

“South Africa, Antarctica and the ATS: An Unrealized Foreign Policy Leadership Opportunity”

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Abstract

Although South Africa is a founding member of the Antarctic Treaty, the southernmost continent has played little part in its post-apartheid foreign policy. This article, however, argues that vigorous engagement with Antarctica and Antarctic politics represents an unparalleled opportunity and means for the Republic to simultaneously assert leadership in an increasingly important area of global politics and to address some of its most critical socio-economic problems. It suggests that South Africa, because of its founding member status, is uniquely positioned to be able to advocate for and champion reform of the Antarctic Treaty to achieve greater democratisation of Antarctic governance and the introduction of a bio-prospecting governance framework in the Antarctic commons based on equitable benefit-sharing – two actions that would help reorient South African foreign policy to better meet some of its expressed objectives, and could also generate capital funding revenue for domestic development priorities.

Keywords: South Africa, Antarctica, governance, global commons, democratisation, bio-prospecting

1. Introduction

As South Africa prepared for its fifth general election since the end of the apartheid era, media commentary and analysis focused overwhelmingly on domestic politics and issues of leadership. This is a reflection both of the political events and activities that garnered attention in the period leading up to the election, and the nature of the key issues that surveys demonstrated to be at the forefront of voters’ minds and the target of political parties’ attention. These included: continuing allegations of widespread corruption, including within government; growing inequality in South Africa; high unemployment levels; frustration at the slowness of promised economic change compared to the rapidity with which political change was accomplished in the nineteen nineties; lack of confidence about the future of South Africa in the wake of former President Nelson Mandela’s death; and uncertainty about the ability of the ruling African National Congress (ANC) and its leadership to achieve effective governance of the country (Harris 2014; Massiah 2014; Nkosi 2014).

With domestic priorities uppermost in the minds of voters and politicians, foreign policy received scant attention or scrutiny. Domestic affairs were perceived as more urgent for the country’s future, possessing a salience for voters that foreign policy is currently seen to lack. In the global context, this is not unusual. Foreign policy is not typically an election priority. However, there are good reasons for South Africa’s re-elected African National Congress (ANC) government, the opposition political

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parties, and the electorate generally to carefully consider South African foreign policy and the contribution to the country's international profile and its pressing socio-economic and political issues that reorientation of the country's external affairs to highlight Antarctica and Antarctic politics could potentially achieve.

This paper argues that there is an opportunity for South Africa to take on a leadership role in foreign affairs that could also address, through robust political engagement in southern polar politics and the capital funding that could be generated through use of the Antarctic commons, some of these core domestic issues. That opportunity lies in South Africa's founding state membership of the Antarctic Treaty 1959 and its Consultative Party status in the Antarctic Treaty System (ATS). In this context South Africa, as the only African Consultative Party state and one of the few developing states represented in the ATS decision-making group, is in a unique position to advocate for two changes that would simultaneously place it at the forefront of Antarctic politics, demonstrate its global south bona fide credentials to other developing states, and help deliver on its own domestic socio-economic goals. These changes are, firstly, greater democratization of the ATS governance system and, secondly, the introduction of a governance regime for bio-prospecting of living resources in Antarctic waters.

The paper is structured into five parts. Part One examines the reasons why South Africa should strongly consider reorienting its foreign policy priorities to incorporate ATS leadership. Part Two discusses the ATS and the role that South Africa has played to date in this multilateral regime, while Part Three examines the idea of Antarctica as a commons and briefly outlines the equitable benefit-sharing scheme established for The Area under the UN Convention on the Law of the Sea 1982 and its relevance for the Antarctic commons. Part Four considers the two areas – democratisation and a bio-prospecting governance system - suggested as initiatives for South Africa to promote in the ATS, and the potential for bio-prospecting of living resources to yield resources essential for South Africa's domestic and foreign policy agendas. The fifth and final part of this paper discusses some potential caveats to the proposal, and identifies the initial steps for South Africa in moving to a leadership role in the ATS and introducing the reform initiatives.

Part One: Why should South Africa be interested in ATS leadership and promoting two Antarctic reform initiatives?

In the twenty years since the transformation of South Africa to an inclusive multicultural democracy, the country has undergone many changes, including its foreign policy. South Africa's return to a normalised position in the global community post-1994 was a source of pride internally and approbation externally. As Sidiropoulos (2008, p.108) notes, from 1994-2004 South Africa was the 'favoured returnee to the international community' and, under Presidents Mandela and Mbeki, was active in global fora, including the United Nations Security Council where it occupied a non-permanent position from 2007-2008. Its foreign policy commitments were numerous and wide-ranging, stretching from peace-building in Africa via its efforts in Burundi and the Democratic Republic of Congo, to multilateral engagement through the BRICS (Brazil, Russia, India, China, South Africa) group of states, and greater regional integration through the strengthening of African institutions and architecture such as the African Union, New Partnership for Africa's Development, and Southern African Development Community.

Indeed, 'Afrocentricity' has become the over-arching principle in South African foreign policy and the 'African agenda' the practical manifestation of the principle. What the African agenda comprises is contested, but has been characterised as a 'strategy through which South Africa wishes to be seen primarily as an integral part of Africa, its interests inseparable from those of the rest of the continent' (Bohler-Muller 2012, p.8). A key part of this agenda is an attempt to 'modernise the continent through a focus on political stability and economic growth, and its desire to reform the global order so as to create an enabling environment for African development' (Habib 2009, p.143). In this context, the notion of development is critical, reflecting a priority expressed in South Africa's constitution of establishing 'a society based on democratic values, social justice and fundamental human rights', and improving 'the quality of life of all citizens' (Republic of South Africa Constitution 1996, Preamble). It is also articulated in the notion of 'ubuntu' which, in the domain of international relations, 'recognizes that it is in South Africa's national interest to promote and support the positive development of others' (South Africa Yearbook 2012-13, p.353). Consequently, according to Serrao and Bischoff (2009, p.366), South Africa can be identified as a 'democratic developmentalist state'.

It is these interlinked notions of social justice, human rights and development that should provide a critical basis for South African interest in taking on a larger, enhanced role in Antarctica and Antarctic politics. If the socio-economic and political goals enshrined in the country's constitution and expressed in the ubuntu of foreign policy are to be achieved, South Africa will need to invest a significant amount of resources both domestically and internationally to facilitate progress towards those objectives. That may prove difficult given the current state of the South African economy. While amazing progress has been made since 1994 in lifting the life opportunities of millions of people marginalized under apartheid, there is a long way yet to go (Davids & Gaibie 2011). The World Bank notes that 'pro-poor orientation of public spending has contributed to improved social development indicators' and that South Africa is likely to meet the Millennium Development Goal (MDG) targets in 'primary education, gender, several health indicators and environmental sustainability' (South Africa Overview). However, the 2013 Human Development Report places South Africa at a country ranking of 121 out of 189 countries (UNDP 2013, p.149), still squarely within the global south group of states. What is most striking about analysis of the Republic's socio-economic indicators, though, is the inequality they demonstrate within South Africa. As the World Bank commented in its 2012 report (p.viii),

With an income Gini of around 0.70 in 2008 and consumption Gini of 0.63 in 2009, South Africa stands as one of the most unequal countries in the world. The top decile of the population accounts for 58 percent of the country's income, while the bottom decile accounts for 0.5 percent and the bottom half less than 8 percent....Unemployment stands at 25.2 percent (33.0 percent, including "discouraged" workers), among the world's highest.

While an undoubted legacy of apartheid, the inequalities are persistent, deeply engrained and will require decades of positive government intervention to overcome. This was emphasized in the South African MDG Country Report of 2013 (p.17) which described 'the intractable force and stubbornness of the triple challenge of poverty, unemployment, inequality'. These issues are similarly highlighted in the National Development Plan 2030 introduced in 2012 which aims to 'eliminate poverty and reduce inequality by 2030' (South Africa Government Online, Key Issues – National Development Plan). The difficulties that the government faces in delivering urgent social

services and dealing with the ongoing problem of rising unemployment, as well as the necessity for South Africa to deliver high economic growth rates to help resolve these problems in the years ahead were also confirmed by President Zuma in his speech at the 20 Year Review in early 2014 (Zuma 2014). They are compounded by fractured employment relations in the critical mining sector, rising debt levels, decline in the international value of the rand, and an economy that is now struggling to attract foreign investment - factors at play in the recent announcement that South Africa has been overtaken by Nigeria as the top-ranking economy in the African continent (Ogunlesi 2014; The Economist 2014; Zwane 2014; Mdluli 2014).

There are other reasons, though, which should also incline South Africa to consider taking on a leadership role in Antarctic politics. Critics have pointed to the relative decline and lesser influence of South Africa in international relations in recent years, and a perceived inability in the Department of International Relations and Cooperation (DIRCO) to prioritise the elements of the country's foreign policy. The former criticism relates particularly to three features: loss of the immediate post-apartheid moral stature enjoyed by South Africa (Spies 2012, p.80); the tension between the country's emerging middle power status and role as a regional hegemon versus its ideological commitment to continental and South-South partnership (Alden & Veira 2005, pp.1083-1084; Bond in Spies 2012, p.78); and South Africa's uneasy diplomatic relationship with neighbouring Zimbabwe under the Mugabe dictatorship (Landsberg 2010), while the latter critique rests on two components: the elusive articulation between the national interests of South Africa and the Republic's official foreign policy (Landsberg 2010; Moore 2013), and the unresolved issues of 'priorities, focus and recognition of limitations of both resources and political capital' (Leon 2013, p.450) in the White Paper on South Africa's Foreign Policy (DIRCO 2012).

South Africa, consequently, is in need of redirection in foreign affairs, and considerable resourcing to finance its internal reform and growth projects and to progress its external affairs ubuntu programme. What could be offered by involvement in Antarctic politics along the lines suggested in this article is a way and means for South Africa to recapture the moral high ground in global south politics, take a leadership role in the Antarctic sphere of international relations and, simultaneously, lay the groundwork for a governance scheme for bio-prospecting that would, in the future, generate financial resources from the Antarctic commons for itself and other states, both developing and developed. The next part of this article backgrounds South Africa's involvement in Antarctica and the ATS.

Part Two: South Africa, Antarctica and the ATS

The Antarctic Treaty brought together the twelve states (Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, South Africa, Soviet Union, the United Kingdom, and the United States of America) that had participated in International Geophysical Year (IGY) activities in Antarctica throughout 1957-58, and linked them in a multilateral treaty unlike any other of the Cold War period. The treaty was intended to perpetuate in the frozen continent the cooperative spirit of scientific internationalism that had been the hallmark of the IGY, and also to delimit Antarctica as a conflict-free zone for the future. The latter was an important issue. Antarctica had been the source of territorial contention between three competing states – the United Kingdom, Argentina, and Chile – since Argentina and Chile had asserted in the 1940s sovereign claims in the continent overlapping

with the earlier sectoral claim of the United Kingdom. Increasing tensions among the three states and the threat of armed conflict in Antarctica had led the United Kingdom in 1955 to submit a case to the International Court of Justice for resolution of the dispute (Dodds 2012, p.55). That case did not proceed due to refusal of the other two states to recognise the jurisdiction of the court, but it illustrated the possibility of continuing inter-state disputes over Antarctica, and also underscored the potential for the two superpowers of the era, the United States and the Soviet Union, neither of which had made formal claims in Antarctica but reserved the right to do so, to clash over the continent in the future.

The treaty that was concluded at the Washington conference in 1959 thus included provisions intended to place Antarctica off-limits to future conflicts between states and to also contain issues related to earlier sovereign claims by states on the continent. Accordingly, Antarctica was declared to be a non-militarized, nuclear-free zone – the first one on earth (Antarctic Treaty, Articles I and V) – and dedicated to cooperative international scientific research (Antarctic Treaty, Preamble, Article II). A series of inspections and transparency measures intended to build confidence and trust among the parties supplemented those provisions (Article VII). Additionally, sovereign claims to Antarctica by the seven states with pre-existing claims on the continent (Argentina (1943), Australia, (1933) Chile (1940), France (1924), New Zealand (1923), Norway (1939), and the United Kingdom (1908 & 1917) were effectively frozen, with no claim able to be enhanced, enlarged or pursued during the existence of the treaty (Antarctic Treaty, Article IV (1)). To ensure that no other countries made claims to Antarctica, the treaty also forbade signatory, non-claimant states from asserting sovereignty on the continent (Antarctic Treaty, Article IV (2)).

The Antarctic Treaty also separated signatory states into two groups, the first being the twelve founding members, and the second being states that later acceded to the Treaty. The first group automatically achieved Consultative Party status enabling them to take part in decision-making about the continent and matters under the purview of the Treaty through the mechanism of the regular Antarctic Treaty Consultative Meetings (ATCMs). Members of the second group, though, received Contracting Party status upon accession and could only move to Consultative Party status by fulfilling the terms of Article IX(2) of the Antarctic Treaty which required that such a state would only be eligible for the upgraded status

during such time as that Contracting Party demonstrates its interest in Antarctica by conducting substantial scientific research activity there, such as the establishment of a scientific station or the despatch of a scientific expedition.

The Antarctic Treaty came into being on 23 June 1961 after ratification by the last of the twelve founding states. Over the last six decades the Antarctic Treaty has been supplemented by a series of legal instruments, agreements, and ATCM measures which, collectively, now constitute the Antarctic Treaty System (ATS). These include, inter alia, the 1964 Agreed Measures for the Conservation of Antarctic Fauna and Flora; the 1972 Convention for the Conservation of Antarctic Seals; the 1980 Convention on the Conservation of Antarctic Marine Living Resources, (CCAMLR); the 1988 Convention for the Regulation of Antarctic Mineral Resource Activities, the 1991 Protocol on Environmental Protection to the Antarctic Treaty (PEPAT), and the 2004 Agreement on Conservation of Albatrosses and Petrels.

As one of the original treaty signatories, South Africa has been diligent in acceding to and ratifying most of the other ATS instruments. Several of these have been incorporated into domestic law through the omnibus 1996 Antarctic Treaties Act which includes 'the Antarctic Treaty itself, the Protocol on Environmental Protection to the Antarctic Treaty, the Convention on the Conservation of Antarctic Seals, and the CCAMLR' (Glazewski 2009, p.116).

South Africa's formal scientific participation in the ATS was decided during the Washington conference that brought the Antarctic Treaty into being. At that time, South Africa 'agreed to take over the Norwegian research station on the Princess Martha Coast' in Queen Maud Land, and on 8 January of the following year the renamed station was formally designated as the first South African National Antarctic Expedition (SANAE) base (Dodds 1995, p.62).

South Africa's interests in Antarctica were outlined in 1966 by the Department of Foreign Affairs as fourfold: national security (centred on the idea of containing, as far as possible, the Soviet Union's strategic foothold in Antarctica – a concern that predated the Antarctic Treaty); the potential commercial value of the continent; the importance of Antarctica as a staging post for air communications; and the significance of Antarctic meteorological data for South African weather patterns (Hanekom 2013, pp.44-45, 52-53). Glazewski (2009, p.117) notes that science, particularly 'marine science, has been the mainstay of South Africa's involvement in, and contribution to, the ATS', with the South African research community playing 'a crucial and central role in maintaining South Africa's involvement in the southern polar region, particularly during South Africa's dark days of Apartheid rule and international isolation'. Oceanographic research utilising the South African research vessels, SA Agulhas and the new SA Agulhas II, and research centred on terrestrial biology in the sub-Antarctic Prince Edward Islands (home to a South African research base on Marion Island which also has a weather data collection function) have been particularly important foci of the Republic's research activities (Glazewski 2009, p.118).

The South African National Antarctic Programme (SANAP) has been subject to considerable organizational change since the end of apartheid. As the SANAP website records,

In 2003, Cabinet approved the transfer of the scientific research functions of SANAP from the Department of Environmental Affairs and Tourism (DEAT) to the Department of Science and Technology (DST). DEAT however retained responsibility for all logistics and infrastructure. The name of the Department has since been changed to the Department of Environmental Affairs (DEA). The National Research Foundation (NRF) became the agency responsible for grant making on behalf of the DST (SANAP, 'About SANAP').

Similarly, there has been a move from the four major research components of biological sciences, earth sciences, oceanography and physical sciences to five new 'research themes' – Antarctica: a Window into Geospace; Climate Variability: Past, Present and Future; Biodiversity Responses to Earth System Variability; Engineering a Sustainable Presence in Antarctica; and The History, Sociology and Politics of Antarctic Research and Exploration (SANAP, 'Research'). Consequently, the current objectives of the South African National Antarctic Programme are

to increase understanding of the natural environment and life in the Antarctic and Southern Ocean through appropriate science and technology... in order to optimize present and preserve future options for South Africa in the region and to

enhance predictive capability in areas of relevance nationally and internationally, and will also ensure that South Africa remains party to informed decision-making on matters of national interest (SANAP, 'Our Mission').

Although South Africa has been scientifically active in the ATS since becoming a signatory in 1960, it had a low political profile in ATS affairs even before the end of apartheid in 1994. Cold War conflicts in Mozambique and Namibia were priorities for the country in the 1980s, alongside the problems for the government of attempting to contain the domestic protest campaigns. Consequently, while the ATS was one of the few international fora that apartheid South Africa had not been banned from (Dodds 1996, p.38), and the government regularly sent representatives to ATCMs throughout this time, it played a more limited role in Antarctic governance than its position in the ATS leadership group might otherwise suggest. Rather, South Africa's participation was as a faithful Consultative Party focused on scientific research and upholding the status quo in ATS affairs. This was confirmed during the 'Question of Antarctica' years in the United Nations General Assembly when developing states challenged the ATS as an undemocratic 'club' for rich, developed states and pointed to the presence of apartheid South Africa among the Consultative Parties group as evidence of their allegations about the nature of ATS membership. Although fellow Consultative Parties had condemned the apartheid regime in other international fora, they presented a solid front to criticisms by the developing states. South Africa continued to participate at all the ATCMs and Scientific Committee on Antarctic Research (SCAR) meetings, carried out its duties as one of the five Search and Rescue (SAR) states for the ATS, and sent regular expeditions to its sub-Antarctic station and Antarctic base.

South Africa's credentials as a founding signatory and committed Consultative Party member of the Antarctic Treaty are, therefore, beyond question and this, plus its status as the only African state, one of the very few global south states in the leadership group, and its own remarkable history of democratic transformation places it in an unique position for championing the cause of the global south in the Antarctic Treaty by launching reform initiatives.

Part Three: The Antarctic Commons

Antarctica is an unusual area of the earth. Although it is typically referenced by scholars as an international or global commons (Vogler 1995; Buck 1998), it is also a contested space claimed by seven different countries. Their colonial-era claims have been suspended for the duration of the Antarctic Treaty, but would revive should the Treaty be terminated or become defunct. However, what should be noted in this context is that only their fellow claimant states recognise the Antarctic claims, and not all of them. Argentina and Chile do not recognise the British claim and, conversely, the British do not recognise the claims by the two Latin American countries. Only a tiny number of the international community of states, therefore, regard sections of Antarctica as forming part of 'their' or another country's sovereign territory. For the overwhelming majority of states, Antarctica is a vast southern space that, effectively, can be regarded in the same way as the high seas, the earth's atmosphere, or outer space – that is, as a commons shared by all and possessable by none.

A commons is 'a governance system for using and protecting "all the creations of nature and society that we inherit jointly and freely, and hold in trust for future generations"' (Weston and Bollier 2013, p.124). It is usually controlled and managed by 'a defined community of commoners, directly or by delegation of authority' and, although a state 'may act as a trustee for a commons or formally

facilitate specific commons', the commons itself consists of non-state resources (Weston and Bollier 2013, p.124). Baviskar (2008, p.116) notes that the idea of a moral economy is central to the idea of the commons, deriving from the

...notion that as "ecological " resources, part of a complex web of physical and biological processes, the commons have a transcendental value that exceeds the present and the proximate, encompassing "other living beings on the planet" or "future generations". The commons are thus endowed with a value that transcends their utility to individual users.

The concept of Antarctica as a global commons has been most notably expressed within the United Nations General Assembly by developing states, albeit couched in the phrase, 'Common Heritage of Mankind'. The Common Heritage of Mankind (CHM) concept evokes the commons in that refers to a common patrimony of humankind and is distinguished by similar attributes. Although there is no single definition of CHM, Shackleton (2008, p.103) points out that most definitions share five elements:

First, there can be no private or public appropriation of the commons. Second, representatives from all nations must manage resources since a commons area is considered to belong to everyone. Third, all nations must actively share in the benefits acquired from exploitation of the resources from the common heritage region. Fourth, there can be no weaponry or military installations established in commons areas. Fifth, the commons should be preserved for the benefit of future generations.

The idea of Antarctica as a CHM was pressed vigorously in the UN in the 1980s by developing countries, led by Malaysia. It was generated from the CHM concept embedded in the United Nations Convention on the Law of the Sea (UNCLOS) that was successfully concluded in 1982 after several years of negotiation. Crucially, UNCLOS denotes The Area (that part of the seabed, ocean floor and subsoil beyond national jurisdictions) and its resources (defined in Part XI as 'all solid, liquid or gaseous mineral resources in situ in the Area or beneath the seabed') as forming a CHM (Article 136) and, in Part XI, sets out the governance framework for activities in The Area. According to UNCLOS, activities in The Area are to 'be carried out for the benefit of mankind as a whole' and must take 'into particular consideration the interests and needs of developing States' and non-self-governing peoples (Article 140(1)). Further, Article 140(2) sets up an organization, The Authority, for overseeing activities in The Area and requires that 'The Authority shall provide for the equitable sharing of financial and other economic benefits derived from activities in The Area through any appropriate mechanism, on a non-discriminatory basis'.

The declaration of The Area as a CHM, the instructions regarding activities in The Area benefitting mankind, and the requirement of taking into consideration the interests and needs of the developing world are all consistent with the sentiments expressed in the Preamble to UNCLOS. It is in the Preamble that the rationalization for the language and injunctions of Part XI can be seen most clearly. The Preamble states that the convention is 'an important contribution to the maintenance of peace, justice and progress for all peoples of the world', and that achievement of these goals 'will contribute to the realization of a just and equitable international economic order which takes into account the interests and needs of mankind as a whole and, in particular, the special interests and needs of developing countries'. UNCLOS thus links the resources gained from use of a CHM to a progressive agenda of social and economic advancement, aimed particularly at developing states.

When developing states agitated in the UN for Antarctica to be similarly considered a CHM, they were met with strong resistance by the Consultative Parties to the Antarctic Treaty. The challenge by the developing states regarding Antarctica was not confined solely to declaring Antarctica a CHM. Their critique of the Antarctic Treaty and the ATS was extensive and also included: the exclusive and unrepresentative nature of the decision-makers for Antarctica, the Consultative Parties to the Antarctic Treaty; the financially onerous requirement for acceding States Parties to attain Consultative Party status; the secrecy surrounding the regular decision-making forum, the Antarctic Treaty Consultative Meetings (ATCMs); and the inclusion in the Consultative Parties group of apartheid South Africa. There was also concern among the developing states also that mining would take place in Antarctica in the near future and that the Consultative Parties would, de facto, lock the developing states out from access to Antarctic mining and the financial resources resulting from mining activities in the continent (UN General Assembly 1984, pp.34-38).

Resistance from the Consultative Parties to the suggestion that Antarctic be declared a CHM was unequivocal. Although a number of concessions were made by them to several of the criticisms by the developing states, none was made in relation to the pressure for Antarctica to be declared a CHM. Instead, the parties vigorously defended the status quo of Antarctica in respect to the freezing of sovereign claims for the duration of the treaty, reminded their critics of the pre-Treaty existence of the various national claims and, consequently, affirmed the differential status of Antarctica as compared with areas designated a CHM, such as The Area or outer space (Beck, 1985; Beck 1986; Beck 1989).

In the period since then, the claims of the seven states to sovereignty over sections of Antarctica have remained in stasis, thanks to Article IV of the Treaty, and there is currently no suggestion that any of the seven would renounce those claims. In the event that the Antarctic Treaty was disestablished, then the claims of the seven states would revive. However, since the inception of the Antarctic Treaty many permanent national research bases have been established on the continent, a corollary of the Article IX(2) requirement for acceding states aspiring to Consultative Party status but also, as Elzinga (2013, p.197) remarks, 'a surrogate expression of colonialism'.

These research bases and stations are scattered across the continent, including over all of the claimed areas and, in the case of the United States, at the very centre of Antarctica overlapping each of the claimed sectors. Some states, such as China and India, have multiple bases and are building more, undertakings which can be interpreted as a marker of their growing interest in and focus on Antarctic science, but also as an indicator of their increasing power status in the post-Cold War world.

It is difficult to see, therefore, how the pre-Treaty claims could be practically enforced or given effect in a situation where claimant states reinvigorated their assertions to sovereignty in Antarctica. Indeed, the argument has been recently made that because neither claimant nor non-claimant states have objected to the situation whereby for more than half a century each state with a permanent research base in Antarctica has acted 'as if their bases are sovereign territory' and has applied 'their national laws there, including the right to exclude others', this 'amounts to local customary law, independent of the Antarctic Treaty' (Brady 2012, p.454).

Additionally, there are a number of factors that give added weight in the current era of global politics and international law to the idea of Antarctica as a global commons: modern views of colonial era claims to territory; concepts of environmental rights and environmental justice; contemporary understandings of interdependence and shared trans-boundary problems; and the idea of intra-generational justice and its links to global south development.

A sense of the modern views of colonial era territorial claims can be gauged from a resolution adopted by the United Nations General Assembly resolution in December 1960, one year after the creation of the Antarctic Treaty. Resolution 1514(XV), the *Declaration on the Granting of Independence to Colonial Countries and Peoples*, stated emphatically that the 'peoples of the world ardently desire the end of colonialism in all its manifestations' and proclaimed 'the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations'. Article 6 of the Declaration also affirms that 'Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations'. Despite the lack of an indigenous population or 'dependent peoples', the Declaration can be argued to have application to the sovereign claims upon Antarctica through the breaches of territorial integrity of the continent that they represent, and the determination of claimant states to subjugate and impose their alien will upon the southernmost land.

Concepts of environmental rights, sustainable development and environmental justice, and contemporary understandings of interdependence and shared trans-boundary problems also contribute to the idea of Antarctica as a global commons. Environmental justice takes as its starting point the relationships between human equality and environmental quality, and sustainable development. It posits that 'the problematic distribution of environmental ills, which mirrors the inequity in socio-economic and cultural status' (Schlosberg 1999, p.12) is exacerbated by lack of recognition, or participation, of those invidiously affected by environmental inequities and that, as a result, justice 'requires *both* redistribution and recognition' (Fraser quoted in Schlosberg 1999, p.13). This is consistent with the proposition that the environment is fundamental 'as a prerequisite to the enjoyment of human rights', and growing interest in the interrelationship between human rights and the environment captured in the belief that there should be 'The right to a safe, healthy and ecologically-balanced environment as a human right in itself' (UNEP 2014). Threading through this is sustainable development with its component parts of needs (focused especially on the global south) and limitations. In the words of the Brundtland Report (1987, p.43):

Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two key concepts:

- the concept of 'needs', in particular the essential needs of the world's poor, to which overriding priority should be given; and
- the idea of limitations imposed by the state of technology and social organization on the environment's ability to meet present and future needs.

Intra-generational justice and global south development complement this set of ideas and beliefs in their concentration on contemporary inequalities and the necessity to meet the needs of the world's poorest peoples. While acknowledging that sustainability is a central tenet in any response to global south inequalities, intra-generational justice also recognises the equity deficit in relation to the needs of the living, and prioritises the urgent need to rectify the plight of the millions who lack continued access to even the most basic human necessities.

The links to interdependence and shared trans-boundary problems come through the increased global awareness of humankind's common vulnerability to environmental degradation, and the importance of Antarctica to the earth's ecosystem. Not only does Antarctica hold 90 percent of the world's ice and 70 percent of its fresh water, it is integrally linked to the Earth's climate and ocean systems (SCAR n.d). The continent's significance in scientific investigation of climate change cannot be overstated. The Intergovernmental Panel on Climate Change (2007, p.655) noted that the Arctic and Antarctic were 'the regions with the greatest potential to affect global climate and thus human populations and biodiversity.'

These various elements are integrated in the idea of Antarctica as a global commons. Antarctica can be perceived as a platform for achieving the objectives of equality and justice embodied in environmental rights, environmental justice, intra-generational justice and global south development. Sustainable development provides both the engine for balanced, renewable growth (using the precautionary principle as a basic rule for all activities) and for respecting Antarctica's intensely fragile environment, while interdependence and trans-boundary issues stress both the commonality of the human condition and dependent relationship with the natural environment.

Seen in this context, therefore, there is potential for the idea of Antarctica as a global commons to be revisited. There is also significant potential for the Antarctic commons to be utilized for resource generation along the lines of the model established for The Area in UNCLOS. That is, as a commons area where extraction of natural resources from Antarctic waters is based on a scheme of equitable access and benefit-sharing so that developing states who cannot engage in resource extraction on an equal basis alongside developed countries are not penalized for lack of features such as expertise, capital or capacity.

Finally, the idea of Antarctica as a global commons is given force by the gap between the aspired goals and achieved realities of the UN Millennium Development Goals. Although the MDG timeframe will not expire until 2015, some goals are clearly unlikely to be achieved by the deadline (UN Millennium Development Goals 2014). Given the insistence with which the UN urged achievement of MDGs as a means of 'making the right to development a reality for everyone and to freeing the entire human race from want' (UN General Assembly Resolution 2000, Article 11), and the recognition by the organization a decade later of the 'urgency of paying attention to the many developing countries with specific needs, and the unique challenges they confront in achieving the Millennium Development Goals' (UN General Assembly Resolution 2010, Article 30) plus the ongoing difficulties for many global south states of continuing access to capital funding for critical development programmes (United Nations 2003, pp.5-6; UNDESA 2012), an Antarctic commons represents what may well be the most realistic opportunity for global south states to acquire a revenue source that could generate the resources to tangibly improve life opportunities for their people and one, moreover, in which they would have authority and agency - a contrast to the

contemporary situation where many of those states are reduced to petitioner status with global financial institutions.

Part Four: The Reform Initiatives - Democratisation and Bio-prospecting Governance

Democratisation and a governance regime for bio-prospecting in Antarctic waters are the two measures that are suggested as the vehicle for South African leadership and influence in southern polar politics. The two measures are complementary in that they speak to issues of direct relevance to developing states generally, and express themes of liberation, equality, justice and development that have been common to and historically important in the experience of the global south in the period since the end of World War II. They are also interlinked and mutually reinforcing in that a democratisation initiative would be likely to encourage more global south states to accede to the Antarctic Treaty which, in turn, could add heft and internal pressure for the ATS to introduce a bio-prospecting governance framework based on equitable benefit-sharing.

1. A Democratisation Project

The Antarctic Treaty is often praised for its longevity and history of cooperation among member states. Notwithstanding this, the Treaty has also been criticised for shortcomings of exclusivity in membership, limited and unrepresentative governance arrangements, its neo-colonial character, institutional stasis, and laggardly responses to urgent policy issues (Dodds 2006; Hemmings 2007; Elzinga 2013; Verbitsky 2013). The criticisms made by developing states in the UN in the 1980s about the Antarctic Treaty as a club for privileged, western states have also been reiterated in this century, a clear signal that global south states still perceive themselves as having a lesser status and voice in Antarctic governance arrangements compared to those of the global north (Brady 2012, pp.451-452). The establishment of the Asian Forum for Polar Sciences in 2004 can be seen as a manifestation of this view in the South-East and East Asian regions.

Against this backdrop, the Article IX(2) prerequisite for Consultative Party status in the Antarctic Treaty continues to be a significant obstacle for global south states that lack the means to fund an Antarctic expedition or research programme. On a practical level, even attempting to establish a research base in Antarctica can be fraught with difficulties. As Brady (2012, p.453) notes,

The high cost of research and base building is a crucial important barrier to emerging and developing countries participating in the ATS, as are well-established perceptions that the ATS is an inflexible, inherently unjust, intergovernmental organisation which offers no perceived advantages to weaker states. A further issue is that countries who have made a late start to Antarctic engagement have found that all the most accessible and most of the scientifically interesting locations in Antarctica had bases established on them long ago. This situation was highlighted during the process of the negotiations to set up India's second base in the early 2000s. In 2007, Rask Ravindra, director of India's National Centre for Antarctic and Oceanic Research, complained that trying to find a suitable location for a base in Antarctica was, "... like entering an unreserved compartment in a train to find the seats are taken. They think they were in first, so others must keep out".

The exclusionary cost to global south states of entrée to the decision-making group is, thus, one of the prime issues for a democratization project. It underscores the limited number of global south

states in the Contracting Parties group and emphasizes their paucity among the elite Consultative Parties. Of the 50 signatories to the Antarctic Treaty, 21 are Contracting Parties and 29 are Consultative Parties (ATS Secretariat 2014). Within the Contracting Parties group, only 3 states (Guatemala, Papua New Guinea, and Pakistan) fall into the global south category² and, similarly, 3 states (South Africa, India and China) from the global south are members of the elite Consultative Parties group. The Antarctic Treaty membership, therefore, cannot be said to be globally representative and falls far short of achieving proportionality of membership when it comes to the global south states.

Other issues that would fit comfortably into such a project include - but are certainly not limited to - reconsideration of the consensus decision-making protocol at ATCMs, and strengthening the relationship between the Antarctic Treaty and the UN and other international organizations.

The first issue references Article IX(4) of the Antarctic Treaty which instructs that initiatives voted upon at ATCMs become effective 'when approved by all the Contracting Parties whose representatives were entitled to participate in the meetings held to consider these measures' – in other words, the Consultative Parties group. The wording of Article IX(4) requires unanimity of voting by the Consultative Parties for a measure to be agreed upon but, effectively, the working practice at ATCMs is substantive consensus decision-making by those states. While consensus decision-making may be a less rigorous methodology than unanimous agreement, nevertheless it has very considerable drawbacks when applied to Antarctica's unique governance system. One of the problems with the consensus system is that a minority (and a minority may be a single state) may, effectively, prevent an initiative progressing or hold an initiative hostage to their demands. It can result in the well-known environmental policy phenomenon of watering down of initiatives to the lowest common denominator that relevant countries can accept (Downie 2005, p.72). Additionally, it affords considerable opportunity for allowing national interests to prevail over what Berkman (2010, p.7) has termed 'common interests in the international space of Antarctica'. Because of the presence of claimant states among the Consultative Parties group, there is also an incentive for some states to vote according to what they perceive would be the most beneficial result for them in terms of long-term sovereignty politicking.

The second issue refers to the Antarctic Treaty-international organizations relationships. Article III of the Treaty establishes information sharing, exchange of scientific personnel among Antarctic bases and expeditions, and open exchange of scientific results from Antarctica as means to facilitate international scientific cooperation and investigation in the continent. Article III(2) further states that, in order to implement these features, 'every encouragement shall be given to the establishment of cooperative working relations with those Specialized Agencies of the United Nations and other international organizations having a scientific or technical interest in Antarctica.' There are existing relationships with the UN and its agencies, such as the International Maritime Organization (IMO) and the United Nations Environment Programme (UNEP), but these could be

² The UN Human Development Index (HDI) uses four categories (very high human development; high human development; medium development; and low human development) as a basis for measuring the aggregated data of several indices to produce an overall picture of global progress towards development. On a crude basis, the very high and high human development countries in the HDI can be regarded as forming the global north category, and the medium and low human development countries as comprising the global south (UNDP 2013).

much improved by closer working arrangements to make greater use of the UN's specialist scientific and technical expertise. This could help contribute to faster policy responses by the Consultative Parties on important and urgent matters, and create greater awareness and understanding among different audiences about Antarctic affairs. For instance, the forthcoming mandatory Polar Code for ships operating in Antarctic waters could have been completed many years previously had the Consultative Parties been more willing to work cooperatively with the IMO. Closer working relationships would also provide for greater information-sharing and exposure to a diversity of views between the entities and their members. In a similar vein, there is also the potential to initiate relationships between the ATS and other international organizations, such as the Association for South East Asian States (ASEAN), which has some overlapping membership with the Antarctic Treaty. Establishing a formal relationship between the two and opening up communication and dialogue channels would also be a useful mechanism for disseminating information and sharing ideas and opinions between the organizations and the polities they represent. In turn, with greater exposure to and understanding of Antarctic affairs, more states may decide to join the Antarctic Treaty and their citizens to become involved with Antarctica.

2. A Bio-Propecting Governance Framework

Bio-prospecting is the 'the search for new (and valuable) biological material, biochemical or genetic material' (Tvedt, 2010, p.1). Because of the extreme conditions in the Antarctic and the adaptations that biota have made to survive the conditions, there is much interest from pharmaceutical and biotechnology companies for bio-prospecting in Antarctic waters, and the potential commercial applications from the unique biochemical and genetic materials that exist there. As Tvedt (2010, p.1) has commented, the 'number of patents that include biological material of Antarctic origin is growing rapidly', and the research that produces such patents is likely to increase (UNIAS 2003, p.5).

That the commercial opportunities arising from successful bio-prospecting are lucrative is undeniable. A 2003 report on bio-prospecting by UNU/IAS (2003, p.9) stated that in '2001, the 622 public [biotech] companies generated revenues of \$35 billion, spent \$16 billion in R&D and employed more than 188,000 people'. More recent research (Jorem, 2010, p.1, footnote 5) indicates that 'the global market for marine biotechnology products and processes is estimated at € 2.8 billion for 2010'. However, bio-prospecting does not come cheap. Even the first step in the lengthy process, collection of biological material, is expensive and there is simply no guarantee that a product can eventually be developed from an identified compound. The deep pockets required to fund bio-prospecting thus prohibit all but the most well-resourced institutions and industry (often working together as consortia) from engaging in this type of activity. For instance, UNEP reported to the XXXth ATCM (2007, pp.9-10) that

The companies that have filed patents related to inventions based wholly or in part on Antarctic genetic resources include National Institute of Advanced Industrial Science and Technology (Japan), Omegatech, Inc. (USA), Lipotec S.A. (Spain), Martek Biosciences Corporation (USA), Green Earth Industries (USA), Good Humor-Breyers Ice Cream, a division of Conopco, Inc. (USA), Life Medical Sciences, Inc. (USA), New England Biolabs (USA), Genetics Institute, LLC (USA) and Idea Inc. (USA). In addition, a number of universities, including University of Liège (Belgium), University of Chile, and Third Institute of Oceanography SOA (China) have filed patents related to Antarctic biota.

Bio-prospecting in areas of national jurisdiction occurs under the Convention on Biological Diversity (CBD) 1992 and Nagoya Protocol 2010. In the areas outside of national jurisdiction, though, there is no clear legal framework or environmental governance framework for regulating or monitoring bio-prospecting of living resources – unlike the situation in The Area with non-living resources. This is a disturbing state of affairs, given that bio-prospecting is occurring in commons areas and that all humankind, in consequence, has a stake in what takes place, not just with that set of activities but also its long and short-term impacts on the commons and their downstream effects as well.

In Antarctica the situation is made more complex by the fact that there are two separate, overlapping legal regimes – UNCLOS and the Antarctic Treaty. Both regimes apply to the Southern Ocean and Antarctic waters, although the Antarctic Treaty specifically demarcates the area of its operation in Article VI as being ‘south of 60° South Latitude’. Neither regime trumps the other, although the much larger number of signatories to UNCLOS (166) than the Antarctic Treaty (50) means that a far greater number of states have undertaken to abide by the former agreement (UNDOALOS 2013). In an era of globalization and rise of non-state actors this has implications for the long-term primacy in Antarctic affairs of the Antarctic Treaty and ATS, and the continuing penetration and permeation of the area by commercial non-state entities. As Scott (2011, p.59) has written, this

is becoming increasingly problematic as non-state entities and players affiliated with non-ATS states become increasingly significant Antarctic players. The situation is becoming further complicated by the fact that multilateral treaties addressing global issues are not necessarily sealing off the Antarctic from their area of concern, meaning that even if, in formal terms, the ATS remains the dominant regime governing Antarctica, it may in practice gradually cede influence to these global regimes.

Adding to this complexity is the blurring of the lines between scientific research and commercial activity. Given that Antarctica is a continent dedicated to scientific research, and that membership of the Consultative Parties group rests upon Antarctic scientific research and activity, the advent of bio-prospecting presents a set of unanticipated legal and ethical challenges for the Antarctic Treaty and its membership. As Hemmings (2010, pp.8-9) puts it,

Bioprospecting is grounded in, and has grown out of, Antarctic scientific interests and research capabilities; indeed, at one end it may still be essentially indistinguishable from conventional science, whilst at the other it is clearly an industrial activity. It is not just the latest resource-access issue to hit the Antarctic regions but an activity with particular implications for science as a central pillar of the current Antarctic political regime.

Championing the cause of an Antarctic commons bio-prospecting framework based on equitable benefit-sharing, then, would be a progressive, constructive action not only for the revenue generation opportunities for developing states, but also for the protective elements that need to be built into regulation, monitoring and compliance of bio-prospecting activities in order to prevent the equivalent of unregulated gold-mining in an incredibly vulnerable and critically important environment. The symbiotic relationship between the environment and human rights

further underscores the importance of such an initiative. As the environment is 'prerequisite to the enjoyment of human rights' (Barry and Woods 2013, p.381), a South African campaign for a bio-prospecting framework in the Antarctic commons would have the additional benefit of reinforcing internationally the record of South Africa's own historic rights achievements and of extending its rights activism into the global environmental arena.

Part Five: First Steps for South Africa

The two initiatives suggested as providing a foreign policy opportunity would involve South Africa taking on a leading role in Antarctic politics, and both sponsoring democratisation reform of the ATS and advocating for a governance framework for bio-prospecting in Antarctica based on equitable benefit-sharing. These actions would necessitate a considerable change in South Africa's long-term mode of ATS political participation.

Becoming pro-actively engaged in Antarctic politics, therefore, would be a first step for a South African government to realize this foreign policy opportunity. It would also need to strategically plan to include Antarctica and the ATS as a foreign policy priority for the years ahead and plot out a course in Antarctic politics that could be followed by successive South African governments, even of different political backgrounds. Thus, it would need to create consciousness within the country among the general population and, particularly, the domestic political institutions of the benefits that could accrue to South Africa through greater involvement in Antarctic politics.

Additionally, there would need to be greater coherence between the multiple governmental entities (DEA, NRF, DST) currently involved in Antarctic affairs as well as DIRCO. Ideally, a spearhead group which includes experts from the universities and representatives from the different government departments and agencies could be established to direct and guide the initiative, drawing upon a combined pool of expertise, experience and ability. This would be particularly necessary as a first step towards producing an ATCM position paper on bio-prospecting, and liaising internationally and regionally (both Nigeria and Namibia may be usefully canvassed as possible future signatories to the Antarctic Treaty and their support enlisted) with other potential supporters and allies in this endeavour. South Africa would also need to consider how to position itself with its new agenda in relation to the other Antarctic Treaty Consultative Party states. Carving out a leadership role in Antarctic politics alongside sponsoring reform initiatives vis a vis governance democratization and introduction of an environmental regime for bio-prospecting does not necessarily require that South Africa take up a leadership role on behalf of the developing world, since critiques of Antarctic governance are not generated solely from the developing states. Logically, however, South Africa's position as a developing state that struggled to achieve democratic government and equal rights for all of its people would fit best with a leadership position linked to the developing world. It would also be a leadership position that should be achieved relatively easily. Neither India nor China, the only two other global south states in the Consultative Party group have, thus far, shown any inclination to act as spokespersons for the developing world in Antarctic politics, and there have not been any other states among the group who have competed for that role. South Africa would seem, consequently, to be in a position to take up a leadership role on the behalf of the global south without obvious opposition from Consultative Party states who might covet the role for themselves.

These initiatives would not be uncontroversial. They would undoubtedly reinvigorate international debate about the commons in the 21st century, whether Antarctic waters form part of that

commons, and how to reconcile the two existing legal regimes in the area south of 60° South. Resistance to the proposals could be expected from the seven states that made colonial-era claims on Antarctica and from a number of other Consultative Parties (notably the United States and Russia who have both reserved the right to make claims) who are satisfied with the extant situation. Similarly, resistance could be expected from those commercial entities that would prefer to have an unregulated physical and economic environment in which to pursue their bio-prospecting activities and provide profits for their share-holders. Internal resistance may also be encountered within South Africa from actors comfortable with South Africa's position in the leadership group inherited from the apartheid era, the privileges entailed by that position, and unwilling to undertake more than the minimalist effort needed to maintain that elite status.

These factors should not, however, inhibit South Africa from pursuing this initiative. If South Africa is serious about ubuntu in its foreign policy, then Antarctica and the ATS present an excellent platform to make its mark as a state committed to the positive development of other global south states, the opening up of the Antarctic Treaty and the ATS to global south voices and perspectives, and to be able to use its elite status among the ATCP group to do so. It would also allow South Africa to make strategic alliances with other developing states among the Contracting Parties group, such as Malaysia and Thailand, who are likely to share similar concerns about the need for environmental protection with bio-prospecting and the desire to institute a benefit-sharing scheme a la The Area in UNCLOS. As well, there would be an opportunity to test out the potential of working collaboratively with India and China, as fellow global south ATCPs, on these issues.

In practical political terms, the criticism may be made that South Africa does not have a history of involvement with bio-prospecting and that it would be preferable to focus on other areas, such as fisheries and oceanography, where it has invested time and money and has a better chance of providing a more traditional ATCP type of leadership. It would also be possible to query how much support South Africa would be likely to achieve among the ATCPs for a democratization project. However, such criticism would miss the point of the debate about the state of bio-prospecting currently in which the ATCPs as a group have failed to demonstrate leadership about an activity which is already occurring in the Antarctic area, poses significant challenges to the foundational science pillar of the Antarctic Treaty, and places the world's most pristine and yet most fragile environment at risk. The ATCPs – who claim exclusive competence to decide upon Antarctic matters - have not collectively asserted leadership in regulating bio-prospecting for Antarctica. This offers a window of opportunity for South Africa to step into the breach, promote Treaty-consistent, environmentally protective regulation of bio-prospecting, a global south-supportive pathway for benefit-sharing and, in the process, operationalize and achieve a number of its foreign policy objectives. The caveat about support for democratization also ignores the significance of the symbolism inherent in South Africa challenging the governance architecture of a treaty that has been characterised as colonial-imperial (Dodds 2006; Scott 2011; Chaturvedi 2012), and pushing for reforms that would open the treaty up to a more diverse, globally representative membership and their perspectives. There is political capital among the global south to be gained for South Africa from such actions, particularly in coordination with efforts to recruit more developing states (both regionally and internationally) to the Antarctic Treaty.

In this context, it should be noted that the White Paper on National Environmental Management of the Ocean, released on 28 May, 2014 contains goals and objectives for South Africa that are

consistent with this proposal. The White Paper (2014, p.i) outlines the balance that needs to be met between ‘the economic opportunities which our ocean space affords us’ with the need to preserve ‘its environmental integrity.’ It states (2014, pp.1-2) that ‘[t]he implementation of a coherent and sustainable ocean environmental management policy holds out the possibility of encouraging greater economic development opportunities in the ocean space’, and that contemplated ‘new ocean legislation will set out a modern approach to ocean environmental management’. It goes on to say (White Paper 2014, p.2) that this

approach will allow South Africa to more effectively address the growing challenges posed by the accumulation and aggregation of human impacts on the ocean environment while at the same time maximising the economic development potential that the ocean presents.

Additionally, the Paper (2014, p.18) recognises that South Africa’s position as ‘an original signatory of the Antarctic Treaty’ and sovereign of two sub-Antarctic islands places it in a good position ‘to influence planning and management strategies in the Southern Ocean’ and, therefore, the Republic ‘intends to strengthen its interactions on global environmental management initiatives in an attempt to appropriately influence global strategies...at three levels: South-South and South-North; Antarctic and sub-Antarctic; and regional and continental.’ Consequently, there are strategic priorities identified in the Paper that mesh well with the proposed initiative, notably in the areas of ocean environmental knowledge and ocean environmental integrity. Strategic priorities 2.1 and 2.3 of ocean environmental knowledge and Strategic priority 4.1 of ocean environmental integrity indicate, respectively, that South Africa should:

Produce information tools to facilitate knowledge and understanding of economic potential, the natural functioning of ecosystems, human impact on the ocean environment and the promotion of sustainable development opportunities.

Provide knowledge to promote sustainable development while maintaining the integrity of the ocean.

Cooperate at a national, bi-lateral, regional and international level to advance sustainable ecosystem-based management of the EEZ, Continental Shelf, High Seas and Antarctica (White Paper 2014, p.ii).

Engaging with and facilitating a bio-prospecting and Antarctic Treaty/ATS democratization project under the rubric of the National Environmental Management of the Ocean plan, therefore, would appear to be a useful way of proceeding for the Republic of South Africa and one that would effectively combine a number of complementary objectives and goals.

Conclusion

Put as succinctly as possible, South Africa should be interested in ATS leadership and the reform initiatives because of the potential for such an Antarctic undertaking to help revitalize and cohere the country’s foreign policy by actively sponsoring democratization reforms in the ATS that would benefit the global south, and in future contribute to funding of domestic socio-economic programmes through revenue derived from bio-prospecting in the Antarctic commons.

The reform projects themselves, if successful, would take many years to bring to fruition. However, the benefits for South Africa from Antarctic engagement of this nature would seem, potentially, to

be significant and well worth the effort and time investment. If South Africa is really serious about taking on again a global south leadership position, it would be worth its while to truly look south for inspiration from the seventh continent.

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