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From No Man's Land to the Continent of the 21st Century?

On the Future of the Antarctic

Inga von der Stein

Remote and almost uninhabited, yet increasingly significant in international politics: the Antarctic is a crucial factor in the fight against climate change. And given the raw material deposits that are thought to be located there, what was once a no man's land has the potential to develop into a geopolitical arena in the medium and long term. Germany and Europe should do more to promote stability and sustainability in the region.

In October 2022, the Russian war of aggression against Ukraine reached the Antarctic: at the annual meeting of the Commission for the Conservation of Antarctic Marine Living Resources, the Ukrainian delegation called for Russia to be excluded from the body. The appeal was unsuccessful. What was more significant, however, was that the assembled nations likewise failed to achieve the main objective of the meeting, namely, to establish marine protected areas (MPAs).[1] The latter were to be declared to conserve the region's unique biodiversity. Although 25 of the 27 member states indeed agreed on this objective,[2] the project failed – just as it had done at the five previous meetings – because of the principle of unanimity and the vetoes cast by China and Russia. China's interests lie in maintaining fisheries in the Antarctic and in the possibility of extracting resources in the future. Russia, on the other hand, regards the Antarctic primarily as an additional part of the geopolitical arena and is seeking to maximise its own room for manoeuvre.

The EU's View of the Polar Regions

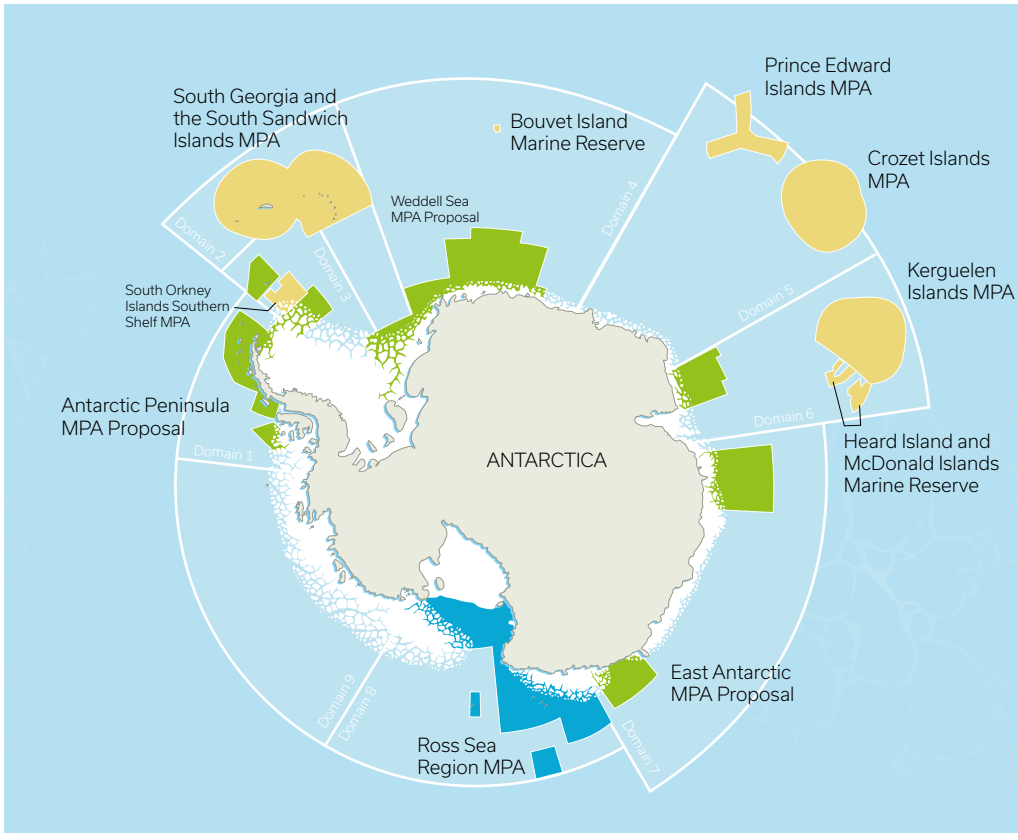
While the Antarctic has received little attention to date, the strategic importance of the Antarctic's northern counterpart, the Arctic, has now been established as an important factor in German and European politics. The European Commission presented its new EU Arctic strategy[3] in 2021, stressing for the first time the "geopolitical necessity" of the EU's involvement in the region and stating that the EU's engagement in the Arctic would now lie in the two areas of sustainability and security. Explicit mention is made of Russia's military activities in the Arctic, as well as China's interests in connection with the Polar Silk Road, such as the expansion of critical infrastructure and the mining of raw materials in the Arctic. The EU's tools include establishing an EU office in Greenland, providing EU funding to promote green change, and advocating for multilateral action in the Arctic Council.

In the case of the Antarctic, however, there is no such communication, no strategy, and virtually no EU funds. The EU's 2022 Strategic Compass[4] does not even mention the Antarctic. The EU views the region primarily from a climate perspective. The fact that its engagement is more selective than broad is due not least to the geography: there is a distance of more than 4,900 kilometres between Brussels and the Arctic, the Antarctic is almost three times as far away. Unlike the Arctic, the Antarctic does not consist of ice alone, but also of land mass covered by ice: the Antarctica is the southernmost continent in the world.[5] What the two poles have in common is that they are particularly hard hit by the impact of climate change.[6] Furthermore, there is speculation that raw materials lie dormant in both polar regions, which could become more accessible as a result of the melting ice.[7]

The Antarctic Treaty as a Guarantor of Perpetual Peace?

The sixth continent remains a model of peace to this day – not least thanks to the Antarctic Treaty

Fig. 1: Existing and Proposed Marine Protected Areas (MPAs) in the Antarctic



Existing CCAMLR MPA Existing MPAs in need of expansion or additional protection MPA proposals or draft scenarios being negotiated by CCAMLR. Source: own illustration based on Kavanagh, Andrea 2017: A Network of Marine Protected Areas in the Southern Ocean, The Pew Charitable Trusts, 25 Apr 2017, in: https://bit.ly/3HExyAb [16 Feb 2023]. Map: © Peter Hermes Furian, AdobeStock.

of 1959,[8] which is considered the first arms control treaty of the post-World-War-II era. Twelve states[9] agreed to put their territorial claims on hold and refrain from both economic exploitation and military activities. Today, a total of 56 states are signatories to the agreement, 20 of which are EU member states.[10] Not all the signatory states are entitled to vote at the consultative meetings: to be able to do so, a state must first set up a research station in the Antarctic or send a scientific expedition to the region. The results of this research are to serve the interests of the international community as a whole. In addition, the Antarctic Treaty provides that the consultative parties are entitled to conduct inspections in all areas of the Antarctic. All decisions are made according to the principle of unanimity. Currently, 29 states have consultative status, eleven of which are EU member states. Germany has been a consultative state since 1981.

The Antarctic Treaty can only be amended by unanimous agreement.

The Antarctic Treaty of 1959 was only the beginning: over the years, five subsequent agreements have been added. One particularly important agreement was the 1980 Convention on the Conservation of Antarctic Marine Living

Resources,[11] which gave rise to the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR). This commission has 26 members, including the EU itself and eight EU member states. Both the EU and the eight EU member states are entitled to vote. The aim of the CCAMLR is to establish MPAs to safeguard marine life. It is currently the most relevant body under the Antarctic Treaty System. Another agreement of key importance is the 1991 Protocol on Environmental Protection,[12] also known as the Madrid Protocol, which specifies the environmental requirements and explicitly prohibits the commercial extraction of raw materials. This Protocol is considered one of the most comprehensive environmental protection systems in force at the global level.

China and Russia continuously block the establishment of marine protected areas.

Weaknesses of the Antarctic Treaty System

The Antarctic Treaty System is not as secure as it might seem, however. Its most secure element is considered to be the Antarctic Treaty, which prohibits military activity. It can be amended, but this would require unanimous agreement, which poses a major obstacle.[13] No changes have been made to the treaty to date. To amend it would be to open Pandora's box, warns María Teresa Kralikas, who was Undersecretary of State at the Argentine Foreign Ministry from 2016 to 2019.[14] Furthermore, amendments could potentially give states an excuse to withdraw from the treaty altogether. This would make the Antarctic Treaty fragile and ultimately obsolete.

The 1980 Convention has an even greater handicap: the established MPAs do not apply indefinitely. The MPA in the Ross Sea is initially valid until 2052.[15] If no consensus is reached to confirm or amend the status of this protection zone, it will expire. New MPAs can only be established by unanimous agreement. China and Russia take advantage of this by continuously blocking such moves. To persuade the two countries to give in and thus achieve unanimity, the proposed lifetimes of such MPAs are increasingly shortened: as a result, it is questionable whether such zones will endure and achieve the desired effect.

Another loophole in the Antarctic Treaty System is the Protocol on Environmental Protection, which prohibits the extraction of raw materials: consultative parties may request a review of the application of this Protocol 50 years after its entry into force in 1998,[16] that is, in 2048. For the adoption of an amendment or an addition, the approval of the majority of the signatories and three quarters of the consultative parties to the Antarctic Treaty is necessary. Unlike almost all other decisions taken under the Antarctic Treaty System, the principle of unanimity does not apply here. Amendments to the agreement could potentially give the signatory states an excuse to withdraw from the Protocol and possibly to start extracting raw materials.[17]

The Future of the Antarctic as a Continent of the 21st Century

Climate Change

Climate change is increasingly pushing the Antarctic into the international spotlight: the melting of the ice and the resulting rise in sea level have an impact of global proportions, while at the same time there is speculation that raw materials that were previously under the ice may now become accessible. The 2022 UN Assessment Report on Climate Change states that the polar regions are disproportionately affected by the impacts of climate change and will be subject to fundamental change by 2050.[18] However, a lot has not been figured out yet such as the speed of the melting of the ice, the global impact of the melting ice and the effect of the melting of the Antarctic ice – which represents 70 per cent of the world's freshwater reserves – on the ocean currents. This is why climate research conducted in the Antarctic plays such a vital role.

The diversity of the more than 8,000 animal species in the Antarctic is already under threat.[19] The krill is of particular importance here: without this crustacean, the entire Antarctic ecosystem would be in danger. In the past 40 years, the krill population has declined by 70 to 80 per cent.[20] This is partly due to the loss of sea ice, which leads to acidification of the ocean. But overfishing in the Antarctic is also resulting in the depletion of fish populations. Of the estimated 300 to 500 million tonnes of krill in the Antarctic, around 100,000 tonnes are fished each year. Even though this amounts to only a very small part of the total population, the importance of krill fishing is growing: krill is used as an input for food and increasingly for medical and cosmetic products too. For this reason, the krill catch is expected to double by 2050.[21]

There are only assumptions regarding the types of mineral resources, their quality and quantity.

China and Norway fish the largest quantities of krill. While various MPAs have been established in recent years to put a stop to overfishing, Russia and China are stalling current negotiations on extensions and new protected areas, as described above. On top of that, monitoring of these areas is difficult since they are huge in size and are located outside national territorial waters.

Raw Materials

The melting of the ice has led to increased interest in the raw materials believed to be available underneath it. Mario Baizán, advisor to the head of cabinet of the Argentine Ministry of Security from 2015 to 2019, says that the Antarctic's resources would make it the continent of the 21st century.[22] As an economically beleaguered nation, this is a perfect opportunity for Argentina, and Ushuaia is by far the most widely used of the five Antarctic "gateway cities".[23] Rather than reliable calculations, however, there are only assumptions regarding the types of mineral resources that could be accessed, as well as their quality and quantity. This is not only because of the glaciation of the continent but also because of the ban on raw material extraction by the Protocol on Environmental Protection. It can be assumed that the signatory states keep any findings to themselves for the most part. What is known to date is that there are deposits of coal and iron ore in the Antarctic. There are believed to be metals such as nickel, copper and platinum as well as deposits of oil and natural gas. In addition to the legal hurdles, commercial production would not be economically viable at the present time.[24] In terms of raw material deposits, the Arctic has so far attracted greater interest, since the ice there is melting faster than in the Antarctic.[25] Nonetheless, the rising temperatures are affecting the ice in the Antarctic too – and all players are well aware of this fact.

Dormant Territorial Claims

Given the interest in the raw materials that are believed to be present in the region, the question of who owns these resources is back on the agenda. Seven states asserted territorial claims in the first half of the 20th century, based on explorations of the claimed areas or on geographical proximity: Argentina, Australia, Chile, France, New Zealand, Norway and the United Kingdom (see figure 2). The Antarctic Treaty froze these territorial claims but did not eliminate them.[26] Should the treaty cease to apply in the future, it is conceivable that the states with territorial claims will insist on pursuing or even extending them. Furthermore, other states could potentially advance such claims too. The territorial claims asserted by Argentina, Chile and the UK, for example, partially overlap; meanwhile, Russia and the United States have not recognised other territorial claims in the past while at the same time reserving the right to assert their own. Furthermore, disagreements could potentially arise with regards to the exclusive economic zones, that is, the maritime area up to 200 nautical miles off the coast. Exclusive rights to

fisheries and mineral resources are at stake here. As such, these dormant territorial claims hold the potential for conflict in the future.

Geopolitics at the South Pole

Similar to the Arctic, the Antarctic is increasingly attracting the attention of the global political actors of the 21st century. Unlike the Arctic Council, the Antarctic is not a closed club: every state that operates a research station in the Antarctic has voting rights in the Antarctic Council. This allows for broader participation. The three players that stand out based on their involvement in the Antarctic are the United States, China and Russia. The United States is the front-runner in terms of the quality of research in the Antarctic, and more than 1,200 US citizens are permanently in the Antarctica for research purposes – more than from any other country.[27]

Russia views the Antarctic primarily as an arena of geopolitical competition, but it does not have sufficient economic means to establish a presence in the same way as the Soviet Union did during the Cold War. Russia is thought to not abide by the rules of the Antarctic Treaty System: examples here include suspected activities involving dual-use technologies, such as satellites. It is suspected that Russia might be deploying these technologies not just for civilian research but also for military and intelligence purposes, which would violate the ban on military activity. What is more, a Russian vessel was in breach of the fishing ban in an MPA in 2020.[28] Like some of the Chinese research stations, there are also Russian stations that have not been inspected for more than ten years. This poses the risk that the international community is not aware of Russia's activities. With regards to the future of the Antarctic, it can be assumed that Russia will continue to act in concert with China so as not to limit its own options. It is conceivable that Russia could team up with China in an attempt to amend the Protocol on Environmental Protection in 2048 so as to open up the possibility of mining raw materials in the Antarctic in the long run.

China has been a consultative party of the Antarctic Treaty without territorial claims since 1985, but it has greatly increased its presence over the past ten years. Climate research alone cannot account for this involvement, which leads to the conclusion that China is pursuing other interests in the Antarctic such as military research and the exploration of raw material deposits. China has greater room for manoeuvre in the Antarctic than in the Arctic. In the Arctic Council, only eight states are involved in the decision-making process:[29] this means that Chinese influence in the Arctic is limited at the institutional level. By contrast, the institutional structure in the Antarctic

The most widely used gateway to the Antarctic: The southern Argentinian port city of Ushuaia. Photo: Alvis Upitis, Design Pics, picture alliance.

is highly attractive to China, since it gives every state with research activities a say. Strategically, it plays into China's hands that the Antarctic has been virtually a no-man's land up until now.

In building its Antarctic infrastructure, China benefits from its good relations with Argentina.

In order to position itself, the country has established four research stations, with a fifth currently under construction. China is also planning to build an airport near the Zhongshan research station.[30] Much of China's activity takes place in the East Antarctic sector, which is where most of the country's research stations are located. It is an area that is strategically relevant as many resources such as iron are suspected. It is noteworthy that the Chinese stations form a kind of corridor from the South Pole to the coast of East Antarctica. María

Teresa Kralikas believes that in the medium to long term, China might seek to assert a territorial claim based on the strategic positioning of its stations. The country has repeatedly been criticised for a lack of transparency in reporting on its activities in the Antarctic. It conceals the use of its military for supposedly scientific projects, for example, thereby presumably violating international law,[31] and Kunlun Station has never been inspected.[32] Based on the information provided by China itself, this station is used for both space research and deep drilling.[33] The country also deploys numerous satellites that could potentially offer significant military benefits in addition to being used for civilian purposes.

Economically speaking, the Antarctic is lucrative for China because of the krill catch and the mineral resources that are assumed to exist there. The Polar Research Institute of China considers Chinese access to these resources to

Not just tourism: China has massively increased its activities in the Antarctic in recent years, transparency not being a priority for the People's Republic. Photo: Ashley Cooper, Global Warming Images, picture alliance.

be essential to the economic development and continued existence of the People's Republic.[34] In building the necessary infrastructure, China benefits from the good relations it maintains with Argentina. Argentina has been part of the "New Silk Road" since the beginning of 2022, and China has shown interest in investing in the port city of Ushuaia: the latter is precisely the kind of city that the People's Republic needs as a logistical gateway in order to realise its ambitions in the Antarctic. In January 2023, there were several reports that China was even looking to build a port of its own in Tierra del Fuego.[35] All in all, the Antarctic is a key building block for China in its quest to become a world power by 2049.

The fight against climate change requires cooperation not just with partners but also with competitors and systemic rivals.

Regarding China's future positioning in the Antarctic, the following scenario is likely: because of its interest in krill fishing, the People's Republic is likely to continue torpedoing the work of the Commission for the Conservation of Antarctic Marine Living Resources. China can be expected to block the establishment of new MPAs, or to only agree to MPAs if they are of short duration. At present, the country has no interest in fundamentally changing the Antarctic Treaty: the People's Republic itself benefits from the status quo, which enables it to further expand its influence in the Antarctic Ocean. However, it is conceivable that China will seek an amendment to the Protocol on Environmental Protection in 2048 in order to open up the possibility of legally extracting raw materials. If China were to start extracting raw materials, this could potentially trigger a chain reaction: the frozen territorial claims would resurface, putting the Antarctic Treaty System at risk or in a worst-case scenario even causing its collapse. The People's Republic itself has no territorial claims, but the Chinese research stations are located in an area that is subject to dormant Australian claims, and this could potentially give rise to a conflict.

Time to Act: Greater Focus on the Antarctic by Germany and the EU

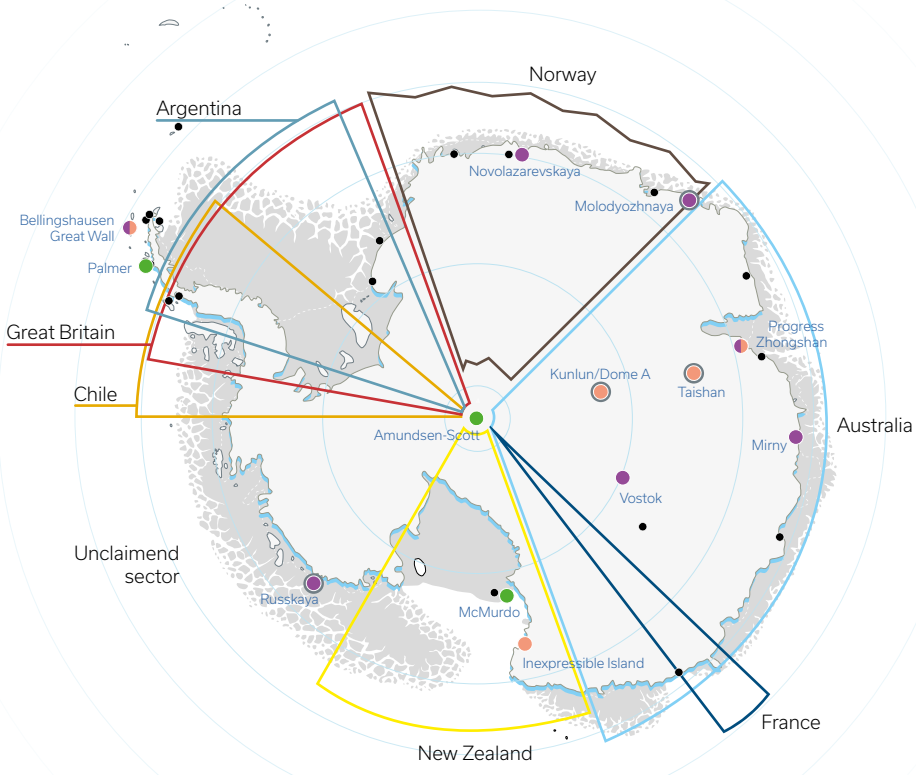
Despite its geographical remoteness, the sixth continent should be a factor in the EU's political considerations. Particular attention should be paid to China. The starting point here could be the EU's new Arctic strategy. Many of the challenges in the Arctic and Antarctic have aspects in common – such as climate change, the increased accessibility of raw materials due to the melting ice, and the interest that external actors show in these same resources. There is a need for a holistic "EU polar strategy" applicable to both the Arctic and Antarctic. This would give the EU member states that are parties to the Antarctic Treaty System pragmatic guidance for their actions, while at the same time enabling the EU to increase its influence as a normative power, thereby promoting sustainability and stability among the Antarctic Treaty states. The Antarctic should also be more in the focus of the European External Action Service through the European Commission's Directorate-General for Maritime Affairs and Fisheries. The position established for the Special Envoy for Arctic Matters should further include the issue of the Antarctic in its portfolio. The Directorates-General for Climate Action and Trade should also be involved. Furthermore, Germany should not overlook the Antarctic in the China strategy it is currently drawing up. China's ambitions must be viewed globally, and Germany needs to coordinate its actions and ambitions with the United States and other democratic partners.

Under the Antarctic Treaty System, the EU and EU member states should continue to work towards climate protection and biodiversity conservation in the Antarctic. This includes promoting the establishment of MPAs in the Commission for the Conservation of Antarctic Marine Living Resources. The latter will not be enough

on its own, however, as illustrated for the sixth time in succession by the vetoes imposed by Russia and China on the establishment of MPAs in 2022. For this reason, MPAs need to be discussed at a higher political level and be put on the agenda at bilateral meetings held by senior German and European politicians with their Chinese and Russian counterparts. The fight against climate change is of global interest: it requires cooperation not just with partners but also with competitors and systemic rivals.

The fact that the EU's engagement in the Antarctic has been somewhat limited is partly due to legal factors, since only nation states may be signatories to the Antarctic Treaty and its Protocol. Nonetheless, the signatories do include eleven EU member states. Instead of financing the infrastructure of national research stations, there should be more joint projects – one example here is Concordia, which is jointly run by France and Italy. Another positive example is the international mission being planned by the Alfred Wegener Institute. In addition, the EU should make funds available, for example, under the scientific research framework programme Horizon Europe, both to improve research coordination among EU members and to provide financial support to non-EU states. Economically crisis-ridden Argentina maintains numerous research stations, although most of these are of low quality. The EU should support Argentina in modernising these bases or establish an EU-Cono-Sur research station with the

Fig. 2: Territorial Claims (Dormant) and Research Facilities in the Antarctic



Research facilities of ● Russia ● China ● the US. ○ Seasonally operated research facilities. ● Other year-round research stations. Sources: own illustration based on Polar-Journal 2000: Gebietsansprüche in der Antarktis, 1 Jan 2000, in: https://bit.ly/3VVwFHZ [16 Feb 2023]; Boulègue 2022, n. 28; The University of Texas at Austin 2009: Polar Regions and Oceans Maps. Antarctic Region (Political) 2009, 803412AI (R02207) 6-09, CIA, in: https://bit.ly/41wLXpu [27 Feb 2023]. Map: © Peter Hermes Furian, AdobeStock.

help of the signatory states, for instance. In addition, the Argentine port of Ushuaia needs investment too. It is only a matter of time before other states fill this gap and bind Argentina to them – not only financially. China is already actively seeking to establish itself in that gateway to the Antarctic. Here, for example, the EU's Global Gateway initiative or the G7 Partnership for Global Infrastructure and Investment could be key alternatives to Chinese investments and the Silk Road initiative.

In addition, better use should be made of the tools available under the Antarctic Treaty. European states need to plan collaboratively when carrying out inspections, targeting Russian and Chinese stations so as to detect violations of the Antarctic Treaty. Supporters of a rules-based multilateral order such as Australia, Argentina, South Africa and Chile should also be included here.

Time may be running out for the Antarctic Treaty System as a peace-making framework. Germany and Europe should be prepared for this and should seek to preserve the Antarctic as a common good of the international community and as a symbol of stability and sustainability.

– translated from German –

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