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# **Making Tangible Progress on a Strategic Vision for Antarctic Tourism**

# Making Tangible Progress on a Strategic Vision for Antarctic Tourism<sup>1</sup>

## Summary

This paper examines regulation that is specifically applicable to Antarctic tourism, with an emphasis on ship-borne tourism and the protection of the Antarctic environment. A "whole systems" approach is used here to describe Antarctic ship-borne tourism, which involves five elements: tourists, tourist industries, generating regions, transit routes, and destination regions. These five elements combine to enable commercial tourism to occur in practice. Regulation may apply to each of these elements. The paper recommends that key legally binding instruments that are still not fully in force become effective as soon as possible; advance from non-binding to binding regulation in implementing the general principles of Resolution 7, 2009 by means of Measures; identify and address gaps in existing tourism regulation; review and improve how EIA is applied to tourism; and use ASPAs and ASMAs proactively as a tourism strategic management tool.

## 1. Introduction

At ATCM XXXII ASOC introduced IP053 - "Key elements of a strategic vision for Antarctic tourism" - arguing that there is an urgent need for Antarctic Treaty Parties to develop a clear vision of tourism in the Antarctic, and to agree on a tourism strategy that delivers step by step on that vision through time. Building on IP053, this paper identifies how different facets of the tourism system are currently regulated, and which aspects of Antarctic tourism are under-regulated. The paper identifies some gaps in the regulation of tourism, but it does not intend to be a comprehensive gap analysis – rather it is only a first step in that direction.

This paper focuses on regulation that is specifically applicable to tourism, with an emphasis on ship-borne tourism and the protection of the Antarctic environment (one of the terms of reference for the ATME). Shipping regulation, which may be applicable to tourism and also to other types of activities, is mentioned here only summarily as it is the subject of a separate ASOC paper submitted to the ATME.<sup>2</sup>

## 2. A "whole systems" approach to understanding tourism

There is no clear definition of what tourism means in the Antarctic context. Discussing the reasons as to why this is the case are beyond the scope of the paper, but the lack of definition has resulted in a certain lack of clarity as to what is to be regulated and why. In the Antarctic context tourism is generally associated with activities by visitors who are not affiliated in an official capacity with an established National Antarctic Program. However, this broad focus detracts from understanding the scope and extent of tourism as an industrial activity. Consequently, this paper focuses on commercial ship-borne tourism as conducted by private entities.

A "whole systems" approach is used here to describe Antarctic ship-borne tourism. In this framework, tourism involves five elements: tourists, tourist industries, generating regions, transit routes, and destination regions.<sup>3</sup> These five elements combine to enable commercial tourism to occur in practice. This is applied to Antarctic ship-borne tourism as follows:<sup>4</sup>

1. Tourists are the paying customers of commercial tour operators. In ship-borne tourism their activities consist, *inter alia*, of travelling to the Antarctic by ship; enjoying a range of activities and entertainment on board; cruising around scenic areas; and landing at a range of sites to visit local attractions such as penguin rookeries, research stations, and historic sites. However, there is a broader spectrum of more adventurous tourism activities that are based on or supported from ships.

<sup>1</sup> Lead author: R. Roura.

<sup>2</sup> We do not include in this paper domestic regulation implementing Antarctic Treaty instruments relevant to tourism, which may in some instances cover some regulatory gaps of the Antarctic Treaty System, or the industry's voluntary guidelines, which cover many aspects of tourism operations.

<sup>3</sup> Based on Leiper, N (2003): *Tourism management*. Pearson Education Australia, and applied to Antarctic tourism by Roura (in prep.) as reproduced on ASOC (2009) *Key elements of a strategic vision for Antarctic tourism*. ATCM XXXII, IP053.

<sup>4</sup> This paper focuses on ship-borne tourism, however this scheme is applicable to all forms of Antarctic tourism and this was the analysis made in ATCM XXXII, IP053.

2. Individuals and companies involved professionally as organisers and operators of travel programs to the Antarctic constitute the commercial tourism industry. The tourism industry includes ship operators, land-based operators, ship agents, travel agents, and travel companies. Tour operators are the providers of a broad range of services and “products”, from the mainstream to the adventurous. Some services and “products” focus on Antarctic values and experiences, while others focus on activities such as kayaking or marathons that are not specifically Antarctic.
3. The generating regions can be anywhere in the world where Antarctic tourists originate, where tour operators are based, or where vessels engaged in Antarctic tourism are flagged. These various actors congregate at Antarctic “gateway” locations from where most Antarctic cruises depart to the Antarctic.
4. The transport regions are located in between generating regions and Antarctic destinations. They encompass parts of the Southern Ocean south of 60° S as well as along well-travelled shipping coastal corridors such as the NW Antarctic Peninsula. Transport is in some instance synonymous with the tourism activity as, for instance, in “scenic cruises”.
5. The destination regions can be anywhere in the Antarctic Treaty Area. At present tourism activities tend to concentrate along the Antarctic Peninsula and in the Ross Sea, with cruising and sporadic landings elsewhere on the continent and surrounding islands. There are spatial hierarchies in the destination regions: for instance, the Antarctica Peninsula can be regarded as a destination region, but within this region there are several specific areas where dozens of tourism destinations are clustered.<sup>5</sup> The use, frequency, and development of landing sites vary both temporally and spatially at a regional level and within regions.<sup>6</sup>

### **3. Antarctic Treaty System regulation relevant to commercial ship-borne tourism**

A search through the Antarctic Treaty Database of the relevant keywords provided the following results (excluding Decisions, instruments that refer to past events, and those that are no longer current):<sup>7</sup>

- 24 instruments under the category “tourism”;
- 12 instruments under the category “environmental protection” directly relevant to tourism, excluding some of the older environmental regulation and instruments not relevant to tourism;
- 6 instruments under the category “marine pollution” relevant to tourism; and
- 4 instruments under the topic (subcategory) “shipping” directly relevant to tourism.

Some of the same instruments appear under several search terms. Overall, according to the terms used here to search in the Antarctic Treaty database there are more than 40 Antarctic Treaty instruments directly or indirectly applicable to ship-borne tourism, of which 29 were adopted in 1991 or later, that is, after the adoption of the Protocol of Environmental Protection to the Antarctic Treaty.

Many of these instruments request action by Parties rather than by the tourism industry. Only four of instruments adopted in 1991 or later are legally binding (including the Protocol and Annexes I-V). Thus, there are few legally binding instruments applicable to tourism besides the Protocol and its Annexes, which are substantial regulatory instruments. Three of the remaining four legally binding instruments are not yet effective: Measure 4 (2004),<sup>8</sup> Measure 15 (2009),<sup>9</sup> and Annex VI to the Protocol.<sup>10</sup> To the extent that these

<sup>5</sup> According to IAATO’s analysis of tourism statistics “...approximately 200 sites including 20 research stations have been visited in the Antarctic Peninsula region since 1989. About 50 of these sites have received more than 100 visitors in any one season and about the same number have been visited just once. A cursory examination of the tour data indicates that visits are concentrated at less than 35 sites. Less than 10 sites receive around 10,000 visitors each season, and Port Lockroy ...receives over 10,000 visitors annually.”

<sup>6</sup> Argentina (2006) *Tourism development in the Antarctic Peninsula: A regional approach*. XXIX ATCM, IP031, Serrano (2006). *Tourism in the South Shetland Islands: Recent changes in local destinations and activities*. *Tourism in Marine Environments* 4 (2-3):221-236.

<sup>7</sup> In the Antarctic Treaty database the search terms are organised according to two hierarchical lists named “categories” and “topics” (or sub-categories).

<sup>8</sup> The Parties whose approval is needed for the Measure to enter into effect are Argentina, Australia, Brazil, Bulgaria, China, Ecuador, Finland, Germany, India, Italy, Korea (ROK), Norway, Peru, Russian Federation, Spain, Sweden, United States, and Uruguay (source: Antarctic Treaty Secretariat [www.ats.aq](http://www.ats.aq), accessed 30 October 2009).

instruments have a key role in tourism regulation they are still not still fully in force. Even one of the earliest tourism instruments, Recommendation XVIII-1 (Kyoto, 1994), has not yet become effective.<sup>11</sup>

Resolution 7 (2009) promises that tourism regulation will be developed so that a consistent tourism management framework is achieved. ASOC contends that this should be done within a reasonable time frame, and that tangible progress should be made at each of the ATCMs following the adoption of this Resolution. In addition, the Resolution suggests that a pragmatic precautionary approach that incorporates an evaluation of risks should be used to make decisions on tourism in the absence of adequate information about potential impacts. In ASOC's view this approach should guide the development of a consistent tourism regulatory framework.

These instruments affect the five elements of the tourism whole system as follows:

- Regulations affecting the *tourism industry* may demand actions that the industry has to do before, during, and/or after an expedition. Some instruments are generic; others may affect where the industry conducts its activities and how activities should be conducted, but this type of regulation is generally restricted to specific sites or specific activities (e.g. ASMA management plans, site specific guidelines; tourism landings).
- Regulations affecting *tourists* include guidelines on specific behaviours, particularly how activities should be conducted generically (Recommendation XVIII-10) and at some specific sites (site specific guidelines).
- Regulations affecting the *destination region* indicate how tourism activities may or may not take place (through e.g. site specific guidelines), and to a lesser extent *where* they may or may not take place (through the establishment of ASPAs and through some ASMA management plans).
- Regulations affecting the *transport region* concern mostly environmental protection and shipping requirements concerning, for instance, waste and sewage disposal;
- Regulations affecting the *departure region* concern some pre- and post-expedition requirements such as exchange of information, Environmental Impact Assessment (EIA), and insurance and contingency planning. Plainly rather than affecting the region itself this is where some requirements are met before or after an expedition.

Appendix 1 details how several key regulatory instruments affect the various components of the tourism system. For details on required improvements of standards of Antarctic shipping, which affect the transport and destination region (and in some instances the departure region) refer to ASOC's companion ATME paper.<sup>12</sup>

#### 4. Closing remarks: A way forward

As noted previously,<sup>13</sup> ASOC recognises the positive discussions and developments that have taken place in the context of the ATCM and of the industry itself, which have resulted in certain hortatory standards being adopted, and two mandatory obligations not yet in force, aside the liability annex which is relevant to tourism and also not yet in force. However, these do not amount to a comprehensive tourism management regime, do not yet impose any legal obligations, and have not curbed the growth trajectory of the industry in any respect.

<sup>9</sup> As of October 2009 no Party had approved this Measure (source: Antarctic Treaty Secretariat [www.ats.aq](http://www.ats.aq), accessed 30 October 2009).

<sup>10</sup> The approval details for Annex VI of the Protocol are not apparently available from the Antarctic Treaty Secretariat website. To ASOC's knowledge only two or perhaps three Parties have ratified Annex VI to date.

<sup>11</sup> The Parties whose approval is needed for the Measure to enter into effect are Ecuador and Korea (ROK) (source: Antarctic Treaty Secretariat [www.ats.aq](http://www.ats.aq), accessed 30 October 2009).

<sup>12</sup> *Antarctic ship-borne tourism: Perspectives on shipping issues*.

<sup>13</sup> ASOC (2008) *A decade of Antarctic tourism: Status, change, and actions needed*. XXXI ATCM, ASOC IP041.

Components WST Legal instruments	Effect on tourism industry	Effect on tourists	Effect on transport region (within ATA)	Effect on destination region
	reasonable preventative measures; establish contingency plans; take prompt and effective response action.			
Measure 4 (2004) – Tourism and non-governmental activities	Required to comply with certain obligations and meet certain operational standards		It does not necessarily prevent environmental damage but minimises the risk of accidents and ensuing environmental impacts	
Measure 15 (2009) – Landing of persons from passenger vessels	Must comply with limits on passenger landings and ratio guides-passengers			Prevents the simultaneous and consecutive landing of a very large numbers of passengers land. May curb the number of visitors but it does not necessarily prevent cumulative impacts.
Site specific guidelines (several Resolutions)	Need to implement use of guidelines	Encourages tourists to behave in certain ways		Provide guidance on generic forms of behaviour at certain sites. Do not address cumulative impacts.
Monitoring (Protocol, Annex I, several Resolutions)				May detect environmental impacts from Antarctic tourism. Application is limited to certain sites and largely dependent on individual Parties' willingness and ability. There are no methodology and monitoring protocols to investigate the impacts of tourism.
Recommendation XVIII-10 – Guidelines for tourism	Required to implement use of guidelines	Provides guidance on generic forms of behaviour.		Provides guidance on forms of behaviour adequate for all sites. Does not address cumulative impacts.
Resolution 7 (2009) – General principles of Antarctic tourism	Cooperation with Parties and among tour operators and to share best practise on environmental and safety management issues			Establishes that tourism should not be allowed to contribute to the long-term degradation of the Antarctic environment.