

the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

ii) Antarctic Treaty (1959)<sup>4</sup>

During the International Geophysical Year (IGY) of 1957<sup>5</sup> the international scientific community conducted a number of studies of man's environment - the earth, the oceans, the atmosphere and outer space. The guidelines for the IGY contained several ideas which were later incorporated in the Antarctic Treaty of 1959, and some of these basic provisions served as precedents for later treaties particularly the 1967 Outer Space Treaty, the 1967 Treaty of Tlatelolco, the 1971 Seabed Treaty, and the 1979 Moon Treaty.

Two of the main purposes of the Antarctic Treaty were to ensure continuation of scientific cooperation and to avoid the militarization of the continent. In regard to the latter, the suitability of Antarctica for nuclear tests and the testing of other military equipment provided a strong incentive to prohibit the military use of Antarctica.

The preamble to the Antarctic Treaty recognized "that it is in the interest of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord" indicating that the parties intended to create a legal regime for this area which would ensure peace on the continent and facilitate international cooperation.

In its operative part, the Treaty seeks to preserve a non-militarized status of the Antarctic by prescribing in Article I(1) that it shall be used "for peaceful purposes only" and prohibits "inter alia any measures of a military nature, such as the establishment of military bases and fortifications, the carrying out of military manoeuvres, as well as the testing of any type of weapons".<sup>6</sup> It is interesting to note that certain terms, such as "peaceful purposes", are not defined in the treaty.<sup>7</sup>

The Treaty, according to paragraph 2 of Article I, "shall not prevent the use of military personnel or equipment for scientific research or for any other peaceful purposes". This provision is said to have been