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**XXVI ANTARCTIC TREATY**  
CONSULTATIVE MEETING

**XXVI TRAITÉ SUR L'ANTARCTIQUE**  
RÉUNION CONSULTATIVE

**XXVI ДОГОВОР ОБ АНТАРКТИКЕ**  
КОНСУЛЬТАТИВНОЕ СОВЕЩАНИЕ

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## TOURISM ISSUES

**Madrid, 9/20 de junio 2003**



## **TOURISM ISSUES-**

Since 1991 IAATO has developed numerous procedures and environmental guidelines to minimize impacts in Antarctica. These same procedures have been applied to the Arctic, Amazon and other areas our expedition vessels visit. If parties are concerned about growing numbers of ship-based tourism, it could be worth looking at the “Recommended Practices” IAATO has successfully implemented for the last 12 years. IAATO Members are committed to safe and responsible private - sector travel to the Antarctic. IAATO is a group of professional experienced tour, ship and aircraft operators and have been curiously committed to self-regulation, have addressed the growing trends in the tourism industry and the protection of Antarctica and its dependant and associated ecosystems.

IAATO recognizes gaps in the present system. These include special areas of concerns and perceptions that cause misinformation in the market place. Misconceptions about Port State Controls are also raised in this paper. These comments were also brought forward during the Port State discussion at ATCM XXV.

### **1. Recommended Practices**

IAATO’s approach in limiting and managing Seaborne Antarctic Tourism activities includes promoting sensible guidelines and best practices, as listed below. Among others currently in practice, as included in IAATO Bylaws, they could be converted into a formal Treaty document that would thus have more significance and influence among not only Consultative Parties but also Non-Consultative Parties in countries where tour operators are based, whether the company is a member of IAATO or not.

- a. No more than one ship landing tourists at one place at one time
- b. Exchange of itinerary information prior to the season and active communication between ships during the season to avoid ships appearing at the same sites at the same time
- c. No more than 100 tourists plus expedition staff ashore at any one time at any one place
- d. Ships carrying over 500 passengers should be cruise only and not land tourists
- e. Ships between 200-500 passengers are subject to stringent landing restrictions based on time and place. (See IAATO Site Specific Guidelines ATCM XXVI IP)
- f. A ratio of 20 tourists to one experienced staff member ashore
- g. Wildlife Watching Guidelines
- h. Site Specific Guidelines (as proposed)
- i. Support the United Kingdom’s approach of allowing only IAATO-member operators to land tourists at stations and encourage other parties to adopt the same procedures.
- j. Forward all Post Visit Site Reports to US NSF and IAATO for compilation into the tourism data statistics.

- k. Urge all tour operators to adhere to the Environmental Protocol despite the absence of domestic legislation.
- l. No smoking or eating ashore for standard peninsula-based operations, except for emergency rations included in survival gear.
- m. Compliance is done through various reporting mechanisms, annual attendance of IAATO Meetings, regular updates on policies and procedures, effective communication amongst its members, Post Visit Site Reporting, committees addressing specific areas (e.g. Site Guidelines, Membership, etc.) and various workshops.

## **2. Specific Areas of Concern**

- a. A large ship operator presently located and organized in a Non - Consultative Party country has not offered any information on its activities, despite numerous attempts of communication through various regional offices. We assume they are not landing passengers. The responsibility is now fully on the party to assure that this operator has met all it's domestic legislation and the Environmental Protocol.
- b. As a corollary to the above-mentioned situation, some Non-IAATO operators are based in countries where Consultative Parties have not consistently enforced the Environmental Protocol in relation to tourism.
- c. Two large ships carrying over 500 passengers have plans to land tourists in the Antarctic Peninsula in the 2003-04 season.
- d. Non – IAATO operators do not necessarily communicate consistently with the network of ships, sailing vessels and or aircraft to ensure that no two ships are in the same place at the same time, thus compromising related safety measures. They are also not contributing to the high standards of efforts being done towards mitigating and measuring cumulative impacts or developing best practices. Non - IAATO operators land more passengers ashore than IAATO Guidelines and Bylaws allow, and also do not adhere to all terms of Recommendation XVIII-1. Some companies also do not submit Post Visit Site Reports, which are therefore not incorporated into the overall statistics. Non - IAATO operators are often not aware of updated information on protected areas or operational information with regard to best practices, even though IAATO attempts to circulate such information to all Members and non-Members alike. The burden is then often placed on the Government in which the operator is based in order to ensure that the company has all relevant information. This is an uncommon situation, but one is ‘too many.’ Sailing vessels and the three large ships operating in 2003-04 comprise unknowns presently.
- e. Tourists sailing on Government (Treaty Party) vessels are not necessarily provided with Recommendation XXVIII-1, nor in some cases are their expedition staff aware of this essential document, or else do not enforce it. Post-cruise reporting is mostly not done in these situations, thus resulting in under-reporting of statistics.
- f. A Non -IAATO member / NGO operated a helicopter off their vessel in the Peninsula during 2002-2003. A few days prior to departing from Ushuaia, the helicopter pilot did not have any flight information to reference, such as the AFIM. Nevertheless, a Consultative Party approved the required EIA. Both Treaty Parties and IAATO must work together to be aware of all proposed activities in order to ensure that companies operating in Antarctica are well prepared, and have taken all appropriate steps to avoid potential mishaps. IAATO is not aware of a Post Visit Site Report from this vessel operation. Addressing overall cumulative impacts isn't possible if a complete range of human activities are reporting at tourist landing sites.

- g. It is very difficult to obtain domestic legislation from some governments on their visitor requirements. The best source at present is Polar Updates published by Poles Apart. [www.polesapart.org](http://www.polesapart.org). Governments are urged to make their domestic legislation more readily available so that tour operators can assure they are adhering to national laws.
- h. Government sponsored tourism – other issues:
  1. Lack of transparent reporting of the activities in a central forum
  2. Assuring that adequate insurance is provided for search and rescue
  3. Occasional lack of EIA's for the tourist activities.

### 3. Confusing Perceptions

- a. A single overall number for tourists going to Antarctica shows market trends but is meaningless unless one examines carefully with respect to location of activities, how long tourists spend ashore, and the procedures in place to minimize potential impacts if that is what the concern is. For example, five hundred tourists in the Ross Sea sector during a summer season have little to do with what is happening in the Peninsula region. Locations and numbers are entirely different. One needs to be clear when referring to numbers if it is simply an analysis of market trends or if there is concern with regard to impacts.
- b. Numbers of people landing ashore also need proper interpretation. For example, a person can be ashore for 10 minutes or as much as 2-3 hours, so the total numbers of tourists indicate a prospective market, along with trends and an interest in Antarctica but they don't necessarily equate to environmental impacts because of the vastly different figures for shore-time.
- c. If best practices are in place there could feasibly be thousands of tourists ashore during a season, depending on locations and other factors. The 'loading factor' is highly dependent on wildlife (fauna and flora) at a particular shore location.
- d. Despite numbers of tourists increasing, tourism in the Antarctic Peninsula has produced very little discernible impact over the last 35 years and because of best practices developed by IAATO as the numbers of tourist began to increase.
- e. There is a substantial amount of misinformation in all the news services. Fact checking is important before assumptions or policies should be developed.
- f. National programs build stations, roads, operate drilling rigs, import trucks, Sno-cats, and other vehicles, operate aircraft, import fuel, and related materiel associated with a full-time presence. There are 83 stations with some sort of permanent structures and more man-hours ashore than tourist operations. Ship operators have none. IAATO - Member land - based ANI operates the only seasonal only summer camp, and in the interior where there is no wildlife. On the other hand, some Governments have been providing infrastructure for tourist operations, and governments are considering additional facilities.
- g. During the 2002-2003 season there were 49 Government vessels listed on the COMNAP Antarctic Communications Directory-MINIATOM and by IAATO 24 tourist vessels (not including the small sailing vessels or yachts) that could have operated in Antarctica. Despite rumors in the market place all tourist vessels are well insured.
- h. Tourism is being regulated in numerous ways. All companies, aircraft and ships have numerous regulatory mechanisms (ATCM XXV IP 85) in place, although there are gaps that could be addressed.

- i. Individual “one off” expeditions should not be confused with responsible tour operations and need to be addressed and dealt with separately from the tourism industry.

#### **4. Port State Controls --Concerns about Inaccurate Perceptions**

- a. All ships go through Port State Inspections when they arrive in the Zone of South America, Australia, South Africa etc. You can't leave for Antarctica from South America, for example, without going through a Port State Inspection. Port State Inspections are not limited to tour ships.
- b. The assumption that a flag of convenience equates to little or no regulatory control is incorrect. If there are particular countries where this is an issue IAATO suggests this be raised. All IAATO tour ships are subject to stringent inspections.
- c. The use of "flags of convenience" is not to avoid "burdensome regulation" but is to allow crew of various nationalities on board, and reduce crew costs. That being said, the recent increase in the power of port-state inspections certainly has helped to rid the sea of sub-standard ships. But Port State Controls and inspections are only as good as the inspector who walks up the gangway. This has led to situations, especially in third-world ports, where inspection is often non-existent. Failure of port-state control in those countries is not from national disinterest, but rather from a lack of trained inspectors and funds to support them. Forcing "gateway" ports to shoulder the burden of training and supporting a team of Antarctica port inspectors could cause a significant cost burden on port facilities above and beyond what it would be able to charge. It is unlikely that any country would be able to recoup the entire cost from Antarctic tour operators. The industry is too small.
- d. Inspections of ships from Third Party Flags of Convenience are often more stringent because of the perception that those countries are lenient.
- e. If the concern were with Open Registers then it would be worth listing those countries in order to draw attention to those that are problematic.
- f. The role of the Classification Society is often overlooked in Port State discussions. Almost all open registry states use the Class Society to look after their interests. The Class Society does the inspections at dry-dock, as well as during the year for various reasons. Any classification society that belongs to IACS, the International Association of Class Societies, is extremely reliable, very knowledgeable and uncompromising, as for example, the US Coast Guard is in the case of US ships. It is first and foremost the Class that looks after regulatory compliance, not the flag or the port.
- g. There are not an increasing proportion of tour operators in the region from third party states not bound by the Antarctic Treaty or the Madrid Protocol. With the exception of Canada and now Greece all commercial tour companies are organized in Consultative Party Countries. Beginning in 1992 there was one ship operating company based in Canada, which ceased operation in 2001. This company, however, submitted EIA's, was a member of IAATO, and complied with the Protocol in absence of Government legislation relating to the Protocol. There were no such companies in 2002-03. Unless tour companies are based in countries that are not Party to the Treaty this becomes irrelevant, because a tour company based in a Consultative Party country would then be required to comply with the Protocol according to domestic legislation. That said a tour company could set up anywhere in the world. Marketing however is important as nearly all the tourists are coming from Consultative Parties and so therefore a company setting up elsewhere in the world

would have unfair marketing advantage. Ships carrying tourists must have a full range of certificates and insurance, especially in this litigious world.

- h. Simply because a ship is Port State inspected does not necessarily guarantee that the Officers, expedition staff and crew are experienced and trained to work in the Antarctic, or are capable of adhering to the Protocol. A port - state inspection in one of the gateway ports will have little influence on how tourism is actually managed in Antarctica, because the people – experienced staff and crew – are a vital part of the operation. Without them, the inspection carries little value. It would address hull, machinery however but that is already addressed in regular Port State Inspections.
- i. IAATO has successfully self-regulated for many years however it has no relevancy to whether or not the ships are not up to standard. There is a mixing of concepts here. International Shipping Standards are separate and independent of what types of IAATO procedures have been developed. Ships carrying tourists have to comply with internationally recognized maritime standards, otherwise they could not sail.

### **The way forward?**

IAATO recommends to that Antarctic Treaty Parties consider formally adopting IAATO's recommended practices as noted above and establishing an appropriate formalized document. IAATO is prepared to discuss these with Treaty Parties in detail and assist in organizing relevant content into the required format.

Consider adopting effective Antarctic Shipping Guidelines in order to assure that the most appropriate vessels are visiting Antarctica at appropriate times and places.