

# Maritime Regulatory Development within the framework of the Antarctic Treaty: Background and Future Challenges

*Patricia Ortúzar*  
*Director, Argentina National Antarctic Programme*



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Ministerio de Relaciones Exteriores,  
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**Argentina**

# Antarctic Treaty and Environmental Protocol

Antarctica shall be used for peaceful purposes only.



Antarctica is designated as a natural reserve, devoted to peace and science”.

# Regulatory Development

The regulatory development related to maritime issues focuses on the following priorities:

- Environmental Protection.
- Safety of operations.





# Environmental protection: Annex IV

## Links to MARPOL

- Prevention of marine pollution from ships, (management of waste, effluents or hydrocarbons).
- Design, construction, manning and equipment of ships engaged in, or supporting Antarctic operations each Party shall take into account the objectives of the Annex.

Each Party shall take into account the objectives of Annex IV.

## Environmental protection: HFO

Decision 8 (2005): the ATCM requested the IMO to examine mechanisms for restricting the use of Heavy Fuel Oil in Antarctic waters.

Amendments to Annex I of the MARPOL Convention (IMO) prohibits the use and/or transport of heavy fuel oil south of 60° S (in force since August 2011).

## Environmental protection: Ballast Water

Resolution 3 (2006) “Practical guidelines for ballast water exchange in the Antarctic Treaty area”:

- Management Plan
- Record ballast water exchanges
- Exchange ballast water before reaching Antarctic waters

## Safety: Search and rescue (SAR)

Resolution 6 (2008) “Improving the role of maritime rescue coordination centers”.

- Resolution 6 (2010) “Improvement of search and rescue coordination in the Antarctic Treaty area”: ATS EIES.

# IMO Polar Code

ATCM recognized:

- The Polar Code should meet the requirements of Art. 10 of Annex VI to the Protocol on Environmental Protection (design, construction, manning and equipment of ships engaged in or supporting Antarctic operations).
- The benefit of the adoption of the Polar Code in Antarctic waters by the IMO (application to countries not Parties to the Antarctic Treaty).



# IMO Polar Code

ATCM: Parties to provide inputs to the IMO on the draft Polar Shipping Code as it relates to shipping operations within the Antarctic Treaty Area.

Resolution 3 (2014) provided express support to the IMO for the adoption of the Polar Code.

# Port State control and Antarctic Gateways

Resolution 7 (2010)  
Parties are urged  
to improve Port  
State control of  
passenger ships  
bound for the  
Antarctic Treaty  
area.



# Gateways



Punta Arenas, Ushuaia, Cape Town, Christchurch, Hobart.

Ushuaia: about 90% of Antarctic maritime tourism traffic.

Argentina- Chile: Antarctic Combined Naval Patrol (PANC) – every Austral summer in the Antarctic Peninsula – reported to IMO.

Source: Turismo antártico: Consideraciones para su análisis desde el Sistema del Tratado Antártico y la evolución de los flujos de visitantes - Marisol Vereda\* Marie Jensen\*\*

# What's next: ATCM Multi-year Strategic Work Plan

## PRIORITY:

Contribute to strengthening the consistent implementation of the Polar Code.

## ACTION:

Further exchange views on national experiences in implementing the Polar Code in Antarctica.

Parties to share documents on the national experiences in implementing the Polar Code.

A dedicated session will be organized to enhance and support harmonized implementation of the Polar Code.

# What's next: ATCM Multi-year Strategic Work Plan

## PRIORITY:

Promote enhancement of hydrographic surveying in Antarctica.

## ACTION:

Parties to discuss ways and means to implement existing resolutions on Hydrography (refer to ATCM XLIII - IP 4, 2021).

Parties, IAATO and IHO to report on progress in hydrography.



# What's next: ATCM Multi-year Strategic Work Plan

## PRIORITY:

Develop a strategic approach to the management of Antarctic tourism to ensure it is conducted in a safe and environmentally responsible manner.

## ACTION:

Consideration of possible increased search and rescue burdens on national Antarctic programmes due to increased tourism activities.

# What's next: CEP Climate Change Response Work Programme

Climate related issues:

Enhanced potential for non-native species (NNS) introduction establishment.

Action/ Task:

Review of IMO biofouling guidelines to check adequacy for Southern Ocean and vessels moving from region to region.

Ensure climate change implications are sufficiently considered and appropriately incorporated in discussions relating to biofouling in accordance with 5-year work plan.

## Education and training

Acquisition of recommended skills to be able to operate ships safely, complying with the provisions of the Polar Code and the applicable International Law –Antarctic Treaty System–, while incorporating safe work practices and prescriptions on the prevention of pollution to avoid risks to the environment.

Exchange of experiences: NAVANTAR (Argentina)

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## Concluding remarks

Current challenges:

- Increased and diversified operations by Antarctic Programmes and private persons
- Impacts of climate change in the Antarctic Treaty area.
- Entry into force of Annex IV.
- Coordination, communication and the opening of platforms for the exchange of information and experiences.



Muchas gracias!

**Thank you!**



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