

Final project report

<i>Project ID</i>	2002/10.01
<i>Title</i>	L'Evoluzione del Sistema del Trattato Antartico (The Evolution of the Antarctic Treaty System)
<i>Principal investigator</i>	Professor Francesco Francioni
<i>Institution</i>	Università degli Studi di Siena
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<i>Duration</i>	2 years
<i>Assigned funding</i>	34,000 Euros (2002 funds). The 2003 funds, assigned to this research project, have never been transferred.

Activities and results

The research project analysed several legal issues that are particularly interesting within the Antarctic Treaty System. Firstly, the institutional development of this system has brought to the establishment of the Antarctic Treaty Secretariat. The research unit analysed both the possible solutions that could be adopted to establish diverse types of secretariat before its actual establishment and the functioning of the Antarctic Treaty Secretariat after its definitive establishment. This section of the research project achieved the result of publishing several papers on this issue that also had a practical use at the time of the actual creation of the Antarctic Secretariat.

Secondly, the research project studied the interaction of the Antarctic Treaty System with other treaty regimes. Particular attention was devoted to the possibility of extending to Antarctica some forms of protection that are accorded to the World Natural Heritage by the 1972 UNESCO Convention. Moreover, the issue of the conservation of biodiversity including the problem of sustainable development, was analysed both within the Antarctic Treaty System and the 1992 Biodiversity Convention. The results of this section of the research project consist in several publications that raised some issues that are currently discussed by the States Parties to the Antarctic Treaty with the purpose to adopt specific provisions on these matters.

Finally, one must highlight the leading role that the members of this research project have had as legal advisers of the Italian Ministry of Foreign Affairs with regard to Antarctic issues. In particular, Prof. Francesco Francioni, the director of this project, performed the function of Chairman of the Working Group that from 2002 to 2003 has prepared the legal documents which were aimed at the establishment and functioning of the Secretariat of the Antarctic Treaty. Moreover, Professor Francioni, together with Patrizia Vigni, one of the researchers of this project, were members of the Italian Delegation at the annual meetings of States Parties to the Antarctic Treaty.

Products

A – papers in scientific magazines

1. P. Vigni, The Secretariat of The Antarctic Treaty in The Italian yearbook of international law (volume 2003-XIII), 2005, pp.147-155

B – book chapters

1. F. Francioni, Sviluppo sostenibile e principi di diritto internazionale dell'ambiente, in Il principio dello sviluppo sostenibile nel diritto internazionale ed europeo dell'ambiente, Editoriale scientifica, Napoli, 2007, pp. 41-61
2. F. Lenzerini, The Future of the World Heritage Convention: Problems and Prospects, in The World Heritage Convention. A Commentary, a cura di F.Francioni-F.Lenzerini, OXFORD UNIVERSITY PRESS, OXFORD, 2008, pp. 401-410

Programma Nazionale di Ricerche in Antartide (PNRA)

3. R. Pavoni, Biodiversity and Biotechnology: Consolidation and Strains in the Emerging International Legal Regimes, Biotechnology and International Law , a cura di Francesco Francioni, Hart Publishing, Oxford, 2006, pp. 29-57
4. P. Vigni, The Secretariat of The Antarctic Treaty: Achievements And Weaknesses Three Years After Its Establishment, in Antarctica. Legal And Environmental Challenges For The Future. Triggs-Riddell Editors, British Institute Of International And Comparative Law, 2007, Londra, pp.17-38
5. P. Vigni, Antartide, in Dizionario di Diritto Pubblico, Giuffr , Milano, 2006, pp. 341- 345

C - proceedings of international conferences

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D – proceedings of national meetings and conferences

1. P. Vigni, La struttura istituzionale del Sistema del Trattato Antartico e la sua incidenza sulla condotta degli Stati parti, in Le ragioni della presenza italiana in Antartide, Istituto Italiano per l’Africa e l’Oriente, Seminario organizzato dalla Direzione del Ministero degli Affari Esteri per i Paesi dell’Asia, Oceania e l’Antartide, Roma 30 maggio 2006, Roma, 2007, pp. 85-92

E – thematic maps

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F – patents, prototypes and data bases

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G – exhibits, organization of conferences, editing and similar

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H - formation (PhD thesis, research fellowships, etc.)

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Research units

Director: Prof. Francesco Francioni

Researchers:

Federico Lenzerini
Massimiliano Montini
Riccardo Pavoni
Patrizia Vigni

Date: Siena, 9th May 2009

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