"If the British Government, however, can find other and better courses to pursue the Norwegian Government will certainly be willing to cooperate as far as lies in its power."

Accept, Mr. Minister, the assurance of my highest consideration.

(For the Minister of Foreign Affairs)

(Sgd.) [illegible]

TRANSLATION.

The Royal Ministry for Foreign Affairs. Oslo,

July 2nd, 1936.

Mr. Minister,

With reference to your note of the 25th ultimo respecting the joint communications which the Norsk Sjömannsforbund, Norsk Styrmannsforening and Norsk Maskinistforbund have addressed to Messrs. Chr. Salvesen & Co., Leith, in connexion with the "Sourabaya" expedition to Peru, I have the honour to state that the matter was immediately laid before the Norwegian competent authorities who replied as follows on the 1st instant:-

"It should be pointed out that the members of these private organisations cannot be ordered by the Norwegian State authorities to sign on any ship, just as the State authorities cannot forbid the organisations making their own terms for signing on.

"That the organisations have seen with anxiety the development in the whaling industry is intelligible, and it is natural that the organisations on many grounds should be interested in preserving the stocks of whales and the fishing. The Norwegian competent authorities would add that the Norwegian Government - and the same is certainly the case with the British Government - view with understanding the efforts to prevent the overtaxing of whale stocks even if the organisations attempt to follow a line of their own.

"If

Translated copy.

Messrs. Chr. Salvesen & Co.,

LEITH.

Dear Sirs,

The undersigned Unions acknowledge receipt of your letter of 27th ultimo, and with regard to the two main questions mentioned by you we beg to state:

1. With regard to limitation of catch in the Antarctic both by means of quotas as well as period of operations the demand of the undersigned Unions is that your company accept the proposal for distribution of quotas and period of operations prepared by the joint committee appointed on the 18th ultimo by the interested parties, and which will be submitted to you as soon as it has been accepted by the Norwegian Government.

2. The undersigned Unions further demand that all expeditions are manned solely by Norwegian personnel and that agreement is arrived at regarding the wages and working conditions of the crew before the expeditions are permitted to leave.

Copy of this letter has been sent to Mr. Onesimus Andersen, Tönsberg.

Oslo, 2nd June, 1936.

NORSK SJØMANNSFORBUND

Ingvald Haugen

NORSK STYRMANNSFORENING

D. Skjervoll

DET NORSKE MASKINISTFORBUND

Ludv. Steendahl.

(713/381)

No. 84.

BRITISH LEGATION,

OSLO.

25th June, 1936.

Monsieur le Ministre,

Under instructions from His Majesty's Principal Secretary of State for Foreign Affairs I have the honour to inform Your Excellency that letters have been addressed by the Norsk Sjömannsforbund, the Norsk Styrmannsforening and the Norsk Maskinistforbund to Messrs. Chr. Salvesen & Co. demanding that, inter alia, Norwegian personnel only should be carried on vessels employed in whaling. These demands extend also to non-Norwegian vessels, and therefore affect those of Messrs. Salvesen, which are all under the British flag. I have the honour to enclose copies of the letters referred to, from which Your Excellency will observe that the Unions threaten to prevent any expeditions unless their demands are met.

2. Messrs. Salvesen are contemplating proceeding with the "Sourabaya" expedition with British and Norwegian crews, and they propose, should the Trade Unions persist in their demand, to take steps to train a British personnel to do the work at present done by Norwegian nationals.

3. In the hope that Your Excellency will see fit to take the matter up in the proper quarter and will be so good as to inform me at an early date of the result, I avail myself, etc.,

(Sd) CECIL DORMER.

His Excellency

The Minister for Foreign Affairs.

excepted.

The whaling period in the 1936/37 season is fixed for the period 1st December, 1936, to 15th March, 1937.

Melsom could not completely acquiesce in the quota which is proposed for his company and referred to the communications of the Globus and Polaris whaling companies to the Department of Commerce of the 5th and 20th May last.

The present protocol is immediately to be submitted to the whole Norwegian Southern Ocean companies and the directors of the seamen's organisations for observations. As soon as these observations are to hand the protocol will be sent to the Department of Commerce with the observations attached with the request that the Department shall as speedily as possible decide production order.

Sandefjord, 21st May, 1936.

(Sgd.) ANDERS JAHRE (Sgd.) L. CHR. STEENDAL.

(Sgd.) O. SKJERVOLL. (Sgd.) INGVAL HAUGEN (Sgd.) MAGN.L. MELSOM.

There is a reservation on my part that the proposal, after it has been submitted to the Norwegian organisations for their observations, and if approved by the Government, is thereafter sent to the committees of foreign whaling companies for their observations.

Sandefjord, 22nd May, 1936.

JOHAN RASMUSSEN.

Certified true copy of the protocol.

(Sgd.) ANDERS JAHRE.

High Court Advocate.

laid down in respect of pelagic factory ships, the following quotas are proposed for these producers:

"Fraternitas"	62,000 barrels.
"Polar Chief"	53,000 "
"Strombus"	36,000 "

If any of these expeditions undertake whaling, the total production shall under no circumstances exceed 2,265,000 barrels with the addition of 1½ margin, so that in such event a percentual reduction will be made in all quotas.

All quotas, for land stations as well, include under-figures.

Assignments of quotas may be made within the respective groups only when fishery has been commenced on the grounds. The expeditions which have been allotted quotas are under obligation to commence fishery with the crews and the whale-boat material as if the expedition were operating by itself without connection with other expeditions. The quotas for land stations may not be exceeded.

The formation of groups is permitted. Information as to what groups are formed among the expeditions must be transmitted to reach the Department of Commerce by the 1st October, 1936.

Producers who by the 1st October, 1936, inform the Department of Commerce that they will not take up their Antarctic quotas in the coming season have the right to produce their quotas north of 40° South latitude in 1937, the Congo ground excepted. No factory which has commenced fishery in the Antarctic has the right to commence fishery north of the said degree of latitude, fishery for sperm whales excepted.

N.T. Nielsen-Alonso	62,000 barrels	Class C.
Lancing	62,000 "	
Sydis	62,000 "	
Suderøy	53,000 "	Class D.

Total Norwegian Producers 980,000 barrels.

Foreign Producers:

Terje Viken	95,000 barrels	Class A.
Svend Foyn	95,000 "	
Tafelberg	95,000 "	
Vestfold	95,000 "	
Vikingen	76,000 "	Class B.
Henkel & Co's new boat	76,000 "	
Southern Princess	76,000 "	
Southern Empress	76,000 "	
New Sevilla	76,000 "	
Sourabaya	76,000 "	
Salvestria	76,000 "	
Hektoria	76,000 "	
Anglo-Norse	62,000 "	Class C.
Frango	53,000 "	Class D.
Leith Harbour	60,000 "	Land stations.
Cia. Argentina	60,000 "	

Total Foreign Producers 1,223,000 barrels.

Total Producers 2,203,000 barrels.

If "Fraternitas," "Polar Chief" and "Strombus" construct a covered slip and are equipped with modern extracting apparatus and in addition fulfil the requirements laid

PROTOCOL.

At a joint meeting on the 15th May, 1930, between representatives of the Norwegian Seamen's Organisations and the Norwegian Whaling Companies the first-named nominated a committee consisting of Messrs. Ingv. Haugen, O. Skjervoll and L. Chr. Steendal, and the latter a committee consisting of Messrs. Johan Rasmussen, Magnus E. Nelson and Anders Jahre, to consider a production order for the Antarctic season 1936/37.

The Norwegian Government at a meeting on the 18th May advised the representatives of the Seamen's Organisations and the Whaling Associations that it was the opinion of the Government that the total production should not exceed 2,100,000 barrels.

The representatives appointed at their joint meeting, having given due consideration to the Government's point of view, found they were able to put forward the following proposal for the regulation of production for the coming season:

Norwegian producers:

Kosmos II.	95,000 barrels	Class A.
Kosmos	95,000 "	
Sir J.C. Ross	95,000 "	
Pelagos	76,000 "	Class B.
C.A. Larsen	76,000 "	
Thorshammer	76,000 "	
Ole Wegger	76,000 "	
Solglimt	76,000 "	
Skytteren	76,000 "	

N.T. Nielsen-Alonso

subject to the same two conditions, are willing to make a regulation under the Whaling Industry (Regulation) Act, 1934, enforcing them during the 1936-37 season.

6. Further, His Majesty's Government in the United Kingdom have suggested to the companies that an attempt should be made to restrict the number of expeditions on the basis of a system of compensation provided by general contribution, and subject to the conditions previously mentioned, the companies have unanimously agreed in principle to open discussions to this end.

7. Moreover, His Majesty's Government in the United Kingdom are arranging for whaling operations at land stations in the Falkland Islands Dependencies, which have hitherto been permissible under licences from the 16th September to the 31st May in each season, to be restricted in the coming season to the period from the 16th October, 1936, to the 16th April, 1937.

DOMINIONS OFFICE,

July, 1936.

Sevilla Whaling.
The South Georgia Company, Ltd.
The Polar Whaling Co. Ltd.
The Southern Whaling & Sealing Co.
The Hektor Whaling Company.
United Whalers.
The Star Whaling Company.
The St. Helier Shipowners, Ltd.
Anglo-Norse, and
The Falkland Whaling Company, Ltd.

In consultation with the Fisheries Department of the Ministry of Agriculture and Fisheries, the conclusion was reached that the subject of quotas on whale oil production could not usefully be further discussed, and it was accordingly proposed that, instead of further attempts to reach agreement on this subject, the following alternative measures of restriction should be adopted:-

(i) The pelagic whaling season in the Antarctic should be restricted to a period of three months, viz. from the 8th December, 1936, to the 7th March, 1937, instead of the period from 1st December, 1936, to the 15th March, 1937.

(ii) After the 8th December 1936, this curtailment of the season should apply to pelagic whaling in all waters south of the Equator.

4. All the representatives present willingly agreed to these two methods of limitation, provided that (a) all threats on the part of the Norwegian trade unions were withdrawn, and (b) that the same regulations in respect of season were accepted and adopted in Norway and in Germany.

5. His Majesty's Government in the United Kingdom are of the opinion that, having regard to the present circumstances, the arrangements approved by the Conference furnish the best prospect of rational control of whaling in the next whaling season, and

subject

C O P Y.

MEMORANDUM.

1. A meeting was held in Norway on the 15th May between representatives of the Norwegian Seamen's organisations and the Norwegian Whaling companies at which a Joint Committee was nominated to consider the restriction of whale oil production in the season 1936-37. On the 21st May, a Protocol was drawn up by this Committee setting out the quotas of whale oil production which it was proposed should be assigned to the various producers. A copy of this Protocol is attached.

2. Discussions have since been held in Norway and the United Kingdom with a view to a general agreement restricting the production of whale oil by a system of quotas, but little real progress has been made, and it is understood that the British whaling companies are not disposed to negotiate, partly because the quotas suggested for them by the Norwegian whaling interests are thought to be unfair, and partly because the Norwegian trade unions have threatened to boycott any British whaling expedition which does not agree both to employ exclusively Norwegian personnel, and to conform to the quota proposals in the Protocol.

3. A conference was held in London on the 24th June at which representatives of the following Whaling companies were present:-

Sevilla Whaling.

PM 107/6

DUPLICATE
ORIGINAL SENT BY AIR MAIL

UNION OF SOUTH AFRICA

Dominions Office,

Circular despatch B. No. 77

14 July, 1936.

MEMORANDUM.

Sir,

With reference to my Circular despatch B. No.52. of the 25th May, I have the honour to transmit a memorandum of recent developments in the whaling industry, together with a copy of correspondence between His Majesty's Minister at Oslo and the Norwegian Minister for Foreign Affairs, regarding the threatened boycott of British whaling expeditions not complying with the conditions of the Norwegian trade unions.

Memorandum
Protocol
No.84: 25.6.36.
2.6.36.
2.7.36.

2. His Majesty's Representatives at Oslo and Berlin have been instructed to communicate urgently with the Norwegian and German Governments respectively in the sense of paragraphs 4-7 of the memorandum.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

(SIGNED) MALCOLM MAC DONALD.

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA.

PM 107/5

UNION OF SOUTH AFRICA

Dominions Office,

Circular despatch B. No. 77

14 July, 1936.

DEPARTEMENT VAN BUITENLANDSE SAKE
UNIE VAN SUID-AFRIKA
27 JUL 1936
UNION OF SOUTH AFRICA
DEPARTMENT OF EXTERNAL AFFAIRS

Sir,

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I have the honour to be,

Sir,

Your most obedient,

humble servant,

Malcolm MacDonald

Tiksters.
3 afskrifte van brief asb. JEB 28/1

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA.

~~P25/8 (below)~~
P6/8 ~~(for ocean mail copy~~ which must be attached to file)
~~P5/8 (below)~~

Gestuur aan met bylaes Handel en Nywerheid
~~oorwegingen~~
vir informasie
~~afhandeling~~

Datum 29/7/36 Paraaf JEB

straight line between the extreme point of the snout and the notch of the tail. These lengths have recently been adopted as the minimum, below which whales may not be taken in the territorial waters of the Falkland Islands and their Dependencies. It is understood that the Norwegian regulations on the subject are even more stringent in this respect.

7. The United Kingdom Government consider that if these lengths were generally adopted as those below which whales of the kinds mentioned are to be deemed immature, and that if penalties were strictly enforced for killing whales of less than these lengths, in all whaling operations from land stations in the southern hemisphere, this would contribute very materially towards the attainment of the aim in view. I accordingly have the honour to invite the Union Government to consider the adoption of this measure in the regulation of whaling from land stations.

8. This despatch is being sent to the Commonwealth of Australia No. 181 New Zealand No. 199 and the Union of South Africa No. 60

I have the honour to be,

Sir,

Your most obedient,

humble servant,

(SIGNED) MALCOLM MAC DONALD.

P.M 107/5

DUPLICATE
ORIGINAL SENT BY AIR MAIL

UNION OF SOUTH AFRICA
No. 60

Dominions Office,
July, 1936.
14

Sir,

In my Circular despatch S. No.52 of the 25th May, it was explained that His Majesty's Government in the United Kingdom considered that further measures of restriction of production of whale-oil in the season 1936-37 would be needed, if the stock of whales were to be saved from undue depletion, and it was proposed that the curtailment of the season to the period 1st December to 15th March should be enforced in all waters south of the Equator.

2. It will be seen from the memorandum enclosed in my Circular despatch S. No. 77 of the 14 July that, after consultation with representatives of the whaling industry, His Majesty's Government in the United Kingdom have proposed to the Norwegian and German Governments not only that the curtailment of the season should apply in all waters south of the Equator, but also that, in those waters, the 1936-37 season should be further curtailed to the period 8th December, 1936, to 7th March, 1937.

3. It is hoped that, if these proposals are generally adopted they will prove valuable in conserving the stock of whales.

4. At the same time, it will be appreciated that they will only affect pelagic whaling, and that not only will the efforts

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

P 25/8 (below)

straight line between the extreme point of the snout and the notch of the tail. These lengths have recently been adopted as the minimum, below which whales may not be taken in the territorial waters of the Falkland Islands and their Dependencies. It is understood that the Norwegian regulation on the subject are even more stringent in this respect.

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I have the honour to be,

Sir,

Your most obedient,

humble servant,

Malcolm MacDonald

efforts of the Governments concerned be incomplete, but also the companies conducting pelagic whaling will resent being subjected to such restrictive regulations, so long as whaling operations from land stations are not subject to corresponding regulations. His Majesty's Government in the United Kingdom have therefore arranged, as stated in the memorandum referred to, that whaling operations from land stations in the Falkland Islands Dependencies shall be limited in the 1936-37 season to the period 16th October, 1936, to 16th April, 1937. It will be seen that it is not proposed that the season for whaling from land stations should be as severely curtailed as that for pelagic whaling.

5. His Majesty's Government in the United Kingdom would be glad if His Majesty's Government in the Union of South Africa would consider the advisability of similarly arranging for the curtailment of the season at land stations in territories under their administration.

6. Another measure, which, it is thought, may be even more effective in conserving the stock of whales, would be the strict enforcement of regulations prohibiting the killing of immature whales. This is indeed no more than the application of Article 5 of the International Convention for the Regulation of Whaling, 1931. But that article does not define "immature". It is provided in the Whaling Industry (Ship) Regulations, 1935 (see Mr.Thomas's Circular despatch A. No.16 of the 20th September, 1935) that a Blue Whale is to be deemed immature if it is of less length than 60 feet and a Fin Whale, if less than 50 feet, measured on the land in a straight

RH 107/5

UNION OF SOUTH AFRICA

No. 60

Dominions Office,

14 July, 1936.

Sir,

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Tichster
3 afskrifte asb
GRB 28/7

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THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Gestuur Handel en Nywerheid
oorweging
vir ~~oorweging~~
~~afhandeling~~

P 25/8 ~~(and below)~~
~~P 6/8 (below)~~ Datum 22/7/36 Paraaf GRB

C O P Y.

British Embassy,
Berlin.
June 10th, 1936.

№ 594E
(259/7/36).

Sir,

With reference to my despatch № 476E of the 6th May regarding whaling, I have the honour to inform you that the press reports that the first German whaler which was built to the order of the "Erste Deutsche Walfanggesellschaft" has been launched at Hamburg under the name "Traff I". The vessel is stated to be approximately the size of a steam--trawler and the first of a series of six boats, three of which are to be launched at Hamburg next month and the others at Wesermünde. The starting date of the expedition has not yet been fixed.

2. According to another press report Germany needs nearly half the world production of whale oil which is given as 400,000 tons.

3. I have sent a copy of this despatch to the Department of Overseas Trade.

I have the honour to be,

etc.

(Signed) ERIC PHIPPS.

The Right Honourable
Anthony Eden M.C., M.P.,
etc. etc. etc.

COH.

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THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Gestuur Handel en Nywerheid
oorweging
vir ~~inligting~~
~~onderteken~~

P 25/8 (and below) ~~P 6/8 (below)~~ Datum 29/7/36 Paraaf JRB

RM 107/5.

Telephone WHITEHALL 4488.
(7 LINES)
Telegraphic Address:—
"OPPOSITELY, LESQUARE, LONDON."

SOUTH AFRICA HOUSE,
TRAFALGAR SQUARE,
LONDON, W.C.2

19/88.

9th July, 1936.

29 JUL 1936
DEPARTMENT OF EXTERNAL AFFAIRS

The Secretary for External Affairs,
Pretoria.

I am directed by the High Commissioner to transmit, for your information, the accompanying copy of a despatch addressed to the Secretary of State for Foreign Affairs by His Britannic Majesty's Ambassador at Berlin, relative to the construction of German whaling vessels. The despatch was made available to the High Commissioner by the Secretary of the Polar Committee.

Emil J. Horn
Acting Political Secretary.

~~P5/8 (below)~~
~~P6/8 (below)~~
P25/8 (below)

Gestuur aan Handel en Nywerheid
oorweging
inligting
~~afhandeling~~
30 JUL 1936
Datum 30/7/36 Paraaf JRB

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THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Gestuur aan Handel en Nywerheid
oorweging
vir ~~inligting~~
~~afhandeling~~

P25/8 ~~(and below)~~
~~P6/8 (below)~~
Datum 29/7/36 Paraaf JRB

RM. 107/5.

Telephone: WHITEHALL 4488.
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"OPPOSITELY, LESQUARE, LONDON."

SOUTH AFRICA HOUSE,
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LONDON, W.C.2

19/88.

9th July, 1936.

29 JUL 1936
UNION OF SOUTH AFRICA
DEPARTMENT OF EXTERNAL AFFAIRS

The Secretary for External Affairs,
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Emil J. Horn
Acting Political Secretary.

~~P 5/8 (below)~~
~~P 6/8 (below)~~
P 25/8 (below)

Gestuur aan Handel en Nywerheid
~~oorweging~~
~~inligting~~
~~afhandeling~~

Datum 30/7/36 Paraaf JRB

30 JUL 1936

will only affect pelagic whaling, and that not only will the efforts

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Gestuur Handel en Nywerheid
~~oorweging~~
vir ~~inligting~~
~~afhandeling~~

P 25/8 (and below)
~~P 6/8 (below)~~
Datum 29/7/36 Paraaf JRB

Copy of

International Whaling Statistics VII

Edited by

The Committee for Whaling Statistics

Appointed by the Norwegian Government

received and sent to

Commerce & Industries on 4/8/36

JRB
4/8/36

the Polar Committee.

Emil T. Thom

Acting Political Secretary.

~~P5/8 (below)~~
~~P6/8 (below)~~
P25/8 (below)

Gestuur aan Handel en Nywerheid
oorweging
inligting
afhandeling

JUL 1936

Datum 30/7/36 Paraaf JRB

will only affect pelagic whaling, and that not only will the efforts

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA.

Gestuur Handel en Nywerheid
oorweging
vir ~~inligting~~
~~afhandeling~~

P25/8 ~~(and below)~~
~~P6/8 (below)~~

Datum 29/7/36 Paraaf JRB

JEB/BK. P.M. 107/5.

PRETORIA,
27th August, 1936.

THE SECRETARY FOR COMMERCE & INDUSTRIES.

Conservation of Stock of Whales.

With reference to my endorsement P.M. 107/5 of the 29th July on Despatch No. 60 of the 14th July from the Secretary of State for Dominion Affairs, London, in connection with proposed measures for conserving the stock of whales in all waters south of the Equator, I should be glad to learn whether circumstances yet permit of a reply.

P. R. BOTHA

SECRETARY FOR EXTERNAL AFFAIRS.

27/8.

JRB 27/8.

P 11/9

P.M. 107/5

C.I. 1.

Telegramadres / Telegraphic Address | "NYWERCOM."

Adresseer asb. alle briewe aan die Sekretaris.
All communications to be addressed to the Secretary.
Verwys in antwoord asb. na / In reply please quote

No. H.N. 400/8.
No. C.J.

UNIE VAN SUID-AFRIKA.—UNION OF SOUTH AFRICA

DEPARTEMENT VAN HANDEL EN NYWERHEID.
DEPARTMENT OF COMMERCE AND INDUSTRIES.

MUTUALGEBOU, KERKPLEIN,
MUTUAL BUILDING, CHURCH SQUARE.

DEPARTEMENT VAN BUITELANDSE SAKE * UNIE VAN SUID-AFRIKA * 31 AUG 1936 * UNION OF SOUTH AFRICA * DEPARTMENT OF EXTERNAL AFFAIRS *

PRETORIA 29th August, 1936.

THE SECRETARY FOR EXTERNAL AFFAIRS: PRETORIA.

Conservation of Stock of Whales.

With reference to your minute No. P.M. 107/5 of the 27th instant, on the above subject I have to inform you that the extended proposals contained in Dominions Office Circular No. 60 of the 14th ultimo, have been referred to the Maritime Provinces for consideration.

The Department is still awaiting a reply from the Natal Provincial Administration.

SECRETARY FOR COMMERCE AND INDUSTRIES.

R 11/9 (below)

P.M. 107/5

DEPARTEMENT VAN BUITELANDSE SAKE
-3-9-1936
DEPARTMENT OF EXTERNAL AFFAIRS

TELEGRAM.

FROM: Secretary of State for Dominion Affairs, London.

TO: Minister of External Affairs, Pretoria.

2nd September, 1936.

---

3 kopieë is aan mnr Raude gegee

Circular Telegram B. 150. My despatch 14th July Circular TelegramB. No. 77. We have failed to reach agreement with the Norwegian Government on the restrictions to be imposed on United Kingdom and Norwegian ships respectively during the forthcoming Whaling Season. Subsequently Norwegian Trade Unions have placed embargoes on the employment of Norwegian personnel on United KingdomWhaling Ships and it is necessary for United Kingdom ships to employ British unskilled personnel. In these circumstances longer periods will be necessary to produce the same quantity of oil as would have been produced by Norwegian skilled personnel in restricted seasons formerly proposed and restricted seasons are being withdrawn. Text of the statement issued officially on September 1st is contained in my immediately following telegram.

JRB 3/9/36

Na H + N vir kennis. PRS 3/9/36

Passed to 6 + 9

for ~~COMMUNICATION~~ INFORMATION ~~DISPOSAL~~

Date 4/9/36 Initials [illegible]

P.M. 107/5

-3-9-1936

TELEGRAM.

FROM: Secretary of State for Dominion Affairs, London.

TO: Minister of External Affairs, Pretoria.

2nd September, 1936.

---

3 kopieë is aan mnr Naude gegee

Circular telegram B.151. My immediately preceding telegram Circular B. following is text of statement. Begins.

The Government have decided with great reluctance to withdraw the regulations ~~impairing~~ imposing on whaling ships registered in the United Kingdom a close season for whaling in the Antarctic waters and to impose on such ships such regulations only as are required by the International Convention for the Protection of Whales of 1931.

The decision to withdraw the regulations hasbeen forced upon the Government by circumstances which they are powerless to control. Ends.

na HAN verkennis. JHS 4/9/36

F

B

Passed to C. & I.

for INFORMATION

Date 4/9/36 Initials

Mr. Marsh, of C. & I., rang up and said that in view of this and preceding telegram he intended advising the Director of Fisheries to drop the regulations and restrictions proposed by Dominions Office in despatches No 60 and B 52.

JRB 7/9

P.M. 107/5

C.I. 1.

Telegramadres
Telegraphic Address | "NYWERCOM."

Adresseer asb. alle briewe aan die Sekretaris.

All communications to be addressed to the Secretary.

Verwys in antwoord asb. na
In reply please quote

No. H.N. 400/8
No. C.I.

UNIE VAN SUID-AFRIKA.—UNION OF SOUTH AFRICA.

DEPARTEMENT VAN HANDEL EN NYWERHEID.
DEPARTMENT OF COMMERCE AND INDUSTRIES.

MUTUALGEBOU, KERKPLEIN,
MUTUAL BUILDING, CHURCH SQUARE.

PRETORIA 7th September, 1936.

DEPARTEMENT VAN BUITELANDSE SAKE
UNIE VAN SUID-AFRIKA
10 SEP 1936
UNION OF SOUTH AFRICA
DEPARTMENT OF EXTERNAL AFFAIRS

9-9-1936

THE SECRETARY FOR EXTERNAL AFFAIRS: PRETORIA.

Conservation of Stock of Whales.

With further reference to your minute No. P.M. 107/5 of the 27th ultimo, on the above subject, in view of the information conveyed in circular telegrams No. B. 150 and No. 151, received from the Secretary of State for Dominion Affairs, London and forwarded under your endorsement P.M. 107/5 of the 4th instant, the proposals for the further restriction on whaling vessels during the forthcoming whaling season, now fall away and the Maritime Provinces are, accordingly, being requested not to take any further action in the matter for the present.

A.S.B. 14/9/36
Vis u inlighting asb. aspers 12/9

SECRETARY FOR COMMERCE AND INDUSTRIES.

F

P.M. 187/5

TELEGRAM.

FROM: Secretary of State for Dominion Affairs, London.

TO: Minister of External Affairs, Pretoria.

15th September, 1936.

DEPARTEMENT VAN BUITELANDSE SAKE UNIE VAN SUID-AFRIKA 16-9-1936 DEPARTMENT OF EXTERNAL AFFAIRS UNION OF SOUTH AFRICA

Immediate. Circular telegram B. 155 confidential.

3 kopieë is aan mm. Naude gegee

My telegram of the 2nd September circular telegram B. 150 whaling.

1. Agreement with Norway was reached on September 12th. Main points are:-

(i) whaling season to be from December 8th 1936 to March 7th 1937 for all factory ships except

(a) "Southern Empress" and "Southern Princess" belonging to the Southern Whaling and Sealing Company which may operate after March 7th until they have produced between them 250,000 barrels of whale oil

(b) "New Sevilla" belonging to Salvesens which may operate before December 8th provided that its total production is not to exceed 110,000 barrels.

(ii) Number of catchers allotted to each factory ship to be limited according to agreed scale.

2. Norwegian Government in agreeing to these terms make the condition that inspectors are to be carried on all British factory ships whether registered in the United Kingdom or elsewhere.

~~mm~~ Dr. Mertsch,
Stuur aan na H&N.
vir dringende oorweging,
tesame met kabelgram
no 26 van dieselfde datum.
MB 17/9/36

P.M. 107/5

TELEGRAM.

FROM: Secretary of State for Dominion Affairs, London.

TO: Minister of External Affairs, Pretoria.

15th September, 1936.

DEPARTEMENT VAN BUITELANDSE ZAKE
16-9-1936
UNION OF SOUTH AFRICA
DEPARTMENT OF EXTERNAL AFFAIRS

Immediate. No. 26. Confidential. My telegram of today Circular B. 155 Confidential. Paragraph 2 whaling inspectors. His Majesty's Government in the United Kingdom attach great importance to the agreement now reached as forming the only practical basis for restriction of whaling during the coming season. They are arranging for inspectors on United Kingdom ships and sincerely hope that His Majesty's Governments in the Dominions concerned will be willing to cooperate by arranging for inspectors to be carried on ships of Dominion registry. It is understood that the "Southern Princess " is registered in New Zealand, "Tagelberg" (Tafelberg(?)) (belonging to the Kerguelen Sealing and Whaling Company) in the Union of South Africa and "New Sevilla" ("Salvestria" and Sourabaya") belonging to Salvesens in the Irish Free State.

If necessary the Ministry of Agriculture and Fisheries would be ready to help by lending officers for the purpose.

As ships will probably wish to sail for the Antarctic before the end of September should appreciate telegraphic advice of any action which can be taken.

New Zealand 112 also sent to the Irish Free State.

AM/WK. P.M. 107/5.

PRETORIA,

DRINGEND. 17 September 1936.

DIE SEKRETARIS VAN HANDEL EN NYWERHEID.

Walvisvangs.

Met verwysing na u diensbrief No. 400/8 van 9 September 1936, in verband met bogemelde saak, doen ek u hierby toekom, vir dringende oorweging, afskrifte van twee verdere telegramme No. Circular B. 155 en No. 26, altwee gedateer 15 September, ontvang van die Sekretaris van Vrygewestelikesake, Londen, en wens graag u aandag te vestig op die tweede laaste paragraaf van telegram No. 26, waarin vir 'n telegrafiese antwoord gevra word.

P.R. BOTHA

SEKRETARIS VAN BUITELANDSE SAKE.

brought forward the above mentioned proposals, they do so with grave misgiving, and they wish to express serious apprehension that the planned restrictions will by themselves be insufficient to protect the stock of whales against a too heavy exploitation. They therefore consider it necessary, in order to secure at least a scrupulous observance of the regulations, that two Government inspectors shall be on board each Norwegian floating factory for the purpose of supervision, and they hope that corresponding measures will be taken on the British side.

I should like to add that all interested parties in Norway have agreed to the above proposals.

I have, etc.,

(Signed) H. C. BERG.

Chargé d'Affaires a.i.

The Norwegian Government are disposed to take the necessary steps in order to ensure the observance of this classification as far as the Norwegian companies are concerned and venture to express the strong hope that the aforementioned allotment to the British companies will be definitely accepted on the British side and be applied during the forthcoming season.

The proposal is based on the assumption that no floating factory will have attached to it more than 7, 6 or 5 whale catchers respectively when proceeding to the area of its operations. Buoy boats or reserve boats can accordingly not be brought along in addition to this number. On the other hand, the companies will be allowed to keep one or more reserve boats in the nearest harbour to be used in case of accidents, in such a way, however, that at no time and in no way more whale catchers can be used than the number allotted to the floating factory in question. The proposal implies further that the limitation of the Antarctic area to 40° South of Equator which wasin force during the season 1935-36, will be maintained in the coming season, and that all companies which participate in Antarctic whaling operations or which receive a compensation for abstention from whaling, are obliged not to engage in whaling in any other area during the period from the 8th December, 1936 to the beginning of the next Antarctic season.

The Norwegian Government agree that the two land stations, Compania Argentina de Pesca and Leith Harbour, shall be allowed to produce a maximum of 65,000 barrels each, as proposed in Mr. Dormer's note to M. Koht of August 13th last.

Although the Norwegian Government have

brought/

common to the two Governments regarding the question of restricting the period of operations to three months from the 8th December, 1936 to the 7th March, 1937. Considering the capacity of the whaling fleet a restriction only in time would be insufficient. In the opinion of the Norwegian Government such a restriction should be supplemented by a limitation in the number of the whale catchers, this number to be determined for each particular floating factory according to the classification of the factories which has previously been established, and which is well known to the interested British parties. According to this classification the number of whale catchers allotted to each floating factory will be as follows:

Norwegian floating factories

Class A:

Kosmos II, Kosmos, Sir J.C. Ross: 7 whale catchers.

Class B:

Pelagos, C.A. Larsen, Torshammer
Ole Wegger, Solglimt, Skytteren: 6 whale catchers.

Class C and D:

N. T. Nielsen-Alonso, Lancing,
Sydis, Suderöy, Strombus: 5 whale catchers.

Foreign floating factories

Class A:

Terje Viken, Svend Foyn,
Tafelberg, Vestfold: 7 whale catchers.

Class B:

Vikengen, Henkel & Co.'s new factory,
Southern Princess, Southern Empress,
New Sevilla, Surabaya, Salvestria,
Hectoria: 6 whale catchers.

Class C and D:

Fraternitas, Polar Chief,
Anglo-Norse, Frango: 5 whale catchers.

The/

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The/

COPY/WK.

(W.10210/78/50)

No. 181/1936.

Norwegian Legation,

London,

1st September, 1936.

Sir,

By your note of the 29th August, 1936, you have been good enough to inform me that His Britannic Majesty's Government would be willing to consider a new proposal with regard to the regulation of whaling for the season 1936-1937. I have not failed to bring the contents of your above mentioned note to the knowledge of my Government, and I have now been instructed to transmit the following communication:

The Norwegian Government are unable to abandon the view which they have previously expressed as to the measures which they consider necessary for the maintenance of the stock of whales, and they are still of the opinion that a close season supplemented with an individual limit of production is necessary. However, as the Norwegian Government understand that for the time being it is impossible to obtain the adherence of all British companies to this point of view, they have seen fit to submit a new proposal in order to avoid the fatal consequences for the stock of whales which unlimited operations during the coming season would undoubtedly entail. This proposal is based upon the view which is

common/

The Right Honourable
Anthony Eden, M.C., M.P.,
etc., etc., etc.

not been complied with, His Majesty's Government had no option but to amend the whaling regulations by the removal of the close season restrictions: His Majesty's Government, however, still wished to reach some agreement on whaling for the coming season, and were ready to discuss the Norwegian proposals of the 1st September with the British companies, provided that the blockade could be unconditionally withdrawn.

15. On the 3rd September M. Berg officially informed the Secretary of State for Foreign Affairs that the blockade of British ships had been withdrawn unconditionally.

16. On the 5th September M. Berg was informed that the proposals of the 1st September were accepted as a basis of negotiation, subject to certain amendments. These are now under discussion.

Dominions Office,
9th September, 1936.

August, were not acceptable to the British companies, and on the 27th August Mr. Dormer was asked so to inform the Norwegian Government and to state that their refusal to accept the proposals described in paragraph 3 had made agreement on restrictions impossible. In view of this, and of the Unions' blockade, His Majesty's Government in the United Kingdom were reluctantly compelled to remove the close season restriction from whaling licences for the coming season. They still hoped, however, that the Norwegian Government might accept their proposals.

11. The Norwegian Government on the same day suggested a conference at Oslo of United Kingdom Norwegian and German whaling interests, at which the respective Governments should be represented by observers.

12. On the 29th August the Norwegian Government were informed that the United Kingdom companies had been consulted, and, in view of the attitude, and action of the Norwegian Trade Unions, His Majesty's Government did not consider that they could secure their representation at such a conference: they hoped, however, that negotiations might continue in a calmer atmosphere, if the blockade were withdrawn at once and if the Norwegian Government could see their way either to secure acceptance of the last British proposals or to advance fresh proposals of their own likely to be acceptable to the Norwegian interests.

13. On the 1st September fresh proposals were received from the Norwegian Chargé d'Affaires, in a note, of which a copy is enclosed.

14. In replying on the same day, His Majesty's Government in the United Kingdom observed with regret that no mention was made of the removal of the blockade; the Norwegian Government had already been informed that its removal was a preliminary to any negotiations, and, as this condition had

not/

duction of 2,265,000 barrels.

6. Before the receipt of this reply the Norwegian Trades Unions had had informed the representatives of the British whaling companies in Norway that, unless the terms proposed by the Unions should be accepted, Norwegians would not be allowed to serve on British whaling ships. Norwegian legislation confers powers on the Norwegian Government to enforce such a measure, and the British whaling companies' representatives were informed that the Norwegian Government supported the attitude of the Unions, and were prepared to use these powers against British whaling ships.

7. His Majesty's Minister at Oslo was therefore instructed to inform the Norwegian Government that, if the threatened blockade of British whaling companies became effective, it would be necessary to enlist and train British personnel to take the place of Norwegian personnel on British whaling ships and that His Majesty's Government in the United Kingdom would be forced, with a view to assisting British companies in their difficulties, to withdraw the close season regulation and all other regulations to which they were not committed by the International Convention of 1931 for the Regulation of whaling, and by the Whaling Industry (Regulation) Act, 1934.

8. The Norwegian Government replied that they did not have prior knowledge of the Unions' threat, and had no intention at the time of exercising the powers referred to.

9. Meanwhile, however, the threatened blockade was enforced by the Norwegian Unions on certain United Kingdom ships at Sandefjord. Not only did Norwegian seamen refuse service on these ships, but they also placed obstacles in the way of arrangements for the return of the ships to the United Kingdom, where British crews could be engaged.

10. The proposals in the Norwegian note of the 19th

August,/

(4) That the above-mentioned expeditions would not operate in any waters south of the Equator after 7th March, 1937, before the commencement of the 1937-38 season.

These proposals were subject to the following conditions:-

(1) That the operations of all other pelagic expeditions, excluding the Japanese, should be limited to the same period and that their total production should be limited to 1,499,000 barrels.

(2) That only one of the land stations Grytviken and Stromness should be operated during the season, and that its catch should be limited to 65,000 barrels.

(3) That the limitation of the whaling season to three months from December 8th, 1936 to March 7th, 1937, and its application to all waters south of the Equator, should be applied to all expeditions except the Japanese.

5. On the 19th August the Norwegian Government replied to these new proposals declaring that they were willing to agree to a later proposal from the quota Committee of the Norwegian whalers for an increase in production for the forthcoming season to 2,265,000 barrels, but that the proposals of His Majesty's Government in the United Kingdom would involve an increase to 2,529,000 barrels. They were of the opinion that the most effective form of restriction would be to lay down definite quotas for individual expeditions and to prohibit the transfer of catch from one expedition to another so that only the largest expeditions would reach the proposed maximum of 90,000 barrels. They were, therefore, unable to associate themselves with any proposal for a higher total catch than that which would be represented by a pro-

duction/

MEMORANDUM.

On 30th July, 1936, the Norwegian Government, in replying to the proposals of His Majesty's Government in the United Kingdom, agreed to the proposed restriction of the season to three months from the 8th December, 1936, to the 7th March, 1937, but stated that in their opinion a three months season was an inadequate measure for securing the necessary restriction of catch. They accordingly suggested that an international arrangement should be concluded limiting the maximum catch of individual expeditions, and that such limits should apply to all expeditions. The suggested maximum was 90,000 barrels.

2. As an alternative they were willing to fix the season at 3½ months, e.g. 1st December to 15th March, if the private companies could agree to a quota arrangement on the basis of a reasonable maximum production, and on condition that His Majesty's Government in the United Kingdom were also in agreement with such an arrangement. This alternative proposal was subject to the condition that one expedition on the whaling grounds should not help other expeditions or companies with production by any means whatsoever.

3. The reply of the Norwegian Government was considered by the representatives of the British whaling companies but the proposal to limit the catch of individual expeditions to 90,000 barrels was inacceptable.

4. The following alternative proposals by the British companies were communicated to the Norwegian Government :-

(1) To restrict the whaling season to three months from the 8th December, 1936, to the 7th March, 1937.

(2) To limit the total output of the 14 expeditions in the British group to 900,000 barrels.

(3) To operate only one land station and limit its catch to 65,000 barrels.

(4)/

COPY/WK.

UNION OF SOUTH AFRICA

Circular despatch B. No. 123

CONFIDENTIAL

DOMINIONS OFFICE

Downing Street,

10th September, 1936.

Sir,

With reference to my Circular B Telegrams Nos. 150 and 151 of the 2nd September I have the honour to transmit a memorandum of developments in the whaling negotiations with Norway since the date of that enclosed in my Circular B despatch No. 77 of the 14th July.

Memorandum.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

(Sgd.) MALCOLM MAC DONALD.

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA.

barrels each, as proposed in Mr. Dormer's note to M. Koht of August 13th last.

Although the Norwegian Government have brought forward the above mentioned proposals, they do so with grave misgiving, and they wish to express serious apprehension that the planned restrictions will by themselves be insufficient to protect the stock of whales against a too heavy exploitation. They therefor consider it necessary, in order to secure at least a scrupulous observance of the regulations, that two Government inspectors shall be on board each Norwegian floating factory for the purpose of supervision, and they hope that corresponding measures will be taken on the British side.

I should like to add that all interested parties in Norway have agreed to the above proposals.

I have, etc.,

(Signed) H. C. BERG.

Chargé d'Affaires a.i.

The Norwegian Government are disposed to take the necessary steps in order to ensure the observance of this classification as far as the Norwegian companies are concerned and venture to express the strong hope that the aforementioned allotment to the British companies will be definitely accepted on the British side and be applied during the forthcoming season.

The proposal is basedon the assumption that no floating factory will have attached to it more than 7, 6 or 5 whale catchers respectively when proceeding to the area of its operations. Buoy boats or reserve boats can accordingly not be brought along in addition to this number. On the other hand, the companies will be allowed to keep one or more reserve boats in the nearest harbour to be used in case of accidents, in such a way, however, that at no time and in no way more whale catchers canbe used than the number allotted to the floating factory in question. The proposal implies further that the limitation of the Antarctic area to 40° South of Equator which was in force during the season 1935-36, will be maintained in the coming season, and that all companies which participate in Antarctic whaling operations or which receive a compensation for abstention from whaling, are obliged not to engage in whaling in any other area during the period from the 30th December, 1936 to the beginning of the next Antarctic season.

The Norwegian Government agree that the two land stations, Compania Argentina de Pesca and Leith Harbour, shall be allowed to produce a maximumof 65,000

barrels

common to the two Governments regarding the question of restricting the period of operations to three months from the 8th December, 1936 to the 7th March, 1937. Considering the capacity of the whaling fleet a restriction only in time would be insufficient. In the opinion of the Norwegian Government such a restriction should be supplemented by a limitation in the number of the whale catchers, this number to be determined for each particular floating factory according to the classification of the factories which has previously been established, and which is well known to the interested British parties. According to this classification the number of whale catchers allotted to each floating factory will be as follows:

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Tafelberg, Vestfold: 7 whale catchers.

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Vikengen, Henkel & Co.'s new factory,
Southern Princess, Southern Empress,
New Sevilla, Surabaya, Salvestria,
Hectoria: 6 whale catchers,

Class C and D:

Fraternitas, Polar Chief,
Anglo-Norse, Frango: 5 whale catchers.

The

(.10210/78/30)

No.181/1936.

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1st September, 1936.

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etc., etc., etc.

the Norwegian Government had already been informed that its removal was a preliminary to any negotiations, and, as this condition had not been complied with, His Majesty's Government had no option but to open the whaling regulations by the removal of the close season restrictions: His Majesty's Government, however, still wished to reach some agreement on whaling for the coming season, and were ready to discuss the Norwegian proposals of the 1st September with the British companies, provided that the blockade could be unconditionally withdrawn.

15. On the 3rd September M. Berg officially informed the Secretary of State for Foreign Affairs that the blockade of British ships had been withdrawn unconditionally.

16. On the 5th Septebber M. Berg was informed that the proposals of the 1st September were accepted as a basis of negotiation, subject to certain amendments. These are now under discussion.

Dominions Office,

9th September, 1936.

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10. The proposals in the Norwegian note of the 19th August, were not acceptable to the British companies, and on the 27th August Mr. Dormer was asked so to inform the Norwegian Government and to state that their refusal to accept the proposals described in paragraph 3 had made

agreement