Public Law 101-620
101st Congress

Joint Resolution

Nov. 16, 1990
[S.J. Res. 206]

Calling for the United States to encourage immediate negotiations toward a new agreement among Antarctic Treaty Consultative Parties, for the full protection of Antarctica as a global ecological commons.

Whereas Antarctica, like the great oceans and the atmosphere, is a part of the global commons;

Whereas the Antarctic region, including the continent and the Southern Ocean, is a fragile ecosystem that supports an amazing abundance of life, and is, in turn, crucial to other life on Earth;

Whereas Antarctica is a critical area in the study and documentation of global change;

Whereas negotations of the Antarctic Treaty Consultative Parties have resulted in the Convention on the Regulation of Antarctic Mineral Resource Activities;

Whereas the Convention on the Regulation of Antarctic Mineral Resource Activities, while requiring consideration of environmental impacts prior to allowing minerals development in Antarctica, does not guarantee preservation of the Antarctic environment; and

Whereas the challenge to humankind is to ensure that Antarctica is stewarded in a manner that conserves its unique environment and preserves its value for scientific research: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) Antarctica is a global ecological commons, and should, therefore, be subject to a new agreement or protocol which supplement the Antarctic Treaty of 1959, providing for comprehensive environmental protection of Antarctica, and which should for an indefinite period establish Antarctica as a region closed to commercial minerals development and related activities;

(2) under such new agreements, information about mineral or other resources in Antarctica should be obtained under strictly controlled arrangements and should be openly shared in the international scientific community;

(3) the Convention on the Regulation of Antarctic Mineral Resource Activities, though a considerable step forward, does not guarantee protection of the fragile environment of Antarctica and could actually stimulate movement toward commercial exploitation;

(4) pending the negotiation and entry into force of the new agreements referred to in paragraph (1) the Convention on the Regulation of Antarctic Mineral Resource Activities should not be presented to the Senate for advice and consent to ratification;

(5) until such new agreements enter into force, the United States should support the interim restraint measures currently in effect among the Consultative Parties to the Antarctic Treaty; and

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(6) the negotiation of a new agreements referred to in paragraph (1) should be fully supported by the United States at the November 1990 meeting of the Antarctic Treaty Consultative Parties in Santiago, Chile.

Approved November 16, 1990.

LEGISLATIVE HISTORY—S.J. Res. 206 (H.J. Res. 418):

CONGRESSIONAL RECORD, Vol. 136 (1990):
Oct. 1, H.J. Res. 418 considered and passed House.
Oct. 4, S.J. Res. 206 considered and passed Senate.
Oct. 23, considered and passed House, amended.
Oct. 24, Senate concurred in House amendment.

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