



Department of Defense INSTRUCTION

NUMBER 2000.06
October 11, 2005

USD(P)

SUBJECT: Conduct of Operations in the Antarctic Treaty Area

- References:
- (a) DoD Directive 2000.6, "Conduct of Operations in Antarctica," June 3, 1980 (hereby canceled)
 - (b) Acting Deputy Secretary of Defense Memorandum, "DoD Directives Review – Phase II," July 13, 2005
 - (c) DoD Directive 5111.1, "Under Secretary of Defense for Policy (USD(P)," December 8, 1999
 - (d) Antarctic Treaty, 12 UST 794; TIAS 4780¹
 - (e) Protocol on Environmental Protection to the Antarctic Treaty, 30 ILM 1460 (1991)

1. REISSUANCE AND PURPOSE

This Instruction:

1.1. Reissues Reference (a) as a DoD Instruction as authorized by References (b) and (c).

1.2. Requires the DoD Components to comply with the terms of the Antarctic Treaty (Reference (d)), which was signed by the United States on December 1, 1959 and became effective on June 23, 1961; and with the Protocol on Environmental Protection, including Annexes I through V (Reference (e)). (The Protocol and Annexes I-IV were adopted on October 4, 1991, and became effective on January 14, 1998. Annex V entered into force on May 24, 2002.)

2. APPLICABILITY AND SCOPE

This Instruction:

¹ For copies of References (d) and (e) please contact the Office of the Under Secretary of Defense for Policy/International Security Policy

2.1. Applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the “DoD Components”).

2.2. Applies to the Antarctic Treaty Area, which is the area south of 60 degrees South Latitude.

3. POLICY

It is DoD policy that the terms of the Antarctic Treaty shall be observed by the DoD Components involved in planning for, conducting, or participating in operations in the Antarctic area, as defined in Reference (d). Extracts of the provisions are identified in Enclosure 1. In addition, the terms of Reference (e), including Annexes I through V, shall be observed by the DoD Components.

4. RESPONSIBILITIES

4.1. The Assistant Secretary of Defense for International Security Policy, under the Under Secretary of Defense for Policy, shall ensure the DoD Components comply with the requirements of this Instruction.

4.2. The Heads of the DoD Components shall adhere to the provisions of this Instruction.

5. EFFECTIVE DATE

This Instruction is effective immediately.



Ryan Henry
Principal Deputy Under Secretary of Defense for Policy

Enclosure - 1

E1. Extracts of Provisions of the Antarctic Treaty of Direct Operational Concern to the Department of Defense

E1. ENCLOSURE 1

EXTRACTS OF PROVISIONS OF THE ANTARCTIC TREATY OF DIRECT
OPERATIONAL CONCERN TO THE DEPARTMENT OF DEFENSE

Article I

1. Antarctica shall be used for peaceful purposes only. There shall be prohibited, *inter alia*, any measures of a military nature, such as the establishment of military bases and fortifications, the carrying out of military maneuvers, as well as the testing of any type of weapon.

2. The present Treaty shall not prevent the use of military personnel or equipment for scientific research or for any other peaceful purpose.

Article III

1. In order to promote international cooperation in scientific investigation in Antarctica, as provided in Article II of the present Treaty, the Contracting Parties agree that, to the greatest extent feasible and practicable:

(a) Information regarding plans for scientific programs in Antarctica shall be exchanged to permit maximum economy and efficiency of operations;

(b) Scientific personnel shall be exchanged in Antarctica between expeditions and stations;

(c) Scientific observations and results from Antarctica shall be exchanged and made freely available.

2. In implementing this Article, 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.

Article V

1. Any nuclear explosions in Antarctica and the disposal there of radioactive waste material shall be prohibited.

2. In the event of the conclusion of international agreements concerning the use of nuclear energy, including nuclear explosions and the disposal of radioactive waste material, to which all of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX are parties, the rules established under such agreements shall apply in Antarctica.

Article VI

The provisions of the present Treaty shall apply to the area south of 60 degrees South Latitude, including all ice shelves, but nothing in the present Treaty shall prejudice or in any way affect the rights, or the exercise of the rights, of any State under international law with regard to the high seas within that area.

Article VII

1. In order to promote the objectives and ensure the observance of the provisions of the present Treaty, each Contracting Party...shall have the right to designate observers to carry out any inspection provided for by the present Article. Observers shall be nationals of the Contracting Parties which designate them. The names of observers shall be communicated to every other Contracting Party having the right to designate observers, and like notice shall be given of the termination of their appointment.

2. Each observer designated in accordance with the provisions of paragraph 1 of this Article shall have complete freedom of access at any time to all areas of Antarctica.

3. All areas of Antarctica, including all stations, installations and equipment within those areas, and all ships and aircrafts at points of discharging or embarking cargoes or personnel in Antarctica shall be open at all times to inspection by any observers designated in accordance with paragraph 1 of this Article.

4. Aerial observation may be carried out at any time over any or all areas of Antarctica by any of the Contracting Parties having the right to designate observers.

5. Each Contracting Party shall, at the time when the present Treaty enters into force for it, inform the other Contracting Parties, and thereafter shall give them notice in advance, of:

(a) All expeditions to and within Antarctica, on the part of its ships or nationals and all expeditions to Antarctica organized in or proceeding from its territory.

(b) All stations in Antarctica occupied by its nationals; and

(c) Any military personnel or equipment intended to be introduced by it into Antarctica subject to the conditions prescribed in paragraph 2 of Article 1 of the present Treaty.

Article VIII

1. In order to facilitate the exercise of their functions under the present Treaty, and without prejudice to the respective positions of the Contracting Parties relating to jurisdiction over all other persons in Antarctica, observers designated under paragraph 1 of Article VII and scientific personnel exchanged under subparagraph 1(b) of Article III of the Treaty, and members of the staff accompanying any such persons, shall be subject only to the jurisdiction of the Contracting Party of which they are nationals in respect of all acts or omissions occurring while they are in Antarctica for the purposes of exercising their functions.