

formulating and considering, as well as recommending to their governments, measures to further the principles and objectives of the Treaty. Article XII provides for a review conference thirty years after the Treaty's coming into force.

Prior to the beginning of international cooperation for scientific research, a number of states had already made claims of sovereignty over part of Antarctica. Article IV of the Treaty basically "freezes" the claims to sovereignty and jurisdiction of interested states. Under this provision, the Treaty does not have the effect of a renunciation by any contracting party of previously asserted rights or claims to territorial sovereignty. Furthermore, no new claims or enlargement of any existing claims shall be asserted while the Treaty is in force (Article IV(2)).

Concepts embodied in the Antarctic Treaty, such as the use of this area for peaceful purposes only, the freedom of scientific investigation, the promotion of international cooperation and the exchange of information and scientific personnel constitute examples of provisions which may be of relevance to the subject of arms control and outer space. The Antarctic Treaty is an example of the contribution that international law can make in ensuring a safer world.<sup>13</sup>

iii) The Partial Test Ban Treaty (1963)

Concern for radioactive fallout caused by nuclear testing was one of the strongest motivating forces behind the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water.<sup>14</sup>

It developed between 1958 and 1962, with negotiations eventually being conducted in the Eighteen Nation Disarmament Committee (ENDC). Lack of progress in this forum led to private negotiations which resulted in the Treaty. The ENDC and its successors have considered but have not concluded an agreement to ban all nuclear tests.

The direct effect of paragraphs 1 and 2 of Article I is such that it is illegal to carry out a nuclear explosion in outer space:

1. Each of the Parties to this Treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other