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Permanent Mission of
Malaysia
to the United Nations

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Statement by H.E. Mr. Hamidon Ali
Permanent Representative of Malaysia to the United Nations
on Agenda Item 88: Question of Antarctica
at the First Committee of the 60th Session of the General Assembly
Tuesday, 1 November 2005

Mr. Chairman,

At the outset, my delegation would like to express its appreciation to the Secretary-General for his comprehensive report submitted under this agenda item as contained in document A/60/222. The report provides a useful account and details concerning the activities and developments in relation to Antarctica undertaken by the Antarctic Treaty Consultative Parties (ATCP), the Antarctic Treaty System and various international bodies since this item was last discussed by the General Assembly during its 57th Session in 2002. We are certainly gratified that there continues to be greater transparency and accountability on the part of the ATCP concerning their meetings, activities and on developments in relation to Antarctica. My delegation commends the cooperation that they have continue to extend to the rest of the international community in sharing information in this regard, as called for by the General Assembly in its resolution 57/51. This sharing of information has revealed the profound interdependence and link between Antarctica and the rest of the world, particularly its critical role in the global environment system. We call on all concerned countries, organisations and individuals to continue their valuable work in this regard. We appeal to all concerned to see to it that arrangements to ensure that the benefits resulting therefrom will be shared with all countries and peoples of the world.

2. My delegation continues to recognize the particular significance of Antarctica and the conservation of its pristine environment in the common interest of all mankind, for peace and security. We are satisfied that there is now a greater degree of interest and awareness of the international community on the subject since this item was inscribed under the agenda of the General Assembly during its 38th Session in 1983. We are particularly satisfied that the international community has recognized the global importance of this last frontier due to its intrinsic link and interaction with the world's oceans and atmosphere, affecting the entire global environment system. The well being of Antarctica relates indirectly to the well being of the planet and of humanity. Given the increasingly pernicious global impact caused by climate change, as evidenced, among others, by the frequency of natural disasters, it is pertinent for all of us to collectively endeavour to ensure that the Antarctic environment is protected and preserved forever.

3. My delegation would like to stress once again that, in the interest of all mankind, Antarctica should continue forever be used exclusively for peaceful purposes and that it should not become the scene or object of international discord. We remain firm in our conviction that the management and use of Antarctica should be conducted in accordance with the Charter of the United Nations and in the interest of maintaining international peace and security and of promoting international cooperation for the benefit of mankind as a whole. We maintain that the United Nations, as a

representative global body with a network of specialised agencies, is the most appropriate authority to monitor, administer and enforce the various scientific and non-scientific activities in Antarctica. This notwithstanding, we welcome the considerable broadening of cooperation in various areas between the Antarctic Treaty System-related mechanisms and the specialised agencies of the United Nations, as elaborated in the Secretary-General's report. We would like to commend the United Nations Environment Programme (UNEP) for its indispensable role and work in continuing to ensure the environmental sustainability of Antarctica through its conservation, management and monitoring programmes.

Mr. Chairman,

4. The entry into force on 14 January 1998 of the Madrid Protocol on Environmental Protection of the Antarctic Treaty have circuitously regulated human activities in Antarctica, further protecting and preserving the environment and its associated ecosystem. Although the Protocol has no enforcement mechanism of its own and needs to be further strengthened, it is considered an important milestone in the efforts to protect and preserve the pristine environment of the continent. My delegation reiterates that the Protocol's 50-year moratorium beginning in 1992 on prospecting and mining in Antarctica should constitute the first important step towards a permanent ban on mining on the continent. My delegation is concerned that not all parties have met their reporting requirements pursuant to Article 17 of the Protocol and, therefore, we urge these parties to do so without delay. We hope that this provision would be met in full in future.

5. Nevertheless, my delegation welcomes the increased active participation of the ATCP particularly in the Committee for Environmental Protection (CEP) established by the Madrid Protocol. We hope that the ATCP will continue to ensure that the work of the Committee will be further intensified so as to preserve the intrinsic value of the continent and further continue to foster the spirit and principles of Antarctic cooperation, focusing on the protection of the Antarctic environment and the environmental principles of the Protocol. We also call on the Consultative Parties to continue to implement their commitments under the Antarctic Treaty, the resolutions on this question adopted by previous General Assembly Sessions, and in keeping with the purposes and principles of the Charter.

Mr. Chairman,

6. My delegation remains concerned that the ATCP have yet to achieve full implementation on the question of liability for environmental damage in Antarctica. While we are pleased with the successful breakthrough in negotiations and adoption of Annex VI to the Madrid Protocol entitled "Liability Arising From Environmental Emergencies" at the recent 28th Antarctic Treaty Consultative Meeting in Stockholm last June, we believe that the provisions contained therein should be further strengthened and its scope widened in order to ensure that the question of liability would be addressed in a comprehensive manner. Without filling these gaps, the Madrid Protocol would be perceived as incomplete. The establishment of a strict legally binding regime would encourage compliance and ensure accountability by ensuring the means of assigning responsibility for any environmental damage which may occur. We urge the Consultative Parties to take speedy and necessary measures toward achieving an early entry into force of Annex VI to the Protocol. Achieving this objective would be another genuine manifestation of their commitment to protect and preserve the Antarctic environment.

7. Related to this is the issue of Antarctic tourism, frequency of which has increased tremendously during the period under review as elaborated in paragraphs 106 to 111 of the Secretary-General's report. While we recognise the role of the tourism industry in promoting Antarctica as the world's natural reserve, we are particularly concerned over the impact generated by land-based tourism activities which are on the increase. These activities directly threaten the fragile

environment of the continent as compared to other types of tourism activities. The situation has been further worsened with the construction of permanent or semi-permanent infrastructures to support land-based tourism activities. This situation has undoubtedly increased the impact upon the Antarctic environment and its associated ecosystems. Bearing in mind these developments and while recognising the role of the International Association of Antarctica Tour Operators in monitoring tourism activities in the continent, we believe that the United Nations Environment Programme and the World Tourism Organization should be involved in establishing the framework to ensure tourism activities in Antarctica are regulated and monitored in an effective manner.

Mr. Chairman,

8. An expedition led by former Malaysian Prime Minister Tun Mahathir Mohamed in February 2002 is among the manifestation of my country's increased interest and involvement in Antarctica, more specifically in the area of scientific research, during the past half decade. Malaysian scientists and post-graduate students, through the Malaysian Antarctic Research Programme (MARP) established in 1999 by the Academy of Science Malaysia, have undertaken various scientific research activities to, inter alia, study the linkages, similarity or differences of either atmospheric processes or biological processes between the Antarctic environment and the tropic environment. Since 1999, more than 40 Malaysian scientists and post-graduate students have been involved in research activities in Antarctica – the world's coldest, windiest and driest continent. Even though Malaysia is not a Consultative or Contracting Party to the Antarctic Treaty there are currently 15 scientific research projects being carried out by Malaysian scientists in the region. It is our hope that the result of their important work would contribute, in one way or another, to common efforts towards greater scientific understanding of the region as well as assist in unravelling its mysteries.

9. In this connection, my delegation would like to express its appreciation to ATCP countries, particularly Argentina, Australia, India, Japan, New Zealand, South Africa and the United Kingdom for their valuable assistance and cooperation to our scientists, as called for by General Assembly resolutions on this question. Similarly, we are also pleased with the offer of assistance and cooperation from other ATCP countries, which we would consider accepting in future. We believe that such meaningful cooperation should promote not just excellence in science and scientific research but equally important is international understanding that would bring about lasting peace, goodwill and prosperity, and that the message of global peace could indeed be promoted through science.

10. My delegation wishes to place on record its appreciation to the Consultative Parties for extending invitation to Malaysia to observe the proceedings of their Annual Meetings since 2002. This further demonstrates the increased openness of the ATCP, which we welcome and which augurs well for future cooperation between the ATCP and non-ATCP countries. We are satisfied that the mechanism of dialogue and cooperation that the ATCP and non-ATCP countries have forged in the context of the United Nations is working well and has yielded tangible results. We certainly look forward to closer and more constructive cooperation in the coming years in the interest of ensuring that Antarctica will remain a natural reserve devoted to peace and science, for the benefit of all humanity.

11. In this connection, my delegation welcomes the establishment and operationalisation of the Antarctic Treaty Secretariat in Buenos Aires in September last year. The establishment of the Secretariat is timely in view of the increase in scientific and non-scientific activities relating to the continent. Indeed, Antarctica is no longer an unknown territory. It is now widely known as a frontier rich in biological treasures and a vast laboratory for new scientific discoveries, among others. As highlighted by the Secretary-General in paragraphs 112 and 113 of his report, biological prospecting is an emerging issue and that the regulation thereof, we believe, should be strengthened. We are convinced that the Antarctic Secretariat is in a position to monitor and regulate all relevant activities in this regard, and that the assistance and cooperation from the United Nations and its

relevant agencies could greatly contribute more effectively toward efforts in this regard. We hope that the Secretariat would also address the issue of abandoned and unoccupied stations which pollute the pristine backdrop of the Antarctic. In addition, we believe that interested States could also benefit from the work and activities carried out by the Secretariat. We are hopeful that the cooperation between the ATCP and the international community would be further enhanced and intensified through the Antarctic Treaty Secretariat.

Mr. Chairman,

12. Allow me to also express the appreciation of my delegation to you for submitting to this Committee draft resolution L.60 entitled "Question of Antarctica" just over a week ago. We have taken note that you have made the necessary modifications for technical updating to the text. In this connection, I wish to inform this Committee about the amendments that my delegation, upon consultations with the delegation of Sweden representing the ATCP, is proposing to operative paragraphs 4 and 5 of the draft resolution that you have just introduced. The amendments are as follows:

- On operative paragraph 4, my delegation is proposing the following two amendments:
 - (a) in the fourth line: to insert the words "those meetings, activities and" after the word "on" and before the word "developments"; and
 - (b) to delete the last phrase, which reads "and requests the Secretary-General to submit a report which shall consist of that information to the General Assembly at its sixty-third session".
- On operative paragraph 5, my delegation is proposing that the phrase "include in the provisional agenda of its sixty-third session the item entitled "Question of Antarctica" be replaced with the phrase "remain seized of the matter".

13. In essence, the proposed amendments to OP4 and OP5 are a manifestation to the desire of my delegation to subscribe to the letter and spirit of the decision made by the General Assembly in subparagraph 3(a) of the annex to its resolution 58/316. Distinguished representatives of Member States in this Committee will recall that that decision reads, and I quote, "*Each Main Committee shall give specific attention to the rationalization of their future agendas by the biennialization, triennialization, clustering and elimination of items ...*;" unquote. In addition, my delegation believes that the deletion of the last sentence of OP4 could be considered as a contribution towards reducing the heavy volume of documentation that is submitted to the General Assembly, which has been frequently referred to in General Assembly Sessions in the past, most recently in paragraph 6 of the annex to resolution 58/316 and in paragraph 7 of the annex to resolution 57/300.

14. My delegation hopes that the amendments proposed to document L.60 that I have just mentioned would meet your approval, Mr. Chairman, and that of the Member States. We hope and certainly look forward to approving shortly this draft resolution as orally amended by consensus.

15. Finally, my delegation believes that the debate on the Question of Antarctica in the General Assembly has provided a forum in which those within and outside the Antarctic Treaty System can engage in a meaningful dialogue and exchange of information about the continent. This process should be further strengthened to ensure that the best interests of mankind would be served. We shall continue to seek to ensure that Antarctica eternally be a common heritage of mankind and that it belongs to the international community.

Thank you Mr. Chairman.

Draft Resolution on the Question of Antarctica
(A/C.1/60/L.60 of 12 October 2005)
~ submitted by the Chairman of the First Committee ~

Amendments proposed by Malaysia

4. *Welcomes also* the practice whereby the Antarctic Treaty Consultative Parties regularly provide the Secretary-General with information on their consultative meetings and on their activities in Antarctica, and encourages the parties to continue to provide the Secretary-General and interested States with information on **those meetings, activities and** developments in relation to Antarctica, and ~~requests the Secretary-General to submit a report which shall consist of that information to the General Assembly at its sixty-third session;~~

5. *Decides* to include in the provisional agenda of its sixty-third session the item entitled "Question of Antarctica" **remain seized of the matter.**