

404/183 Vol I

GP.S.

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F1

81/30381 (Z. 20).

Deel  
Part

Departement Handel + Nywerheid  
Department

Onderwerp Conferences, Congresses  
Subject etc. (not South Africa.)  
Draft Convention on the  
Conservation on Wild  
Life in the Antarctic.

Verwysings 404/183 Vol I  
References

Lêerno.  
File No.

Korrespondensie van 23/5/62 tot \_\_\_\_\_  
Correspondence from to

CONFIDENTIAL

ARTICLE XII

The present Convention may be modified or amended at any time by unanimous agreement of the Contracting Parties. Any such modification or amendment shall enter into force when the depository Government has received notice from all the Contracting Parties that they have ratified it.

ARTICLE XIII

(1) The present Convention shall be open to accession by any State which is a Contracting Party to the Antarctic Treaty.

(2) The present Convention shall be subject to ratification by each acceding State, in accordance with its constitutional processes. Instruments of ratification shall be deposited with the Government of....., hereby designated as the depository Government. That Government shall inform all acceding States of the date of each deposit of an instrument of ratification, the date of entry into force of the Convention and of any modification or amendment thereto.

(3) Upon the deposit of an instrument of ratification by any acceding State, the present Convention shall enter into force for that State.

(4) The present Convention shall be registered by the depository Government pursuant to Article 102 of the Charter of the United Nations.

ARTICLE XIV

The present Convention, done in the English, French, Russian and Spanish languages, each version being equally authentic, shall be deposited in the archives of the depository Government, which shall transmit duly certified copies thereof to the Governments of all acceding States.

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ARTICLE IX

Each Contracting Party shall prohibit the importation into the Antarctic of any species of animal or plant which does not naturally occur there, apart from:

- (a) sledge dogs,
- (b) domestic stock or other animals to be kept under controlled conditions for scientific research or for food,
- (c) domestic plants to be kept under controlled conditions for scientific research or for food.

Each Contracting Party shall also prevent any alien species thus imported from ranging or spreading without restriction in any part of the Antarctic.

ARTICLE X

The Contracting Parties may make such arrangements as they consider necessary for:

- (a) Collecting records of the numbers of each species of native bird and mammal killed or captured annually in the Antarctic;
- (b) obtaining information as to the status of native birds and animals in the Antarctic, and the extent to which any species needs protection;
- (c) obtaining advice as to the permissible harvest of native birds or mammals for food, commercial exploitation, or other uses, in various regions;
- (d) obtaining advice as to the species which should be designated "absolutely protected species" under Article VI above, the areas which should be designated "absolute sanctuaries" under Article VII above, and the areas which should be designated "nature reserves" under Article VIII above;
- (e) preparing and circulating to organising authorities, expeditions, and stations, lists of absolutely protected species, lists of absolute sanctuaries and nature reserves, a brochure explaining the aims of these proposals, and other literature relevant to the conservation of wild life.

ARTICLE XI

Each of the Contracting Parties undertakes to exert appropriate efforts, consistent with the Charter of the United Nations, to the end that no one engages in any activity in the Antarctic contrary to the principles or purposes of the present Convention.

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(3) In this Article, and in Article V, "appropriate Authority" means the Government of the Contracting Party of which the person concerned is a national or which has organized or is responsible for the expedition or station of which that person is a member, or any body or person nominated by such Government for the purpose in question.

ARTICLE V

Each Contracting Party shall prohibit the private possession, or the buying or selling, or attempts to buy or sell, any native mammal or bird or product derived therefrom, unless the possession of or dealing in such mammals and birds has been authorized by the appropriate Authority.

ARTICLE VI

Species of native mammal or bird which merit special protection shall, with the agreement of the Contracting Parties to the Antarctic Treaty whose representatives are entitled to participate in the meetings provided for under Article IX of that Treaty, be designated by them as "absolutely protected species", and once thus designated each Contracting Party to the present Convention shall prohibit the killing, capturing, wounding or molesting of such mammals and birds except for purposes of scientific study or in an emergency.

ARTICLE VII

Areas which are of outstanding scientific interest shall, with the agreement of the Contracting Parties to the Antarctic Treaty whose representatives are entitled to participate in the meetings provided for under Article IX of that Treaty, be designated by them as "absolute sanctuaries", and within areas thus designated each Contracting Party to the present Convention shall prohibit the killing, capturing, wounding or molesting of any native mammal or bird except for scientific purposes or in an emergency. They shall furthermore prohibit the interference with such areas by the structural alteration of the terrain, the construction of installations, the overflying of aircraft or helicopters at low altitudes, the passage of vehicles or parties on foot, or any other activity likely to disturb or alter the habitat, other than for purposes of scientific research or in an emergency.

ARTICLE VIII

Additional areas shall be designated by the Contracting Parties to the Antarctic Treaty whose representatives are entitled to participate in the meetings provided for under Article IX of that Treaty, as "Nature Reserves" for the express purpose of safeguarding and perpetuating the natural communities of animals which they contain. Recognising that some human interference within Nature Reserves is unavoidable, each Contracting Party shall take the necessary measures to ensure that wild life in these Reserves is maintained as far as possible in its natural state.



CONFIDENTIAL

DRAFT CONVENTION ON THE CONSERVATION  
OF WILD LIFE IN THE ANTARCTIC

ARTICLE I.

The provisions of the present Convention shall apply to the area south of 60° South Latitude, including all ice shelves, but nothing in this Convention 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 II

In this Convention "native mammal" means any individual, at any stage of the life cycle, of any species belonging to the Class Mammalia excepting members of the Order Cetacea (whales), indigenous to the Antarctic or occurring there by natural agencies of dispersal. Similarly, "native bird" means any individual, at any stage of the life cycle (including eggs), of any species of the Class Aves indigenous to the Antarctic or occurring there by natural agencies of dispersal. "Plant" means any kind of vegetation at any stage of the life cycle (including seeds).

ARTICLE III

Each Contracting Party shall prohibit the killing, wounding, capturing or molesting of any native mammal or bird, as well as all attempts to kill, wound, capture or molest them, except as provided in Article IV of the present Convention.

ARTICLE IV

(1) Notwithstanding the provision of Article III of the present Convention, and subject to the provision of subparagraph (2) of this Article and of Articles VI and VII of the present Convention, any appropriate Authority may expressly permit the killing or capturing of any native mammal or bird for the following purposes:

- (a) to provide food for men or dogs,
- (b) to provide scientific specimens, or to obtain scientific information, or to provide specimens for museums, zoological gardens, or other educational or cultural uses,
- (c) to provide specimens for a private collection,
- (d) to provide specimens or products for commercial purposes.

(2) The permission granted by the appropriate Authority in accordance with subparagraph (1) of this Article must state the species and number of native mammals or birds affected by it.

SAB(A)



102/2/7/3.

*Kraapleeg Speerism  
as voor ons aan Spake  
antwoord sal om sake  
14/11 raadpleeg*

REPUBLIEK VAN SUID-AFRIKA  
REPUBLIC OF SOUTH AFRICA

DEPARTEMENT VAN BUITELANDSE SAKE  
DEPARTMENT OF FOREIGN AFFAIRS,  
PRETORIA.

Confidential *24*

23.5.1962

*Uitwreke  
Maak nuwe ties  
oopenb*

THE SECRETARY FOR COMMERCE AND INDUSTRIES.

(In duplicate).

Draft Convention on the Conservation  
of Wild Life in the Antarctic.

*24/5/62*

As you are probably aware the representatives of the Antarctic Treaty Powers, including the Republic, assembled at Canberra in July last year at the first of the so called Consultative Meetings and, inter alia, "recognised the need for measures to conserve the living resources of the Treaty area ....." and recommended that the Treaty Powers "consult on the form on which it would be most suitable to establish in due course internationally agreed measures for the preservation and conservation of the living resources of the Antarctic ....."

*Beir*

We have since heard that Great Britain feels that the establishment of "internationally agreed measures" in this regard can best be given effect to by concluding an international Convention on the matter. The United Kingdom accordingly intends to submit the attached Draft Convention in this regard to the Second Consultative Treaty Meeting in July this year for consideration.

As a directive in regard to this item will shortly have to be prepared for the guidance of the South African delegation to the Second Consultative Meeting which commences in Buenos Aires on the 18th July any views or comments which you may have in regard to the suitability or otherwise of the Draft Convention would be much appreciated. It is assumed that you will, if necessary, also consult the Director of Fisheries in this connection.

Kantoorwete.

*Afstuifli ander dekking van  
Kamplimente spolie  
na Saecrissege van Kammentaar  
op 25/5/62.*



*W.G. van der Merwe*  
SECRETARY FOR FOREIGN AFFAIRS.

*Reg*

*he' voor op 10/6/62  
25/5/62*

404/183

81/172690  
(Z. 14 B.)

Gelieve in u antwoord  
te verwys na  
In reply please quote

No. P.S. 12/61

REPUBLIEK VAN SU'D-AFR'KA



REPUBLIC OF SOUTH AFRICA

PHONE:  
44-9521/2

KANTOOR VAN DIE—OFFICE OF THE  
DIVISION OF SEA FISHERIES,  
BEACH ROAD, SEA POINT,  
CAPE TOWN.

CONFIDENTIAL

- 2-5-1962

THE SECRETARY FOR COMMERCE AND INDUSTRIES:  
P R E T O R I A.

DRAFT CONVENTION ON THE CONSERVATION OF WILD LIFE  
IN THE ANTARCTIC: YOUR REF. 404/183 OF 25 MAY 1962.

1. X In my view the draft convention is a sound foundation upon which to build an effective system for the conservation of the relevant wild life in Antarctica.

With whales and fish excluded, the possibility of commercial exploitation becoming a bone of contention among contracting parties seems remote. The convention therefore appears to be a genuine attempt towards finding a formula for the protection of antarctic wild life and I think the member countries should be able to reach agreement within the proposed framework, which seems realistic and flexible. X

*W. G. van der Merwe*  
DIRECTOR OF SEA FISHERIES.



*Ref  
1/5 out  
Q  
6/6.*

*Mr D.  
Please convey  
to Dept.  
say agrees with  
his views*

*Q*

*file*

Kantoorwre.

*Afstuifte afdeling van  
Kamplimentêre spolie  
na bespreking van kommentaar  
op 25/5/62.*



*W. G. van der Merwe*  
SECRETARY FOR FOREIGN AFFAIRS.

*Reg*

*he' voor op 10/6/62*

*Q  
25/5/62.*

*K/20*

404/183

THE SECRETARY FOR FOREIGN AFFAIRS: PRETORIA.

DRAFT CONVENTION ON THE CONSERVATION OF WILD LIFE IN THE ANTARCTIC: 102/2/7/3 DATED 23rd MAY, 1962.

I subjoin, for your information, an extract from minute F.S.12/61 dated 2nd June, 1962, received from the Director of Sea Fisheries:-

"In my view the draft convention is a sound foundation upon which to build an effective system for the conservation of the relevant wild life in Antarctica.

With whales and fish excluded, the possibility of commercial exploitation becoming a bone of contention among contracting parties seems remote. The convention therefore appears to be a genuine attempt towards finding a formula for the protection of antarctic wild life and I think the member countries should be able to reach agreement within the proposed framework, which seems realistic and flexible".

This Department agrees with the opinion expressed by the Director.

B. P. DE VILLIERS

SECRETARY FOR COMMERCE AND INDUSTRIES.

*K/20. 11/6/62*

*Q 2576*

FHD/KGD/521

*2576*

*Afstuifte ander dekking van  
Kamplimentêre spreek  
na Seewissensye in Kammer van  
op 25/5/62.*



*W.G. von Buschberg*  
SECRETARY FOR FOREIGN AFFAIRS.

*Reg*

*he' voor op 10/6/62*

*2575/62*