to gain a political momentum towards their Antarctic objectives and additionally, heavily circumscribe Administration options. Through a concerted campaign, environmental NGOs in alliance had visibly proved their cause to be more

acceptable to the Congress than those advocates of CRAMRA either in, or out, of government. Timed as this result was ahead of SCM XI-i, it also tied a great millstone around the neck of the minerals regime internationally.

## WORKING ON THE ADMINISTRATION

There was early help from within the apparatus of the US Administration for NGOs that provided evidence that in the long-run they might succeed too. This came from people that the environmentalists describe as “friends” of their work. According to Phillips of WWF, such people included the head of the Environmental Protection Agency, Bill Riley, who was previously an employee of WWF, and E.U. Curtis “Buff” Bohlen, who worked for WWF for 20 years and was the Assistant Secretary of State for Oceans and Environment and International Affairs. He became the chief negotiator for the State Department on Antarctic matters. “Things like that were a great help”, she said. (Phillips interview, 1992)

Valuable time for the environmentalist campaign was bought when in September 1989 Riley’s EPA took formal steps that effectively blocked the Administration from submitting CRAMRA for ratification quickly. The EPA compelled a legislative Environmental Impact Assessment, and also called for a complete review of US policy regarding minerals development in the Antarctic. (Barnes 1989, 1). This is not to suggest that Riley complied because of his past association with WWF. But this past linkage does indicate that important members of the bureaucracy and environment promotion groups may have been like-minded.

At the same time the State Department was maintaining the correctness of CRAMRA both in Congressional forums and externally. It told ATCM XV in Paris that a total ban on mineral resources activity was not negotiable, and the instrument offered adequate environmental protection. “The Wellington convention is being misrepresented,” Scully told the media there. “It is being misrepresented as an agreement that calls for exploitation and that is simply,

absolutely, not true.” (Grutzner, 1989b) Despite the developments in Congress, the Administration held to the regime and opposed a wilderness park concept through early March 1990 after New Zealand’s change of course (Legge, 1990) and into Congressional hearings.

It was at these hearings that Bohlen, representing the State Department, began to give indications of both a possible future inclination against CRAMRA and the internal dispute in the Administration, under lively questioning from Representative Owens. Bohlen began by saying the US needed the minerals treaty, presenting the argument that it prevented the chaotic prospect of nations determining their own approach to minerals exploitation. (United States of America 1990b, 124). Yet in testimony he also agreed public opinion in the world was changing that the US had not foreclosed on any option, and that there was no possibility of CRAMRA going into effect as it was currently conceived. Finally, the Congressman’s questioning opened a door on a split among agencies of the Administration.

“Mr Owens: So you know of no substantive support, then, for a permanent ban in Antarctica within the administration?”

“Mr Bohlen: Oh, I would say there is probably support, but there are also other agencies which are strongly opposed, and that’s why we have been equivocating today, because we have to... find a consensus among the agencies...Up until now, on all Antarctic issues there has been consensus, and before we can move forward with any change of policy, we have to have consensus on this particular issue.”

Shortly afterwards he elaborated this position further. “If the US is to maintain leadership in this area, and we intend to, we have to look at all options, and we have to take what will be a negotiable position to avoid an impasse. But we aren’t prepared to signal internationally at this time where we are headed.” (United States of America 1990b, 146-157).

Through much of 1990 this was the way that things stood outwardly. While the Congress moved further toward the non-state position, the Administration

fought back through the NSF and State Department. They became what the Australian Foreign Minister, Senator Evans, described as “the most important hold-outs” (Evans, 1990). International lobbying of the United States by the growing number of countries favouring a mining ban was strenuous. For instance Senator Evans said to reporters after his speech: “We’ve been talking regularly to the US Administration. I’ve spoken to Secretary of State Baker three times now...” (Evans 1990, 8).

Approaching SCM XI-i, NGOs also tried to raise some pressure for movement. ASOC’s Barnes made a specific attack on instructions from the Bush Administration for the meeting which had “refused to authorise its negotiators” to take an active role in considering an indefinite minerals ban or achieving a permanent ban. “Its most recent set of instructions only allows the Secretary of State to remove objections to the Minerals Convention, which is interpreted to mean that the question of a moratorium may be discussed with other governments only if the subject is raised by them first... If nations come to Santiago [sic] with such a limited possibility, not much can happen.” (Barnes 1990b, 5)

Six weeks later President Bush had signed into law the Congressional bills, and Bohlen, US delegation leader to SCM XI, came to Chile agreed to consider a moratorium (Anonymous 1990, 12) and with the objective of obtaining a new environmental protection agreement that was “practical, enforceable and has the unanimous support of of Antarctic consultative parties”. (Greenpeace International 1990b, 1).

By the end of the conference Bohlen said the US was backing a finite mining ban. “The essential outcome is that mining be prohibited for a long period and that if the ban were lifted, there should not be a legal vacuum that would leave mining unregulated.” (Anonymous 1990b). This fell far short of what NGOs wanted, which was permanent prohibition, and what was actually placed in the draft protocol, the Andersen text. Its Article 6 read simply that: “any activities relating to mineral resources, other than scientific research, shall be prohibited”. This statement was placed in ellipses in the text by the conference, signifying

that further elaboration and/or modification may be necessary.

In the final analysis it appears the environmental NGOs had important allies in the Administration who may have helped with communications and taken a more moderate stance than the original State Department negotiators. This could have assisted NGOs in progressing their position generally. But the US Administration moved only slowly, insisting on maintaining a mining option, and holding the NGOs at bay. While it did so, pressure was rising from the weight of countries shifting ground against CRAMRA. So far though, NGOs in the United States were unable to prove themselves more powerful actors on this issue than the State Department.

### THE WHITE HOUSE HOLDS BACK

The exact role of the upper echelons of the White House in the final six months of negotiations leading to the Madrid protocol is unclear. What *is* known, is that Washington held out to the last on the draft, and nearly enforced a watering down of the protocol. It is also known that the issue became highly charged at top levels of government. (Joyner 1992, 9).

It is possible to obtain some indications for the outcome by examining the relationship, or lack of it, between NGOs and the White House. Only one meeting between an NGO and President Bush is recorded to have taken place on the issue. At an important time in the development of the US position, Jacques and Jean Michel Cousteau, on October 24 1990, stressed at their meeting with the President the need to obtain international consensus on efficient measures for protecting the ecosystem, including a prohibition of all exploitation of mineral resources. (Cousteau Society 1990c, 11). Though not altering the White House's position, this meeting at least demonstrated that the President was prepared to recognise the public credibility of a non-state actor's argument.

The Alliance for Antarctica did see members of the National Security Council and others within the White House framework, but it was not felt that this had much value. "There was a lot of polite listening," said Marks. (Marks interview 1993). On the other hand some environmental NGOs had suspicions the oil

lobby may have been making a mark on events at the White House, even though the American Mining Congress was not an active public lobbyist on this issue. President Bush's political roots were closely tied to the lobby which was regarded as having ready access to the White House. "This may have been part of a reluctance [by the US] to come forward at the first Madrid meeting," said Schwabacher." (Schwabacher interview 1993) These remained suspicions. At no point did the mining and environment lobbies come into open conflict over this issue in the US.

At least until the end of the Vina del Mar meeting, it was generally believed that decisions were being made at the lower levels of the White House, and broadly reflected US feeling that, as a superpower, it did not have to budge on this issue if it didn't wish. Some NGO members laid the blame for this at the feet of the then White House chief of staff, John Sununu, who they regarded as taking an increasingly close interest as the issue became more sensitive. "Sununu was not only powerful as Chief of Staff at the White House but believed himself competent to take an interest in environmental questions," said Hemmings. "He pulled the rug out from the US position." (Hemmings interview 1993). Joyner confirms that Sununu had input into framing the discussion (Joyner 1992, 9). But NGOs in Washington also saw themselves facing a mindset similar to that which kept the US from signing the Law of the Sea convention and shutting off a mining option there. "I think a lot of the same players were involved," Schwabacher said. To a certain extent it may also have reflected a negotiating strategy to get as much as possible out of the final agreement. "[The USA] tended to do that as well on the climate change negotiations; stand up against the world until we've got what is found to be an acceptable position." (Schwabacher interview 1993).

Whatever the reason, in the run-up to Madrid, US environmental NGOs found themselves "under siege", in the assessment of ASOC (Greenpeace International 1991a, 1). The reason came to light when Senator Gore and 14 other Democrat Senators wrote to President Bush expressing "grave concern" that the Administration planned to advocate a limited moratorium to be followed

by the subsequent imposition of CRAMRA. (Gore 1991, 1). The Bush administration was expressing serious doubts about the wisdom of the Protocol for US national interests, particularly future mining interests. "Reservations were expressed by Interior and Treasury over the length of the moratorium, especially whether it was to be a 'permanent' or 'indefinite' ban on the mining of minerals in Antarctica." (Joyner 1992, 10).

There is no evidence that after their long campaign, these NGOs were able to lift the siege in order to play a substantially influential part by themselves in this climactic stage. They continued to point out the growing isolation of the United States. But when Japan, and shortly after SCM XI-ii, Britain, joined the ATS majority it seemed many in the United States - even NGOs - were surprised to find Washington standing alone. "They didn't believe they were getting more and more isolated," said Marks. "In the end they were very surprised when they were alone... We hadn't expected that at all. When we came away from the Madrid meeting that was a real shock; that the US was the one holding up the signing." (Marks interview, 1993.) At SCM XI-ii, the United States agreed "tentatively" to the PEP, including a 50 year mining ban.

Shortly before the session re-opened in June it became apparent that the US Administration was beginning to draw increasing national attention to itself domestically as it hardened its position even further. In an editorial the powerful newspaper, *The New York Times*, described the Administration as the "one big threat to final agreement on Antarctic environment protection". "Forces inside the State and Interior departments oppose final ratification...That position is risky, ecologically and politically...For the Administration to reverse itself now would infuriate Congress, damage Mr Bush's credibility and anger allies." (*New York Times* 1991a). Nevertheless in a non-paper circulated before the meeting, the US delegation proposed to include an "opt-out" clause for any nation unable to persuade others to let it mine after a fixed term moratorium. NGO members such as Schwabacher who went to Madrid to focus on the US delegation maintain their presence had a strong effect. "We communicated freely with Congressional staff [also attending] we had worked with over the years.

Delegations have a feeling NGOs are watching, know maybe not everything but have a feeling for what is going on. They are ready with information to get back to the public and that opens up the process, helps influence the outcome.” (Schwabacher interview 1992). But this is a description of skilled NGO input at any such meeting. There is little evidence that they were able to build up their campaign to make the Administration bend.

Instead at a bargaining session in Madrid, the ATS partners expressed their disappointment at the change of course by the United States, and appeared to decide on a compromise the US may have been able to live with. ASOC in its report of the meeting records a scramble by countries towards this compromise and an abandonment of previous coalitions. The essential outcome in relation to the mining ban was a prohibition on mineral resources activities other than scientific research (Antarctic Treaty 1991c, Article 7). Provision also was made for a review conference after 50 years at which modifications to the protocol would require a three-quarters majority; and the further necessity for a binding legal regime if a change was to require mineral resources activity. (Antarctic Treaty 1991c, Article 25.) It should not be forgotten either that the protocol agreed by the ATS extensively covered human activity in Antarctica. ASOC claims it made substantial input to this agreement, including much of the basis for the protocols. (Marks, Goldsworthy interviews 1993).

Despite having two days to consider this compromise PEP, the United States asked for further time. It had insufficient instructions from Washington, saying it was “not in a position to accept any text other than that which they had proposed the previous week.” (ASOC 1991c, 6). This quickly gained the US the opprobrium of environmental organisations internationally. “It is obvious the Bush Administration has no intention of contributing to environmental protection - in fact the two phrases should not be used in the same sentence,” said Greenpeace in a news release. (Greenpeace International 1991d) WWF accused the US of putting its future energy interests ahead of Antarctic protection. (Barker, 1991)

Pressure was also exerted by other nations. In late June legislators from the US, Japan, the EC and the Soviet Union meeting in Tokyo jointly wrote to President Bush urging him to change. (Seccombe, 1991). Other letters came from individuals like Australia's Hawke. (Peake, 1991).

With the issue coming to a head publicly a trenchantly critical editorial, again in *The New York Times*, was a prime example of media pressure leading to a breakthrough. Marks indicated that this editorial was a response to lobbying of the *Times* by environmentalists (Marks interview 1993). "The now-you-see-him, now-you-don't 'environmental president' has struck again," it began. It claimed Mr Bush had allowed himself to be persuaded the PEP threatened America's energy supply and its sovereignty. "That is an empty posture with no serious constituency beyond a few people in the Administration....The US position also threatens the principle of unanimity that has held the treaty together since 1961... Washington's insistence on the right to walk away from any agreement is not reasonable..." (*New York Times*, editorial 1991b).

President Bush announced three days later, on 3 July 1991, that the US would sign. In Joyner's assessment: "very likely he did not wish to provoke a negative issue that might rebound against him in the 1992 presidential re-election campaign." (Joyner 1992, 10). He offered "strong support" for environmental control measures contained in the protocol, and "support" for restrictions on mineral activity. "The alternative to our proposal offered in Madrid for lifting or amending the ban addresses our concerns and provides effective protection for Antarctica without foreclosing options of future generations." (Bush, 1991).

Non-state actors can only claim to have made a limited impact on the White House's final position, which actually wound back from what was tentatively agreed at Vina Del Mar. When it came to dealing with the Administration's processes, environmental NGOs were able to make only limited in-roads towards their best option of a mining prohibition inside a world park. The White House held out for mining to stay open against a growing international weight from other countries. State actors were by this time strenuously

attempting to persuade the US that it should rejoin them, and reaffirm state authority over the future of Antarctica by agreeing the PEP. Ironically, it was the United States, advocate of the former status quo, that was now being stigmatised as a rule breaker. This weight grew to a point where, combined with the internal pressure in forms such as that illustrated in *The New York Times*, it tipped the balance toward the protocol.

In the case of the United States then, non-state actors allied under the urging and leadership of of coalitions such as ASOC. They could claim important successes in helping to undermine the legitimacy of the US position. Typical strengths of environment promotion groups came to the fore: domestic pressure through targeted letter writing, a nationally coordinated media campaign exploiting the surrounding political climate, use of the legitimate avenues of political pressure in Congress, and the seeking of aid from amenable senior bureaucrats and some Congressional leaders.

This bought significant time for the anti-mining cause, which meanwhile continued to grow internationally among the ATS states. It also encouraged strong Congressional opposition to the pro-CRAMRA position that had been captured largely by the State Department. In this atmosphere, special interest NGOs such as WRI and the American Mining Congress were simply out-paced. Not only were international events moving against them, they carried no popular constituency, and in any case, the issue was probably peripheral to them.

Once again, one can see the value of cohesive action by the broad range of environment promotion non-state actors: there is ASOC's international web and intimate knowledge of the issue, domestic NGOs' local popular support bases, and the access, resources and weight of the big international groups.

### (III) CHAPTER CONCLUSION

The value of these case studies to this thesis lies in their demonstrations of the tools and mechanisms used by non-state actors in their attempts to change a state-based decision. They show particularly how environment promotion NGOs operated within, and upon, governmental processes and public opinion. In large measure these actors successfully substituted their own agenda for Antarctica's future. Time and again they proved that when public and democratic processes were available to be engaged, the non-state position held greater legitimacy with the public than a decision the ATS took in isolation to approve CRAMRA. It is no coincidence that the five case study states examined represent key moments of change on the issue are all industrially sophisticated pluralist democracies, nor that several of these countries were first choice objectives of the ASOC strategy to turn individual countries around. The mechanical strengths available for raising pressure in such countries were of obvious importance.

Without doubt the ability of non-state actors to accomplish these outcomes was enhanced by a series of external circumstances. In addition to the absence of viable countervailing non-state forces, there was a rapidly developing international environmental awareness as issues piled up, ozone depletion and climatic change being chief among them. Specific incidents such as *Exxon Valdez* and *Bahia Paraiso* served to emphasise the dangers NGOs believed were associated with Antarctic minerals exploitation. They may also have served as serious obstacles to counter-campaigns by non-state advocates of CRAMRA.

But the extent to which the states examined here repeatedly adopted non-state campaign objectives showed that, in the ratification phase, CRAMRA could not hold up under their pressure. It is important to note that in these case studies there were two separate but linked theatres of activity. Firstly, many of the key battles were won inside internal bureaucracies and government processes which were persuaded to adopt the non-state line. Secondly there was extensive and

visible public support for this same line, fostered by a range of environment promotion NGOs who co-operated on the campaign internationally.

In the internal contest, these NGOs repeatedly moved to open up what they portrayed as a “closed door” process in CRAMRA’s negotiation, and to prise control over the debate from negotiating diplomats, instead involving more amenable bureaucracies. Despite their own environmentalist credentials, these NGOs went so far as to help further the cause of bureaucrats who backed CRAMRA for other than environmental reasons, as in the case of the Australian Treasury. In other cases it was a more straight forward matter of working within government to break the hold on policy held by the foreign affairs departments involved, as was the case in New Zealand, Britain and the United States. NGOs were aided in this task by the knowledge and credibility they built up through the vehicle of ASOC in the negotiating years of CRAMRA, and in the case of France by prestige and personal contacts of the leading non-state activist. The information broking capacity NGOs were able to muster made a significant difference in these internal battles, and provision of the de-classified US policy goals was a striking example of this information. A further strong “tool” in the NGO kit was the personal links it had with like-minded friends in government. These people were likely to be sympathetic because at other times they themselves had worked as highly placed NGO representatives. Examples include the US State Department’s Bohlen (WWF), French Environment Minister Lalonde (FOE), and New Zealand’s McDowell (now IUCN).

Things did not all go the non-state way. Foreign affairs bureaucracies held strongly against NGOs in several case studies, despite changing circumstances around them. In the cases of Britain and the United States, it appears that the weight of international state-based pressure, rather than activities of these non-state actors, finally made the difference in overcoming these positions. In the former, Westminster went so far as to enact CRAMRA before Britain could be turned around. But in the latter case, engagement of the bureaucratic and democratic processes by NGOs helped to slow approval through the EPA decision to compel an Environmental Impact Assessment, and in the mechanics of the Congressional processes non-state actors pursued legislation against

## CRAMRA.

The public campaign was efficiently coordinated internationally and devolved to alliances or individually powerful environmental organisations in the countries analysed. Such campaigns provided a powerful reminder to legislators of the spread of public awareness, demonstrating the strength of these actors' arguments when they were put to government. Perhaps the best illustration of this came in the assortment of organisations that banded together in Britain to oppose CRAMRA. It was helpful that legislators were doubly sensitive to public feeling at important times, under the heat of elections such as those for the New Zealand government, with France to the European Parliament, to the US Congress, and for the British Government. Movements among leading politicians such as the push for national prominence by Senator Gore, the power contest in the Australian Government leadership and the emergence of new, more amenable regimes in France and Britain, all provided opportunities for environmental campaigners to put forward to important individuals within these countries the option of a popular and essentially cost-free new policy that legislators could pick up. The quick emergence of bipartisanship on the issue in most legislatures under examination is an indication of the relative domestic ease of the Antarctic protection option. The small amount of open high level bilateral or multi-lateral criticism is another.

By the time of SCM XI-i in Vina Del Mar it was clear CRAMRA was dead under the weight of internal and external pressures on member governments, and that the consensus had shifted so much that those states which only a year earlier were advocating a "status quo" were now effectively the dissidents. Legitimacy had transferred away from their positions, inspired and encouraged by NGO activity, and the non-state position in the shape of a world park-like Nature Reserve and Land of Science with a mining prohibition was near to adoption. The doctrine of the heretics - the NGOs of whom the British analyst Sir Geoffrey Parsons warned in 1986 - had become accepted as orthodoxy.

Indicators for these successful NGOs earlier in this thesis show repeatedly that the alliance-building and information exchanging capacity of ASOC was

vital to progressing the campaign, that strong control over large resources and wide popular appeal of the major groups like Greenpeace and WWF was vital in spreading the campaign, and linkages with nationally focussed NGOs counted in moving individual countries. Conversely, a lack of intimacy with the ATS made little difference to most of these campaigners, and those groups that lacked a strong popular base made little or no impact upon the course of the debate.

The resulting PEP reaffirmed the control of state actors over the ATS's destiny. A complex, state-based process, the 50 year mining ban achieved something less than the NGOs' aim of a permanent ban. But overall, this vigorous period of Antarctic politics showed that non-state actors, aided by favourable circumstances, were able to build and sustain a campaign of change based on the increasing legitimacy of their position. They fractured the ATS's original consensus, and filled it with their own goals before it was restored.

## **CHAPTER FIVE**

### **CHANGING AN INTERNATIONAL REGIME.**

#### **CONCLUSIONS**

## (I) CHAPTER INTRODUCTION

From the detail of the case study we now return to the preoccupation of this work: the lessons it offers on the influence of non-state actors over states. As a starting point it is worth recapping on the central events under consideration. A group of states negotiated among themselves a convention to regulate mineral resource activities, and agreed on its form. They established a fixed position. Subsequently this agreement was shelved, and replaced by a protocol that contained a mining ban, something previously rejected outright by the states concerned but promoted directly by environmental NGOs.

This about face was extraordinary for the regime. It cannot be argued in hindsight that such a change was ATS-inspired. The perturbation was much greater than it might have been if these non-state actors had simply presented an addendum to the catechism of Antarctic politics. Instead, to continue the metaphor, non-state actors independently presented a contrary doctrine containing their own long-held goals. Then with the backing of the public these non-state actors persuaded the leaders to adopt this new doctrine.

Several lessons have been drawn by the current study from this experience. It is the intention of this concluding chapter to elaborate on these lessons by starting with the mechanics of the change, to next examine what made these non-state actors influential, and then consider the value of this change as an illustration of the broad effect that non-state political forces can have on a late 20th century international regime. In this sequence, conclusions are first drawn about the methods used by non-state actors to effect change. Next to be considered are the individual powers of non-state actors that may make them capable of, or unable to show, influence. Finally this thesis will consider the actual broad influence non-state political forces can have, and offer a conclusion about the potential cost to an international regime of ignoring non-state input. As we approach this point, it is worth mentioning an insight of the American essayist Helen Keller who commented at the last change of century : “the

heresy of one age becomes the orthodoxy of the next." (Keller. H in Tripp 1970, 256 )

## (II) METHODS OF CHANGE

In order to succeed in their aims environment promotion NGOs had to persuade governments of the legitimacy of their non-state position before the wider public, in contrast to the state-based decision. In doing so they vividly expressed the unique power of pressure groups as proposed by Willetts: an ability to rapidly communicate political ideas and put issues on the agenda so that others, such as state actors, are forced to respond. (Willetts 1982, 194.) In an assessment of methods used by environment promotion NGOs one can see common threads in their deliberate approach to undermining the legitimacy of the ATS position. There appeared to be four main paths followed by these non-state actors in their engagement with the states. These were:

- . educating the wider public and then encouraging it to bear witness to the environmental view;
- . joining battle with bureaucrats in order to open up and change the debate;
- . cultivating and co-operating with sympathetic, or electorally sensitised legislators;
- . and directly negotiating within ATS forums to place the environmental agenda on the table.

The public campaign by NGOs began with some conflicting ideas of their world park goals and was at first loosely coordinated. Education of the wider public began in the early 1980s, exemplified by a series of books, and it broadened during the decade with the benefit of attention-capturing projects like the World Park Base and participation in the UN debate. This consciousness-raising drew attention to the perceived problems facing the continent under its exclusive guardianship by ATS members, and at times directly challenged the way that guardianship was being exercised.

With the settlement of CRAMRA, NGOs who had begun with conflicting ideas coalesced, as Boardman observed they do, over an immediate question. (Boardman 1981, 6) NGOs increased the global lobbying effort, joint action devolved from large international NGOs through coalitions and national alliances, to be pursued state-by-state. The general public was encouraged, with some striking success, to register a personal stake by signing petitions or writing to legislators. In this effort, NGOs were able to increase doubts within governments about the legitimacy of the ATS's position as exemplified by the minerals agreement at a time when environmental issues generally were becoming increasingly linked to Antarctica. This effort was, as a result, an impressive success for NGOs.

Joining battle with the bureaucracy was essential if NGOs were to break the grip held on the issue of Antarctic environment protection by CRAMRA's prime negotiators, foreign affairs diplomats, whose own success in protecting turf and competing for resources depended in part on their ability to portray the regimes they work with as important and successful international arrangements. (Young 1989, 92). A tight hold was retained on Antarctic Treaty matters by many of the key foreign affairs departments, and assaults by the NGOs were needed to involve the more domestically-oriented environment departments before the question of ratification could be cast into doubt. Various techniques were used toward this end. In some cases it meant filling a bureaucratic vacuum with an idea the department could use [putting an issue on the agenda, as Willetts said]; in others, NGOs could rely on bureaucratic "friends" to help by using their natural inclination to delay consideration of the issue, or opening lines of communication with government decision-makers. It was Caldwell who cautioned earlier in this work that the personal factor of environmental negotiations tend to take people around the globe on negotiating teams, or interchanging between NGO organisations and inter-government programs. "The personal factor should not be under-rated." (Carroll 1988, 26) The examples of New Zealand and the United States showed particularly the importance of operating with agreeable bureaucrats. Again this general

approach by the NGOs was a clear challenge to the legitimacy inside the internal governmental processes of the position reached by the chief negotiators from the foreign affairs world.

Cultivating legislators was a necessary next step, building upon both the public campaign, and engagement with the bureaucracy. The legislators were encouraged to respond to public feeling at handily important times, such as the approaching elections for the New Zealand and British Governments, the mid-term Congressional elections, and the European Parliament poll in France. In addition, powerful individual politicians also seized on an issue advancing their personal agendas, such as the then US Senator Al Gore and Australian Treasurer Paul Keating.

Many legislators must have considered the mining ban and linked environmental protection as an electorally favourable and essentially cost-free policy. As Parsons pointed out, the absence of an indigenous population and evocative beauty of the continent gave an unparalleled opportunity for political adventurism by NGOs (Parsons 1987, 34). For state actors dealing with domestic constituencies the option was similarly easy. Bipartisanship on this issue was characteristic of many legislatures and there was a paucity of open government-to-government criticism. The clear absence of a pro-mining campaign [because of the probable economic irrelevance of Antarctic minerals and dissuasive events such as *Exxon Valdez*] must also have reassured the faint-hearted. But whether it was easy or not, the NGO position became accepted by a snowballing number of governments. To these states, it was legitimate.

Direct negotiation within the ATS was made easier for key NGO members because over a period of time they became as familiar with its processes and dynamics as most state representatives. The long time line in CRAMRA's negotiations gave their meagre resources breathing space to develop credibility within these forums. Gradually they gained official standing too. The official position ASOC gained for the first time as an observer at Vina del Mar was an important symbol of this potency at a critical time, an affirmation that constant

pressure exerted by these NGOs outside meeting halls throughout the preceding decade had paid off. It was a necessary official recognition by states of their viability as actors, and cannot be dismissed as a simple co-option by amenable states battling inside the system. ASOC's goals remained different from these states even when the PEP was concluded. Meanwhile it was using what Willetts described as a state-provided vehicle for NGO achievement.

### (III) INFLUENTIAL NON-STATE ACTORS

What did environment promotion NGOs have that made them so influential in this case? Why were the other non-state actors of so little relative consequence? And what useful insight did this provide on the direction for non-state actors in Antarctica?

The great advantage held by successful NGOs in overturning CRAMRA and achieving their goals was the broad spread of strengths they possessed, which were combined successfully in alliances of these actors. The resources and links they had gave environment promotion NGOs a capacity for autonomous individual action. When combined in the different alliances, they were able to put their objectives on the environmental agenda, enter the processes of the regime, and devolve a cohesive international campaign to national-based groups. The great disadvantage to the unsuccessful but expert NGOs was that their influence was largely circumscribed by the boundaries of the regime. They held little of the popular appeal or resources of environment promotion NGOs.

In the typology developed for this thesis, we recall that the individual characteristics of the non-state actors involved in the ATS were illuminated by analysing both their structures and relationships. The main environment promotion NGOs were attributed with centrally-directed policies, together with extensive apparatuses and finances that meant they had a high degree of resource capacity and flexibility to impact on a debate, which indeed they used. Equally important was their capacity as global non-state players to repeatedly draw together in alliances, in order to obtain the maximum effect for their resources and show the breadth of their support for a common cause. As Young

cautioned earlier in this work: "it would be a serious mistake to overlook the role of trans-national alliances among influential interest groups in developing and maintaining regimes at the international level." (Young 1989b, 364)

We saw these attributes and methods in use through different phases of the campaign. It was in the broad, well-resourced church of IUCN that the idea of a world park first emerged. Through the coalition of ASOC, funded by larger NGOs, these actors began to engage in the ATS's negotiating processes, to learn the dynamics of the system and present an alternative viewpoint. When an opportunity came to campaign through individual governments in the ratification processes, ASOC's expert members approached this strategically and involved a wide range of environment promotion NGOs in both national and international alliances. Work at national levels by co-campaigners such as ASOC, ECO[NZ], CODEFF and the Alliance for Antarctica [US] came into its own as they executed the aims earlier articulated by ASOC. By this stage, the breadth of popular constituencies engaged was remarkable: everything from newly articulate Chilean environmentalists to sophisticated Washington lobbyists, a British country women's group and a charismatic French septuagenarian.

The successful knitting together of a campaign between two branches of environment promotion NGOs, the popular and the aggregated, also gave these NGOs an extra advantage. While direct pressure was being placed on the ATS through ASOC's operations in a formalised relationship, the same campaigners maintained a diplomatic separation of identity from the crowd howling outside the gate in the shape of Greenpeace.

Linked closely to the campaign's success was the influence of Greenpeace. Possessor of strong, independent financial resources and a wide international support base with an open, popular membership, Greenpeace used these assets extensively to become a formidable actor, openly challenging the legitimacy of the ATS as guardian of the continent. Its world park campaign of establishing a base and conducting inspections, and involvement in the UN debate, produced strong criticism of the ATS, criticism that cast doubt upon the legitimacy of the state system as an actor in the best interests of the general public.

In this world, the sectionally-interested expert NGOs were ill-equipped to compete. The orthodox points of view they expressed from time to time largely failed to make an impact upon the debate. Though they had demonstrable expertise in the confined world of their ATS, little regard was paid to them by state actors when they began to feel the forces behind the popular campaign.

The professional association SCAR appeared to have little profile before the wider public and outside the ATS was marginalised. Its lack of a popular base or recognition, lack of independent resources and decision-making processes that were limited to the periodic assemblies, not to mention an overt apolitical stance, meant that it could not make a difference. No SCAR contribution was made to the public debate on the loss of CRAMRA and rise of the PEP. The closest it came was when some of its main figures, acting as British scientists, forced Greenpeace to respond to criticisms about the scientific veracity of their proposals.

Likewise a fairly ineffectual position was held by the Washington-based World Resources Institute. An environment and development promotion NGO, its direct control over policy formulation is circumscribed by major US Government funding, while exclusivity of membership gave WRI no popular connection. It openly backed the adoption of CRAMRA and continued to do so with dire warnings of the consequences of failure, presenting this view in ATS academic and diplomatic forums, and at hearings of US Congress. WRI did not recant or espouse a new path after its failure, and its representative subsequently departed from the ATS world, though it continues to take a lower level interest in funding some continuing academic work.

Finally, in the formation of another professional association at a time when environment promotion NGOs were campaigning most strongly lies evidence that some economic interests heeded the lesson for the future in this new era of Antarctic politics. To reiterate from Chapter Two, the International Association of Antarctic Tour Operators (IAATO), was formed by the industry in the period 1988-91 to provide self-regulating mechanisms. With the PEP taking shape, these tourism operators were warned by the US to form their own environmentally considerate regulatory mechanisms or be governed through an

adversarial system. It is not suggested that formation of IAATO was a direct attempt to counter the influence of environment promotion NGOs at the ATS bargaining table. The indications are that tour operators themselves well-realised the value of good environmental practice to their clients. But one may conclude that a “green” emphasis thrust upon the ATS by these environment promotion NGOs was being taken aboard by state actors and through them the industry group when they looked ahead to Antarctica’s tourism future. It showed the ATS to be capable of developing to embrace new relationships with NGOs, and especially those focussed on Antarctic issues. But it was under the influence of environment promotion NGOs that the climate changed.

#### (IV) THE INFLUENCE OF NON-STATE ACTORS ON STATES IN THE ANTARCTIC TREATY SYSTEM

It is well recognised that international regimes are not static. Forces at work in their evolution are said to include their own inner dynamics, as well as changes in the political, economic and social environments around them. (Young 1989a, 74). It is clearly the argument of this work that external forces achieved change in the ATS, in the shape of environment promotion non-state actors. As we move to conclude what lessons this example may provide on the nature of non-state influence, it is necessary to first consider what difference other factors may have made.

The slow but continuous rise in public consciousness of environmental issues during the 1980s paralleled the development of CRAMRA. Antarctica gradually became attached to the menu of global environmental issues in this period, particularly through the images of ozone depletion and postulated global warming. In other international regimes and forums separate discussions about the continent came onto the table. Through negotiations such as UNCLOS, issues of common heritage gained prominence, and this was carried forward in a UN debate where the ATS was periodically attacked in the General Assembly by other nations for the way it wielded exclusive control of the continent. This

happened as a possible 30 year review approached for the Antarctic Treaty, a review that was never called, but argued by some to have been signified in a *de facto* sense by adoption of the PEP.

After CRAMRA was signed and the campaign to overthrow it changed gear; the global atmospherics only improved for NGOs. This period coincided with a peak in growth of environmental consciousness in pluralist western countries where the campaign was strongest. Environmental disasters occurred that could be linked either directly or indirectly to the NGOs' claim that "oil and ice don't mix".

It must be said that the above external social and environmental factors assisted NGOs to influence change by the regime. But none of these events, either singly or combined, can be said to have presented an irresistible force which, in the absence of the non-state pressure, would result in the scrapping of CRAMRA and adoption of the protocol. It is simply not credible enough to say "serendipitous" events such as the *Exxon Valdez* disaster, timing of specific national elections, or general rise of environmental consciousness in themselves made the difference. It must be remembered that at CRAMRA's signing, the ATS's negotiators themselves concluded they had reached a new global height in the value of a resources convention's environmental provisions. "This agreement is very special," said chairman Beeby. "All too often the international community is simply reactive...For once we have had the foresight to think ahead, to make rules before activity reaches a dangerous level. That is a remarkable tribute to the Antarctic Treaty System which is itself a very special and very effective form of international co-operation that sets an example to the rest of the world." (Beeby 1988a, 4) There can be no assertion in hindsight that the abandonment of the minerals regime and its replacement was expected. We can say with certainty it was not something envisaged by negotiating countries in Wellington on June 2, 1988, when they signed CRAMRA.

Over the ensuing three years of negotiation, state-to-state coalition building was vital to the achievement of change. But acknowledgement of this does not imply that the Realists' state-centric theory can explain the outcome. Instead what we have seen in the course of the current work is the effect of diverse

internal and external forces inside individual states and their collective regime, which induced a change in the regime's behaviour. The Rationalist belief in the strength of alliances among interest groups lets us conclude some non-state actors may under some circumstances have considerable influence.

Proof lies in the extent to which the NGOs' ideal position was gained in the eventual PEP. When state actors first moved to abandon CRAMRA and replace it, the NGOs' proposal for a world park and mining ban was taken up. Some NGO members were pleasantly surprised by the extent to which their ideal position was adopted. Had this been sustained it would have been a resounding triumph for these NGOs, and it should be noted that such an encompassing victory was not gained. In ATS negotiations the indefinite mining ban was watered down to the nevertheless tough provision allowing a review after 50 years. (Antarctic Treaty 1991c, Article 25). It also has as its objective: "the comprehensive protection of the antarctic environment and dependent and associated ecosystems" and designates Antarctica "a natural reserve, devoted to peace and science". (Antarctic Treaty 1991c, Article 2). Such an outcome represents a substantial achievement by non-state actors. Lacking great armies, treasuries and bureaucracies of the states, environment promotion groups marshalled popular backing for the power of an idea, one state actors felt compelled to adopt.

What was it then, that non-state actors possessed to enable them to succeed to such a degree? In a word it was legitimacy. We recall that in this context, legitimacy is taken to mean the degree to which an actor could mobilise support, or in a confined sphere, demonstrable independent expertise. (Willetts 1982, 17). The lack of a formal involvement with the ATS did not prevent the large popular NGOs from achieving their aims. They operated in a wider world to gain popular legitimacy and use this strength to overcome the ATS position. At the same time, experts in ASOC used their independent expertise to tackle both governments, and the forums of the system.

By contrast, legitimacy in this debate was something that the official state system lacked, and this is the wider lesson from the outcome on Antarctica. Although an international regime is the agreed vehicle for the joint exercise of

power, it can be unable to counter non-state actors' pressure when that influence is focussed upon the regime with a legitimate backing. The high level of transaction among most political actors in today's world, coupled with the extensive resources and political sophistication of promotional pressure groups, ends any claim to the autonomy of isolation for state actors and is ignored by regimes at their own peril. The change that shook that ATS came when it emerged from its closed, exclusive negotiations for CRAMRA into the hard light of current global environmental politics. It was met there by dynamic and free-acting NGOs who better reflected the general public's view of Antarctica's future, and persuaded governments of this view. As Barnes warned early in the course of the minerals convention's negotiation: policies formulated without consulting such pressure groups may lead to decisions far outside the reigning or conceivable political consensus. (Wolfrum 1985, 175). What was heresy to the ATS was not to the wider public. This is the lesson offered to other political theatres from this study's construction of Antarctic politics.

APPENDIX  
CHRONOLOGY OF EVENTS  
1988-1991

The following is a detailed outline of significant state and non-state events marking the demise of the ATS's previously agreed minerals regime, and the subsequent mining ban and Protocol on Environment Protection. It shows common reference points for the national examples of Chapter Four, and gives evidence of the approach taken in common by actors, for example the broad strategy adopted by NGOS in focussing on certain countries after CRAMRA.

Details are restricted to the context of international Antarctic politics of the time, but also include some international events that at first glance may seem to have little connection with Antarctic politics though are now generally regarded as having contributed to the change. Excluded are most purely national events covered in the case studies; events such as state elections, internal government-bureaucracy movements or political leadership struggles and party statements, each of which may have contributed along the way. Some purely national events are included if they are seen as representing a significant milestone along the main path.

1988

June 2 - The Antarctic Treaty Special Consultative Meeting on Antarctic Mineral Resources adopts CRAMRA. The meeting's chairman, Chris Beeby, describes the occasion as the most important political development regarding the regulation of Antarctica since the Antarctic Treaty itself was adopted in 1959. (Beeby 1988a)

- Article 62 specifies that the convention shall come into force upon ratification by 16 Antarctic Treaty Consultative Parties among those participating in the final session of negotiations, provided that the total includes five developing and 11 developed countries, the two superpowers, and all claimants. (Antarctic Treaty 1988)

- June 5 - ASOC meets in Auckland to determine a strategy for delaying, or preventing ratification of CRAMRA. The meeting decides to concentrate its efforts on selected countries: Australia, Germany, Chile, New Zealand, and possibly Belgium. Later in a review of the strategy it also nominates second choice targets United States, United Kingdom and almost as an afterthought, France (Goldsworthy, interview).
- July - ASOC advises its member NGOs that the signing of the CRAMRA final act was inevitable and it would be wrong to assume NGOs had "lost" the battle. It says: "one strategy for the future will be to try to prevent some of the claimant states and/or superpowers from signing and ratifying the convention, or at least to severely delay them, which will have the effect of preventing the convention from coming into force." (Goldsworthy, undated 1988)
- Sept 21 - The first sign of future opposition to CRAMRA within an ASOC "target government" emerges when the Australian Treasurer Keating writes to the Minister of Foreign Affairs and Trade, Senator Evans, opposing ratification on sovereignty and commercial grounds. (Keating, 1988)

## 1989

- Jan 28 - the Argentine resupply/tourist ship *BahiaParaiso* runs aground and capsizes in the Bismarck Strait, Antarctic Peninsula, spilling 950,000 litres of diesel fuel. The response to Antarctica's first major spill is widely publicised as an airborne clean-up team is flown into Antarctica from the continental United States. (Darby, 1989a )
- March - 15 ATS parties have signed CRAMRA (ASOC, 1989)
- March 6 - The Peruvian research ship *Humboldt* runs aground in the Antarctic Peninsula, puncturing two fuel tanks. (Reuter 1989a)
- March 24 - The supertanker *Exxon Valdez* runs aground, and is holed, spilling about 50 million litres of crude oil into Prince William Sound, Alaska. (Reuter, 1989b)
- April 23 - The Prime Minister of France, Michel Rocard, announces on a national television program that France will not ratify the minerals convention in its present state, and negotiations must be reopened. (Sinclair, 1989)
- May 9 - Preparatory meeting for XV ATCM, Paris. Australia informally floats the comprehensive environmental protection proposal. (Australia DFAT, 1989 )
- May 22 - The Australian Government decides that it will not sign the Minerals Convention, and will explore specifically prospects for the establishment of an "Antarctic Wilderness Park" (Hawke, 1989a)
- June 10 - The Australian Foreign Affairs Minister, Senator Gareth Evans, claims India's backing for a wilderness park. (Murdoch, 1989)

- June 19 - Rocard and Hawke agree at a meeting in Paris to jointly promote a wilderness park and begin a diplomatic offensive to convince other countries. (Grattan, 1989)
- June 21 - British Prime Minister Thatcher, tells Hawke that Britain is unenthusiastic. (Cockburn 1989b)
- June 24 - United States President George Bush rejects the Australia-France initiative. (Cockburn, 1989b)
- June 26 - Hawke spells out publicly the elements of a protection convention in Washington. (Hawke 1989b, 8)
- Sept 13 - U.S. State Department predicts that Australia's campaign will only slow down ratification of CRAMRA and Canberra will change its position. (Hope, 1989)
- Sept 26 - Senator Al Gore's resolution is introduced to the U.S. Senate advocating an Antarctic global commons.
- Oct 8 - **ATCM XV opens in Paris.**
- Sixteen treaty parties have at this stage signed CRAMRA. (Grutzner 1989b)
  - Rocard officially opens meeting, calls for nature reserve/ land of science (Antarctic Treaty 1989, 117)
  - Working papers on comprehensive measures for the protection of the Antarctic environment and dependent and associated ecosystems are submitted by France-Australia, Chile, New Zealand, United States, Sweden. (Antarctic Treaty 1989, Annex C, D)
  - Joint Statement by WWF, Greenpeace and University of Oslo calls on treaty states to abandon the minerals convention (Greenpeace International 1989, 1)
  - United States describes a total ban on mineral resource activity as "not negotiable"; Britain calls for Antarctica's resource availability. (Antarctic Treaty 1989, 158-9)
  - ATCM XV adopts recommendations calling for a Special ATCM in 1990 to explore and discuss all proposals relating to comprehensive protection; and a meeting to discuss CRAMRA liability clauses. (Antarctic Treaty 1989, 42-3)
- Nov 20 - UN First Committee debates Antarctica, raising this time an environmental slant, most speakers pressing for common heritage, applauding opposition to CRAMRA, citing Exxon Valdez and Bahia Paraiso. (Beck 1990a, 323)
- December - CRAMRA Signatories include 17 ATCPs, five developing countries and five claimants. (Beck 1990b, 6)

## 1990

- Jan 19 - Soviet president Mikhail Gorbachev announces: "the USSR is ready to participate in the survival of the Antarctic, this world reserve, which is our common natural laboratory." (Cousteau Society 1990b)

- Feb 26 - New Zealand Prime Minister Geoffrey Palmer announces the country will set aside consideration of the ratification of CRAMRA, and recalls its Paris "Antarctic Park" concept. (Palmer, 1990a)
- In welcoming NZ statement, Hawke claims snowballing support from other European countries such as Italy, Belgium and Greece; keen interest from Soviet Prime Minister Ryzkhov, and increasing likelihood US Congress will not ratify. (Hawke, 1990a)
- July 6 - Palmer announces the promotion of a new protocol to the Antarctic Treaty on environmental protection, and an indefinite moratorium. (Palmer 1990b)
- Aug 17 - The Australian Foreign Minister, Senator Evans, describes the United States as "the most important hold-outs", but says there are solid grounds for optimism on achieving both a long-term mining ban and a rigorous environmental protection regime. (Evans, 1990)
- Nov 3 - British Foreign Office describes as "outside the realms of practical politics" the Australia-France initiative, and argues for a "primary duty to develop"; Tory Party conference lobbied against the minerals regime. (Porritt, 1988)
- Nov 16 - US Congress passes bills calling for Antarctic wilderness park and prohibiting US nationals and corporations from mineral resource activities in Antarctica (Anonymous 1990a)
- Nov 19 - **SCM XI First Session opens in Vina Del Mar, Chile.**
- Observer status for the first time for ASOC.
  - Other NGOs and media admitted for opening statements
  - Four proposals tabled: Australia-France-Belgium-Italy; New Zealand; United Kingdom; United States.
  - Australia-France "Nature Reserve-Land of Science" is additionally backed by Sweden, Finland, Denmark and Greece. (Greenpeace 1990b)
  - The United Kingdom and Japan defended CRAMRA; Greenpeace claims some in U.S. delegation still believe Australia will back down (Greenpeace 1990b)
- Nov 23 - Hawke pays tribute to the substantial role of the world environment movement in achieving the international change. (Hawke 1990b)
- Nov 28 - IUCN General Assembly, Perth, exhibits strong pro-world park sentiment; passes a resolution advocating comprehensive environmental protection and a mining ban, which Britain allows through on consensus. (Phillips, 1990)
- Dec 4 - At Vina del Mar US/ UK/Japan/USSR et al continue to oppose push for the protocol to address the mining issue. (ASOC 1991a)
- Dec 6 - XI-SCM First Session concludes. Agrees to adopt a draft protocol on environmental protection as a basis for further work. However Article 6, a minerals ban, was included on paper only with the reservation of ellipses, signifying further modifications may occur. (ASOC 1991a)

- U.S. delegation leader Curtis Bohlen says the United States is willing to discuss a finite or indefinite ban on mining, either within the environment protection protocol, or in some other forum. "The essential outcome is that mining be prohibited for a long period, and that if the ban were to be lifted, there should not be a legal vacuum that would leave mining unregulated." (Anonymous 1991b)
- Dec 7 - ATCPs' meeting on CRAMRA liability clause is limited to a half day wake for a now defunct regime (ASOC 1991a)
- Dec 14 - UN General Assembly unanimously endorses a ban on mining in Antarctica. (Associated press, 1990)

## 1991

- Jan - NGOs now claim that CRAMRA is no longer politically viable. (ASOC report to members 6/2/91) However U.S. negotiator Tucker Scully says the formulation of the protocol prohibition is such as to make clear it may take place through a permanent ban, CRAMRA, or middle ground. (Scully 1991, 86)
- March 18 - Senator Gore and 15 other US Senators express grave concern in a letter to President Bush that the U.S. intends to encourage other nations to agree to a policy that would ultimately encourage and facilitate mining activities. "We understand that U.S. representatives are instructed to urge that mining be merely prevented for a limited period - some 30 to 40 years - after which time the moratorium would be lifted." (Gore 1991)
- March 25 - United Kingdom announces proposal for a moratorium with a termination or extension mechanism to be determined at resumed SCM in Madrid. (United Kingdom FCO, 1991)
- April 8 - Australia assesses 16 like-minded supporters of environmental initiative: Four co-sponsors Australia, Belgium, France, Italy; ATCPs: Chile, Ecuador, Finland, India, Netherlands, New Zealand, Peru, Sweden; NCPs: Austria, Denmark, Greece, Romania. (Australia DFAT, 1991b)
- April 17 - Greenpeace assesses a recent U.S. non-paper circulated to all ATCPs as a step backwards to its pre-legislation attitudes. "It appears the pro-environment lobby in the US is under siege."
  - Germany announces its support for a permanent ban under what ASOC claims is enormous domestic public pressure (ASOC 1991b)
- April 22 - **SCM XI resumes for Second Session in Madrid.**
  - Japan announces commitment to permanent protection. (Greenpeace International, 1991a)
- April 30 - SCM XI Second Session concludes. Draft instrument on the comprehensive protection of the Antarctic environment, once approved by the respective governments, was considered to be a sufficient basis for calling a final meeting in Madrid to officially

adopt and sign the instrument. It includes a 50 year prohibition removable only by agreement of all parties to the PEP.(Antarctic Treaty 1991a)

- June 12 - The United States is still the only country reluctant to commit itself to the new agreement. Environmental groups are putting an increasing amount of pressure on the U.S. in order that it will sign the agreement at the final session of the Madrid SCM. (Greenpeace International, 1991c)
- June 13 - U.S. announces inability to accept articles relating to minerals prohibition in the protocol. (Greenpeace International 1991c)
- June 15 - **SCM XI Second Session reopens**  
- Agreement brought into question by the U.S., which proposes a clause allowing it, or any other ATCP, to opt out at a time in the future. U.S. position under heavy pressure from State Department. (Darby, 1991)  
  
- It becomes clear that Belgium, Italy and France are more concerned to reach agreement now than to hold firm for their original "near permanent ban" stance. They start to work independently of Australia, their previous partner. Australia joins with New Zealand, and to a lesser extent Germany, to fight for the maintenance of concessions won in the April text. (ASOC 1991c)
- June 23 - Compromise draft emerges. U.S. chief negotiator Curtis Bohlen calls for more time to consider. Timing of a further session is left unresolved. (ASOC 1991c)
- July 3 - President Bush agrees to sign the compromise protocol. (Bush, 1991)
- Oct 4 - **SCM XI Second Session concludes**  
- Environment Protocol opens for signature. In Canberra, Senator Evans says the enormous achievement of uniting ATPs owes much to the role of NGOs in sensitising government and public opinion. (Evans 1991).

## BIBLIOGRAPHY

Aitken, D 1985. *Surveys of Australian Political Science* , George Allen and Unwin, 1985.

Alexander, L.M. & Hanson, L.C. 1984. *Antarctic Politics and Marine Resources: Critical choices for the 1980s*. Center for Ocean Management Studies, University of Rhode Island

Anonymous. 1990a. "Chilean funeral for Antarctic minerals pact" *Nature*, London. Vol.348 22 November 12

Anonymous. 1990b. "Antarctic talks split over mining" *Financial Times*, London, 6 December

Antarctic Defence Coalition. 1979. "Antarctic Destruction? There is still hope." *Ocean Currents*, newsletter, August No. 4

Antarctic Defence Coalition. 1980. "Conspiracy", *Ice*, newsletter 16 May.

Antarctic and Southern Ocean Coalition. 1984a *We need your help: Future of the Antarctic protection campaign depends on you*. Appeal statement, February.

Antarctic and Southern Ocean Coalition. 1984b *Non-paper on the Role of NGOs*, ANT84/IV SCM/5 (NGO4) Tokyo, Japan, 28 May.

Antarctic and Southern Ocean Coalition. 1986a *The need for an environmental protection sub-body in a minerals regime*. ASOC Paper No. 3., ANT SCM/8 Hobart, Australia 21 April.

Antarctic and Southern Ocean Coalition. 1986b. *The World Park Option for Antarctica*, ASOC Paper No.4. ANT SCM/8, Hobart, Australia 21 April.

Antarctic and Southern Ocean Coalition. 1987a. *Antarctica Briefing* No.12, 24 March

Antarctic and Southern Ocean Coalition. 1987b. *Antarctica Breifing* No.13. 30 March

Antarctic and Southern Ocean Coalition. 1988 *Report of Final Negotiating Session for an Antarctic Minerals Convention*, Wellington, New Zealand, May.

Antarctic and Southern Ocean Coalition. 1989. *Antarctic Treaty Consultative Meeting Update*, Paris 17 October.

Antarctic and Southern Ocean Coalition. 1991a. *Report on the Antarctic Treaty Special Consultative Meeting on the Antarctic Environment*, Vina del Mar, Chile, 6 February.

Antarctic and Southern Ocean Coalition. 1991b. *Report on XI Special Consultative Meeting to the Antarctic Treaty Second Session*, Madrid, Spain, 22-30 April.

Antarctic and Southern Ocean Coalition. 1991c. *Report of Third Session of XI Special Consultative Meeting to the Antarctic Treaty Second Session*, Madrid, Spain, 19-22 June

Antarctic Treaty. 1961. *Final Report of the First Antarctic Treaty Consultative Meeting*, Canberra, Australia. 24 July.

Antarctic Treaty 1988. *The Final Report and the Final Act of the Fourth Special Antarctic Treaty Consultative Meeting on Antarctic Mineral Resources, Together with the Convention on the Regulation of Antarctic Mineral Resource Activities* Wellington, New Zealand. 2 June.

Antarctic Treaty 1989. *The Final Report of the XVth Antarctic Treaty Consultative Meeting* . Paris, France. 9-20 October

Antarctic Treaty 1990. *Interim Report of the XI ATSCM*, Vina Del Mar, Chile, 19 November - 6 December.

Antarctic Treaty 1991a. *Interim Report of the XI ATSCM Second Session*, Madrid, Spain, 22-30 April.

Antarctic Treaty 1991b. *Informe final de la XI Reunion Consultiva especial del Tratado Antartico*, Madrid, Espana, 22-30 Abril 1991, 17-22 junio 1991, 3-4 Octubre.

Antarctic Treaty 1991c. *Protocol on Environment Protection*, Madrid, Spain 3 October.

Antarctic Treaty 1991d. *Final Report of the XVIth Antarctic Treaty Consultative Meeting*, Bonn, Germany, 7-18 October.

Associated Press 1990. "UN backs ban on mining in Antarctica", Age, Melbourne, 14 December.

Australia 1983. *Agenda item 6: Man's impact on the Antarctic Environment*, Discussion Paper circulated to Antarctic Treaty XII Consultative Meeting, ANT/XII/6, Canberra, Australia 13-27 September 1983

Australia 1989. "Comprehensive measures for the protection of the Antarctic environment and its dependent and associated ecosystems", *A joint Australia/France proposal in the form of a paper including a draft recommendation for ATCM XV*, XV-ATCM/WP/2 Paris, France 9-19 October

Australia 1989. "Possible components for a comprehensive convention for the preservation and protection of Antarctica", *A Franco-Australia draft working paper* XV ATCM/WP/3 Paris, France 9-19 October

Australia Department of Foreign Affairs and Trade. 1989 *Working Paper: a Comprehensive Scheme of Protection for the Antarctic Environment*, 19 May.

Australia Department of Foreign Affairs and Trade 1991a "Antarctic Mining: UK Position" *Media Background Comment*, Canberra, Australia 8 April

Australia Department of Foreign Affairs and Trade 1991b. "Antarctica - US position for the resumed session of SCM XI, Madrid 17-23 June."  
*Background notes*

Australia Senate, 1989a *Debates*, Antarctica 12 April

Australia Senate, 1989b *Debates*, Questions without Notice 28 September

Australian Associated Press, 1989. "US, UK oppose wilderness park", *Sydney Morning Herald*, 12 October

Axelrod, R. & Keohane, R.O. 1986. "Achieving Co-Operation under Anarchy", in *Co-operation under Anarchy*, Kenneth Oye, ed. Princeton University Press, New Jersey.

Barker, Geoffrey 1991. "US refuses to endorse mining ban on Antarctica", *Age*, Melbourne 24 June

Barnes, James N. 1982. *Let's Save Antarctica!* Greenhouse Publications, Richmond, Victoria, Australia.

Barnes, James N. 1984. "Non-governmental organizations, increasing the global presence" in *Marine Policy*, Butterworth Scientifics, London Vol 8. No.2. April

Barnes, James N. 1985. "The Future of Antarctica. Environmental Issues and the Role of NGOs" in Wolfrum R. ed. *Antarctic Challenges II*, Ducker and Humblot, Berlin

Barnes, James N. 1987. "Environmental protection and the future of Antarctica: new approaches and perspectives are necessary", in Triggs G.D. ed: *The Antarctic Treaty Regime* Cambridge University Press, Cambridge, UK

Barnes, James N. 1989. *E-mail to Greenpeace Antcamp*, 26 September.

Barnes, James N. 1990a. *Alliance for Antarctica Letter to Secretary of State James N Baker*, 12 February

Barnes, James N. 1990b "The Antarctic Treaty System in Crisis, Some Observations and Suggestions", Speech to *The Antarctic and the Environment: Future Prospects*, conference, Brussels, 9-10 October.

Barnes, James N. ASOC, general counsel 1992 *Interview with author*, 29 April.

Beeby, Christopher. 1988a *Adoption of the Antarctic Minerals Convention*, press statement, Wellington, New Zealand, 2 June

Beeby, Christopher. 1988b. *The Convention on the Regulation of Antarctic Mineral Resource Activities*, Speech to the International Bar Association, Auckland, 13 October

Beck, Peter J. 1986. *The International Politics of Antarctica*, Croom Helm, London.

Beck, Peter J. 1988 "A continent surrounded by advice: recent reports on Antarctica", *Polar Record*, 24 (151).

Beck, Peter J. 1990a. "The UN goes green on Antarctica: the 1989 session", *Polar Record*, 26 (159)

Beck, Peter J. 1990b. "Australia's new course in Antarctica", in *Australia's maritime interests - views from overseas*, Occasional Papers in Maritime Affairs: 6, Australian Centre for Maritime Studies inc. Canberra.

Beck, Peter J. 1991. "Antarctica, Vina Del Mar and the 1990 UN debate", *Polar Record*, 27(162)

Beck, Peter J. 1992. "A Natural Reserve Devoted to Peace and Science: Antarctica Today", in *Boundary and Security Bulletin*, Vol 1. No1. Clive Schofield and William Hildesley, Eds. International Boundaries Research Unit, University of Durham, UK

Bennett, A.L. 1988. *International Organisations - Principles and Issues*, Fourth Edition, Prentice Hall, Englewood Cliffs, New Jersey.

Bergin, A. 1991. "The Politics of Antarctic minerals: the Greening of White Australia", in *Australian Journal of Political Science*, Vol 26.

Boardman, R. 1981. *International Organisation and the Conservation of Nature*, The Macmillan Press, London.

Boulding, E. 1988. *Building a Global Civic Culture, Education for an Independent World*, Teachers' College Press, Columbia University, New York.

Brewster, B. 1982. *Antarctica: Wilderness at Risk*, A.H. and A.W. Reed Ltd, Wellington, New Zealand.

Brown, Lester R. Project Director 1990: *State of the World 1990, a World Watch Institute Report on Progress Towards a Sustainable Society*, WW Norton & Co. New York.

Browne, Malcolm W. 1989. "France and Australia Kill Pact on Limited Antarctic Mining and Oil Drilling", *New York Times*, 25 September.

Burke, Tom 1982. "Friends of the Earth", in Willetts, P. Ed: *Pressure Groups in the Global System*, Frances Pinter Ltd, London

Bush G. 1991. "The United States will sign an Environmental Protection Protocol to the Antarctic Treaty", *Statement by the President*, 3 July.

Carroll, J.E. Ed. 1988. *International Environmental Diplomacy*, Cambridge University Press, Cambridge. UK.

Charney, Jonathan I. Ed. 1982. *The New Nationalism and the use of Common Spaces. Issues in Marine Pollution and the Exploitation of Antarctica*, Allenheld Osmun, Totowa New Jersey.

- Clarke, Mike, 1990. *Letter to James Baker, Secretary of State*, 12 February, Friends of the Earth and 12 other organisations.
- Cockburn, Milton. 1989 "Aust-France unity on Antarctic", *Sydney Morning Herald* , 19 June.
- Cockburn, Milton. 1989. "US rejects Hawke's Antarctica plan" *Sydney Morning Herald*, 24 June.
- CODEFF, 1990. *First Latin American Workshop of Non-Governmental Organisations on Antarctic Conservation*, Santiago, Chile, September.
- Cousteau J.Y. and J.M. 1989 *Letter to Prime Minister Hawke*, Cousteau Society, 6 April.
- Cousteau Society, 1990a. "Alerting the World to Save Antarctica", *Calypso Log* Vol. 17 No1. February.
- Cousteau Society 1990b. "Special Antarctic Issue", *Calypso Log*, Vol 12 No.2 April.
- Cousteau Society 1990c. "Antarctica Update", *Calypso Log*, Vol. 15. No.2, December.
- Cousteau Society 1991. "Antarctica Update, Victory for the Frozen Continent", *Calypso Log*, Vol. 18. No. 4, June
- Darby, Andrew 1989a. "Spill threatens Antarctic habitat", *Age*, Melbourne, 22 February.
- Darby, Andrew 1989b. "France calls for new negotiations on Antarctic treaty" *Age*, Melbourne 25 April.
- Darby, Andrew 1991. "Antarctic mining ban under threat", *Age*, Melbourne, 15 June
- Dasmann, Emeritus Prof. Raymond, 1993. University of Southern California. Former IUCN counsellor, *interview with author*.
- Drewry, Dr David. 1990. "Dangers of Antarctic ban" *New Scientist* , letters, 9 June
- Duffy, Michael and Richardson, Graham 1988. "Australia welcomes Antarctic minerals convention" Acting Foreign Minister and Environment Minister, *Joint News Release*, 2 June.
- Dingwall, Paul. 1992. IUCN Antarctic Project Officer. *Interview with the author*, October.
- Ehrlich, Paul, Ehrlich, Anne and Holdren, John, 1977. *Ecoscience. Population, Resources, Environment*, W.H Freeman and Co. San Francisco

European Community, 1990. *The Economic and Social Committees of the European Communities*, Division for Information, Publications and Relations with Socio-Economic groupings, Brussels.

Evans, Gareth. 1988. "Antarctic Minerals Convention", *News Release*, Minister for Foreign Affairs and Trade 22 November.

Evans, Gareth. 1990. "Protecting Antarctica", *Speech and Press Conference transcript* at the Commission for the Conservation of Antarctic Marine Living Resources headquarters, 17 August

Evans, Gareth. 1991. "Antarctica: an international environment win for Australia", *Speech*, Parliament House, Canberra, 4 October.

Farman, J.C., Gardiner B.G. and Shanklin, J.D. 1985. "Large losses of total ozone in Antarctica reveal seasonal ClO<sub>x</sub>/NO<sub>x</sub> interaction" in *Nature*, Macmillan Journals Ltd. London. vol.315 No.6016 16-22 May.

Feld, W.J and Jordan, R.S. 1983. *International Organisations, a Comparative Approach*, Praeger publishers, New York.

Fifield, Richard 1987. *International Research in the Antarctic*, SCAR/ICSU Oxford University Press, Oxford

Folks, Melissa. 1982 IAATO executive secretary. *Interview with author*

Fouere, E. 1988. "Emerging trends in International Environmental Agreements" in Carroll, J.E. ed: *International Environmental Diplomacy*, Cambridge University Press, Cambridge.

Friends of the Earth 1978. "It is exploitation" in *ICE* newsletter, February 29

Friends of the Earth: *ECO*, occasional newsletter of Friends of the Earth and others at international meetings of environmental importance:

1982a. Vol XIX No. 2-4: "First meeting of the Commission on the Conservation of Antarctic Marine Living Resources", Hobart, 25 May - 11 June.

1982b. Vol XX No. 1-3: "Special Consultative Meeting on Antarctic Mineral Resources" Hobart, 14-25 June.

1983a. Vol. XXII No. 1-4: "Meeting on Antarctic Mineral Resources", Wellington 17-28 January.

1983b. Vol. XXIII No. 1-5: "Special Consultative Meeting on Antarctic Mineral Resources", Bonn, 11-22 July

1983c. Vol. XXV No. 1-3: "Second Meeting of the Commission for the Conservation of Antarctic Marine Living Resources", Hobart, 29 Aug - 9 Sept.

1984a. Vol. XXVI No.1-3: "Working Group on the Special Consultative meeting on Antarctic Mineral Resources", Washington DC, 18-27 Jan.

1984b. Vol XXVII No1-3: "Informal Consultation on Antarctic Mineral Resources", Tokyo, Japan, 22-31 May

1985a. Vol. XXX No.1-3: "Preparatory meeting for the 13th Antarctic Treaty Consultative Meeting", Brussels 22-26 April

1985b. Vol. XXXIII No 1-2: "Special Consultative Meeting on Antarctic Mineral Resources", Paris, France 23 September-4 October

1985c. Vol. XXXIV No.1-2: "13th Antarctic Treaty Consultative Meeting",

Brussels 7-18 October

1986a Vol. XXXV No.1-3: "Special Consultative Meeting on Antarctic Mineral Resources", Hobart, Australia 14-25 April

1986b. Vol. XXXIX No. 1-3: "Special Consultative Meeting on Antarctic Mineral Resources", Tokyo, Japan 27 Oct - 12 Nov.

1987a. Vol. XXXXI No. 1-2: "Special Consultative Meeting on Antarctic Mineral Resources", Montevideo, Uruguay, 11-27 May

1987b. Vol. XLV No 1-3: XIVth "Antarctic Treaty Consultative Meeting", Rio de Janeiro, Brazil 5-16 October

1988a. Vol. XLVII No.1-6: "Special Consultative Meeting on Antarctic Mineral Resources", Wellington, New Zealand, 18-29 January.

1988b. Vol. XLVIII No. 1-12: "Special Consultative Meeting on Antarctic Mineral Resources", Wellington, New Zealand, 2 May - 2 June.

1989a. Vol. LXXII No.1: "Antarctic Treaty Consultative Preparatory Meeting", Paris, France, 9 May

1989b. Vol. LXXIV No. 1-4 "Antarctic Treaty Consultative Meeting, Paris, France, 9-20 October.

1990. Vol. LXXVII No1-6, "Antarctic Treaty Special Consultative Meeting", Vina del mar, Chile, 9 November - 5 December

Goldsworthy, Lyn, 1987-91. "Antarctic and Southern Ocean Coalition members' mail-out" - *Reports to Member Groups* of political developments and ASOC lobbying activities, July 1987, undated 1988, 1 June 1989, 10 February 1991, 16 August 1991

Goldsworthy, Lyn 1992-3. ASOC Antarctic Campaign Co-ordinator 1988-91. *Interviews with author*, November 1992, 23 April 1993, 25 October 1993

Gordon, Michael 1989. "PM confident on Antarctic bid" *Sunday Age*, Melbourne, 8 October.

Gore, Al 1991. *Letter to the the Honorable George Bush, President of the United States.* With 15 other Senators, 18 March

Gore, Al 1993. *Earth in the Balance, Ecology and the Human Spirit*, Plume Books, New York.

Grattan, Michelle. 1989. "France backs Australia on Antarctic wilderness" *Age*, Melbourne. 19 June

Greenpeace International. 1983. *The Future of the Antarctic. Background for a UN debate*, Stichting Greenpeace Council, Lewes, UK, 1 October.

Greenpeace International. 1986. *The World Park Option for Antarctica. Background for a Fourth UN Debate*, Stichting Greenpeace Council, Lewes, UK 17 November.

Greenpeace International 1987a. *Application for Observer Status in the Antarctic Treaty by Stichting Greenpeace Council*, XIV Prep ATCM, Rio De Janiero 4-8 May.

Greenpeace International 1987b. "'Greenpeace suspends banner from Tasman Bridge, Hobart, to protest Antarctic over-fishing", *Media Release*, 26 October.

Greenpeace International 1988a. *Expedition report on 1987-88 Greenpeace Antarctic Expedition*, Stichting Greenpeace Council, Lewes, United Kingdom.

Greenpeace International 1988b. "Quick and dirty convention drafted", *Media Release*, Wellington, 29 January.

Greenpeace International 1989. "Antarctic Treaty Meeting Opens in Paris, Environmental Organisations call for complete protection", *Media Release*, Paris, 8 October.

Greenpeace International 1990a. *A Realistic Dream for Antarctic. Background for an Eighth UN Debate*, Stichting Greenpeace Council, Amsterdam 30 October.

Greenpeace International. 1990b. *Opening Media Statement, XI ATSCM*, Vina del Mar, Chile, 23 November.

Greenpeace International 1990c. *NGO' Informal Notes on New Draft Protocol Dated 3 December*, Vina Del Mar, Chile, 4 December.

Greenpeace International 1990d. "Antarctic Mining Ban One Step Closer", *Media Release*, Vina Del Mar, Chile, 7 December.

Greenpeace International 1991a. *Greenpeace Media Guide to resumed XI SCM*, Madrid 22-30 April.

Greenpeace International 1991b. *Antarctica. The Scientists' Case for a World Park*. Stichting Greenpeace Council, April.

Greenpeace International 1991c. *Greenpeace Media Guide to third session of the XI SCM*, Madrid, 17-23 June.

Greenpeace International 1991d "US set to jeopardise Antarctic Treaty Mining Agreement", *News Release*, Madrid, 18 June.

Greenpeace International 1991e. "Greenpeace Congratulates Australian Government", *News Release*, 4 October.

Greene, Gervase 1989. "New push for ban on Antarctic mining", *Sunday Herald*, Melbourne, 18 June

Grutzner, Anna. 1989. "Park plan faces stiff battle", *Sydney Morning Herald*, 9 October.

Grutzner, Anna. 1989. "French PM backs nature reserve", *Sydney Morning Herald*, 11 October

Grutzner, Anna. 1989. "Threat to dump park proposal", *Sydney Morning Herald*, 20 October

Grutzner, Anna 1989. "Showdown in Santiago next year" *Sydney Morning Herald*, 21 October.

Hardin, Garrett 1968. "The Tragedy of the Commons", in *Science*, Vol 162, p1243.

- Harris, Stuart. 1984. ed: *Australia's Antarctic Policy Options*, Centre for Resource & Environmental Studies, Australian National University, Canberra
- Harris, Stuart 1990. "The Influence of the United Nations on the Antarctic Treaty System, a source of erosion or cohesion?", *Department of International Relations Working Papers*, Australian National University, Canberra
- Hawke, R.J.L. 1989. "Protection of the Antarctic Environment", *Prime Minister. Joint Statement with the Minister for Foreign Affairs & Trade and the Minister for Arts, Sport, Environment, Tourism and Territories*, Canberra 22 May.
- Hawke, R.J.L. 1989. *Speech by the Prime Minister of Australia to the National Press Club*. Washington, 26 June.
- Hawke, R.J.L. 1990. "I welcome the decision of the NZ Government", *Statement by the Prime Minister*, Canberra. 26 February.
- Hawke, R.J.L. 1990. "Antarctic Policy", *Statement by the Prime Minister*, Canberra. 23 November.
- Hawke, R.J.L. 1991. "I warmly welcome significant progress in protecting the Antarctic environment", *Statement by the Prime Minister*, Canberra. 30 April.
- Hay, J.E., Hemmings, A.D., Thom, N.G. 1990, eds: *Antarctica 150: scientific perspectives - policy futures*. including Wallace, Catherine "Developing a New Zealand Antarctic Policy". University of Auckland, New Zealand. 8 September.
- Heap, J. 1989 Ed.: *Handbook of the Antarctic Treaty System*, Sixth Edition. Scott Polar Publications, Cambridge, UK. April.
- Hemmings, Alan D. 1989. *Critique of White Paper on Antarctic Environment*, Antarctic Policy Group, Environmental Science, University of Auckland, 18 August.
- Hemmings, Alan D., Cuthbert, Arani and Dalziell, Janet 1991.: *Non-Governmental Activities and the protection of the Antarctic Environment*, A Paper for the Government of New Zealand by ASOC (NZ), August.
- Hemmings, Alan D. 1993. Greenpeace Antarctic campaigner, University of Auckland lecturer. *Interview with author*, 7 November.
- Herber, Bernard P. 1992. "The economic case for an Antarctic world park in light of recent policy developments", *Polar Record* 28 (167), Scott Polar Research Institute, Cambridge, UK.
- Herr, R.A., Hall, H.R., and Haward, M.G. 1990 eds: *Antarctica's Future: Continuity or Change?* Australian Institute of International Affairs, Tasmanian Government Printing Office, Hobart
- Herr R.A. and Davis, B.W. 1992. "Antarctica and Non-State Actors: The Question of Legitimacy", *International Antarctic Regime Project Publication Series*, No.4., Fridtjof Nansen Institute, Lysaker, Norway

- Hunt, P. 1990a. "Battle for the heart of a frozen continent", *Independent*, London 19 November
- Hunt, P. 1990b. "Campaign for mining ban splits Antarctic nations" *Independent*, Londong, 6 December.
- Hunt, P. 1990c. "Progress in effort to protect Antarctica", *New Zealand Herald*, Auckland, 13 December.
- Hunt, P. 1990d. "Green shield for the ice continent", *Independent*, London, 14 December.
- Hope, D. 1989. "Antarctica: US thinks we'll cave in" *Sydney Morning Herald*, 13 August.
- Houweling, S. 1989a. "France is shaping up as ally in Antarctic" *Australian*, 17 May
- Houweling, S. 1989b. "Antarctic park plan strategy body set up" *Australian*, 18 May.
- IUCN 1987. *Membership Regulations*, IUCN, Gland, Switzerland.
- IUCN 1991. *A Strategy for Antarctic Conservation*, The World Conservation Union, Gland, Switzerland.
- IUCN 1992. *IUCN Bulletin*, Vol. 23 [1].
- Jorgensen-Dahl, A. and Ostreng, W. 1991 eds: *The Antarctic Treaty System in World Politics*, Macmillan, Basingstoke 1991
- Joyner C. and Chopra S.K. 1988. eds: *The Antarctic Legal Regime*, Martinus Nijhoff, Dordrecht, Netherlands.
- Joyner, C. 1992. "The Role of Domestic Politics in making United States Antarctic Policy". *International Antarctic Regime Project Publication Series*, No.2. Fridtjof Nansen Institute, Lysaker, Norway
- Kay, D. and Skolnikoff, E. 1972. eds: *World Eco-Crisis. International Organizations in Response*, University of Wisconsin Press Ltd, Madison Wisconsin
- Keating, P.J. 1988. "I do not believe Australian should sign the Antarctic Minerals Convention", *Letter to the Minister for Foreign Affairs and Trade from the Treasurer*, 21 September.
- Keating, P.J. 1989. "We should consider carefully, but soon, the establishment of a World Park", *Letter to the Prime Minister from the Treasurer*, 27 April.
- Keohane, Robert O. 1982. "The demand for international regimes" *International Organization*, 36, 2 Spring
- Keohane, Robert O. and Nye, J. 1972. eds: *Transnational relations and world politics*. Harvard University Press, Cambridge, Mass.

- Keohane, Robert O. and Nye, J. 1977. *Power and Interdependence. World Politics in Transition*. Little Brown, Boston.
- Keller, Helen 1970 in Tripp, Rhoda *The International Thesaurus of Quotations*, Penguin Books, New York.
- Kelly, P and Child, J. 1988. *Geopolitics of the Southern Cone and Antarctica*, Lynne Reiner, Boulder.
- Kennedy, Michael and Bell, Karla, 1982. *Mail-out to ASOC Members*, 12 July
- Kennedy, Michael. 1993. World-Wide Fund for Nature campaigner., *interview with author*, 23 April.
- Krasner, Stephen. 1985. *Structural conflict*, University of California Press, Berkeley
- Kimball, Lee 1984 "Environmental Community Suggestions" in Alexander, L.M. and Hanson, L.C. Eds: *Antarctic Politics and Marines Resources, Critical Choices for the 1980s*. Center for Ocean Management Studies, Kingston, Rhode Island.
- Kimball, Lee 1988. "The role of Non-Government Actors in Antarctic Affairs" in Joyner, C. and Chopra, S.K., eds: *The Antarctic Legal Regime*, Martinus Nijhoff, Dordrecht.
- Kimball, Lee. 1989a. "Antarctica: The Challenges that Lie Ahead" in *Ambio*, Vol 18, No1.
- Kimball, Lee. 1989b. Convenor: *Blueprint for Antarctica*, The Tinker Foundation Workshop, Fondation Royaumont, France, 22-25 October
- Kimball, Lee. 1990. *Remarks before the Sub-committee on Human Rights and International Organizations, Committee on Foreign Affairs, US House of Representatives*, Senior Associate, World Resources Institute, 2 May
- Kimball, Lee. 1990. *Southern Exposure: Deciding Antarctica's Future*, World Resources Institute in collaboration with the Tinker Foundation, Inc. November
- Kimball, Lee. 1991. *Report on Antarctica*, World Resources Institute, Washington, January.
- Lador-Lederer, J.J. 1962. *International Non-Governmental Organisations*, A.W. Sythoff, Leyden.
- Legge, Kate. 1990. "US stands firm on Antarctic pact", *The Australian*, 1 March.
- Linklater, Andrew. 1991. "Key concepts in International Relations: Competing perspectives on the state, the national interest and internationalism". *Occasional Paper Number 8*, Australian Institute of International Affairs/ Faculty of Social Sciences, Deakin University.
- Los Angeles Times*, 1989. editorial "Make Antarctica a Park", 16 October.

- Lowe, Philip and Goyder, Jane. 1983. *Environmental groups in politics*, Allen & Unwin, London.
- Lovering, J.F. and Prescott, J.R.V. 1979. *Last of Lands...Antarctica*, Melbourne University Press, Melbourne
- Lykke, Eric. 1989. "Environmental Decision-making: The Almighty Government or Involving the Public", in *International Challenges*, Vol. 9. No 2 1989
- Macneill, Jim. 1989-90. "The Greening of International Relations" in *International Journal*, XI.V winter.
- Mansbach, R.W. Ferguson, Y.H. and Lampert, D.E. 1976. *The Web of World Politics - Nonstate Actors in the Global System*, Prentice Hall, Englewood Cliffs, New Jersey.
- Marks, Beth. 1993. Director, The Antarctica Project 424 C Street N.E. Washington DC, *Interview with the author*, 25 October.
- May, John 1988. Ed: *The Greenpeace Book of Antarctica*, Child And Associates, Frenchs Forest, Sydney
- Mitchell, Barbara, 1983. *Frozen Stakes. The future of Antarctic minerals*, International Institute for Environment and Development, London.
- Morkved, Berit. 1992. "Negotiating the Mineral regime in the Antarctic: A Review" in *International Challenges*, Vol 12 No.2.
- Mosley, Geoff. 1984. "The natural option: the case for an Antarctic World Park" in Harris, S. Ed: *Australia's Antarctic Policy Options*, CRES monograph, Australian National University, Canberra
- Murdoch, Lindsay, 1989. "India joins Australia on Antarctic bid", *Age*, 10 June.
- Nature*, 1990. "Antarctic Wilderness", editorial, 22 November 1990
- New York Times*, 1991. "What's the Hurry in Antarctica?" editorial 6 June.
- New York Times*, 1991. "Blind on Antarctica" editorial, 30 June.
- Oakes, Laurie. 1989. "Interview with the Federal Environment Minister, Senator Graham Richardson" transcript, *Sunday*, National Nine Network 9 April.
- Ormerod, R. 1986 Ed: "French Antarctic Airstrip Suspended", in *Antarctic Journal of the New Zealand Antarctic Society Inc.* Autumn.
- Parsons, Sir Anthony. 1987. Ed: *Antarctica - the next decade*, Cambridge University Press, Cambridge
- Palmer, Geoffrey. 1990a. *Antarctica*, Prime Minister, Press Statement, 26 February.
- Palmer, Geoffrey. 1990b *Antarctica Environmental Policy*, Prime Minister, Press Statement, 6 July.

Palmer, John, 1989 "Progress by Greens expected as Europe heads for polls." *Guardian Weekly*. 23 April 1989.

Patel, Jagdish, and Mayer, Susan 1991. Eds: *Antarctica. The Scientists' Case for a World Park*, Greenpeace International Keizersgracht, Amsterdam, April.

Peake, Ross. 1989a "Antarctic mining lobbying heats up", *Age*, Melbourne 6 April

Peake, Ross. 1989b "Cabinet likely to veto Antarctic Mining", *Age*, Melbourne 12 May.

Peake, Ross. 1991 "Hawke takes some credit for Antarctic mining ban", *Age*, Melbourne, 5 July, 1991.

Phillips, Cassandra. 1990. "Antarctic issues at IUCN General Assembly", *Report for ASOC*, 28 November - 5 December.

Phillips, Cassandra, 1992. World Wide Fund for Nature councillor. *Interview with the author*, October

Porritt, Jonathon and Winner, David. 1988. *The Coming of the Greens*, Fontana, London.

Porritt, Jonathon. 1990. "Britain - the Dirty Man of Antarctica", *Daily Telegraph*, 3 November

Press Association. 1990. "Antarctica: UK slams record of Canberra". *Mercury*, Hobart, 10 August.

Reuning, Winifred. 1991a Ed: "US legislation and Antarctica", *Antarctic Journal of the United States*, National Science Foundation, March

Reuning, Winifred. 1991b. Ed: "Preserving Antarctica: Treaty nations agree on new environmental protocol" in *Antarctic Journal of the United States*, National Science Foundation, December.

Reuter, 1989a. "More oil spilled in Antarctic as ship hits island." *Age*, Melbourne, 6 March

Reuter. 1989b. "Oils slick endangers marine life" *Age*, Melbourne, March 26

Reuter, 1989c. "Mitterand supports Antarctic park plan", *Sydney Morning Herald*, June 23

Reuter, 1992 "Greenpeace booming" *Mercury*, Hobart. 30 September

Rothwell, D.R. 1990. "A World Park for Antarctica, Foundations, Development and the Future", *Antarctic and Southern Ocean Law and Policy, Occasional Paper 3*, Faculty of Law, University of Tasmania

Schwabacher, Rick. 1993. Washington representative, the Cousteau Society *Interview with author*, 21 October

Scott, D. 1991. *Don't Mourn For Me - Organise. The Social and Political uses of Voluntary Organisations*, George, Allen and Unwin, Sydney

Scully, R. Tucker 1991. "The Eleventh Antarctic Treaty Special Consultative Meeting", in *International Challenges*, Vol. 11. No. 1.

Seccombe, Mike 1988. "Keating warns against signing Antarctic treaty" *Sydney Morning Herald* 21 November.

Seccombe, Mike 1989. "PM warns against Antarctic mining." *Sydney Morning Herald*, 4 May.

Seccombe, Mike. 1991. "Bush comes around on Antarctic mining" *Sydney Morning Herald*, 5 July.

Sinclair, M. 1989. "Interview with Michel Rocard", transcript, *Questions a Domicile*, TF1, Paris, 23 April.

Splettstoesser, John. 1992 "Antarctica Tour Operators Pledge Environmentally-Friendly Tours", *Press Statement*, International Association of Antarctic Tour Operators, 21 July.

Suter, K.D. 1979. *World Law and the Last Wilderness*, Friends of the Earth, Sydney

Suter, K.D. 1991. *Antarctica - Private Property or Public Heritage?* Pluto Press, Leichhardt, NSW

Talboys, B.E. 1978. "New Zealand and the Antarctic Treaty" in *New Zealand Foreign Affairs Review*, 28, 26 April.

Talmadge, Jack. 1991. "Speech to Pacific Asia Travel Association", Bali, 12 April.

Toyne, Phillip. 1989. "Elves and Fairies Join Forces with the Penguins to Save Antarctica", *Press Statement*, Australian Conservation Foundation, 5 April.

Triggs, Gillian 1987. Ed: *The Antarctic Treaty Regime, Law, Environment and Resources*, Cambridge University Press, Cambridge.

United States of America. 1988. "United States Policy and Program for Antarctica", *Memorandum for the President*, The Deputy Secretary of State, Washington. 29 November, 1975. Partially unclassified, 20 December

United States of America. 1990a "Antarctic Mineral Resource Activities" *Hearings*, Subcommittee on Oversight and Investigations, House of Representatives Merchant Marine and Fisheries Committee, 14 March.

United States of America 1990b. "Preserving Antarctica's Ecosystem" *Hearings*, Subcommittee on Human Rights and Interantional Organizations, House of Representatives Foreign Affairs Committee, 2 May, 19 July.

- United Kingdom. 1991. "Antarctic Minerals: Towards a Solution", *Press Statement*, Foreign & Commonwealth Office, 25 March.
- Verscheure, Hernan 1992. campaigner, CODEFF. *Interview with author*.
- Vicuna, F. O. 1988. *Antarctic Mineral Exploitation - The Emerging Legal Framework*, Cambridge University Press, Cambridge.
- Wallace, Catherine. 1990. "Developing a New Zealand Antarctic Policy" in *Antarctica 150 - Scientific perspectives - policy futures*, Hay, J.E., Hemmings, A.D. and Thom, N.G. University of Auckland, 8 September.
- Wallace, Catherine. 1993. Department of Public Policy, Victoria University of Wellington. *interviews with the author*, 14 April 1993, 21 October.
- Weeber, Barry. 1993. ECO New Zealand Executive. *Interview with author*, October.
- Westlake, David. 1989. Letter to ACF councillors, 12 July.
- Westlake, David. 1993. Antarctic Action Group co-ordinator 1989-90. *Interview with author*.
- Whelan, Judith. 1990. "Palmer decides to push for mining ban in Antarctica", *Sydney Morning Herald*, 26 February
- Willetts, Peter. 1982. Ed: *Pressure groups in the Global System*, Frances Pinter Ltd, London
- Wolfrum, Rudiger. 1985. *Antarctic Challenges II*, Ducker and Humblot, Berlin 1985.
- World Resources Institute. 1991. *Annual Report 1991*, Board of Directors, WRI, 1709 New York Avenue, Washington DC
- Young, Oran 1988. "Science and Social Institutions: lessons for International resource Regimes" in *International Challenges*, Vol. 8, No.3 1988
- Young, Oran 1989a *International Co-operation, Building regimes for Natural Resources and the Environment*, Cornell University Press, Ithaca.
- Young, Oran 1989b "The politics of international regime formation: managing natural resources and the environment", in *International Organization* 43, 3 Summer.
- Zhou Keyuan, 1991. "The Common Heritage of Mankind and the Antarctic Treaty System" in *Netherlands International Law Review*, Martinus Nijhoff Publishers. Vol. XXXVIII - Issue 2.
- Zumberge, J.H. 1982. "Potential Mineral Resource Availability and Possible Environmental Problems in Antarctica" in Charney, J. Ed: *New Nationalism and the Use of Common Spaces. Issues in Marine Pollution and the Exploitation of Antarctica*, Allenheld, Osmun, Totowa, New Jersey.